

**Boardman to Hemingway Transmission Line Project
NEPA / EFSC Process Comparison Table**

The proposed Boardman to Hemingway transmission line project, as proposed by Idaho Power Company, is subject to two regulatory processes. The Oregon Energy Facility Siting Council (EFSC), with support from the Oregon Department of Energy (ODOE), will evaluate the project against a set of state siting standards (see below). The project must pass all standards (with or without mitigation) to be approved. The National Environmental Policy Act (NEPA) process will assess the potential significant effects to the quality of the human environment. NEPA guidance requires federal agencies to avoid, minimize and/or mitigate significant impacts but does not use a clear set of pass/fail standards (i.e., the federal agencies may approve the project despite significant effects). The EFSC decision will encompass all lands, public and private but excluding Tribal. Each federal agency with lands crossed by the project will make a separate decision that is only applicable for the lands managed by that agency. Although federal agencies have no authority to approve or deny a route over private land, the environmental impact statement will document potential effects over the entire length of the project. **The project must be approved by both the state and federal processes to begin construction.**

The table below describes some of the issues to be evaluated by the NEPA process, the related resource reports that will provide documentation of current conditions based on field work and literature review, and comparable exhibits to be included in Idaho Power's Application for Site Certificate. **While the agencies and Idaho Power are making every effort to coordinate data collection, there is no direct relationship between NEPA issues/resource reports and ODOE exhibits.**

NEPA Issues to be Evaluated*	Resource Report
Draft EIS Determination of NEPA Adequacy (DNA) by EPA	List of Preparers (not a resource report)
Avoidance of protected areas where possible. Cooperating agencies should submit details on areas protected by local regulations.	Land use, recreation, agricultural and wilderness
Consistency with local land use plans. Cooperating agencies should submit relevant regulations and may propose alternatives to address local land use compliance issues.	Land use, recreation, agricultural and wilderness
Consistency with state and federal regulations and resource management plans	Land use, recreation, agricultural and wilderness
Effects due to audible and radio noise	Noise
Effects due to electric and magnetic fields	Electrical environment
Effects to air quality, green house gasses	Air quality
Effects to cultural and historic resources (through field surveys and formal consultation with Tribes)	Cultural resources
Effects to geology (e.g. increased landslide risk)	Geologic hazards, soils, minerals and paleontology
Effects to habitat	Vegetation Wildlife Water and fishery Wetlands and riparian
Effects to local service providers (e.g. increased fire management capabilities)	Land use, recreation, agricultural and wilderness
Effects to property values	Socioeconomics
Effects to soils	Geologic hazards, soils, minerals and paleontology
Effects to threatened and endangered species; sensitive species	Vegetation Wildlife Water and fishery
Effects to transportation and/or traffic	Transportation
Effects to various land use types including agriculture and recreation	Land use, recreation, agricultural and wilderness
Effects to visual resources	Visual resources
Effects to water quality	Vegetation Wildlife Water and fishery
Federal authorization would require decommissioning and restoration plan prepared by Idaho Power.	N/A
NEPA process does not approve/reject the physical need for the proposed project but must identify the purpose and need for responding to the application and proposing alternatives (40 CFR 1502.13)	N/A

EFSC Exhibit**
N/A
Exhibit L: Impact On Protected Areas
Exhibit K: Compliance With The Statewide Planning Goals
Exhibit E: Permits Needed for Construction and Operation of the Facility Exhibit BB: Requirements of the Project Order Exhibit CC: Statutes, Rules and Ordinances
Exhibit X: Noise
Exhibit AA: Electric and Magnetic Fields Exhibit DD: Specific Siting Standards
N/A
Exhibit S: Historic, Cultural, and Archeological Resources
Exhibit H: Geological And Soil Stability
Exhibit J: Waters Of The State Exhibit P: Fish and Wildlife Habitat (not T/E)
Exhibit G: Materials Analysis Exhibit U: Public Services
N/A
Exhibit I: Soil Conditions and Uses
Exhibit Q: Protected Plants and Animal Species
Exhibit G: Materials Analysis
Exhibit T: Recreation
Exhibit R: Scenic Resources
Exhibit O: Anticipated Water Use Exhibit V: Solid Waste and Wastewater
Exhibit M: Financial Capability Exhibit W: Site Restoration
Exhibit N: Need

*Not a complete list. NEPA aims to avoid, minimize or mitigate significant impacts to the environment. Significant impacts to any resource may require alternative routes and/or structure designs.

