

State Siting Criteria in Oregon

- Basic EFSC siting standards in OAR Chapter 345 Divisions 22, 23, 24, 27
- Application rules of other state agencies and counties
- The most comprehensive list – the Project Order (January 2009) can be updated as needed.

EFSC Basic Standards OAR 345 Division 22

- Org. Expertise
- Protected Area
- Geology / Soil
- Recreation
- Cultural/Historic
- Public Services
- Waste Min
- Retirement*
- ODFW Habitat*
- T&E Species
- Land Use*
- Scenic*
- Health & Safety*
- Noise

Some Standards are NOT about the Route:

- Org. Expertise – applies regardless of route
- Retirement/ Financial Assurance – is required regardless of route
- Need for Facility – must be shown regardless of route

Retirement / Financial Assurance

- Application to EFSC must include engineering estimate of cost to remove the line and restore the site
- EFSC reviews the estimate to ensure it is realistic
- Applicant must provide a bond or letter of credit prior to construction

NEED

- “Need” is an EFSC Standard. Idaho Power must demonstrate Need in its Application for Site Certificate
- As a Regulated Public Utility, Idaho Power proves Need through the Oregon PUC review of its Integrated Resource Plan (IRP)
- The IRP review is a separate and detailed process.
- We cannot cover that process here, but ODOE and PUC will ensure that people receive notice.

Biology Standards (Habitat / T&E Species)

- Based on ODFW “Habitat Categories”
- EFSC must find that proposed Mitigation meets ODFW Habitat Mitigation Policies
- In Habitat Category 1: no impact allowed
- Habitat Category 2: May not be possible to meet the ODFW mitigation goals/policies

Land Use

- EFSC uses the criteria from the County Comp Plan
- We get them straight from the County
Caveat: EFSC can make direct goal findings or take goal exceptions
- EFU Protection (ORS 215.275) is a major Land Use issue for this project

Scenic Standard

- EFSC Scenic Standard is based on the inventory of scenic resources in the County Comp Plan, tribal or federal land management plan

Safety & Public Health

Even though there isn't a Standard called "safety":

- EFSC has broad statutory authority to impose any conditions to protect public health and safety
- These can include routing conditions
- EFSC can and has considered EMF in past applications (for example: COB)

Other Standards Include..

- Recreation
- Cultural, Archeological and Historic
- Protected Area
- Soil Protection
- Noise
- And others.

Please ask about any topic that you don't see in this presentation.

The One-Slide Summary

- The EFSC Standards are just a starting point
- They incorporate many other rules and standards, including those of other agencies and counties
- They generally require EFSC to find that there will be “no net significant adverse impact” (with mitigation)
- The “name” of the standard does NOT tell the whole story. You need to read the OAR or ORS
- The route must comply with all of them