

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

IN THE MATTER OF IDAHO POWER COMPANY'S, PETITION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	Docket: PCN 5 Intervenor Opening Testimony Timothy Proesch & Miranda Aston- Proesch Owyhee Oasis
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Date: January 17, 2023

Timothy Proesch & Miranda Aston-Proesch
Intervenor

**2104 Owyhee Lake Road
Nyssa OR, 97913
Mailing Address: PO Box 2583
Nyssa Oregon 97913
owyheeoasis@gmail.com**

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

**IN THE MATTER OF IDAHO POWER
COMPANY'S, Petition for Certificate of
Public Convenience and Necessity.**

Docket: PCN 5

Intervenor Opening Testimony

**Timothy Proesch & Miranda Aston-
Proesch Owyhee Oasis**

Date: January 17, 2023

Tim Proesch & Miranda Aston-Proesch, Owyhee Oasis, Intervenor

2104 Owyhee Lake Road

Nyssa, OR, 97913

Mailing Address: PO Box 2583

Nyssa OR, 97913

owyheeoasis@gmail.com

SUMMARY: this opening testimony is to help us fight to preserve our land which falls directly in the proposed B2H pathway as well as continue to identify any all information relating to, in conjunction with, as well as associated to the matter of Idaho Power companies B2H project. In our opening testimony you will find many links and attachments, we are trying to be as thorough as possible. While being transparent we believe some context is missing awaiting further documentation from the applicant of the above said certificate, we will also being citing that in this formal document. This certificate of public convenience and necessity intervenor testimony will include public benefit and necessity, and public lands use with our communities livelihood and the personal circumstances in which this has and will effect. As an intervenor we are landowners within this proposed path of the project that being said, the abbreviations,

acronyms, terminology, and formats this information has been distributed to us presented challenges to continue our involvement. We have all seemed to perceive and hope you will consider all of the information we have collected thus far. Also granting a corporation a certificate to obtain condemnation of private land seems a bit aggressive at this juncture, and does not present itself as public convenience nor necessity. Indicative of the OAR's,ORS's and the BLM RMP, which include language regarding alternative routes, ACEC definitions, public safety, recreation, and conservation.

At this time, I have been unable to retain an attorney, therefore I would like to reserve the right to legal representation at any time in this case.

In order to comply with the procedural schedule, I am testifying to the best of my knowledge at this time. I reserve the right to add additional evidence as I learn more from the data requests and/or discovery.

At this time, I do not have a firm commitment from my expert witnesses therefore I would like to reserve the right to submit witnesses and testimony prior to the evidentiary hearing

EXHIBIT 1

Title: BLM Resource management plan (RPM)

For clarification, abbreviations and acronyms can be found on page 133 of the 2002 BLM RMP Vale District. In the BLM RMP 2002 for Vale District there is specificity to the abbreviations that should be considered for our area, Owyhee river, below dam ACEC (page 68) (Page 88-89), NWSR, NWSRA, IMPLWR, KJRA, and VRM (Pages 104-110) ACEC (Page 68 BLM RPM) refers to areas of critical environmental concern. Page 88-89 outlines Owyhee River below the Dam ACEC. Pages 104-110 will show the rationale, monitoring practices, and management actions for NWSR, NWSRA, IMPLWR, KJRA, and VRM

We feel strongly that all of these above mentioned be taken into consideration as it is the resource management plan and identifies very clearly that this area and the path of this project are all outlined as Critical environmental concerns as well as wild and scenic river view which is encompassed by the ACEC map and bordering lines of the

ACEC map. The relevant and important values of the ACEC include high scenic values of diverse landscape elements in a substantially natural setting, special status plant species (mulfords, milk vetch), the rare presence of a black cottonwood gallery, a riverine system, and the combined wildlife values of diverse habitat types supporting a large number of wildlife species and an important migratory corridor for neotropical birds. Although the projected B2H line does not fall directly within the ACEC path as shown on Map 1 (page 486 sec E) it is still within close proximity to the border of these lands. Referring to the NWSR and NWSRA National Wild and Scenic River is considered part of the ACEC management plan and to be managed as a wild and scenic river area, IPC argues that this is "proposed" and would take 50 years if passed by congress. However, In the RMP it is to be managed as such because of the zoning of this particular land. The NWSR objective is to protect and enhance outstandingly remarkable values (ORV's) of designated national wild and scenic rivers (NWSR'S) and provide interim protection of ORV's of rivers found suitable for inclusion in the NWSRS until Congress Acts.