**Not a complete list of EFSC exhibits or standards.

#	*EFSC Review Process Application Exhibit Requirements – OAR 345-021-0010 Standard of Proof – OAR 345-022	Existing Working Groups	NEPA Document Coordination
1	<u>Exhibit A:</u> Information about the Applicant and Participating Persons <u>Standard of Proof:</u> OAR 345-022-0010 - Organizational Expertise - Council must find that the applicant has demonstrated the ability to design, construct, and operate the facility in compliance with Council standards.	None	None
2	<u>Exhibit B:</u> Information about the Proposed Facility, Construction Schedule and Temporary Disturbances of the Site <u>Standard of Proof:</u> General background information; not tied to specific EFSC standard.	None	None
3	<u>Exhibit C:</u> Location of the Proposed Facility <u>Standard of Proof:</u> General background information; not tied to specific EFSC standard.	None	None
4	<u>Exhibit D:</u> Organizational Expertise of the Applicant <u>Standard of Proof:</u> OAR 345-022-0010 - Organizational Expertise - Council must find that the applicant has demonstrated the ability to design, construct, and operate the facility in compliance with Council standards.	None	List of Preparers
5	<u>Exhibit E:</u> Permits Needed for Construction and Operation of the Facility <u>Standard of Proof:</u> OAR 345-022-0000 - Exhibit E requires proof that facility will be able to obtain necessary permits under state law and under federal law (even where delegated to state agency). The precise evidence constituting “proof” varies by permit.	None	None
6	<u>Exhibit F:</u> Names And Mailing Addresses Of All Owners Of Property Located Within Or Adjacent To The Site Boundary <u>Standard of Proof:</u> The Council must provide notice of public hearing to property owners within certain distances from the facility. ORS 469.370(2) and ORS 197.763(2).	None	None
7	<u>Exhibit G:</u> Materials Analysis <u>Standard of Proof:</u> OAR 345-022-0110 - Public Services - Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to the ability of public and private providers within the project order’s analysis area to provide: sewer and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools.	None	RR9: Land Use, Recreation, Agricultural and Wilderness RR10: Transportation
8	<u>Exhibit H:</u> Geological And Soil Stability <u>Standard of Proof:</u> OAR 345-022-0020 - Structural - Council must find that the applicant has conducted appropriate site-specific study evaluating “seismic hazards,” which include ground shaking, ground failure, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement, and subsidence.	None	RR8: Geologic Hazards, Soils, Minerals and Paleontology
9	<u>Exhibit I:</u> Soil Conditions and Uses <u>Standard of Proof:</u> OAR 345-022-0022 - Soil Protection - Council must find that the design, construction, and operation of the facility are not likely to result in a significant adverse impact to soils.	None	RR8: Geologic Hazards, Soils, Minerals and Paleontology
10	<u>Exhibit J:</u> Waters Of The State <u>Standard of Proof:</u> Complies with its ODFW’s habitat mitigation policy, and also that the facility will comply with Oregon Division of State Lands (DSL) permit requirements for impact to wetlands. See OAR Chapter 141, Division 85 (removal-fill authorizations).	Biological Group	RR4: Vegetation RR5: Wildlife, RR6: Water and Fishery RR7: Wetlands and Riparian
11	<u>Exhibit K:</u> Compliance With The Statewide Planning Goals <u>Standard of Proof:</u> OAR 345-022-0030 - Land Use - The Council determines that the facility complies with applicable substantive criteria, LCDC rules and goals, and applicable land use statutes. The applicable substantive criteria are taken from the affected local government’s acknowledged comprehensive plan and land use ordinances OR by recommendation of a Special Advisory Group under ORS 345-021-0050. Exceptions can be made under certain circumstances.	None	RR9: Land Use, Recreation, Agricultural and Wilderness
12	<u>Exhibit L:</u> Impact On Protected Areas	None	RR9: Land Use, Recreation, Agricultural

