

January 26, 2018

Tilla-Bay Farms, Inc.  
Kurt Mizee  
200 Fenk Rd W  
Tillamook, OR 97141

(503) 812-0932  
robodairy@gmail.com

Oregon Public Utility Commission  
Administrative Law Judge Patrick Power  
Attn: PCN 2  
PO Box 1088  
Salem, OR 97308

I respectfully submit the following testimony on behalf of and with the full support of the family owners of Tilla-Bay Farms, Inc.

Our family presents this on our 100<sup>th</sup> Anniversary of putting down roots on our piece of land in Tillamook. Four generations have grazed dairy cattle, made feed, and tilled the land off of Fenk Rd. We've cross-tiled, built an Army Corp certified levee and created a drainage district in order to keep this land productive and build a better future for coming generations.

The result has created some of the most productive farm land in the county according to Soil and Water Conservation District and County Community Development studies. It has also allowed for the dry passage for Hwy 131 connecting the villages of Netarts, Oceanside and Cape-Mearns to Tillamook. However, now all that forward thinking hard work has landed us a curse. We have become a target of the Tillamook PUD (PUD) with not just one, but 4 possible routes for the Netarts-Oceanside transmission line cutting across our land (Exhibit 1). The very efforts we have made to create productivity and value in our farm have also made it attractive as a place to land poles and string lines because it is reliably dry and accessible year-round. And while two of the routes proposed already have lines with existing transmission easements passing east-west, neither of these are being utilized by PUD, instead opting for an additional easement. Our family would like to make it clear that we oppose the transmission line and especially in its current proposed form. Please see the list of reasons below:

- 1) We believe that the Oregon Statewide Planning Goals and Guidelines, specifically Goal 11, Guideline "A" item 6 spells out siting of power lines and the division of farm land and the proposed route flies in the face of that (Exhibit 2). We see this as a reasonable point

of contention in a land use hearing. The fact that PUD has yet to complete the permit process with the Tillamook County Department of Community Development means that we are nowhere near settled on this issue and a host of others. The process is contentious and convoluted enough that County staff has already indicated that they don't intend to offer a Staff report to the County Planning Commission with any suggested direction, which they generally do. As a result, we feel that the PUC hearing is very much "cart before the horse". The land use process has been set up to protect farm land in the state of Oregon. When there are options that exist that don't create new divisions of farm land, this action seems unwarranted and opposed to the statewide planning goals.

- 2) There are tremendous impacts in both the long and short term for our farming operations. PUD has a history of affecting productivity of dairy cattle in the county even as recently as two months ago. Dairy cattle are especially sensitive to stray voltage issues and their comfort and productivity can suffer greatly as a result. Since there are no monitoring protocols in place farmers are left with the task of tracking down the problem and bringing it to the attention of PUD, usually after significant loss. Furthermore, PUD does not have a good track record of compensation for such losses. This doesn't include other impacts such as disruptions for soil sampling and site survey, disruption of intensive grazing systems, liability to underground water, irrigation and tile lines, soil compaction, loss of milk production due to stress on cattle by construction methods (vibratory cason pole installation), loss of feed and ability to make feed in a timely manner during construction, road and cow lane damage. These are all just short term impacts and PUD has already shown its hand with how it intends to reimburse us by offering an insultingly low amount of money for the initial easement. Beyond this, the long term implications of having to farm around poles and lines including aerial spraying, drone monitoring and manure application on some of our best cropping fields, technology interference (we use robotics and long distance radio health monitors) are just the tip of the iceberg. The issue of easements and lines interfering with farming operations is compounded by the fact that we are dealing with a relatively small, albeit high value, piece of ground. This is a very different scenario from the large tracts of land found on the east side of the state, or even those in the Willamette Valley. The offers made so far for procuring this easement would likely not even cover lost production cost let alone long term costs. It is worth noting that the PUD may be so set on this route because they see it as a lowest cost solution. I don't think they have even begun to wrap their minds around the true cost of crossing high value farm land and the corresponding cost of obtaining easements.

- 3) There are other options. While PUD maintains that 20% of peak load is in the Netarts-Oceanside area that still means that there is an 80% use in central Tillamook. This is where the large users are (Tillamook Cheese, Werner's Jerky, Hampton and Stimpson lumber mills, the Port of Tillamook, and more). Central Tillamook is also where the much needed expanded development for affordable housing would be since it is close to services while land for development in Netarts and Oceanside is limited. Therefore, it seems more reasonable to develop the substations in Tillamook to greater capacity. PUD states that upgrading the Wilson River Substation would put "all its eggs in one basket" (ignoring the fact that all power still has to pass through the Wilson River facility either way). However, if there were a transformer upgrade at the Trask substation the load could be spread. If in the future a transmission line was actually needed out to Netarts one could be much more easily put in from the Trask station as easements are almost totally in place already (exhibit 3 a, b, c). The real problem with adequately servicing the communities of Oceanside and Netarts is a result of failing distribution lines (exhibit 4,5). If those lines were upgraded correctly adequate power could be pushed out there either from Wilson or Trask station. Simply upgrading the distribution lines and taking better care of the right of ways would meet demand in the Netarts/Oceanside area for 15 years even at the robust growth that PUD has predicted. If you couple more realistic growth numbers with the fact that solar technology and more energy efficient devices could radically change the usage and need and doing anything else seems like wasteful overspend by the PUD. More importantly upgrading distribution would eliminate the land grab we are talking about in this hearing and avoiding additional infrastructure to maintain for the rate-payers. Paramount is the fact that both of these options stay in existing rights of way or easements. If you buy a piece of property with a power line on it, you assume that there will always be a power line of some type on it and are aware of the encumbrances at the time of purchase. Having one placed on your land where the hasn't ever been one is a very different scenario.
- 4) This land has value beyond this generation. While I previously mentioned the fact that our farm has been found to be especially high production land it has also been surveyed as outstanding habitat. Our farm is extremely popular among the bird watching crowd and we've been told that of the 900 plus bird species in North America over 700 are in our area. We are also located in the National Canadian Goose Migration Flyway. Additionally, the proximity to recent wetlands restoration projects mean that there is future value in those terms as well and was noted so by Community Development in their recent nationwide pilot project regarding farm to wetlands transfer. The same could be said for the other agriculture lands along this route. One alternate route looked at passing through this neighboring wetlands restoration area and was given a no-go by Oregon Department of Fish and Wildlife because of potential wildlife impacts. It doesn't seem too far-fetched that simply running the line on the other side of the river wouldn't

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have the same impact? I would point you to Exhibit 6 that refers to Bandon Marsh Wildlife Refuge. The press release is letting the public know that ARRA (aka stimulus funds) had been awarded at a cost of \$2.5 mm to move overhead power lines to buried lines because they were deemed a "significant collision hazard with the birds at the refuge". We already have done the wetlands restoration project that they were moving the lines in preparation for. We have the opportunity to learn from history, but instead are plowing blindly forward towards the same outcome.

