

## **Exhibit CC Other Legal Citations**

### **Boardman to Hemingway Transmission Line Project**



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Boise, Idaho 83702*

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*Preliminary Application for Site Certificate*

*February 2013*

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## ACRONYMS AND ABBREVIATIONS

Note: Not all acronyms and abbreviations listed will appear in this Exhibit.

°C	degrees Celsius
4WD	4-wheel-drive
A	ampere
A/ph	amperes/phase
AC	alternating current
ACDP	Air Contaminant Discharge Permit
ACEC	Area of Critical Environmental Concern
ACSR	aluminum conductor steel reinforced
AIMP	Agricultural Impact Mitigation Plan
AMS	Analysis of the Management Situation
aMW	average megawatt
ANSI	American National Standards Institute
APE	Area of Potential Effect
APLIC	Avian Power Line Interaction Committee
ARPA	Archaeological Resource Protection Act
ASC	Application for Site Certificate
ASCE	American Society of Civil Engineers
ASP	Archaeological Survey Plan
AST	aboveground storage tank
ASTM	American Society of Testing and Materials
ATC	available transmission capacity
ATV	all-terrain vehicle
AUM	animal unit month
B2H	Boardman to Hemingway Transmission Line Project
BCCP	Baker County Comprehensive Plan
BCZSO	Baker County Zoning and Subdivision Ordinance
BLM	Bureau of Land Management
BMP	best management practice
BPA	Bonneville Power Administration
BOR	Bureau of Reclamation
C and D	construction and demolition
CAA	Clean Air Act
CadnaA	Computer-Aided Noise Abatement
CAFE	Corona and Field Effects
CAP	Community Advisory Process
CBM	capacity benefit margin
CFR	Code of Federal Regulations
CH	critical habitat
CIP	critical infrastructure protection
CL	centerline
cm	centimeter
cmil	circular mil
COA	Conservation Opportunity Area
CO <sub>2</sub> e	carbon dioxide equivalent

COM Plan	Construction, Operations, and Maintenance Plan
CPCN	Certificate of Public Convenience and Necessity
cps	cycle per second
CRP	Conservation Reserve Program
CRT	cathode-ray tube
CRUP	Cultural Resource Use Permit
CSZ	Cascadia Subduction Zone
CTUIR	Confederated Tribes of the Umatilla Indian Reservation
CWA	<i>Clean Water Act of 1972</i>
CWR	Critical Winter Range
dB	decibel
dBA	A-weighted decibel
DC	direct current
DoD	Department of Defense
DOE	U.S. Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
DPS	Distinct Population Segment
DSL	Oregon Department of State Lands
EA	environmental assessment
EDRR	Early Detection and Rapid Response
EIS	Environmental Impact Statement (DEIS for Draft and FEIS for Final)
EFSC or Council	Energy Facility Siting Council
EFU	Exclusive Farm Use
EHS	extra high strength
EMF	electric and magnetic fields
EPA	Environmental Protection Agency
EPC	Engineer, Procure, Construct
EPM	environmental protection measure
EPRI	Electric Power Research Institute
ERO	Electric Reliability Organization
ERU	Exclusive Range Use
ESA	Endangered Species Act
ESCP	Erosion and Sediment Control Plan
ESU	Evolutionarily Significant Unit
EU	European Union
FAA	Federal Aviation Administration
FCC	Federal Communication Commission
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FFT	find, fix, track, and report
FLPMA	Federal Land Policy and Management Act
Forest Plan	Land and Resource Management Plan
FPA	Forest Practices Act
FSA	Farm Services Agency
FWS	U.S. Fish and Wildlife Service
G	gauss