#	*EFSC Review Process Application Exhibit Requirements – OAR 345-021-0010 Standard of Proof – OAR 345-022	Existing Working Groups	NEPA Document Coordination
	<u>Standard of Proof:</u> OAR 345-022-0040 - Protected Areas - Council shall not issue a site certificate to a facility located in a protected area identified in the rule or a facility located outside the protected area if the facility will have a significant adverse affect on the protected area. A transmission line can be sited in a protected area if the Council determines that alternative routes will have greater impacts.		and Wilderness
13	<u>Exhibit M:</u> Financial Capability <u>Standard of Proof:</u> OAR 345-022-0050 - Retirement and Financial Assurance - Council must find that the site can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility and that the applicant has a reasonable likelihood of obtaining a bond to restore the site.	None	None
14	<u>Exhibit N:</u> Need <u>Standard of Proof:</u> OAR 345-023-0005, -0020, -0030 - Need - Need standard is satisfied if the facility is included in an IRP acknowledged by the OPUC. The Council can also find need if (1) the facility is needed to enable the transmission system to meet firm capacity demands for electricity or firm annual electricity sales reasonably expected to occur within five years of the facility's proposed in-service date based on weather conditions that have at least a 5 percent chance of occurrence in any year in the area to be served by the facility; (2) the facility is consistent with the minimum operating reliability criteria; and (3) construction and operation of the facility is an economically reasonable method compared to the alternatives evaluated in the application for a site certificate.	None	None
15	<u>Exhibit O:</u> Anticipated Water Use <u>Standard of Proof:</u> OAR 345-022-0120 - Waste Minimization - Council must find that, to the extent reasonably practicable: (1) the applicant's solid waste and wastewater plans are likely to minimize waste generation and recycle waste; (2) the applicant's plans to manage waste generated by the construction and operation of the facility are likely to result in minimal adverse impact on surrounding and adjacent areas. See also OAR Chapter 690, Divisions 310 and 380	None	RR4: Vegetation RR5: Wildlife RR6: Water and Fishery RR7: Wetlands and Riparian
16	<u>Exhibit P:</u> Fish and Wildlife Habitat (not T/E) <u>Standard of Proof:</u> OAR 345-022-0060 - Fish and Wildlife - Council must find that the design, construction, and operation of the facility are consistent with fish and wildlife habitat mitigation goals and standards set forth in OAR 635-415-0025 (ODFW's Fish and Wildlife Habitat Mitigation Goals); ODFW's Mitigation goals and policy based on Habitat Category rankings and dictate specific prohibitions/conditions/measures depending on Habitat Category (1- 6). Habitat Category 1 is essential and irreplaceable, and applicants must demonstrate that facility would avoid any impact to Habitat Category 1.	Biological Group	RR4: Vegetation RR5: Wildlife RR6: Water and Fishery RR7: Wetlands and Riparian
17	<u>Exhibit Q:</u> Protected Plants and Animal Species <u>Standard of Proof:</u> OAR 345-022-0070 - Threatened and Endangered Species - Council must find the design, construction, and operation of the facility: (1) for threatened or endangered plant species, is consistent with the protection and conservation program or is not likely to cause a significant reduction in the likelihood of survival or recovery of the species if a protection and conservation program does not exist; and (2) for threatened and endangered animal species, is not likely to cause a significant reduction in the likelihood of survival or recovery of the species. See also ORS 496.172(2); ORS 564.105(2)-(3); 16 USC § 1533.	Biological Group	RR4: Vegetation RR5: Wildlife RR6: Water and Fishery RR7: Wetlands and Riparian
18	<u>Exhibit R:</u> Scenic Resources <u>Standard of Proof:</u> OAR 345-022-0080 - Scenic Resources - Council must find the facility is not likely to result in a significant adverse impact to scenic resources and values identified as significant or important in local land use plans or federal land management plans for any lands located within the project order's analysis area.	None	RR1: Visual Resources
19	<u>Exhibit S:</u> Historic, Cultural, and Archeological Resources <u>Standard of Proof:</u> OAR 345-022-0090 - Historic, Cultural, and Archeological Resources - Council must find that the facility is not likely to result in significant adverse impacts to (1) resources listed on or likely to be listed on the National Register of Historic Places; (2) archeological objects or sites located on private land; and (3) archeological sites on public lands. See also ORS 358.905(1)(a) and (c).	Cultural Group	RR2: Cultural Resources
20	<u>Exhibit T:</u> Recreation <u>Standard of Proof:</u> OAR 345-022-0100 – Recreation - Council must find that the facility is not likely to result in a significant adverse impact to important recreational opportunities in	None	RR9: Land Use, Recreation, Agricultural and Wilderness