- 5) The lifeblood of this community is agriculture and timber. The largest single user of power is the Tillamook County Creamery Association and they have voiced their opposition (Exhibit 7). The farmers of this county as a whole are likely an even bigger customer of power and they have voiced their opposition through trade organizations via a joint letter from Oregon Farm Bureau and Oregon Dairy Farmers Association (Exhibit 8). Stimpson Lumber who owns the timber land that this line would pass through would far prefer to keep the line along the roads and give additional buffer and right of way access rather than have it divide their tree farm. I can't understand how a publicly elected board can be so blind to the fact that their constituents aren't in support of this major and costly project. The public involvement process has been non-existent. The CAG process that the PUD holds up as it's big win was a farce. The members were never allowed to talk about need and were coached through a moderator to end at a "can you support" decision. Many if not most of those members no longer support the proposed route. There has never been an outpouring of support for the project, not even from the coastal communities who it would supposedly provide the most benefit to. The PUD board has a head-in-the-sand approach to this project in terms of their customers and their air of superiority is reflected through a letter written by board member Ed Jenkins (Exhibit 9) to the trade organizations representing us.

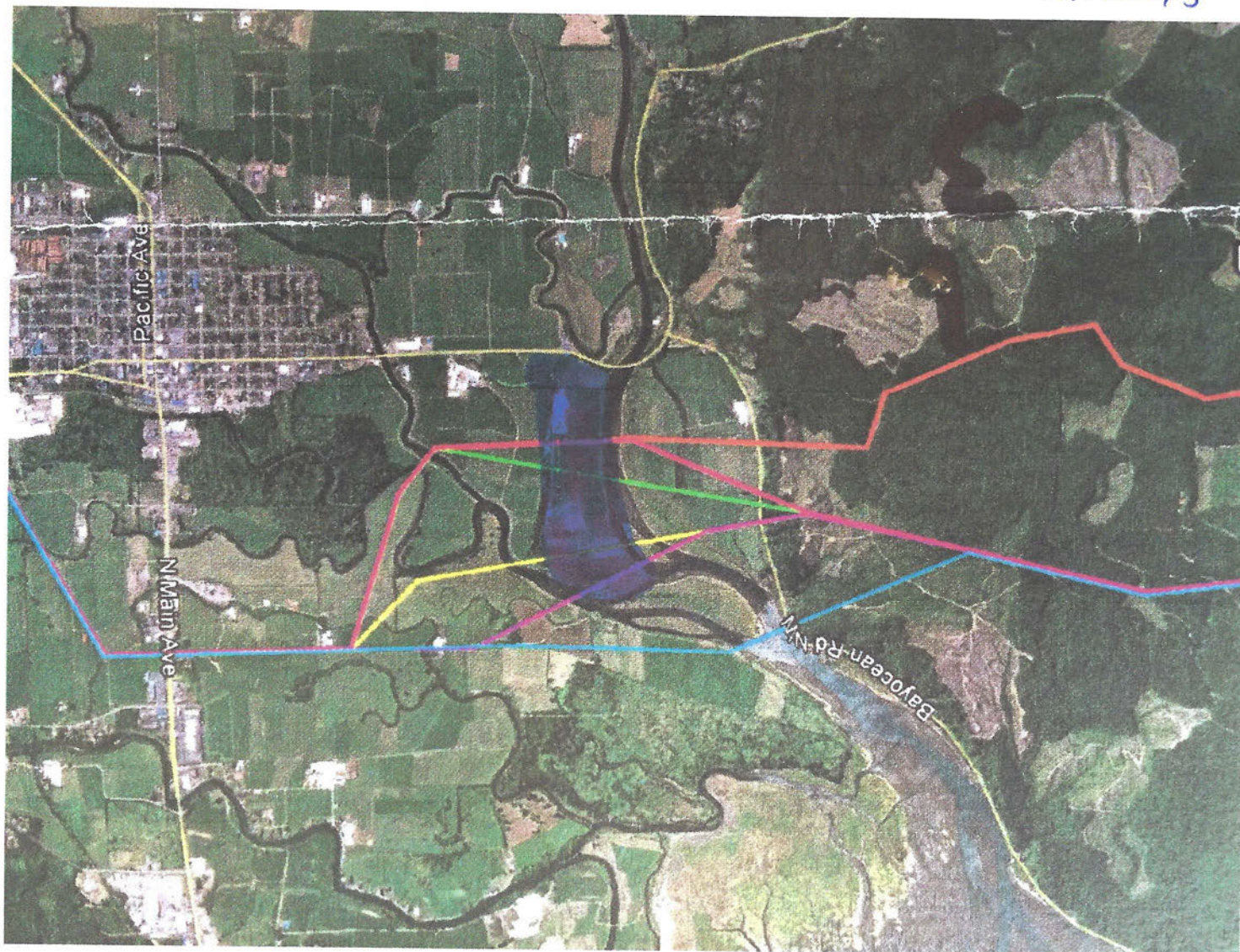
In closing, I would like to state that our farm didn't have an issue with the line when it was still planning to be placed in the existing Hwy 131 right of way along the edge of our farm. We are used to dealing with a distribution line in that area and have farmed around it for generations. However, to pass a transmission line through the middle of our farm raises too many issues, many with unknown consequences, while other reasonable and possible solutions exist. Therefore, we cannot support this project.

Regards,



Kurt Mizee

Fourth Generation  
Tilla-Bay Farms, Inc.



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Tilla - Bay Farms, Inc.  
in blue

## Oregon's Statewide Planning Goals & Guidelines

### GOAL 11: PUBLIC FACILITIES AND SERVICES

#### OAR 660-015-0000(11)

**To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Counties shall develop and adopt community public facility plans regulating facilities and services for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

Local Governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries, except where the new or extended

system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

Local governments may allow residential uses located on certain rural residential lots or parcels inside existing sewer district or sanitary authority boundaries to connect to an existing sewer line under the terms and conditions specified by Commission rules.

Local governments shall not rely upon the presence, establishment, or extension of a water or sewer system to allow residential development of land outside urban growth boundaries or unincorporated community boundaries at a density higher than authorized without service from such a system.

In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties.

***A Timely, Orderly, and Efficient Arrangement*** – refers to a system or plan that coordinates the type, locations and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

**Rural Facilities and Services** – refers to facilities and services suitable and appropriate solely for the needs of rural lands.

**Urban Facilities and Services** – Refers to key facilities and to appropriate types and levels of at least the following: police protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

**Public Facilities Plan** – A public facility plan is a support document or documents to a comprehensive plan. The facility plan describes the water, sewer and transportation facilities which are to support the land uses designated in the appropriate acknowledged comprehensive plan or plans within an urban growth boundary containing a population greater than 2,500.