GeoBOB	Geographic Biotic Observation
GF	Grazing Farm Zone
GHG	greenhouse gas
GHz	gigahertz
GIL	gas insulated transmission line
GIS	geographic information system
GPS	Global Positioning System
GRMW	Grande Ronde Model Watershed
GRP	Grassland Reserve Program
HAC	Historic Archaeological Cultural
HCNRA	Hells Canyon National Recreation Area
HPFF	high pressure fluid-filled
HPMP	Historic Properties Management Plan
HUC	Hydrologic Unit Code
Hz	hertz
I-84	Interstate 84
ICC	International Code Council
ICES	International Committee on Electromagnetic Safety
ICNIRP	International Commission on Non-Ionizing Radiation Protection
IDAPA	Idaho Administrative Procedures Act
IDEQ	Idaho Department of Environmental Quality
IDFG	Idaho Department of Fish and Game
IDWR	Idaho Department of Water Resources
ILS	intensive-level survey
IM	Instructional Memorandum
INHP	Idaho Natural Heritage Program
INRMP	Integrated Natural Resources Management Plan
IPC	Idaho Power Company
IPUC	Idaho Public Utilities Commission
IRP	integrated resource plan
IRPAC	IRP Advisory Council
ISDA	Idaho State Department of Agriculture
JPA	Joint Permit Application
KCM	thousand circular mils
kHz	kilohertz
km	kilometer
KOP	Key Observation Point
kV	kilovolt
kV/m	kilovolt per meter
kWh	kilowatt-hour
L <sub>dn</sub>	day-night sound level
L <sub>eq</sub>	equivalent sound level
lb	pound
LCDC	Land Conservation and Development Commission
LDMA	Lost Dutchman's Mining Association
LiDAR	light detection and ranging
LIT	Local Implementation Team

LMP	land management plan
LOLE	Loss of Load Expectation
LRMP	land and resource management plan
LUBA	Land Use Board of Appeals
LWD	large woody debris
m	meter
mA	milliampere
MA	Management Area
MAIFI	Momentary Average Interruption Frequency Index
MCC	Malheur County Code
MCCP	Morrow County Comprehensive Plan
MCE	Maximum Credible Earthquake
MCZO	Morrow County Zoning Ordinance
mG	milligauss
MHz	megahertz
mm	millimeter
MMI	Modified Mercalli Intensity
MP	milepost
MPE	maximum probable earthquake
MRI	magnetic resonance imaging
MVAR	megavolt ampere reactive
Mw	mean magnitude
MW	megawatt
$\mu\text{V/m}$	microvolt per meter
N <sub>2</sub> O	nitrous oxide
NAIP	National Agriculture Imagery Program
NED	National Elevation Dataset
NEMS	National Energy Modeling System
NEPA	<i>National Environmental Policy Act of 1969</i>
NERC	North American Electric Reliability Corporation
NESC	National Electrical Safety Code
NF	National Forest
NFPA	National Fire Protection Association
NFS	National Forest System
NGDC	National Geophysical Data Center
NHD	National Hydrography Dataset
NHOTIC	National Historic Oregon Trail Interpretive Center
NHT	National Historic Trail
NIEHS	National Institute of Environmental Health Sciences
NIST	National Institute of Standards and Technology
NOAA	National Oceanic and Atmospheric Administration
NOAA Fisheries	National Oceanic and Atmospheric Administration Fisheries Division
NOI	Notice of Intent to File an Application for Site Certificate
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service

NRHP	National Register of Historic Places
NSR	noise sensitive receptor
NTTG	Northern Tier Transmission Group
NWGAP	Northwest Regional Gap Analysis Landcover Data
NWI	National Wetlands Inventory
NWPP	Northwest Power Pool
NWR	National Wildlife Refuge
NWSRS	National Wild and Scenic Rivers System
NWSTF	Naval Weapons Systems Training Facility
O <sub>3</sub>	ozone
O&M	operation and maintenance
OAIN	Oregon Agricultural Information Network
OAR	Oregon Administrative Rules
OATT	Open Access Transmission Tariff
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
ODF	Oregon Department of Forestry
ODFW	Oregon Department of Fish and Wildlife
ODOE	Oregon Department of Energy
ODOT	Oregon Department of Transportation
OHGW	overhead ground wire
OHV	off-highway vehicle
OPGW	optical ground wire
OPRD	Oregon Parks and Recreation Department
OPS	U.S. Department of Transportation, Office of Pipeline Safety
OPUC	Public Utility Commission of Oregon
OR	Oregon (State) Highway
ORBIC	Oregon Biodiversity Information Center
ORS	Oregon Revised Statutes
ORWAP	Oregon Rapid Wetland Assessment Protocol
OS	Open Space
OSDAM	Oregon Streamflow Duration Assessment Methodology
OSHA	Occupational Safety and Health Administration
OSSC	Oregon Structural Specialty Code
OSWB	Oregon State Weed Board
OWC	Oregon Wetland Cover
P	Preservation
PA	Programmatic Agreement
pASC	Preliminary Application for Site Certificate
PAT	Project Advisory Team
PCE	Primary Constituent Element
PEM	palustrine emergent
PFO	palustrine forested
PGA	peak ground acceleration
PGE	Portland General Electric
PGH	Preliminary General Habitats
Pike	Pike Energy Solutions

