

Wade Aylett, 74854 Washington Lane, Irrigon, OR and Rebecca Kelly, 77258 County Line Road, Hermiston OR. Commissioner Randall asked if Mr. Aylett had a statement to make regarding Mr. Cook's concerns about the critical groundwater issue. Both Mr. Aylett and Ms. Kelly said they are willing to have language that would address the Recharge Project. Discussion followed.

Chairman Randall closed the hearing at 8:41 p.m. The Commissioners agreed that Mr. Jennings could work with Mr. Cook and Mr. Aylett to establish a subsequent condition that would protect the ground water and prevent Mr. Aylett or any of his successors from holding the Water Commission liable for flooding. Mr. Jennings said that he would consult with County Counsel regarding wording for such a condition.

Commissioner Rhinhart moved to approve the application with the conditions and subsequent conditions that had been discussed. It was seconded by Commissioner Reeder. The motion passed unanimously. Mr. Jennings stated that the next hearing would be on April 19, 2012 at the County Courthouse.

Other Business:

1. Mrs. Mabbott stated that a member of Iberdrola, Sara Parsons, had requested to be able to talk to the Planning Commission about the letter they sent to EFSC (Energy Facility Siting Council) regarding Iberdrola's request for an extension. After looking at the hearing schedules, the May 24th Planning Commission hearing was the soonest they could plan to have her there. The Commissioners agreed the letter had been very clear and they were not inclined to change their opinions but that as a member of the public she was welcome to address them. Mrs. Mabbott said that she would let her know.

2. Mrs. Mabbott gave each of the Commissioners a paper which showed that the Board of Commissioners had remanded part of the HHH, Wind Turbine Setback Standards, back to the Planning Commission. Mrs. Mabbott read from the Board Order that she had given to them. She talked about a work group that could be formed to come together to help with the language and to help them to come to a consensus that would be good for all. An afternoon work session was proposed by Mrs. Mabbott. She asked which of the Commissioners would be willing to participate; an April or May date was discussed.

There was discussion about an appeal to LUBA regarding the HHH Remand and another appeal to LUBA by WKN for the transmission.

Adjournment:

Chairman Randall adjourned the meeting at 9:38 a.m.

Respectfully submitted,

Connie Hendrickson
Administrative Assistant
(adopted by the Planning Commission on 4/26/12)

and water storage would have precedence over the aggregate site and that the Water Commission or OWRD would not be held liable. Discussion followed.

Mr. Jennings clarified that what Mr. Cook would like is for some sort of finding or subsequent condition on contingencies that may affect the recharge project to be included in the wording of the permit.

Commissioner Reeder said there may have been a precedent set in the past on another site that needed to be considered. If there is any conflict between the gravel and the recharge project, the recharge project needs to be the priority.

Mr. Jennings stated that they were dealing with two Goal 5 resources. The aggregate site would become a Goal 5 resource that would be protected from other use. The critical ground water is a Goal 5 resource but locally they had not adopted it to be significant with protection. He said that there had not been an ESEE (Environmental, Social, Economic, Energy) analysis that would protect the ground water from aggregate sites or other things; that work had not been done. If the issue came up as to which would take precedence, it would have to be brought back to the Planning Commission to address.

Regarding the agricultural practices that are in the impact area, if the dust is controlled the crops grown there should not be affected.

Chairman Randall asked Mr. Jennings to comment on an email from Morrow County and he stated that Morrow County had clarified that the processing equipment will be placed in Morrow County and the aggregate will be processed there.

Mr. Jennings stated that he had done an ESEE analysis which considered dwellings, schools and parks in the area and how they could affect the site. The analysis did not generate any special conditions nor was any reason found to prohibit those things in the area of the site. Commissioner Reeder asked how the vibration of the railroad that runs along the north side of the property would affect the wall of the gravel pit. Mr. Jennings said there is a 200 ft. right of way through there and the train tracks are at least 150 ft. from Mr. Aylett's property line.

Mr. Jennings said as far as conditions on the mining operation itself, he was asking for a more detailed site plan showing where the scale house would be placed and how the potential dust control issues would be addressed. As for the subsequent conditions, they need to get their DOGAMI permits, make sure any possible noise concerns are addressed and if the Planning Commission wants a condition regarding the critical groundwater, that could be added as well.

Commissioner Reeder asked about the service area for the equipment and a place for contaminants. Mr. Aylett stated that he had a service area on another pit and that a representative from DOGAMI had reviewed the area and it passed the inspection.

Applicant Testimony:

Senior Planner Richard Jennings described the location of the parcel for the aggregate site. This parcel was placed on the Significant Site inventory in 1997 but was not allowed to be mined because there were no mitigation measures to minimize the conflict between a rock source and agriculture. Mr. Jennings referred to an outline that had been given to the Planning Commission of the Goal 5 process that the county must go through when this type of rock pit is requested and he detailed the permit requirements. This parcel is 80 acres and they will be mining about 76 of those acres. If approved this parcel will be zoned EFU with an AR (aggregate resource) overlay.

Mr. Jennings referred to the flow chart for the application and noted the potential impact areas; homes, schools, local roads, agriculture, etc. which might be affected. This site will be an open pit and the rock will be extracted and taken to Morrow County for processing. There will be a berm around the pit for safety but also to help with the noise from the mining. The hours of operation were questioned and Mr. Jennings stated that Mr. Aylett would address that issue. He referenced the water rights and the dust abatement. The Army Depot, located nearby, indicated there would not be any conflict with their operation. The local roads and the possible impact on them were addressed and Mr. Jennings said he had not received any comments from ODOT or the Road Department regarding any problems with truck traffic.

One issue recently raised was the possible impact the aggregate site might have on the Critical Ground Water area due to the depth of the mining operation and how the water table might be affected.