**Community Public Facilities Plan** – A support document or documents to a comprehensive plan applicable to specific unincorporated communities outside UGBs. The community public facility plan describes the water and sewer services and facilities which are to support the land uses designated in the plan for the unincorporated community.

**Water system** – means a system for the provision of piped water for human consumption subject to regulation under ORS 448.119 to 448.285.

**Extension of a sewer or water system** – means the extension of a pipe, conduit, pipeline, main, or other physical

component from or to an existing sewer or water system, as defined by Commission rules.

## GUIDELINES

### A. PLANNING

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.

2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.

3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.

4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.

5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.

7. Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land

conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

## **B. IMPLEMENTATION**

1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.

2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.

3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.

4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.

5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.

6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal



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# Exhibit 39

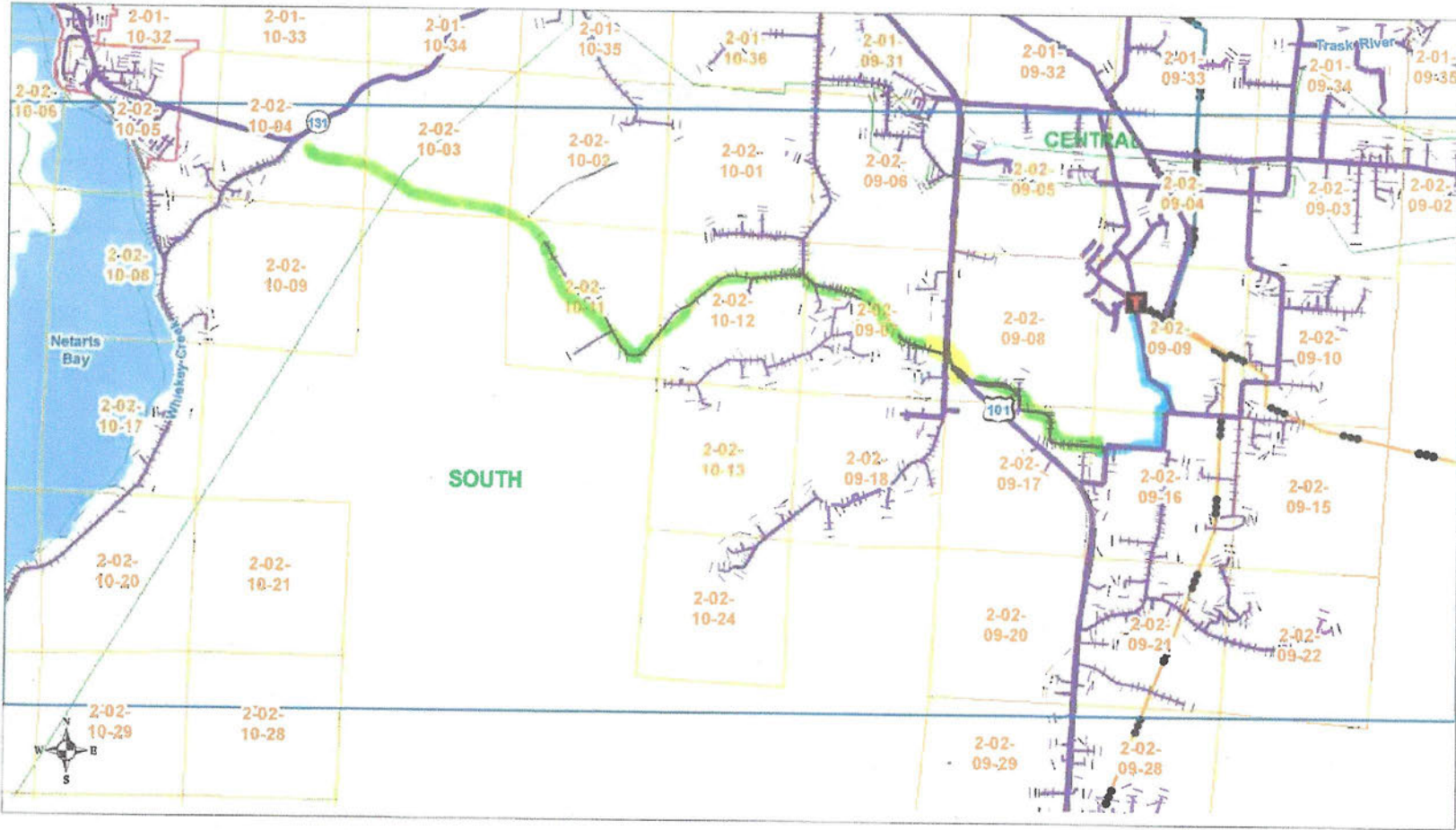


OR 24 Tillamook  
Staking Sheet

Work Order #: 93654  
Date: 06/08/2017 01:02:54 PM  
EFR: BRIAN C VOSBURGH  
RUS #:  
WORK PLAN #: 2016

MQAC: \_\_\_\_\_  
J/C: \_\_\_\_\_ CAP#: \_\_\_\_\_  
NJUNS: \_\_\_\_\_ #: \_\_\_\_\_  
MAP: \_\_\_\_\_  
Description: Trask Feeder Option - South

CUSTOMER	Location and Scope
Name: TILLAMOOK PUD	Service Address:
Phone:	City:
Rate:	Substation: 11 - WILSON 2
Directions:	Feeder: Wilson2 51
	Phase:



Notes:

Locates:	
Ticket#:	
Date:	
Time:	

JOB BRIEFING	
Unusual Conditions	
Existing Hazards	
Work Procedure Involved	
Energy Source Control	
Personal Protective Equipment	

Crew	Date
Completed	

-UG  
-DBL CRT

OPTION # 2 (04/UG)

