

**Blaine County Planning and Zoning Commission**

PUBLIC HEARINGS: Oct. 13, Nov. 10, 2016

PUBLIC WORKSHOP: Oct. 20, 2016

|   |   |
|---|---|
| <p><b>REGARDING THE APPLICATION OF:</b> Idaho Power Company for a Conditional Use Permit (CUP) to place a overhead redundant transmission line from the Wood River Substation just north of Hailey to the Ketchum Substation on Sun Valley Rd. with the City of Sun Valley.</p> | <p>Staff Report<br/>Nancy Cooley/Tom Bergin<br/>Date: Oct. 4, 2016<br/>Amended Oct.12, 2016 and Oct. 13, 2016<br/>Amended Oct. 20, 2016<br/>Amended Oct. 24, 2016<br/>Amended Nov. 10, 2106</p> |
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**REQUESTED ACTION:** Public hearing on and consideration of a Public Utility Facility Conditional Use Permit Application by Idaho Power Co. to construct, maintain, and operate a 138-kV, overhead and underground, redundant transmission line from the Wood River Substation north of Hailey to the Ketchum Substation located on Sun Valley Rd. in Sun Valley. The transmission line is proposed to run east from the Wood River Substation to Buttercup Rd, then north along the west side of Buttercup Rd., and then north along the east side of Hwy. 75 until it crosses to the west side of Hwy. 75 3/4<sup>th</sup> of a mile north of the East Fork traffic light. This proposed line would then continue north along the west side of Hwy. 75 to an undergrounding transition structure at either the intersection of Hwy.75 and Hospital Dr. or the intersection of Hwy. 75 and Elkhorn Rd. This transmission line will be range from 4’ to up to 15’ higher than the existing power lines along this route. The transmission line runs through rural Blaine County zoning districts of Light Industrial (LI), Low Density Residential (R-1), Planned Residential Development (R-2), Residential/Agricultural (R-5), Medium Density Residential (R-.4) and Recreation Development (RD) before entering the jurisdictions of the cities of Ketchum and Sun Valley.

**APPLICABLE REGULATIONS: Title 8 (Comprehensive Plan) and Title 9 (Zoning Regulations):** Chapter 7, Residential/Agricultural (R-5); Chapter 9, Planned Residential Development (R-2); Chapter 10, Low Density Residential (R-1); Chapter 11, Medium Density Residential (R-.4); Chapter 15, Light Industrial (LI) and Chapter 25, Conditional Use Permits.

**APPLICANT/AGENTS:** Jeff Maffuccio, Facility Siting Coordinator & Tom Barber, Project Engineer

**PROPERTY OWNERS:** Multiple

**EASEMENT OWNER:** Idaho Power Co.

**I. GENERAL BACKGROUND**

1. Any disclosures (i.e. conflicts of interest, site visits or *ex parte* contact with the applicants

or any representative)? According to the most recent cost estimates, city and county residents north of East Fork would be assessed a surcharge or as a result of a local improvement district for undergrounding any portion of this line south of Elkhorn Rd. Two members of the Planning & Zoning Commission will possibly be assessed. Is this an economic conflict of interest? Further, the Administrator and principal author of this report attended and participated in most of the Citizens Advisory Committee (CAC) meetings. This role was *ex officio* and not as a voting (to the extent that votes were taken), citizen participant.

2. The application was submitted on April 23, 2014 and fees paid on April 30, 2014. Revisions to the application were received on Sept. 26, 2015 and Sept. 9, 2016.
3. **Background:** See the application material following the “Application Narrative” Tab.
4. Notice of the October 13, 2016 Public Hearing was:
  - a. published in the legal section of the Idaho Mountain Express on September 28, 2016;
  - b. published as a box ad in the main section of the Idaho Mountain Express on October 5, 2016;
  - c. sent by first class mail on September 27 and September 29, 2016 to surrounding landowners within 300 feet of the proposed transmission line;
  - d. sent to all political subdivisions including cities and area media on September 26, 2016;
  - e. posted on Idaho Power’s Wood River Substation driveway at its intersection with SH 75, Buttercup Rd. SH 75 intersection and Elkhorn Rd- SH 75 intersection on Oct. \_\_\_\_, 2016 as evidenced by a signed affidavit,
  - f. Application materials were posted on the Blaine County web page.