Witness: Tim Davis Founder Executive director for friends of the Owyhee
owyheefriends@gmail.com 541-212-1907
Sammy Catonguay, M.SC. Geological Science, Local Geoscience educator
scaston23@gmail.com 541-430-0577

Cite BLM RMP: https://drive.google.com/file/d/1B1NGjRgedkBsenAz5RO4DsmPz_NwHwBo/view

EXHIBIT 2

Title: Alternative Route

The first alternative route that should be considered in Malheur county is the existing Federal Corridor which is already apart of IPC's current transmission corridor. This corridor is already in use and would diminish the amount of private land being taken and used. It has the least amount of impact on the environment and private land. Secondly, in conjunction with our neighbors in Malheur County using maps and information provided to us by IPC we proposed that IPC utilize the already existing energy corridor as shown in Vale district (BLM) utility corridor on IPC Parcel Malheur County map 125. This map indicates that this route would have the least amount of impact on our private land. Therefor we

suggested this route to IPC especially considering how it impacts our livelihood, others in our community, the wildlife, recreation, and the proposed wild and scenic rivers act. Also considering extensive BLM grazing practices in conjunction with this land we are also including an existing power line easement that was sold to IPC that was supplied to us by the title company during closing of our property purchase. Respectively the coordinates provided and description of said property and easement

directly correlates to the Vale BLM utilities corridor adjacent to our property and we felt should be utilized as such causing the least amount of impact and private land being used if this project goes forward with development. The Legal description of the property we are speaking of is the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 13 of Township 21 South, Range 45 East of the Wilamette Meridian. On Map 125 it would bridge the gap needed to extend the Vale district BLM corridor. We strongly suggest these options as a proposed route is not clear ORS-758.015

EXHIBIT 3

Title: Wildfire Risks

We bring up Wildfire risks after a recent settlement this year (8/25/22) The U.S. Attorneys office for the district of Oregon announced IPC a Boise/ Idaho based utilities that serves several states, including Oregon, has agreed to pay \$1.5 million to settle federal allegations related to two Baker County wildfires several years ago. The Powerline Fire ignited on May 31, 2014 and burned about 5 acres of Federal land managed by the Bureau of Land management. The Lime Hill Fire ignited on August 5, 2015, and burned approx. 2,592 acres of federal land managed by BLM and 9,337 acres of privately owned land. IPC has a utility right-of-way on BLM land in Baker County on which it owns and operates a 138kV Ontario-to-quartz transmission line. That line was a quarter of the size of the one they are proposing in this B2H plan. We are very concerned about this possibility

out where we live. We live rurally and remotely where there are extremely limited resources available to assist if something like this were to happen. Most of our first responders here in Malheur County (Nyssa/Adrian) are volunteers who have absolutely no training or experience regarding an electrical fire of any magnitude let alone, a 500kV power transmission line and puts multiple people, places, structures, land and wildlife at extreme risk.

Cite: <https://ktvz.com/news/fire/2022/08/25/idaho-power-co-agrees-to-pay-1-5-million-in-federal-civil-settlement-over-2-baker-county-fires/>

EXHIBIT 4

Title: Noise Control Standards & Cloud Seeding

Related to public safety, wildlife, and people who live within the proposed IPC B2H corridor. Noise is a public safety hazard and a personal concern of ours as IPC is unable to comply with the noise control standard (See StopB2H brief for the supreme court)