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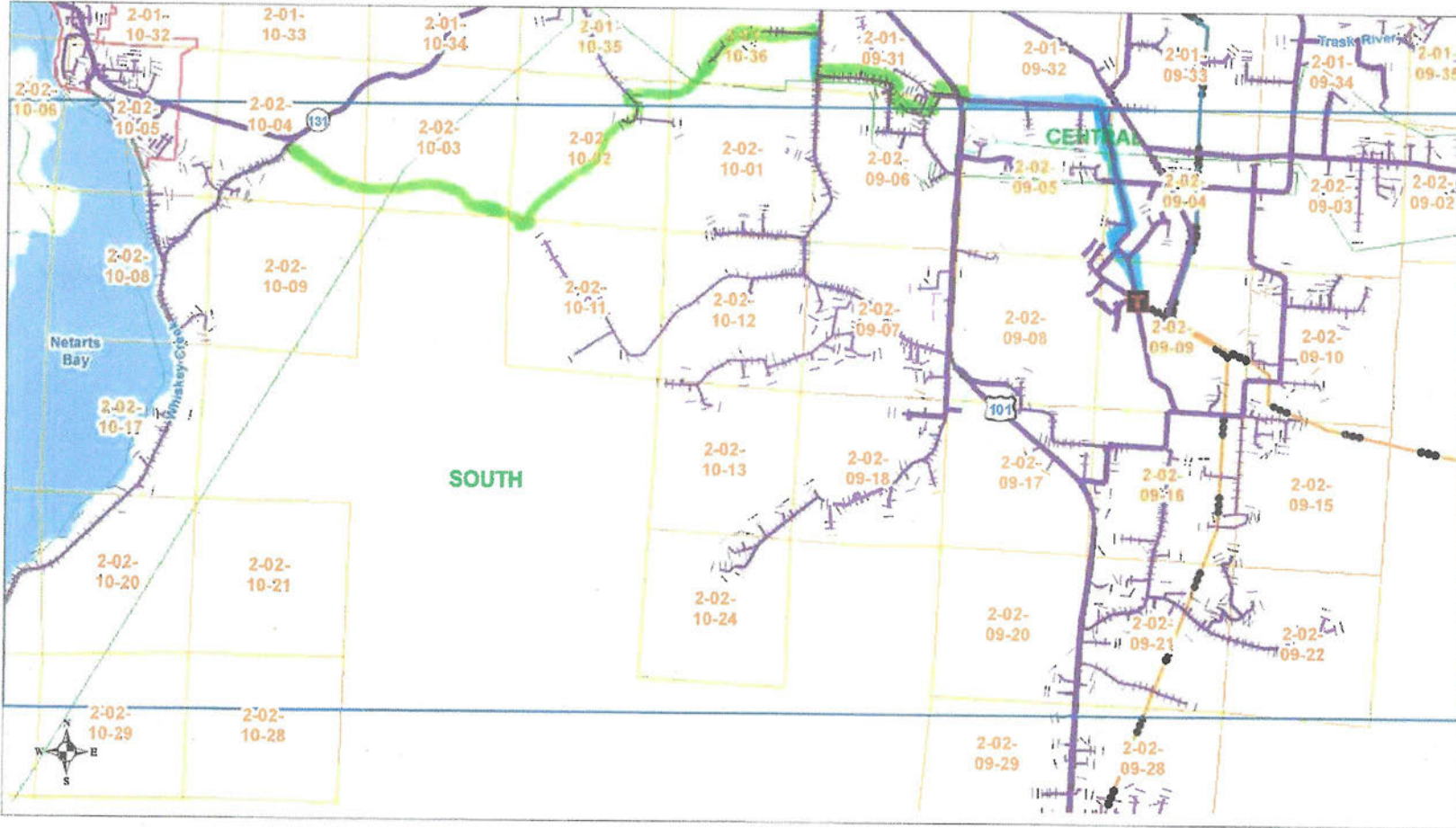


OR 24 Tillamook Staking Sheet

Work Order #: 93654  
Date: 06/08/2017 01:02:54 PM  
EFR: 0  
RUS #:  
WORK PLAN #: 2016

MQAC: \_\_\_\_\_  
J/C: \_\_\_\_\_ CAP#: \_\_\_\_\_  
NJUNS: \_\_\_\_\_ #: \_\_\_\_\_  
MAP: \_\_\_\_\_  
Description: Trask Feeder Option - North

CUSTOMER	Location and Scope
Name: TILLAMOOK PUD	Service Address:
Phone:	City:
Rate:	Substation: 11 - WILSON 2
Directions:	Feeder: Wilson2 51
	Phase:



Notes:

Locates:	
Ticket#:	
Date:	
Time:	

JOB BRIEFING
Unusual Conditions
Existing Hazards
Work Procedure Involved
Energy Source Control
Personal Protective Equipment

Crew	Date
Completed	

-DBL CKT

OPTION #1 (OH)

