

AGENDA ITEM FOR ADMINISTRATIVE MEETING ( ) Discussion only  
( X ) Action

FROM (DEPT/ DIVISION): Community Development Department

SUBJECT: Comments on Umatilla-Morrow Connect Transmission Line Notice of Intent

<p>Background:</p> <p>Umatilla Electric Cooperative proposes a 230 kV transmission line to connect UEC’s Highway 730 Switchyard (Morrow County) and Ordinance Switchyard (Umatilla County) to increase its system’s reliability. The portion within Umatilla County is primarily located on lands owned by the Columbia Development Authority. Umatilla County Community Development Department, as a reviewing agency, has conducted a review of the submitted Notice of Intent and has prepared a draft comment letter to be sent on behalf of the Umatilla County Board of Commissioners. The letter is before the Board for review and approval.</p>	<p>Requested Action:</p> <p>Approve comment letter to be sent to Oregon EFSC.</p>
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ATTACHMENTS: Proposed NOI Response Letter

Date: (11/8/2023) Submitted By: Megan Davchevski, Planning Division Manager

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

Checkoffs:

- ( ) Dept. Head (copy)
- ( ) Human Resources (copy)
- ( ) Fiscal
- ( ) Legal (copy)
- ( ) (Other - List:)

To be notified of Meeting:  
Robert Waldher, Megan Davchevski

Needed at Meeting:

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Scheduled for meeting on: November 8, 2023

Action taken:

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Follow-up:



## Board of Commissioners

216 S. E. 4<sup>th</sup> Street  
Pendleton, OR 97801  
541-278-6204

**Daniel N. Dorran**  
541-278-6201

**John M. Shafer**  
541-278-6203

**Celinda A. Timmons**  
541-278-6202

November 8, 2023

Oregon Department of Energy  
Attn: Chase McVeigh-Walker, Senior Siting Analyst  
550 Capital Street NE  
Salem, OR 97301

Subject: Umatilla-Morrow County Connect Transmission Line  
Response to Notice of Intent

Dear Mr. McVeigh-Walker:

Enclosed is the response to Oregon Department of Energy's request for a list of the "applicable substantive criteria" from Umatilla County's acknowledged Comprehensive Plan and land use regulations in effect at the time the Umatilla-Morrow County Connect Notice of Intent (NOI) was submitted. The standards are those that would apply to the 230 kV transmission line if the application had been submitted to Umatilla County for land use review. The local approval standards include specific Conditional Use Permit criteria, other applicable standards from the Umatilla County Development Code (UCDC) as well as the County Comprehensive Plan (Comp. Plan). Links to the UCDC and Comp. Plan are available online at the following:

[https://umatillacounty.gov/fileadmin/user\\_upload/Planning/Umatilla\\_County\\_Comp\\_Plan\\_10-26-2022.pdf](https://umatillacounty.gov/fileadmin/user_upload/Planning/Umatilla_County_Comp_Plan_10-26-2022.pdf)

[http://www-linux/fileadmin/user\\_upload/Planning/Umatilla\\_County\\_Development\\_Code.pdf](http://www-linux/fileadmin/user_upload/Planning/Umatilla_County_Development_Code.pdf)

### **Transmission Line**

According to the NOI, the proposal is for a 14-mile 230 kW transmission line between UEC's Highway 730 Switchyard (Morrow County) and Ordnance Switchyard (Umatilla County), with a majority of the project within Morrow County. According to the NOI, the line will be composed of single pole structures varying between 90-120 feet in height and approximately 40 to 50 inches in diameter at their base. Several alternatives have been identified, however within Umatilla County, Routes A, B, C and D are along the same alignment. The proposed 230 kV transmission line alignment, located in Umatilla County, is mostly located in the Depot Industrial (DI) Zone with a small portion in the Light Industrial (LI) Zone.

Although project elements are not identified within the Exclusive Farm Use (EFU) Zone, the site boundary does extend into the EFU Zone. Thus, the EFU development standards and land use decision permitting process for "Utility Facility Necessary for Public Service" are included here. The following criteria apply to the transmission line:

*UCDC 152.059 Land Use Decisions allowed on lands zoned EFU*

*UCDC 152.238 Conditional Uses allowed on lands zoned DI*

*UCDC 152.240 Master Plan and Design Review Requirements on lands zoned DI*

*UCDC 152.305 Design Review Criteria on lands zoned LI*

*UCDC 152.615 Additional Conditional Use Permit Restrictions*

*UCDC 152.616(CCC) Utility Facility Conditional Use Permit Criteria (DI and LI zones)*

*UCDC 152.617(II)(7) Utility Facility Necessary for Public Service Land Use Decision Criteria (EFU zone)*

### **Access Roads**

Access roads for the project have been identified and are classified as existing County roads, existing private roads, and new private roads. The application should include a map of the access roads and the proposed construction standard for the roadways and long-term maintenance of the roadways. For use of county roads, County will require a Road Use Agreement with the applicant and developer.