PNSN	Pacific Northwest Seismic Network
POD	Plan of Development
POMU	Permit to Operate, Maintain and Use a State Highway Approach
PPH	Preliminary Priority Habitats
Project	Boardman to Hemingway Transmission Line Project
PSD	Prevention of Significant Deterioration
PSS	palustrine scrub-shrub
R	Retention
R-F	removal-fill
RCM	Reliability Centered Maintenance
RCRA	Resource Conservation and Recovery Act
ReGAP	Regional Gap Analysis Project
RFP	request for proposal
RLS	reconnaissance-level survey
RMP	resource management plan
ROD	Record of Decision
ROE	right of entry
RNA	research natural area
ROW	right-of-way
SAIDI	System Average Interruption Duration Index
SAIFI	System Average Interruption Frequency Index
SC	Sensitive Critical
SEORMP	Southeastern Oregon Resource Management Plan
SF6	sulfur hexafluoride
Shaw	Shaw Environmental and Infrastructure, Inc.
SHPO	State Historic Preservation Office
SLIDO	Statewide Landslide Inventory Database for Oregon
SMS	Scenery Management System
SMU	Species Management Unit
SPCC	Spill Prevention, Containment, and Countermeasures
SRMA	Special Recreation Management Area
SRSAM	Salmon Resources and Sensitive Area Mapping
SSURGO	Soil Survey Geographic Database
STATSGO	State Soil Geographic Database
SUP	special-use permit
SV	Sensitive Vulnerable
SWPPP	Stormwater Pollution Prevention Plan
T/A/Y	tons/acre/year
TDG	Total Dissolved Gas
TES	threatened, endangered, and sensitive (species)
TG	Timber Grazing
TMIP	Transmission Maintenance and Inspection Plan
TNC	The Nature Conservancy
tpy	tons per year
TSD	treatment, storage, and disposal
TV	television
TVES	Terrestrial Visual Encounter Surveys

TVMP	Transmission Vegetation Management Program
UBAR	Umatilla Basin Aquifer Restoration
UBWC	Umatilla Basin Water Commission
UCDC	Umatilla County Development Code
UCZPSO	Union County Zoning, Partition and Subdivision Ordinance
UDP	Unanticipated Discovery Plan
U.S.	United States
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USDA	U.S. Department of Agriculture
USFS	U.S. Department of Agriculture, Forest Service
USGS	U.S. Geological Survey
UWIN	Utah Wildlife in Need
V/C	volume to capacity
V	volt
VAHP	Visual Assessment of Historic Properties
VMS	Visual Management System
VQO	Visual Quality Objective
VRM	Visual Resource Management
WAGS	Washington ground squirrel
WCU	Wilderness Characteristic Unit
WECC	Western Electricity Coordinating Council
WHO	World Health Organization
WMA	Wildlife Management Area
WOS	waters of the state
WOUS	waters of the United States
WPCF	Water Pollution Control Facility
WR	winter range
WRCC	Western Regional Climate Center
WRD	(Oregon) Water Resources Division
WRP	Wetland Reserve Program
WWE	West-wide Energy
XLPE	cross-linked polyethylene

## 1 Exhibit CC

### 2 Other Legal Citations

#### 3 1.0 INTRODUCTION

4 Exhibit CC identifies state statutes and administrative rules and local government ordinances  
5 containing approval criteria that the Boardman to Hemingway Transmission Line Project  
6 (Project) must meet for the Oregon Energy Facility Siting Council (EFSC or Council) to issue a  
7 Site Certificate for the Project.

#### 8 2.0 APPLICABLE RULES AND STATUTES

9 In accordance with Oregon Administrative Rule (OAR) 345-021-0010(1)(cc), Exhibit CC must  
10 include the following information:

11 *Identification, by legal citation, of all state statutes and administrative rules and local*  
12 *government ordinances containing standards or criteria that the proposed facility must*  
13 *meet for the Council to issue a site certificate, other than statutes, rules and ordinances*  
14 *identified in Exhibit E, and identification of the agencies administering those statutes,*  
15 *administrative rules and ordinances. The applicant shall identify all statutes,*  
16 *administrative rules and ordinances that the applicant knows to be applicable to the*  
17 *proposed facility, whether or not identified in the project order. To the extent not*  
18 *addressed by other materials in the application, the applicant shall include a discussion*  
19 *of how the proposed facility meets the requirements of the applicable statutes,*  
20 *administrative rules and ordinances.*