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3c

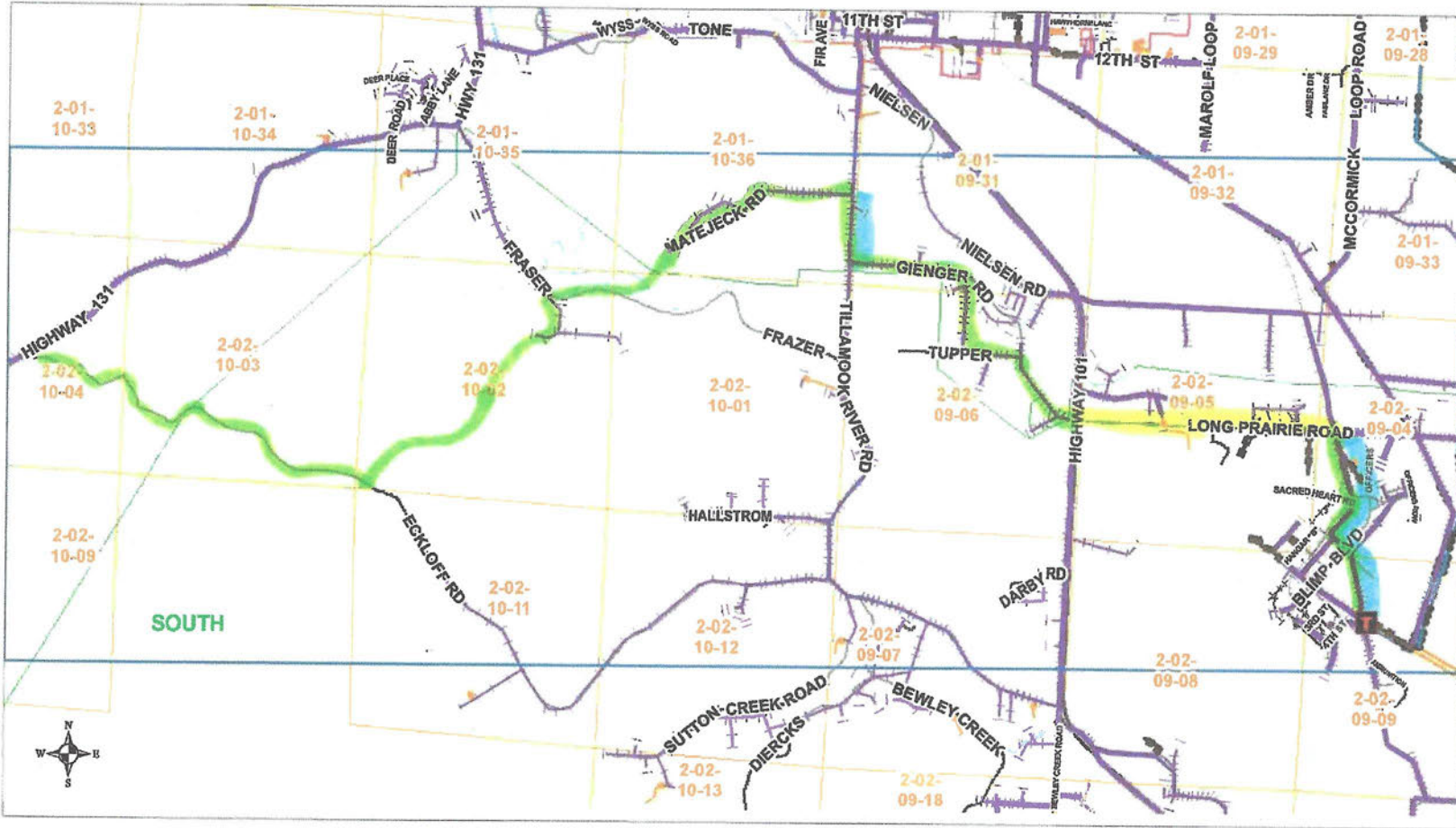


OR 24 Tillamook Staking Sheet

Work Order #: 93654  
Date: 06/08/2017 01:02:54 PM  
EFR: 0  
RUS #:  
WORK PLAN #: 2016

MQAC: \_\_\_\_\_  
J/C: \_\_\_\_\_ CAP#: \_\_\_\_\_  
NJUNS: \_\_\_\_\_ #: \_\_\_\_\_  
MAP: \_\_\_\_\_  
Description: Trask Feeder Option - North(OH/UG)

CUSTOMER		Location and Scope	
Name: TILLAMOOK PUD	Service Address:		
Phone:	City:		
Rate:	Substation: 11 - WILSON 2		
Directions:	Feeder: Wilson2 51	Phase:	



Notes:

Locates:

Ticket#:	
Date:	
Time:	

JOB BRIEFING	
Unusual Conditions	
Existing Hazards	
Work Procedure Involved	
Energy Source Control	
Personal Protective Equipment	

Crew	Date
Completed	

-UG  
-DOUBLE CKT

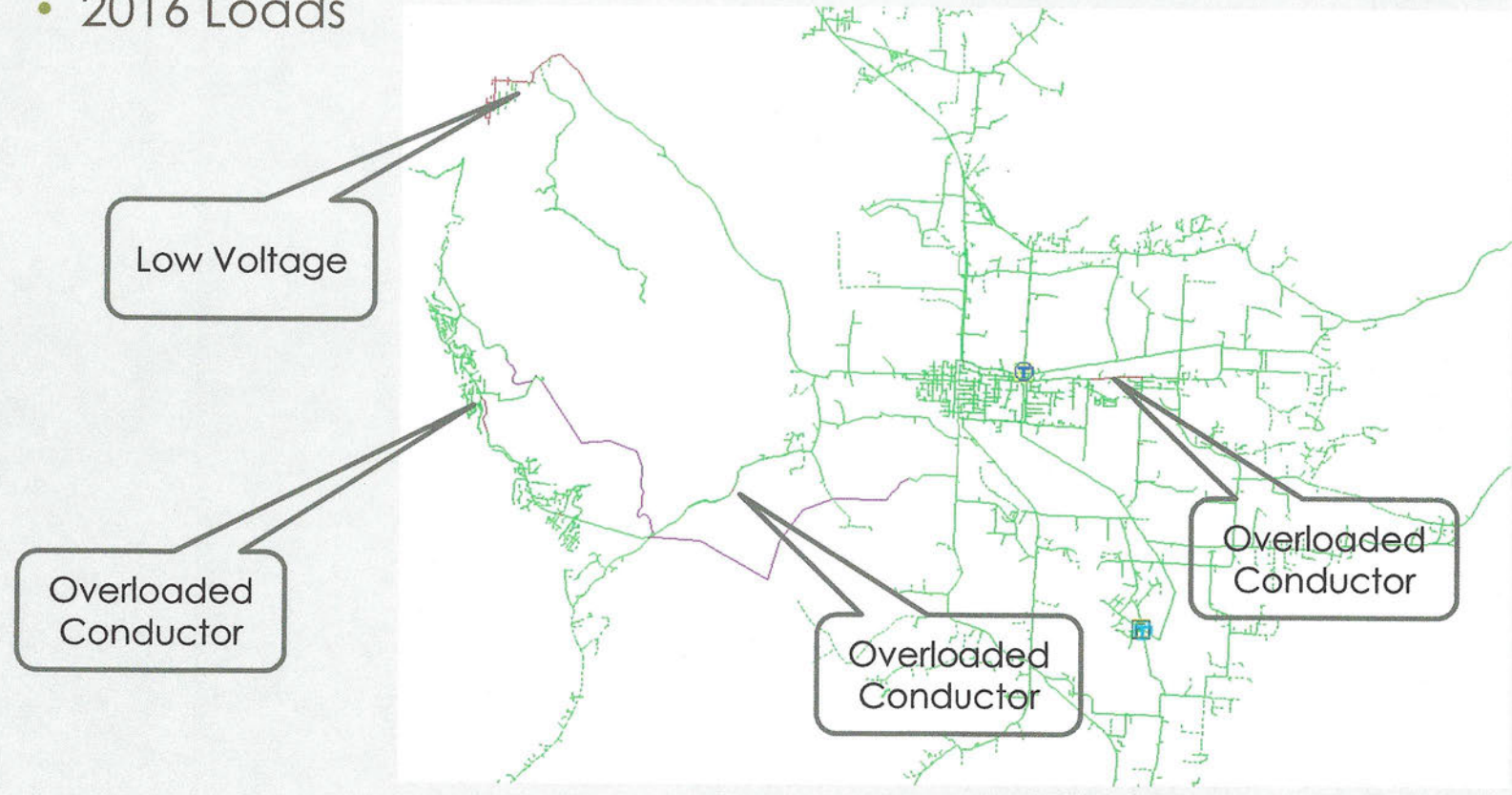
OPTION #3 (04/04)