The decibels of sound this proposed 500kV line will produce is estimated during dryer conditions and is said will increase with most types of precipitation including rain, snow, fog, sleet, hail, and even relative humidity. Considering those factors, IPC started the original cloud seeding project in 2003 to increase snow accumulation in the south and middle forks of the Payette river water shed and they expanded those cloud seeding efforts in 2008. IPC operates remote controlled, ground based generators, and aircraft in their target areas of Payette, Boise, Woodriver Basins, as well as the upper Snake River Systems. This typically occurs from November 1-April 30. This can have a major impact on the decibels of sound that this power line is projected to produce which is not only a great concern for landowners affected but there is also concern for public safety.

cite: https://www.newsdata.com/clearing_up/courts_and_commissions/coalition-files-court-petitions-challenging-b2h-transmission-project/article_34bdf26e-7d68-11ed-babe-977f052ceba1.html
<https://www.idahopower.com/energy-environment/energy/energy-sources/hydroelectric/cloud-seeding/>

EXHIBIT 5

Title: Personal Circumstances and livelihood

This has presented a unique set of circumstances that directly effects us as described above, as well as many of our close neighbors and the public. We have 115 acres in the Owyhee canyon lands where a portion of this project is proposed to run directly through. We are one of the private land owners that has our livelihood jeopardized by this proposed project. We purchased this property in 2018 with the free and clear title with exception to the existing power easement IPC purchased and were not notified in any way of the B2H proposed project and specifically asked the sellers, caretaker (Sellers representative), real estate agents involved in said transaction, and the title company who all informed us that this was a “dead project” and there had been no action to move forward. I have a vast interest in this project in many different faculties. One of the most important affects this will have is if you look at current siting maps this tentative route encompasses a huge area of our property and surrounds our future home site and property. It also will consume our building site with a giant 180 foot tall tower filled with electrical lines and guide wires. The amount of land IPC is wanting access roads and a structure easement for will impact us and may jeopardize being able to divide enough acreage

for our future home site regarding current dwelling laws. We also purchased this property for large recreational development which is allowed within the zoning and aligns with current BLM, RMP, as well as the county directives for Malheur County and this area. This will affect our livelihood because this was a major financial investment as well as business venture. This is our livelihood and we have already began developing and bringing our plans to fruition. Our development is not only imperative for recreation in this area, it is also economically beneficial to a rural community of this sort bringing in jobs, revenue and safe & controlled recreation spots for tourists. Included below are letters from myself and others affected by this route.

I hereby declare that the above statements are true to the best of my knowledge and belief, and I understand that they are made for use as evidence in administrative and court proceedings and are subject to penalty for perjury.

Dated this 17th day of January, 2023.

/s/ Timothy Proesch /s/ Miranda Aston-Proesch

Timothy Proesch

Miranda Aston-Proesch

CERTIFICATE OF MAILING

On January 17, 2023, I certify that I filed the above Opening Testimony with the

Administrative Law Judge via the OPUC Filing Center, for the Docket # PCN-5, and to
the following party as noted below.

/s/ Timothy Proesch

/s/ Miranda Aston-Proesch

Timothy Proesch & Miranda Aston-Proesch

Intervenor, PCN-5

USPS

Timothy Proesch & Miranda Aston-Proesch

Po box 2583 Nyssa OR, 97913

[illegible]

ARMANDO E. SMITH
Rotary Public, residing
at Wyand, Ore.
Commission Expires
2/20/1945

Dear Ms. Visser,

You had asked that I submit a letter supporting the proposed 500kV line Idaho Power and PacifiCorp wish to build across Eastern Oregon. Despite the companies' efforts, I cannot support a project that crosses over and damages agricultural and commercial lands when there is an acceptable alternative. This appears to be the case in and around where the proposed route crosses the Owyhee River. I have had landowners ask that I intercede, as their State Senator, with the Energy Facility Siting Council. This I will do, unless I hear, very soon, that much more energetic steps are being taken to address these people's concerns.

I am particularly disappointed in learning that representatives of the company, at the last public meeting, flatly stated that the company would not turn over to a person in the path of the line, materials that the company had just said to those gathered for the meeting would be disclosed.