#	*EFSC Review Process Application Exhibit Requirements – OAR 345-021-0010 Standard of Proof – OAR 345-022	Existing Working Groups	NEPA Document Coordination
	the project order's analysis area.		
21	<u>Exhibit U: Public Services</u> <u>Standard of Proof:</u> OAR 345-022-0110 - Public Services - Council must find that the facility is not likely to result in a significant adverse impact to the ability of public and private providers within the project order's analysis area to provide: sewer and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools.	None	RR9: Land Use, Recreational, Agricultural and Wilderness
22	<u>Exhibit V: Solid Waste and Wastewater</u> <u>Standard of Proof:</u> OAR 345-022-0120 - Waste Management - Council must find that, to the extent reasonably practicable: (1) the applicant's solid waste and wastewater plans are likely to minimize waste generation and recycle waste; (2) the applicant's plans to manage waste generated by the construction and operation of the facility are likely to result in minimal adverse impact on surrounding and adjacent areas.	None	RR4: Vegetation RR5: Wildlife RR6: Water and Fishery RR7: Wetlands and Riparian
23	<u>Exhibit W: Site Restoration</u> <u>Standard of Proof:</u> OAR 345-022-0050 - Retirement and Financial Assurance - Council must find that the site can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility and that the applicant has a reasonable likelihood of obtaining a bond to restore the site.	None	None
24	<u>Exhibit X: Noise</u> <u>Standard of Proof:</u> Council must find that the facility complies with DEQ's noise control standards found in OAR 340-035-0035.	None	RR12: Noise
25	<u>Exhibit Y: Energy Facilities that Emit Carbon Dioxide</u> <u>Standard of Proof:</u> N/A for this project. Include request for waiver	None	RR11: Air Quality
26	<u>Exhibit Z: Projects with Evaporating Cooling Tower</u> <u>Standard of Proof:</u> N/A for this project. Include request for waiver	None	None
27	<u>Exhibit AA: Electric and Magnetic Fields</u> <u>Standard of Proof:</u> OAR 345-024-0090 - Council must find that the applicant can design, construct, and operate the transmission line so that (1) the electric fields do not exceed 9 kV/m at one meter above the ground, in publicly accessible areas; and (2) the induced currents resulting from the line will be as low as reasonably achievable.	None	RR13: Electrical Environment
28	<u>Exhibit BB: Requirements of the Project Order</u> <u>Standard of Proof:</u> Applicant must prove by preponderance of the evidence that facility complies with (1) EFSC's statutes and standards and (2) all other applicable Oregon statutes rules identified in the project order. OAR 345-022-0000	None	RR9: Land Use, Recreation, Agricultural and Wilderness
29	<u>Exhibit CC: Statutes, Rules and Ordinances</u> <u>Standard of Proof:</u> Applicant must prove by preponderance of the evidence that facility complies with (1) EFSC's statutes and standards and (2) all other applicable Oregon statutes rules identified in the project order. OAR 345-022-0000	None	RR9: Land Use, Recreation, Agricultural and Wilderness
30	<u>Exhibit DD: Specific Siting Standards</u> <u>Standard of Proof:</u> Council must find that the applicant can design, construct, and operate the transmission line so that (1) the electric fields do not exceed 9 kV/m at one meter above the ground in publicly accessible areas; and (2) the induced currents resulting from the line will be as low as reasonably achievable. OAR 345-024-0090	None	RR13: Electrical Environment

*The EFSC process (see EFSC Process Flowchart) allows for and encourages cooperating agency comment and participation during the Notice of Intent step, the Application for a Site Certificate step, the Draft Proposed Order Step and in some instances after issuance of the Site Certificate if follow up is required.