# Exhibit 4

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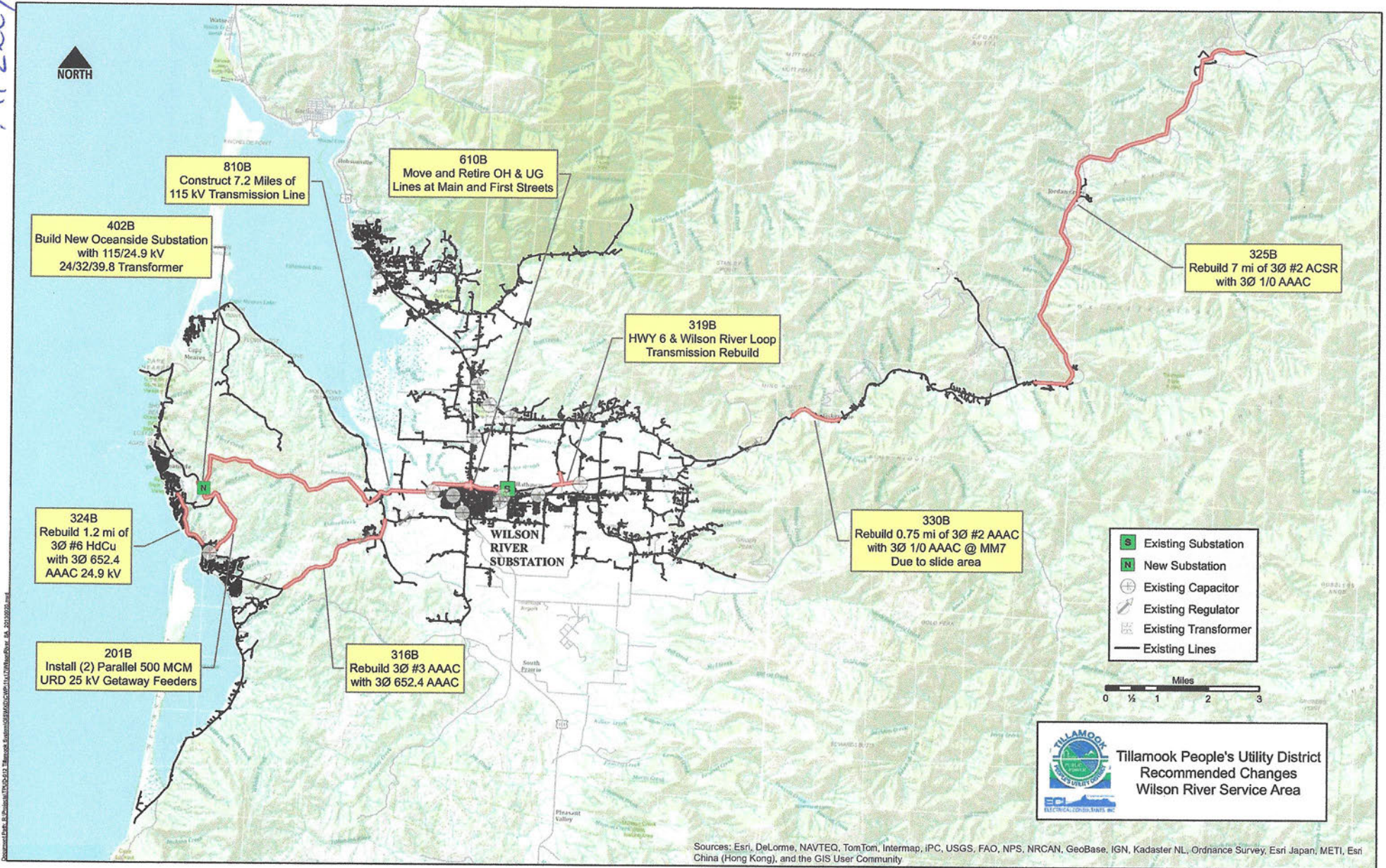
## CONTINGENCY ANALYSIS CENTRAL TILLAMOOK CAPACITY

- Results of Power Flow Simulation Model
- N-1 System Capacity (Largest Component Out of Service)
  - 2016 Loads



# Exhibit 5

Mizee/13





U.S. Department of the Interior  
Office of the Secretary  
Office of Communications  
1849 C Street NW  
Washington DC 20240  
202-208-6416 phone  
202-208-5133 fax

## Interior Recovery News Release

**FOR IMMEDIATE RELEASE**

Date: April 6, 2010

Contact: Roy Lowe

Phone: (541) 867-4550

FFS# R1LA

RO 10-45

### **New Jobs Created in \$2.5 Million Recovery Act Project for Bandon Marsh National Wildlife Refuge**

*Overhead line will be moved underground as part of the effort to restore  
400 acres of tidal wetlands at the coastal refuge*

**WASHINGTON, D.C.** – Secretary of the Interior Ken Salazar announced today that the Department of the Interior has awarded a \$2.5 million contract under the American Recovery and Reinvestment Act of 2009 (ARRA) to switch an overhead power transmission line to an underground cable system at Bandon Marsh National Wildlife Refuge.

The stimulus funding will be used by Doyon Project Services of Federal Way, WA, to relocate the existing 3,400-foot 25kV power line in order to further the restoration of 400 acres of tidal wetlands on the southwestern Oregon coast. The new 25kV transmission line will be buried approximately four feet deep across the floodplain using trenching techniques and will be bored under the Coquille River.

“This is a local project that is very near and dear to the people who live there, and the environmental benefit is something we are excited about,” Doyon proposal manager Elisa Howard said. “We are thrilled to work for the residents of the area and feel it is important to hire local help when we can. We will be hiring local companies as drilling and electrical subcontractors.”

“The existing overhead transmission lines represent a significant collision hazard with the birds at the refuge, and it would pose a much greater hazard once the area is restored to tidal wetlands,” Oregon Coast National Wildlife Refuge Complex Project Leader Roy W. Lowe said. “The project is also important to the Coos-Curry Electric Cooperative as it

-more-

will protect and insure the long-term integrity of the transmission line through the highly dynamic wetlands.”

The American Recovery and Reinvestment Act passed in 2009 provided \$3 billion to the Department of the Interior.

The ARRA funds are part of a stimulus package that is an important component of the President's plan to jumpstart the economy and put a down payment on addressing long-neglected challenges so the country can thrive in the 21st century. Under the ARRA, Interior is making an investment in conserving America's timeless treasures – our stunning natural landscapes, our monuments to liberty, the icons of our culture and heritage – while helping American families and their communities prosper again. Interior is also focusing on renewable energy projects, the needs of American Indians, employing youth and promoting community service.

“The funds used to complete this project represent a continuing commitment by the Department of the Interior and Fish and Wildlife Service to both protect wetlands and create jobs in the region,” Secretary of the Interior Ken Salazar said.

Secretary Salazar has pledged unprecedented levels of transparency and accountability in the implementation of the Department's economic recovery projects. The public will be able to follow the progress of each project on [www.recovery.gov](http://www.recovery.gov) and on [www.interior.gov/recovery](http://www.interior.gov/recovery).

Secretary Salazar has appointed a Senior Advisor for Economic Recovery, Chris Henderson, and an Interior Economic Recovery Task Force to work closely with Interior's Inspector General to ensure the recovery program is meeting the high standards for accountability, responsibility, and transparency set by President Obama.