What good is this refusal doing other than making people very angry?

Please let me hear from you before Wednesday of next week.

Very truly yours,



Senator Cliff Bentz

Senate District 30

August 9, 2019

Hi Kay,

I went to a dermatologist last November in Nampa and he told me the two things he liked to do when he wasn't working: golf and fishing for brown trout on the Owyhee River. He said he was always hungry when he finished fishing and I needed to throw him a sandwich as he drove by.

Every time some dignitary from Western Oregon comes to Ontario, or people from their sister city in Japan, or other places, they are taken to the dam for a tour. In addition to that, think of all of the out-of-state-tourists and visitors from Boise, Caldwell, Nampa, and even local people who would like a nice place to go for a drive and dinner. There are a lot more bass fishing tournaments up there now. Even BLM employees might change their minds and find a way to revisit the original route, if they had a place to stop and eat before heading back to Vale.

The "Natures Garden" location seems like the perfect spot for something to happen. Wouldn't the county and state be so happy to make a zoning exception and have a private owner building a new house, paying more taxes and providing a few new jobs?

People wouldn't want to stop there if huge transmission towers were lurking near to zap them. Besides that, Idaho Power originally had the option to put the line out in the dessert, at least that's what they told us.

Maybe my next idea would be something you wouldn't like, but I thought it might be a way to stir up more people to attend the Idaho Power siting meeting in August and bring to light some things that shouldn't be.

If the Nature's Garden guy would call the Argus Observer (Larry Meyers) and ask the paper to do a front page story about his dream for the location and tell about the shaft he got for his life savings, pleading for everyone to come help him save his idea (whether it ever happens or not) do you think that might help the cause?

Maybe he wouldn't want to do that, but if he did, it needs to get into the paper really fast, - - even the Idaho Press Tribune, and the Idaho Statesman. (Maybe something like this has already been in the Argus. I get the paper several weeks late from a neighbor.)

My son would not be thrilled with this letter. He hates all the traffic on the road when he's trying to move trucks and farm machinery and you probably feel the same. Anyway, you can keep this letter to yourself if you don't like it. It was the only thing I could think of.

I stay close to home and try not to get involved anymore.
The infirmities of old age are a reason for my advice
to you . . . Stay young!

Thanks for keeping up the fight for all of us,

Melda Schiener

541-372-3217

From: **timothy proesch** tranquilhonzcooperative@gmail.com
Subject: Opuc contested hearing case against b2h
Date: August 27, 2020 at 3:42 PM
To: Tardaewether Odoe kellen.tardaewether@oregon.gov

Alison Greene-Webster, Senior Administrative Law Judge
Oregon Department of Energy
500 Capitol St. NE, Salem, OR 97301

This is a formal request for a contested case regarding the proposed site certification for the Boardman to Hemingway transmission line.

Dear Ms. Greene-Webster;

My name is Timothy C. Proesch I live at 2104 Owyhee Lake Road Nyssa, OR 97913

I am writing you today to request to file as a party to this contested case. I am not currently retaining legal council in this matter, but will do so if necessary which we hope does not become necessary after reviewing all of the information for this project.