### **Comprehensive Plan Policies**

The following Comprehensive Plan policies apply to the development:

*Citizen Involvement: Policy 1 and Policy 5*

*Open Space, Scenic & Historic Areas, and Natural Areas: Policies 1(a), 5(a & b), 6(a), 8(a), 9(a), 10(c, d & e), 20(a), 20(b) (1-8), 22, 23(a), 24(a), 26, 37 & 38(a-c), 39(a) & 42(a). See attached Map of Goal 5 resources.*

*Air, Land, Water Quality: Policies, 1, 7 & 8*

*Natural Hazards: Policies 1 & 4*

*Recreational Needs: Policy 1*

*Economy of the County: Policies 1, 4 & 8(a-f)*

*Public Facilities & Services: Policies 1(a-d), 2, 9 & 19*

*Transportation: Policy 18 and 20*

*Energy Conservation: Policy 1*

Most, but not all, of the above listed Comprehensive Plan Policies are implemented through the County's existing Development Code and by coordination with other agencies and jurisdictions. However, other Plan Policies may apply that are not listed above. Comprehensive Plan Policies 1 and 2 for Citizen Involvement encourages continued citizen input. The County relies upon the Planning Commission to review and advise the County on planning issues. Comments made during public meetings frequently include the recommendation of additional Plan Policies. Where there is no local Planning Commission hearing for this project, the County encourages the Department of Energy to incorporate public comments during their public review process. The Special Advisory Group reserves the right to recommend additional Comprehensive Plan Policies at a later date.

### **Goal 5 Resources**

Umatilla County has one Goal 5 protected site located near the proposed transmission line. This site is currently owned by Rock It, LLC and is identified as Tax Lot 300 on May 4N 27 27. The site was added to the County's Goal 5 inventory, and allowed mining, with County Ordinance

2010-07 (see attachments). The site's allowed uses were later expanded in 2016 to permit aggregate processing at the site. The County's Aggregate Resource (AR) overlay zone has been applied, however, no specific protections were granted for the site. In other words, the site's approval did not limit conflicting uses, and did not identify transmission lines as a conflicting use. However, the site is protected under Statewide Planning Goal 5, and shall not be burdened by restrictions from new uses. Through the public participation process, ODOE and EFSC should engage this aggregate operator, and others that may be affected by the proposed transmission line, to ensure that the project will not negatively impact their existing operations.

### **Transportation System Plan (TSP)**

Umatilla County's Transportation System Plan is adopted as part of the County Comprehensive Plan and is implemented through the County Development Code. However, numerous policies and standards may apply to the development; specific standards may be identified once more detailed design drawings and development plans are provided.

The applicant is expected to work with the County Public Works Director, Tom Fellows, to identify specific road improvements necessary to accommodate construction traffic and oversize loads on county roads, prior to construction of the transmission line. Additionally, the applicant will need to satisfy the requirements for access point permits and road building requirements for project access roads. At a minimum, County will require a Road Use Agreement for use of County roadways during construction and operation of the facility.

Additionally, if the proposed transmission route is located within County road right-of-way, County may require that the developer survey the roadways to ascertain the legal location of the roadway, if uncertain. This would be required prior to issuing a right of way permit for use of the roadway. Private roads, if utilized, are not part of the county maintenance system and are not overseen by the County.

### **Interchange Area Management Plans (IAMPS)**

Umatilla County has adopted the Westland Road / I-84 / I-82 Interchange Area Transportation Plan (2006) to supplement and refine the County's TSP for the Westland Road / I-84 / I-82 interchange area, as it is a major freight corridor. Both Westland and Lamb Roads are proposed for project access and are identified within the Westland/I-84/I-82 Management Plan. Westland Road is a two-lane rural major collector with two-to-four-foot shoulders. It has an interchange with I-84. Lamb Road is a two-lane rural major collector, shoulders vary from no shoulders to two-feet in width. Lamb Road provides access to the former Umatilla Chemical Depot (now under Columbia Development Authority ownership), Westland Road and also has an interchange with I-82. New access points from Lamb Road are limited and should be coordinated with County Public Works.

In 2014, Umatilla and Morrow Counties adopted the I-84/Army Depot IAMP to identify and address infrastructure, access and land use regulations associated with the transition of the Umatilla Army Chemical Depot to the Columbia Development Authority for economic development and natural resource preservation. A robust and prioritized project list for addressing access issues was identified.

Utilization of new and existing access points and roads should conform with the standards identified in both the Westland Road / I-82 / I-84 and I-84/Army Depot Interchange Management Access Plans.

**Zoning Permits**

Prior to land development or construction of structures in Umatilla County a zoning permit must be secured for each parcel (tax lot) as outlined in *UCDC 152.612 (D)* and defined in *UCDC 152.003*.

**Construction, Safety, Operation and Maintenance**

In Oregon, public utilities and cooperatives are subject to safety standards regulated by the Public Utility Commission. We assume the transmission line will be constructed, operated and maintained according to National Electric Cooperative Standards and regulated by the Public Utility Commission.

**Emergency Response**

An emergency response plan is expected to be prepared and submitted along with the application. The Emergency Response Plan will be reviewed and acknowledged by the local Emergency Manager, Sage Delong.