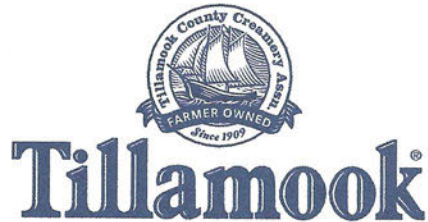
The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals and commitment to public service. For questions, comments or concerns email us at [recoveryact@fws.gov](mailto:recoveryact@fws.gov). For more information on our work and the people who make it happen, visit [www.fws.gov](http://www.fws.gov).

Ex 6

Mizee/16

**Congressional Contacts:**  
**Senator Ron Wyden (D)**  
**Senator Jeff Merkley (D)**  
**Congressman Peter DeFazio (D)**





February 1, 2018

Oregon Public Utility Commission  
The Honorable Patrick Power, Administrative Law Judge  
Attn: PCN 2  
P.O. Box 1088  
Salem, OR 97308

**RE: Tillamook County Creamery Association Position on the Tillamook to Oceanside Transmission Line**

Dear Judge Power,

The Tillamook County Creamery Association (TCCA) supports investment in the future infrastructure of our community, but TCCA does not endorse the decision to exercise eminent domain by the Tillamook People's Utility District (PUD) for the Tillamook to Oceanside Transmission Line (TOTL) and urges the PUD to choose a route that minimizes impact on agricultural uses. We are philosophically opposed to efforts to remove economically productive farm land from farm zones. If it becomes necessary to remove productive farm land then we advocate for full compensation for fair market value of the land and the loss of business.

TCCA is a 109-year-old cooperative in Tillamook County and one of the largest customers of the PUD. We are very proud of the agricultural heritage of Tillamook County. While the Oregon Land Conservation and Development Act of 1973 has had significant impact on land availability in Tillamook County, which is a factor in limited sites for a transmission line, it has helped preserve the economic resilience and rural character of the County. Farming and food processing provide jobs and tax base and the preserved rural charm draws tourists.

Since 2013, TCCA has been engaged in the evolution of the TOTL project:

1. TCCA acknowledged the need for the transmission line for capacity in Netarts/Oceanside and redundancy in the general Tillamook area. This redundancy ultimately benefits our manufacturing plant and headquarters, our farms, and the community.
2. Initially, TCCA opposed the Front Street route because we believed it would have negatively impacted our Farm Store and Farm Store Warehouse properties. After a pole redesign that reduced impact on our properties, TCCA took no exception to a Front Street route.
3. TCCA took no position on the overall route of the TOTL as long as the route minimized impact on the farm land of TCCA member-owners. Individual members were free to take their own positions.

While we remain consistent with our past position, we do not agree with the decision to exercise eminent domain, especially when the selected route has not demonstrated minimized impact on agricultural uses. TCCA opposes the conversion of land zoned Exclusive Farm Use to any other use, and is committed to a policy of no net loss of farmland in Tillamook County. To protect and preserve agricultural land, TCCA members and staff:

1. Actively participate in local and regional community planning events.
2. Support local administration of existing land use ordinances.

**Dairy done right.**

TILLAMOOK COUNTY CREAMERY ASSOCIATION 4185 Highway 101 North, Tillamook, Oregon 97141  
TEL 503.842.4481 FAX 503.842.6039 Visit us at [Tillamook.com](http://Tillamook.com)



# Tillamook®

3. Work to promote statewide legislation that both protects agricultural land and safeguards the rights of the landowner.
4. Consider efforts to mitigate the loss of agricultural land through zoning conversions to Exclusive Farm Use.
5. Use where such a conversion is both reasonable and beneficial to the agricultural community.

Construction of a transmission line will preclude impacted farmers from utilizing portions of their property and require changes in farming practices during construction. Operation of the line may impact the ability to farm certain pieces of land, apply nutrients, aerially address pest and weed issues, and utilize drone technology to assist their operations. We are not convinced that this line will be compatible with agricultural operations, that it can mitigate any impacts, or that siting through agricultural lands is necessary.

In addition to the impact to the farming operations, compensation offered to the farmers has not included attribution of investment to build infrastructure or the loss of business for the impact to operations. In other conditional use circumstances when farm land is rezoned, farmers are compensated for both fair market value and loss of business.

We urge the PUD Board of Directors to:

- Continue the public process—rather than exercising eminent domain—to find a route that minimizes impact on agricultural land as well as community infrastructure.
- Demonstrate the impact to PUD members and the payback schedule for the TOTL investment.
- Consider whether a demand response partnership with TCCA would reduce the need for the added redundancy provided by the TOTL.
- Consider alternative infrastructure development that minimizes the need to run the TOTL through farm land. We would like to see the PUD share a detailed feasibility analysis of upgrades to the Wilson River sub-station and the existing lines compared to the proposed route.
- If it becomes necessary to site a route through farm land, compensate land owners fairly for the easement as well as the cost to their business, using a formula that reflects a competitive price for the land and loss of business.

Thank you for considering our position.

Sincerely,

Sarah Beaubien  
Senior Director, Stewardship & Farm Engagement

## Dairy done right.

TILLAMOOK COUNTY CREAMERY ASSOCIATION 4185 Highway 101 North, Tillamook, Oregon 97141  
TEL 503.842.4481 FAX 503.842.6039 Visit us at [Tillamook.com](http://Tillamook.com)



December 12, 2017

Tillamook People's Utility District  
Board of Directors  
c/o General Manager Todd Simmons  
P.O. Box 433  
1115 Pacific Avenue  
Tillamook, OR 97141-0433

Via email: [tsimmons@tpud.org](mailto:tsimmons@tpud.org)

**RE: Tillamook PUD Proposed Transmission Line**

Dear Mr. Simmons,

The Oregon Farm Bureau Federation (OFB), Tillamook County Farm Bureau (TCFB) and Oregon Dairy Farmers Association (ODFA) write to urge the Tillamook PUD to avoid condemning valuable agricultural land for the new Tillamook to Oceanside transmission line and to reconsider both the need for the proposed transmission line as well as the route for any new transmission line that needs to be constructed.

By way of background, OFB is a voluntary, grassroots, nonprofit organization representing Oregon's farmers and ranchers in the public and policymaking arenas. As Oregon's largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry. Today, OFB represents over 7,000-member families professionally engaged in the industry and has a total membership of over 60,000 Oregon families. TCFB is the voice of agriculture in Tillamook County, representing members across Tillamook County, including several who would be impacted by this project.

The ODFA was founded in 1892 to work on behalf of the Oregon dairy farmers. Today, ODFA represents Oregon's 240 dairy farming families. Dairy farms are located in 20 counties and approximately 125,000 cows call Oregon "home." ODFA works to create an atmosphere that is conducive for Oregon dairy producers of all sizes and types of production in all areas of the state.