Agency Testimony:

J.R. Cook, Executive Director for the Umatilla Basin Water Commission, 216 SE 4th St., Ste. 33, Pendleton, OR. Mr. Cook stated that the Water Commissions project was immediately southwest of the proposed aggregate site. He said he was not testifying in opposition to or in favor of the aggregate site. He was stating possible concerns as they related to the aggregate site and its possible effects on the Critical Ground Water project. The Ordinance gravel and Ordinance basalt critical groundwater areas are directly under the aggregate site. Mr. Aylett is a member of the County Line Water Improvement District that started the first aqua for recharge project in the state of Oregon and is familiar with the water issues in the area.

Mr. Cook stated that he and Mr. Aylett have a good working relationship but he would like to have the language of the permit in place so that if the need arose for someone else to take over the operation of the gravel pit, the groundwater project would be protected. He referenced the depth of the water table in the area and the plans by the Water Commission to raise the water level over the next 10 to 20 years. The concern was that the depth of the pit might adversely affect the recharge project and the ground water and water table in the area. Mr. Jennings asked Mr. Cook at what depth he felt the pit needed to be held in order to protect the water table. He stated he did not feel it needed to be held to an actual depth but to provide a subsequent condition for the benefit of the Water Commission or Oregon Water Resources Department (OWRD). If the water level rose and Mr. Aylett encountered water or the pit became flooded, the water recharge project

When the project started in 2008 the initial public input was not positive. Idaho Power took a step back and listened to the people who live and work in the area. They then re-filed their application and it was well received. This project should be in service by mid 2016 if all goes well.

Ms. Pardu talked about the structures that would be used on this project and said they had proposed the use of these particular towers as they allow them to span longer distances between the structures because they are more substantial. The further the structures can be spanned means fewer structures overall.

She referenced maps that showed different colored lines for the proposed transmission line route that will go through Umatilla, Morrow, Union, Baker, Malheur, and Owyhee Counties. She talked about the constraints that they are faced with in each county and said that after BLM releases their alternate routes there may possibly be more lines added to the maps. Discussion followed.

Lynette Berriochoa from Idaho Power talked about the field surveys that had been completed including cultural, topographical and wildlife studies. The data helps them to get a better feel of the terrain and what is on the land. The upcoming B2H line project surveys for 2012 will be as low impact as possible. Mostly they will be doing visual encounter surveys on foot looking at what is on the ground and listening for certain species. Discussion followed.

Todd Adams from Idaho Power talked about the rapid response transmission team which deals with natural gas plants and transmission lines co-locating on the same lands. He said the information is available about the project on the website and said they are working with a company in order to have an interactive map. Discussion followed.

Mrs. Mabbott stated it was commendable for Idaho Power to have partnered with two other companies for this project. She said as it made good business sense to them, it made good land use sense to co-locate transmission lines. Umatilla County has worked to promote co-location.

New Hearing:

Chairman Randall opened the hearing to consider the Text Amendment # T-11-045 and Zone Map Amendment # Z-294-11; applicant Wade Aylett. The applicant requests to establish a Goal 5 Large Significant Site (mining operation) and to apply the Aggregate Resource (AR) Overlay Zone. The subject parcel is 80 acres in size. The property is located north of Interstate 84 and west of Ordinance Road described as Township 4 North, Range 27 East, Section 27, Tax Lot 300. The property is zoned EFU (Exclusive Farm Use).

Chairman Randall called for any abstentions, bias, conflict of interest, declarations of ex parte contact or objection to jurisdiction. There were none. He called for the staff report.

UMATILLA COUNTY PLANNING COMMISSION
Meeting of Thursday, March 22, 2012
6:30 p.m., Umatilla County Justice Center, Media Room
Pendleton, Oregon

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COMMISSIONERS Randy Randall, Gary Rhinhart, Frank Kaminski, David
PRESENT: Lee, Clinton Reeder.
ABSENT: Don Wysocki, David Lynde, John Standley, Tammie
Williams.
STAFF: Tamra Mabbott, Richard Jennings, Connie Hendrickson.

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**NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. A
RECORDING OF THE MEETING IS AVAILABLE AT THE PLANNING
DEPARTMENT OFFICE.**

CALL TO ORDER:

Chairman Randall called the meeting to order at 6:35 p.m. and read the opening statement.

Approval of Minutes:

Commissioner Reeder moved to approve the minutes from the February 23, 2012. The motion was seconded by Commissioner Lee. The minutes were approved by consensus.

Discussion Item:

The first item on the agenda was a presentation by Idaho Power Company, 1221 West Idaho Street, Boise, ID 83702. Planning Director Tamra Mabbott introduced the representatives from Idaho Power: Todd Adams, Kristi Pardu and Lynette Berriochoa. She stated that it had been about three years since Idaho Power had initially made a presentation to the Planning Commission. Ms. Pardu brought a power point presentation which would detail where their company started, where they are today and how they plan to move forward.

The objective at this meeting was to provide an update on the Boardman to Hemingway (B2H) Project and to discuss a new partnership development for this project. Ms. Pardu referred to maps that were a part of her presentation and described the transmission line route. This project is required to go through the National Environmental Policy Act process. As the Bureau of Land Management (BLM) is the lead agency for that process, Idaho Power has filed an application with them. Idaho Power also has filed an Intent to File an application with the Oregon Department of Energy and recently received their project order.

Idaho Power recently signed a partnership agreement with Bonneville Power Administration (BPA) and Pacificorp. Idaho Power is still the designated project manager on the B2H project but BPA and Pacificorp will share a percentage of the permitting costs. The B2H project will increase the capacity of the northwest transmission system, improve reliability and create more efficiency for all the utilities. Since the costs will be shared the savings will filter down to rate payers.