Now I will discuss my interest in this particular situation. I have a vast interest in this project in many different faculties. One of the most important affects this will have is if you look at current siting maps this tentative route encompasses a huge area of our property and surrounds our home and property. It also will consume our building site with a giant 180 foot tall tower filled with electrical lines and guide wires. Also this project is wanting to utilize my access road to my irrigation water ways. Then as this enormous structure extends its lines they will then pass on the north side of our home within feet of our front door, thus essential circling our property with these lines and towers. We will have lines and towers to the south, west, and north then head east, there is no mitigating our exposure or view of these transmission lines. My wife and I have worked very hard to achieve our goals and dreams. This property at 2104 Owyhee lake road in Nyssa was our dream property, we saw the potential of such a property and its location. This property is located close to Owyhee lake and sits directly on the Owyhee river. This property contains a vast amount of things including 3 natural geo thermal wells, wildlife, river access, multiple recreational opportunities (including hiking, backpacking, camping, atv trail access, fishing, rock hounding, relaxing in the geothermal mineral water and the list goes on). We followed this property on the market for four years and put our family in the position to be able to purchase this property, not just for us to enjoy but eventually for the whole community and other recreational seeking individuals to enjoy through our development of this land. There are a lot of natural, cultural, and biological aspects to consider in siting this transmission line and how it will impact this area. This portion of The Owyhee river is home to one of four blue ribbon fly fishing areas in the united states, this being the starting point and ending in Wyoming. I could discuss the importance of this in a lengthily email about my interest but I will move forward here. The impact of public interest and my neighbors who also reside in this canyon land also is a very important reason I am writing you today. The recreation in this area is a huge factor for a lot of people here, some rely on this area to keep food on the table by hunting and fishing these lands, others enjoy boating and camping in this area. So an enormous transmission line would prohibit this in many ways. The migration patterns and breeding habitats for the animals in this area lay directly in the path of these transmission lines and towers. The agricultural impact of these transmission lines is just as vast as the other topics I have covered as well as, iron from irrigation and crop yields to inhibiting farmers from using cost effective operations like arial application of nutrients to possibly damaging all the GPS guided equipment for precision farming. Most self propelled irrigation systems will be affected by the EMF transmissions from this power line and cause them to malfunction and end up in the road causing harm to others or fail in operation. Bonneville power company has done studies regarding this). So if this can affect irrigation equipment the same thing can apply to the tractors that are used in precision farming applications now which control tillage, bedding, seeding and harvesting of these crops. June 18 2019 was the verbal comment period for Malheur county in which I attended and gave my verbal statement. We were only made aware of what was transpiring two weeks prior to this meeting and it was not brought forth by any of the entities involved, not Idaho power, the siting commission or anyone who works for any of these companies. We found out from our neighbor who brought over a map and some limited information about this subject. This project brought forth minimal information to the residents of this area as well as the other communities involved. They minimized the impacts that it would have through their studies, as well deferred enough information for the inclusion of the general public having a right to participate in the process. Idaho Power has been found to have provided incorrect and incredible information during these processes.

There are a lot of Oregon ors numbers to site but I'm sure they have been included in numerous documents and without current legal council we are uncertain of which of these falls under this jurisdictional review of this project.

To summarize the things I've discussed in this letter, there are tremendous amount of things to consider. The impact to our lives, livelihood, way of life and how detrimental it will be to us and our community. Ms. Greene-Webster I ask you to consider everything everyone has had to say and also that this project has been trying to gain approval for 13 years and has failed in multiple areas to comply and mitigate concerns about this. We have many other options of renewable energy resources already being utilized for the purposes of this project. We need to really consider the impact versus the effectiveness of this particular project this entity wants to implement. They have made it very clear since we became involved that these things I have disused have no validity in there decisions to make a profit. This is a for profit project not a necessity to provide a public utilities service to benefit the people it impacts nor the longevity of its potential biological, cultural, or environmental impacts when these lines become unnecessary and have to be mitigated in the future. Also we are making a formal request that shall this project moved forward we are allowed due process in determining the value of our land encompassed in this as well as being able to have a third party liaison or be

From: **timothy proesch** tranquilhorizonscooperative@gmail.com
Subject: Opuc contested case against b2h
Date: August 27, 2020 at 3:30 PM
To: oed_oha_referral@oregon.gov