We believe that the transmission line proposed by Tillamook PUD has not been well vetted with agricultural landowners and will negatively impact agricultural lands in the county. We believe that transmission lines should be located to avoid losses of farmland and associated agricultural activities and remain within existing utility corridors, where those corridors are available. We

also believe that an agricultural landowner should not be forced to accept a utility easement when there are other siting options available to the utility. In short, we do not think you have met the very high burden of demonstrating that you need to site the new transmission line through agricultural land, nor do we think that siting this transmission line on agricultural lands is necessary for your operations. We have recently submitted comments on your application to the Public Utilities Commission and have asked to intervene in that case because of these issues. I have attached a copy of our comments as well as a copy of Oregon Farm Bureau's policy on utility siting for your review.

Tillamook PUD has failed to secure approval of most of the farmers whose property and livelihood will be impacted by the line nor have you accurately captured the myriad of negative impacts the proposed transmission line could have on agricultural operations within the line's route. Tillamook PUD has not addressed farming practices along the route, any conflicts with the transmission line, any potential mitigation it will provide for the farmers, and a myriad of other issues associated with agricultural compatibility.

Given that the construction and operation of the transmission line will be severely disruptive to the agricultural operations along the route, Tillamook PUD should not move forward with this proposal, which would result in the condemnation of large swaths of critical agricultural land. Construction of a transmission line will preclude impacted farmers from utilizing large portions of their property and require significant changes in farming practices during construction. Operation of the line can impact the ability to apply nutrients, aerially address pest and weed issues, and utilize drone technology to assist their operations. Additionally, we have had several reports of impacts to cattle from stray voltage along Tillamook PUD lines that the utility has not addressed.

We request that Tillamook PUD go back to the planning stage and more fully evaluate both the need for the transmission line and alternative routes that do not involve condemning valuable agricultural land. Agriculture is the backbone of Tillamook County, and we cannot afford to lose any farmland in the county. This proposal will impact multiple farms that are critical to our County's dairy industry, the largest employer in the County.

In the event that Tillamook PUD does secure approval to condemn agricultural land, we request that Tillamook PUD not resort to condemnation, but instead negotiate an easement with impacted landowners based on market rates for industrial/commercial land within the city. We also request that Tillamook PUD fairly compensate landowners for any loss in value to their operations or changes in practice associated with the utility line.

We urge the Tillamook PUD Board of Directors to withdraw its application to the Public Utility Commission, continue to engage with the public on an alternative route that will not impact agricultural land, and construct its route to utilize existing utility corridors. We also request that any easements acquired from agricultural land be negotiated with impacted landowners and be based upon market rates for commercial/industrial land.

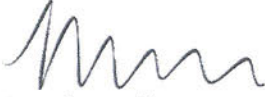
Thank you for the opportunity to provide comments on Tillamook PUD's proposed transmission line.

Ex 8

Mizee/21

If you have any questions, please do not hesitate to contact Mary Anne Cooper at [maryanne@oregonfb.org](mailto:maryanne@oregonfb.org) or Tami Kerr at [Tami.kerr@oregondairyfarmers.org](mailto:Tami.kerr@oregondairyfarmers.org).

Sincerely,



Mary Anne Cooper  
Public Policy Counsel  
Oregon Farm Bureau Federation



Tami Kerr  
Executive Director  
Oregon Dairy Farmers Association

Ex 9

Mizee/22

To: Tami Kerr  
Executive Director  
Oregon Dairy Farmers Association

From: Edwin L. Jenkins  
6996 Bewley Creek Rd.  
Tillamook, OR. 97141

Date: December 17, 2017

Re: Your letter to the Tillamook People's District dater December 12, 2017

Dear Tami Kerr:

I am a retired Tillamook County Dairy Farmer and I have had the privilege of serving on the Board of Directors (BOD) of the Tillamook People's Utility District (TPUD) for nearly 29 years. I have also been a member of Tillamook County Farm Bureau for over 40 years serving in numerous positions including past president. My wife and I were also recipients of the OFBF Outstanding Young Farmer and Rancher Award in 1978. The comments I will be making in this letter reflect my views and do not necessarily reflect the views of TPUD.

I am very disappointed in the inaccuracies and false information presented in your letter reflecting OFBF and Oregon Dairy Farmers Association (ODFA) position on the Tillamook to Oceanside Transmission Line (TOTL). It is very obvious that you based your comments on hearsay and did not even bother to investigate the facts regarding TPUD's extensive and costly efforts in the public process regarding TOTL.

TPUD has done everything possible to communicate to the public its effort in achieving the necessary construction of the TOTL. Now I am going to make the assumption that you have a computer and that you have heard of the internet and that you know what a web site is. Had you visited TPUD's web site, you would have found a tremendous amount of information regarding the TOTL dating as far back as 2011. The information includes every effort by TPUD regarding public meetings, the Citizens Advisory Group (CAG), possible transmission routes, actions taken by the BOD, etc. We have done everything humanly possible to involve the community and property owners in the process.

EX 9

Mizee/23

You state in your letter that TPUD "will negatively impact agriculture lands", that there will be negative impacts on agricultural operations and that TPUD "has not addressed farming practices along the route". TOTALLY FALSE accusations! TPUD has and will continue to work with the impacted farmers on pole placements and conductor heights so that farming operations are not effected at all or very little. You also stated that the TOTL "would result in the condemnation of large swaths of critical agriculture land". TOTALLY FALSE! You should go to work for CNN, CNBC and all the other fake news agencies. We currently have in Tillamook County, 100's of acres of land being farmed under BPA's high voltage transmission lines and TPUD's distribution lines. You also state that "we have had several reports of impacts to cattle from stray voltage along Tillamook PUD lines that the utility has not addressed". That is an outright lie and I challenge you to correct me.

TPUD and I know far better than you do the value of the agricultural and forestry industry and its impact on the economy of Tillamook County. How many cows do you think would get milked, how many pounds of cheese would be made or logs processed if it were not for the reliable, affordable electric power supplied by TPUD? If you had done your homework you would have realized that the primary purpose of the TOTL is to reduce the electricity load on the Wilson River Substation which supplies power to the Tillamook County Creamery Association and to Hampton Lumber; two of the county's largest employers. The Wilson River Substation is approaching its maximum capacity. Maybe TPUD should "throw in the towel" and when the power to TCCA is interrupted for a period of time and the farmers county wide have to dump their milk, the few farmers opposing the TOTL will be tarred and feathered and run out of the county.

Speaking for myself as a TPUD Director, I would not support any motion to withdraw our application to the Public Utility Commission and I will continue to fight for what is best for the majority and try and reconcile with a few.

Most Sincerely,

Edwin L. Jenkins

Tillamook People's Utility District, Director for Subdivision #2

Cc: Karl Zweifel, President of Tillamook County Farm Bureau, Chad Allen, ODFA