21 The Project Order did not specify any additional requirements for Exhibit CC.

#### 22 3.0 INFORMATION REQUIRED BY OAR 345-021-0010(1)(CC)

##### 23 Oregon Department of Agriculture (ODA)

24 Contact: Rebecca Currin  
25 Information: Oregon Department of Agriculture  
26 635 Capitol St NE  
27 Salem, OR 97301

28 Standard/  
29 Criteria: **Native Plant Conservation Program**

30 Legal

31 Authority: Oregon Revised Statutes (ORS) Chapter 564 (Wildflowers, Threatened or  
32 Endangered Plants)  
33 OAR Chapter 603, Division 73 (Plants: Wildflowers and Endangered, Threatened  
34 and Candidate Species)

35 Description: The ODA, through the Native Plant Conservation Program, is responsible for  
36 conservation and management of Oregon's listed plant species. Discussion of  
37 state-listed plant species is provided in Exhibit Q.

38

1 **Oregon Department of Environmental Quality (ODEQ)**

2 Contact Randy Jones  
3 Information: Oregon Department of Environmental Quality  
4 Regional Solutions Center  
5 Eastern Oregon University  
6 1 University Blvd.  
7 La Grande, OR 97850

8 Standard/  
9 Criteria: **Solid Waste**

10 Legal  
11 Authority: ORS Chapter 459 (Solid Waste Management)  
12 OAR Chapter 340, Division 93 (Solid Waste General Provisions)  
13 Description: The ODEQ regulations require effective and efficient solid waste collection to  
14 ensure protection of human health and the environment. Discussion of Solid  
15 Waste is provided in Exhibit V.

16 Standard/  
17 Criteria: **Hazardous Materials Management**

18 Legal  
19 Authority: ORS Chapter 465 (Hazardous Waste and Hazardous Materials I)  
20 ORS Chapter 466 (Hazardous Waste and Hazardous Materials II)  
21 OAR Chapter 340, Divisions 100 to 122  
22 Description: The ODEQ Hazardous Materials Management regulations govern the use,  
23 disposal, and cleanup of hazardous materials. Discussion of Hazardous  
24 Materials is provided in Exhibit G.

25 Standard/  
26 Criteria: **Noise Control Regulations**

27 Legal  
28 Authority: ORS Chapter 467 (Noise Control)  
29 OAR Chapter 340, Division 35 (Noise Control Regulations)  
30 Description: The ODEQ Noise Control Regulations contain standards relevant to new  
31 industrial noise sources. Discussion of noise generated by the Project is  
32 provided in Exhibit X.

33 **Oregon Department of Fish and Wildlife (ODFW)**

34 Contact Nigel Seidel  
35 Information: Oregon Department of Fish and Wildlife  
36 NE Region Office  
37 107 20<sup>th</sup> Street  
38 La Grande, OR 97850-3465

39 Standard/  
40 Criteria: **Fish and Wildlife Habitat Mitigation Policy**

41 Legal  
42 Authority: OAR Chapter 635, Division 415 (Fish and Wildlife Habitat Mitigation Policy)  
43 Description: ODFW provides technical review and recommendations for compliance with the  
44 Fish and Wildlife Habitat Mitigation Policy. Discussion regarding potential impacts  
45 to fish and wildlife habitat is provided in Exhibits J, P, and Q.

46

1 Standard/  
 2 Criteria: **State Threatened and Endangered Wildlife Species**  
 3 Legal  
 4 Authority: OAR 635-044-0130  
 5 OAR Chapter 625, Division 100 (Wildlife Diversity Plan)  
 6 Description: ODFW provides technical review and recommendations for compliance with  
 7 statutes and rules relating to the protection of state-listed threatened and  
 8 endangered species. Discussion of state-listed threatened and endangered  
 9 species is provided in Exhibit Q.

10 **Oregon Department of Geology and Mineral Industries (DOGAMI)**

11 Contact Bill Burns  
 12 Information: Oregon Department of Geology and Mineral Industries  
 13 800 NE Oregon Street #28 Suite 965  
 14 Portland, OR 97232

15 Standard/  
 16 Criteria: **Geotechnical Investigation**  
 17 Legal  
 18 Authority: OAR 345-022-0020 (Structural Standard)  
 19 Description: DOGAMI provides technical review and recommendations for compliance with  
 20 EFSC's Structural Standard. Discussion of the Geotechnical Investigation is  
 21 provided in Exhibits H and I.