To Whom it may concern
Attn: Ms. Greene-Webster

I hope this message finds you well, my name is Miranda Aston and I reside at 2104 Owyhee Lake Road, Nyssa, OR, 97913 on the way to the Owyhee Reservoir. I am representing myself in this matter for time being unless it becomes necessary to get legal representation. I am going to request to file as a Party. I am writing this contested case because Idaho Power wants to come onto my property, my residence and put this transmission line. They are wanting to put the power line in the exact spot we are wanting to build our house. My concerns for our health is as followed; there are no long term testing of the side effects of a transmission line of this magnitude therefore, no way to say whether or not it will be safe or harmful and that is not a risk on my life, my partner or our children that I am willing to take. It is a risk to my entire family, my visiting family, and patrons of our recreational resort. The noise this transmission line will put out will be impossible to muffle. Why should we have to live with "noise canceling" blinds and not be able to let the sun shine into our home? Our patrons are not going to want to visit a place with the eyesore of a tower they are bringing in nor the risk to their health and well being. The hundreds if not thousands of different species that migrate through our property as well as graze here will be forced to change their path if not risk possible contamination due to this line. The amount of business we stand to lose will be astronomical. It affects all of us in this area, those that live here, vacation here, hunt & fish here as well as take day trips up here in return will also take a detrimental toll on the income our city gets from the traffic that comes through. We are already a financially depressed community and we rely heavily on the money brought to town by those traveling to the lake which could cease to exist if this transmission line is put in. I have a list of several close friends and family members who have stated that they would not want to visit a place with these toxic and visually unappealing transmission lines. We all feel very strongly that the nature needs to be preserved and is not being taken into account through this process whatsoever. Our property was purchased for \$632,000.00. It was purchased with and by my mother Janet Aston who has commented prior as well. It was purchased with the intention to start a recreational resort. We plan to as well as already have started to update our sewer system, install RV spots, dry camping areas, update the landscape, open our Food truck as soon as possible as well as open our wedding venue. After doing the math on every camp/rv spot being full we stand to lose 10.8 million over 20 years and that is not taking into account all of our other amenities that are available at the recreational resort. That is just a small fraction of business lost if this line gets approved. Due to the fight with Idaho Power we have already lost revenue due to the amount of time & energy going into this fight as it stands. We were never asked if we were okay with this and have been bullied and threatened by Idaho power as well as potential bribes. There is an existing power corridor that needs to be taken into account as well as BLM land that can be used to stop the negative affect on myself, my family and our neighbors, friends and everyone else effected by this b2h line. I am strongly urging you to please read my words, read my neighbors words and try to see where we are coming from. Years and years of hard work, blood, sweat and tears have gone into our farms/land/businesses and this corporation wants to come and take it. I am against the b2h transmission line and everything it stands for.

Thank you for your time
Miranda Aston
541-212-4611
tranquilhorizonscooperative@gmail.com

From: Owyhee Oasis owyheeoasis@gmail.com
Subject: Opuc contested case against b2h
Date: August 27, 2020 at 3:32 PM
To: oed_oha_referral@oregon.gov

To whom it may concern:
Attn: Ms. Greene-Webster

Hello, I hope this message finds you well. My name is Janet Aston. My mailing address is 3902 west angus drive, South Jordan, Utah, 84009. I purchased the property at 2104 Owyhee lake road, Nyssa, Oregon 97913, 2 years ago to open a well rounded recreational resort with my daughter, Miranda Aston and her Partner Tim Proesch who reside at the property (2104 Owyhee lake road) with their 4 young children. I do not have legal representation at this time but will not hesitate if it deem necessary. I am filing as a party In this contested case. With the recreational resort we plan to, as well as have started the ground work for RV campsites, dry camping, tent camping, "glamping" (cabin camping , fully accessible pond, hot tubs, a fully stocked food truck, wedding venue with all the amenities as well as holiday events such as Halloween trunk or treat, pumpkin patch, Christmas wonderland with Santa and sleigh rides, Easter egg hunts and so much more. This toxic transmission line Idaho power is wanting to bring in will effect everything we have planned and worked daily to accomplish and

