

ODFW's Role in the Boardman to Hemingway Transmission Line Siting and Permit Process



Importance of Project Permitting

The Project area includes

- Habitat used by five native anadromous fish species, bull trout, and redband trout.
- Important habitats for a diverse array of wildlife species.
- A number of fish, wildlife, and botanical species listed under the federal Endangered Species Act and counterpart state statute.
- Important angling, hunting and other recreational opportunities

ODFW's Role in Siting Process

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

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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

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ODFW's Statutes, Policies, and Rules

- Wildlife Policy (ORS 496.012)
- Oregon Plan for Salmon and Watersheds (ORS 541.405)
- ODFW's Fish Passage Law (ORS 509.580 - 509.645)
- Native Fish Conservation Policy (OAR 635-007-0502-0535)
- Species Management Plans
 - Elk
 - Cougar
 - Bighorn Sheep and Rocky Mountain Goat
 - Gray Wolves
 - Black Bear
 - Mule Deer
 - Wild Turkey
- Wildlife Diversity Plan (OARs 635-100-0001 through 0030)
- **Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0000-0030)**

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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.”

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ODFW's Fish & Wildlife Habitat Mitigation Policy

- Based on premise that habitats can have varying levels of “relative importance” on survival.
- Variability dependent on ecological condition and physical setting of habitat and needs and sensitivity of species using the habitats.
- Recognizes opportunities and approaches for habitat mitigation can vary.
- Contain a hierarchy of habitat categories (1-6)
 - Category 1 – Irreplaceable
 - Category 6 – Not essential or important

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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 Mitigation Policy
- ODFW works with applicant to resolve differences over habitat categorization and reach agreement on acceptable mitigation

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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;
 - fish and wildlife species and habitats which will be affected by the proposed development action; and
 - the nature, extent, and duration of impacts expected to result from the proposed developmental action.

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Applying Habitat Mitigation Policy

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

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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

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Priority Biological Considerations

- Washington Ground squirrels – State listed as Endangered.
- Ferruginous hawk, Swainson's hawk, and burrowing owl nests – sensitive species.
- High quality grassland or shrub-steppe habitat.
- Wetland and riparian habitats.

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