

ODFW's Role Boardman to Hemingway Transmission Line Siting/Permit Process



Importance of Project Permitting

The Project area includes:

- Habitat for five native anadromous fish species, bull trout, and redband trout
- Important habitats for variety of wildlife
- Species listed under the federal and state Endangered Species Acts
- Important angling, hunting and other recreational opportunities

ODFW's Role in Siting Process

- Provide data and expertise on fish, wildlife and habitat
- Contribute to scoping of environmental issues and development of study plans
- Require or recommend mitigation consistent with adopted goals and standards

3

ODFW Considerations in Siting Process

- ODFW Mission - *To protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.*
- Statutes (ORS), Administrative Rules (OAR), and Species Management Plans
 - Provide authority and guidance for species management and habitat protection

4

ODFW's Statutes, Policies, and Rules

- Wildlife Policy (ORS 496.012)
- Oregon Plan for Salmon and Watersheds (ORS 541.405)
- Fish Passage Law (ORS 509.580 - 509.645)
- Native Fish Conservation Policy (OAR 635-007-0502-0535)
- Species Management Plans
- Wildlife Diversity Plan (OARs 635-100-0001 through 0030)
- **Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000-0030)**

5

ODFW's Fish & Wildlife Habitat Mitigation Policy

- "It is the fish and wildlife habitat mitigation policy of the Oregon Department of Fish and Wildlife to require or recommend, depending upon the habitat protection and mitigation opportunities provided by specific statutes, mitigation for losses of fish and wildlife habitat resulting from development actions."

6

ODFW's Fish & Wildlife Habitat Mitigation Policy

- Based on premise that habitats can have varying levels of "relative importance" on survival
- Variability dependent on condition and location of habitat and needs and sensitivity of associated species
- Recognizes opportunities and approaches for habitat mitigation can vary
- Contains a hierarchy of habitat categories

7

Applying Habitat Mitigation Policy

- Category 1: irreplaceable, essential and limited habitat; recommend avoidance of impacts through alternative action or no authorization of proposed action
- Category 2: essential, limited habitat; mitigation goal is a net benefit of habitat quantity and quality
- Category 6: has low potential to become essential or important habitat; minimize off-site impacts

8

Applying Habitat Mitigation Policy

- ODFW assists applicant in determining species of concern and surveys to be conducted
- Applicant collects information necessary to categorize habitats according to value
- Applicant assigns habitat categories, quantifies impacts by habitat category, and proposes mitigation consistent with the Habitat Mitigation Policy
- ODFW reviews habitat categorization and mitigation plan

9

Applying Habitat Mitigation Policy

- ODFW recommends mitigation consistent with OAR 635-415-0025, and the following considerations:
 - Location, physical and operational characteristics, and duration of the proposed development action
 - Alternatives to the proposed development action
 - Species and habitats affected
 - Nature, extent, and duration of impacts

10

Energy Facility Siting Council

- Fish and wildlife habitat siting standard requires EFSC to make a finding that the design, construction, operation and retirement of the facility is consistent with the fish and wildlife habitat mitigation goals and standards of OAR 635-415-0025 (ODFW's Fish & Wildlife Habitat Mitigation Policy)
- EFSC Site Certificate findings (i.e., the final order) must address the requirements of the Habitat Mitigation Policy

11

Fish & Wildlife Concerns

Baker and Union County

Species of Concern

Sage-grouse
 Raptors
 Big game

Habitats of Concern

Wetlands
 Riparian areas
 Springs
 Aspen stands
 Intact sagebrush
 Winter range

12

Fish & Wildlife Concerns

Baker and Union County

- Sage-grouse
 - Distribution and numbers have declined
 - Sensitive to habitat loss and alterations
 - Virtue Flat: 1940's to present
 - Currently petitioned for federal listing
 - Need to take steps to prevent listing

13

Fish & Wildlife Concerns

Baker and Union County

- Sage-grouse
 - Minimize impacts – utilize existing corridors and right-of-ways
 - Nesting and brood rearing most important
 - 2-mile buffer around leks (Category 1)
 - ½ mile buffer springs/wet meadows (Cat 2)
 - Avoid construction 1 March – 30 June

14

Fish & Wildlife Concerns

Baker and Union County

- Big game winter range (Cat 2)
 - Avoid construction and limit post construction access
Dec 1 – Mar 31, control weeds, avoid new road
construction, re-vegetate disturbed areas.
- Wetlands, riparian areas, aspen stands, springs
 - Limited in Baker Co - important to a variety of species
 - Avoid if possible or Category 2 mitigation

15