Complete. The noise that will be emitted from this line will detour business. The eyesore of a giant transmission line will detour people from choosing to recreate at our business because, as I have heard from several friends and close family members (will provide a list with names if requested for personal testimony) they do not want to camp somewhere that contains these potentially hazardous, noisy and eyesore of a transmission lines while they are out camping in the country setting. People come here recreationally to see the wildlife come through and graze. This transmission line could bring that to a halt completely. There is no scientific research done to show any cause & effect from a line of this magnitude over any given amount of time. We do not know the dangers it can bring to us, the health and safety of our patrons , the wildlife, the natural hot water that runs beneath us as well as our irrigation lines. It has been proven over time to erode the water lines and piping beneath the surface in return costing me more money in repairs in the long run. The hundred, if not thousands of animals (some being on the verge of extinction, indigenous to this area or see this area as their safe Haven) that migrate, breed and graze here can cease to exist completely in return contaminating them and/or detouring revenue for animal enthusiasts. The amount of business that I stand to lose will be detrimental to my well being, my child's wellbeing and to my retirement. The amount we stand to gain off of the RV/camp spots alone is 10.8 million over 20 year span. I know we are surrounded by BLM public land as well as an existing power corridor. If this project truly is for the people then it should be built on public land or in the existing corridor as to preserve the country atmosphere surrounding us. I am urging you to please read my words and all of the other contested writings and please see where we are coming from and vote against the b2h power line Idaho power is trying to put through. Thank you for your time.

Regards,
Janet Aston
8015410650
owyheeoasis@gmail.com

AUGUST 19,2019

ENERGY FACILITIES SITING COUNCIL

%KELLEN TARDAEWETHER, SENIOR SITING ANALYST

OREGON DEPT OF ENERGY

550 CAPITOL ST. N.E.

SALEM,OR 97301

Subject: Idaho power application for a site certificate for the Boardman to Hemingway Transmission project 9/28/2018:Draft Proposed Order 5/23/2019

Dear Chair Beyeler and Members of the Council:

We are writing this letter to challenge the proposed route by Idaho power that crosses EFU ground on/near the Owyhee River. We own 150 Acres there of EFU that we have farmed since 2001: We both work full time jobs, farm two places and run cattle. Point; we have given a lot of ourselves to make it all happen, and are distressed to see the loss to our neighbors and selves in the potential income of our investments.

The BLM HAS ALREADY SPENT TAXPAYER MONEY ESTABLISHING A UTILITIES CORRIDOR WHICH WAS TO PROTECT OUR ENVIRONMENT AND PUBLIC LANDS BY MINIMIZING FUTURE ENCROACHMENT ON OTHER PUBLIC GROUND. We met with Idaho power and were told the BLM WOULDN'T LET THEM USE OTHER SITES. IDAHO POWER DID NOT DO DUE DILIGENCE IN RESEARCHING, PURSUING OTHER POSSIBILITIES. (ORS 215.275, d. availability of existing rights of way) THE BLM OFFICE RELAYED TO US, THAT THE LISTING STATUS OF THE "SUITABLE FOR WILD AND SCENIC RIVER " STATUS COULD BE AMENDED.IDAHO POWER SHOULD HAVE LOOKED INTO THIS,NOT A BUNCH OF FARMERS TRYING TO FIGURE IT OUT.

We are concerned for the future capabilities of our pivots to run with GPS.WE PUT IN 2 PIVOTS IN 2015 PAID FOR THEM OURSELVES. THE ENGINEERS FROM T-L PIVOTS FEEL IT WOULD BE CONTRAINDICATED TO HAVE POWER LINES OVER THE TOP OF THEM. THIS IS ALSO SUPPORTED BY A PAPER FROM BONNEVILLE POWER ADMINISTRATION FEB 2002.(BPA TRANSMISSION MAINTENANCE AND ELECTRICAL EFFECTS TNLD)

WE FEEL THE EFSC SHOULD DENY THE SITE CERTIFICATE APPLICATION TO MOVE ROUTE ON EFU GROUND, TO THE ESTABLISHED UTILITIES CORRIDOR.

SINCERELY,

*Kaye Bishop for
Jim Foss*

August 18, 2019

Energy Facilities Siting Council
c/o Kellen Tardaewether, Senior Siting Analyst
Oregon Department of Energy
550 Capitol St N.E.
Salem, OR 97301

Subject: Idaho Power Application for a Site Certificate for the Boardman to Hemingway
Transmission Project 9/28/2019; Draft Proposed Order 5/23/2019.

