



Energy Facility Siting in Oregon



Boardman to Hemingway Transmission Line Project
Public Scoping and Information Meetings
October 22 – 30, 2008

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Agenda

- State permitting process
 - Brief explanation at this meeting
 - For full detail go to Oregon Department of Energy (ODOE) website at:
www.oregon.gov/ENERGY/SITING
- Questions and comments

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Siting basics in Oregon

- Oregon Energy Facility Siting Council (EFSC)
 - Seven citizens appointed by the governor, confirmed by the senate
- EFSC's role
 - Makes policy
 - Makes final siting decisions
 - Adopts administrative rules
- ODOE serves as technical staff

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Siting basics in Oregon

- EFSC combines all state and local government requirements, including Land Use, into a single decision
- EFSC uses its standards to review the Application for Site Certificate
- EFSC approves or denies the Application for Site Certificate
 - The Site Certificate is a binding contract between applicant and all political subdivisions
 - EFSC and ODOE staff have on-going regulatory authority based on the Site Certificate

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EFSC standards

- Standards are “pass/fail”
 - The standards are:
 - ✓ General standard of review
 - ✓ Organizational expertise
 - ✓ Structural standard
 - ✓ Soil protection
 - ✓ Land use
 - ✓ Protected areas
 - ✓ Retirement and financial assurance
 - ✓ Fish and wildlife habitat
 - ✓ Threatened and endangered species
 - ✓ Scenic and aesthetic values
 - ✓ Historic, cultural and archaeological resources
 - ✓ Recreation
 - ✓ Public services
 - ✓ Waste minimization
 - ✓ Carbon dioxide emissions
 - ✓ Need standard for non-generating facilities*
- * Addressed later in this presentation

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EFSC Process – Phase One



Phase One: Notice of Intent

- Preliminary and subject to change
- Early opportunity for public comment, but does not result in any regulatory decisions
- Idaho Power will address the comments on the EFSC NOI in its application for site certificate

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EFSC Process – Phase 2



Phase Two: Application for Site Certificate

- Detailed evidence of compliance with standards
- Draft Proposed Order results in public hearings
 - *If you wish to participate in the contested case and have the right to appeal the Council's final decision, then you must comment during the public hearing.*

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Site Certificate Decision

- EFSC approves or denies the certificate based on whether the project meets the standards
- Decision is based on “preponderance of evidence”
- BUT, EFSC can impose conditions needed to ensure compliance and
- EFSC does not choose the location of the project

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Public participation opportunities

- **Current – Notice of intent (NOI)**

- Comments due **November 14, 2008**
- Comments will assist applicant in preparing Application for Site Certificate
- Comments should relate to the EFSC's standards and be specific so that Idaho Power can respond in the Application for Site Certificate

- **Future**

- Application for Site Certificate (early 2009)
- Draft Proposed Order Public Hearings (mid-2009)
- Contested Case Hearing (TBD)
- ODOE will provide public notices following each step of the EFSC process

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Determination of “Need” Standard

- “Need” is an Oregon standard that must be met by the applicant
- Oregon Public Utilities Commission (OPUC) determines if **Need** standard is met
- OPUC uses a separate public process (integrated resource planning) to make this determination

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If you want to plug into the OPUC “Need” process...

- Send public comments to:
**Oregon Public Utility Commission
B2H Transmission Line Comments
P.O. Box 2148
Salem OR 97308-2844**
- More information is available online:
<http://www.puc.state.or.us/>
- Please note that the OPUC may impose additional requirements to participate

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