Thank you for your attention to our comments and requirements. Any additional questions may be directed to Megan Davchevski, Planning Division Manager, Umatilla County Community Development, 216 S. E. 4<sup>th</sup> Street, Pendleton, Oregon 97801; phone (541) 278-6246 or e-mail at [Megan.Davchevski@umatillacounty.gov](mailto:Megan.Davchevski@umatillacounty.gov).

Sincerely,

Daniel N. Dorran,  
Chair  
Umatilla County Board of Commissioners

Attachments: Umatilla County Comprehensive Plan pages 8-17 and 8-18

CC: Doug Olsen, Umatilla County Counsel  
Robert Waldher, Community Development Director  
Megan Davchevski, Planning Division Manager  
Umatilla County Planning Commission  
Tom Fellows, Umatilla County Public Works Director  
Sage Delong, Umatilla County Emergency Manager  
Dawn Hert, DLCD Regional Representative  
City of Umatilla  
City of Hermiston  
Ken Patterson, Manager, Oregon Department of Transportation, Region 5  
Teresa Penninger, Oregon Department of Transportation, Region 5

used periodically exclusively for road maintenance and construction.

operation, based upon the issuance of a zoning permit under the following conditions:

- (1) Extraction is for County road maintenance or, construction only;
- (2) Crushing operations are for limited time periods not to exceed 90 days.
- (3) Scale or extent of operation remains limited to the acreage area listed on the table below.
- (4) The Planning Director may refer zoning permit request to the Hearings Officer or the Planning Commission.
- (5) Operations will still be required to meet the standards and criteria of the Development Ordinance and Reclamation Ordinance. The County gravel pit sites listed on the following table shall apply under tis policy:

Existing Gravel Pits Exempted from Obtaining  
Conditional Use Permits

<u>LOCATION</u>	<u>NAME</u>	<u>APPROX. SIZE</u>
T IS R 30 Sec. 1-2	Nelson-Murray	1 Acre or less
T IS R 32 Sec. 13	Hoeft	1 Acre or less
T 5S R 31 Sec.(12) 13 TL 1500	Leverenz-Ukiah	1 Acre or less
T 5S R 31 Sec. 36	Soap Hill	1 Acre or less
T IN R 30 Sec. 12, TL 400	Coombs Canyon	1 Acre or less
T 2N R 30 Sec. 32-33, TL 1100	Alkali	1 Acre or less
T 3N R 30 Sec. 6, TL TL 500	Ransier	1 Acre or less
T 4N R 36 Sec. 36	Pine Creek	1 Acre or less
T 4N R 34 Sec. 31, TL 11500	McConttmach	1 Acre or less
T 4N R 30 Sec. 23, TL 2300	Despain-Terney	1 Acre or less
T 5N R 32 Sec. 5, TL 700	Juniper	1 Acre or less
T 5N R 34 Sec. 8, TL 1390	Wayland	1 Acre or less
T 5N R 34 Sec. 1-2	Shubert-Barrett	1 Acre or less
T 6N R 35-36 TL 101	Eastside	1 Acre or less
T 6N R 36 Sec.(34 -36), TL 5100	Casper	1 Acre or less

41. Several aggregate sites were determined

41. In order to protect the aggregate resource,

to be significant enough to warrant protection from surrounding land uses in order to preserve the resource (see Technical Report).

the County shall apply an aggregate resource overlay zone to the following existing sites:

- (1) ODOT quarry, T5N, R35E, Section 35, TL 6200, 5900.
- (2) ODOT quarry, T5N, R29E, Section 22, TL 800 (“Sharp’s Corner”)
- (3) Private, commercial pit, T4N, R38E, Section 27, TL 1100.
- (4) Upper Pit, T4N, R28E, Sections 28, 29, TL 4000.
- (5) ODOT quarry, T3N, R33E, Section 23, TL 100, 600, 700
- (6) Several quarries, T2N, R31E, Section 15, 16, 17, TL 400, 800, 3100. (See Technical report for specific site information).
- (7) ODOT quarry, T3S, R30 1/2, Section 12, 13, TL 503.
- (8) ODOT quarry, T4N, R35, TL 7303.
- (9) Private, commercial pit, T4N, R28E, Sections 30, 31, TL 300, 2200, 2202, 2203.
- (10) ODOT quarry, T1N, R35, Section 34, TL 800, 900, 1000, and T1S, R35, Section 03, TL 100.
- (11) ODOT quarry, T1S, R30, TL 1901.
- (12) ODOT quarry, T2N, R27, TL 2700.
- (13) Private, commercial pit, T4N, R27E, Section 25, TL 900, Section 36, TL 400, 500, 600, 700, 800, 1400, 1500.
- (14) Schuening Estate Quarry 2N, R32, Section 04, TL 400.
- (15) Private, commercial pit, T4N, R27, TL 2200, T4N R27 Section 27, TLs 300 and 600.

42. Alternative energy resources should be explored more fully in Umatilla County.

- 42.
- (a) Encourage development of alternative sources of energy.
  - (b) The County will develop a file of alternative energy literature which will be available to the public.
  - (c) The County will refer people to