22 **Oregon Department of Land Conservation and Development (DLCDD)**

23 Contact Katherine Daniels  
 24 Information: Oregon Department of Land Conservation and Development  
 25 635 Capital Street NE Suite 150  
 26 Salem, OR 97301-2540

27 Standard/  
 28 Criteria: **Land Use Statutes and Administrative Rules**  
 29 Legal  
 30 Authority: ORS Chapter 195 (Local Government Planning Coordination)  
 31 ORS Chapter 197 (Comprehensive Land Use Planning Coordination)  
 32 ORS Chapter 215 (County Planning, Zoning, Housing Codes)  
 33 ORS Chapter 469 (Energy, Conservation Program, Energy Facilities)  
 34 OAR Chapter 660, Divisions 4 (Interpretation of Goal 2 Exception Process)  
 35 OAR Chapter 660, Divisions 12 (Requirements and Application Procedures for  
 36 Complying with Statewide Goal 5)  
 37 OAR Chapter 660, Divisions 33 (Agricultural Land)  
 38 Description: DLCDD provides technical review and recommendations for compliance with  
 39 statewide planning goals and applicable comprehensive planning requirements.  
 40 Discussion of applicable state and local land use statutes, administrative rules,  
 41 and ordinances is provided in Exhibit K.  
 42  
 43

**Oregon Parks and Recreation Department (OPRD)**

Contact Jim Morgan  
Information: Oregon Parks and Recreation Department  
725 Summer St. NE Suite C, Suite 112  
Salem, OR 97310

Standard/  
Criteria: **State Scenic Waterways Program**

Legal  
Authority: ORS 390.805-390.925  
Description: OPRD provides technical review and recommendations for compliance with the State Scenic Waterways Program. Discussion regarding State Scenic Waterways is provided in Exhibits R and T.

**Public Utility Commission of Oregon (OPUC)**

Contact Jorge Ordonez  
Information: Public Utility Commission of Oregon  
550 Capitol Street NE Suite 215  
Salem, OR 97301

Standard/  
Criteria: Transmission Line Safety

Legal  
Authority: ORS 757.045  
OAR Chapter 860, Division 24 (Safety Standards)  
Description: The OPUC oversees transmission line safety and may recommend safety conditions to include in the site certificate as they do not offer a permit. Discussion regarding transmission line safety is provided in Exhibits B and D.

**Oregon Department of State Police, Office of State Fire Marshall**

Contact Stacey Warner  
Information: Fire Life Safety Program Manager and Assistant Deputy Chief  
4760 Portland Road NE  
Salem, OR 97305-1760

Standard/  
Criteria: **Emergency Planning and Community Right-To- Know Act (EPCRA)**

Legal  
Authority: OAR Chapter 837, Division 85 (Community Right-To-Know Survey and Compliance Programs)  
Description: The EPCRA may require notification to the State Fire Marshall for certain activities. Discussion of emergency response procedures and coordination with state local emergency responders is provided in Exhibit U.

**Local Governments**

The local government ordinances containing standards or criteria applicable to the Project are identified and discussed in Exhibit K.

1 **4.0 SUBMITTAL AND APPROVAL REQUIREMENTS MATRIX**

2 Table CC-1 provides a cross-reference between the Exhibit submittal requirements in OAR 345-  
3 021-0010 and where discussion can be found in the Exhibit.

4 **Table CC-1. Submittal Requirements Matrix**

Requirement	Location
<b>OAR 345-021-0010(1)(cc)</b>	
<b>Exhibit CC.</b> Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant shall identify all statutes, administrative rules and ordinances that the applicant knows to be applicable to the proposed facility, whether or not identified in the project order. To the extent not addressed by other materials in the application, the applicant shall include a discussion of how the proposed facility meets the requirements of the applicable statutes, administrative rules and ordinances.	Section 3

5

6 **5.0 RESPONSE TO COMMENTS FROM REVIEWING AGENCIES AND**  
7 **THE PUBLIC**

8 There were no comments from reviewing agencies and the public regarding Exhibit CC.

9 **6.0 REFERENCES**

10 None