Dear Chair Beyeler and Members of the Council:

We are writing this letter in regards to the B2H Transmission Line Project that crosses EFU exclusive farm use ground, in the area of the lower Owyhee River from the Idaho Power Malheur County Map 125. We are land owners of property 21S45E01700. We have lived and worked in this area for over forty years and continued to do so as we raised our family on our cow/calf operation.

We are challenged with the proposed location for the Double Mountain Alternative route shown on the Idaho Power Parcels, Malheur County Map 125. ORS 215.213 states that other uses are permitted in the EFU land including "Utility facilities" (power lines), but ORS 215.275 defines the criteria for power lines to go in EFU land:

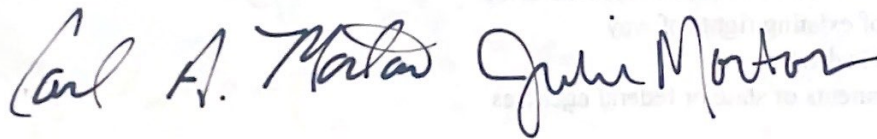
- A. Technical and engineering feasibility
- B. The proposed facility is dependent on location
- C. Lack of available urban and non-resource lands.
- D. Availability of existing rights of way
- E. Public health and safety
- F. Other requirements of state or federal agencies

The 2002 Resource Management Plan of the Bureau of Land Management-Vale District page 109 states that the "designation of right-of-way corridors and encourages use of rights-of-way in-common to minimize environmental impacts and the proliferation of separate rights-of-way. BLM policy, as described in BLM Manual 2801.13B1, is to encourage **prospective applicants to locate their proposals within corridors.**" Page 110 of the 2002 Resource Management Plan states, "The OWFEIS (see Map 7 of the OWFEIS) recognized the existing constructed 500-kV PP&L power line route as a **primary recognized existing route for location of future power line interties.**" We believe that Idaho Power should take this proposed route back to the Bureau of Land Management and revise the route closer to the primary recognized existing route, PP&L power line. The 2002 RMP of the BLM intended to keep future power line routes, such as the one being proposed, within the existing power line corridor. This new proposal contradicts the original intentions of protecting EFU land. Agriculture land in Malheur County is detrimental to the success of our toil and the future of generations to come.

We, along with our neighbors, have faced many hardships to improve our land and facilities to increase the value of the property and better the environment. By placing this powerline along the proposed route, we would be eliminating years of hard work and financial investments; this will result in decreased property value and quality of the environment, which would lead to a loss of taxable revenue for Malheur County and the State of Oregon. This route would take money needed for public schools and the county's economical growth. This area is not only used for EFU, but is also the location for the Owyhee Irrigation System which supplies the water needed for agriculture throughout Malheur County and even into Idaho. Many people depend upon the water supply from the Owyhee Reservoir. Placing the power line on the proposed route would damage newly constructed irrigation systems that were put into place to maintain and improve the environment. Several other uses for this area include the recreational use such as hiking, hunting, and fishing, and the use for Military practice. This area is a common practice and training area for the local National Guard for homeland security. With the proposed 500 kV Transmission Line in this area, the National Guard would be forced to find a new and approved practice and training area. In a meeting that was held August 14, 2019 at 3:30 p.m. it was stated that, "the Owyhee River is a possible wild and scenic river," however; this designation has NOT been approved by Congress yet and "could take up to fifty years".

We believe that there is already an existing route to be followed that would result in far less devastation to the county, environment, people, and the State of Oregon. We strongly urge that Oregon Energy Facility Siting Council (EFSC) deny this site certificate and force Idaho Power back to the drawing board to apply for alternate routes!

Sincerely,

The image shows a handwritten signature in black ink. The signature is written in a cursive style and appears to read "Carl A. Morton" followed by "Julie Morton". The ink is dark and the handwriting is fluid.

Carl & Julie Morton
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