► **Motion:** Upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by a vote of \_\_\_\_ to \_\_\_\_, the Board finds/does not find notice to be adequate and in compliance with state statutes and county regulations.

5. Notice of the October 20, 2016 Public Workshop was:
  - a. by agenda posted at least 24 hours before this 6:30 p.m. session; and
  - b. announced at the October 13, 2016 hearing.
6. Notice of the November 10, 2016 Public Hearing was;
  - a. published as a box ad in the main section of the Idaho Mountain Express on October 26, 2016;
  - b. sent by first class mail on October 24, 2016 to ten additional surrounding landowners within 300 feet of the proposed transmission line that were not notified originally because of old addresses or ownership changes;
  - c. sent to all political subdivisions including cities, the school district and area media on October 24, 2016;

- d. posted on Idaho Power’s Wood River Substation driveway at its intersection with SH 75, Buttercup Rd. SH 75 intersection and Elkhorn Rd- SH 75 intersection on Oct. 27, 2016 as evidenced by a signed affidavit;
- e. sent to Public Water System entities on October 24, 2016; and
- f. Application materials were posted on the Blaine County web page.

► **Motion:** Upon motion by Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, and by a vote of \_\_\_\_\_ to \_\_\_\_\_, the Board finds/does not find notice to be adequate and in compliance with state statutes and county regulations.

7. Summary of Issues:

- A. Need for a second or redundant power transmission line from the Wood River Substation north of Hailey to Ketchum/Sun Valley.
- B. Location of a redundant power transmission line from the WR Substation to the Ketchum Substation.
- C. Impact of both above ground and underground portions of this power transmission line. For an underground line, the only identified component creating potential impacts are the vault locations. Two options are presented for undergrounding locations. The no-cost-share option is located southwest of the Elkhorn Rd. Intersection. The anticipated local-cost-share option is located northeast of the Hospital Dr. Intersection.

| <b>Conditional Use Permit Application Table of Contents and EXHIBITS</b> |   |                       |
|--|---|-----------------------|
| <b>Tab</b>   | <b>Document</b>   | <b>Submittal Date</b> |
| <b>Application Narrative</b>   | Narrative Letter with Project Purpose, Project History, and Project Description | 2015-Sep-26           |
| <b>Application Form</b>  | Addendum Letter with update to Project Coordination and Description             | 2016-Sep-9            |
| <b>Application Information</b>   | Conditional use Permit Form, Sections 1-10 and Standards of Evaluation          | 2015-Sep-26           |
|  | Section 11 Attachments Responses  | 2014-Apr-23           |
| <b>Overview Map</b>  | Proposed Project Route with Jurisdictional Boundaries                           | 2016-Sep-9            |
|  | Proposed Project Route with County Zoning Boundaries                            | 2016-Sep-9            |
|  | Proposed Project Route Transition Options 1 and 2                               | 2016-Sep-9            |
| <b>Parcel Map Sheets</b>   | Parcel Mapset with Parcel Information 300 ft. from Route                        | 2016-Sep-9            |
| <b>Existing Easements</b>  | Information on existing easements, including ITD's Hwy-75                       | 2014-Apr-23           |
|  | Information on existing easement in Northridge II Subdivision                   | 2014-Apr-23           |

|  |  |                    |
|--|--|--------------------|
|  | Information on existing authorization from Dept. of Interior                                 | 2014-Apr-23        |
| <b>Notification List</b>                         | Spreadsheet with Parcel Information, 300 ft. from Route                                      | 2016-Sep-9         |
| <b>Substation modifications</b>                  | Detailed design of overhead line construction  | 2016-Sep-29        |
|  |  |                    |
| <b>Plan and Profile</b>                          | Option 1 and Option 2  | 2016-Sep-29        |
|  | <a href="#">Updated Plan and Profile Legend</a>  | 2016-Oct-20        |
| <b>Agency Review Letters and Responses</b>       | City of Hailey   | 2014-Apr-23        |
|  | City of Ketchum  | 2014-Apr-23        |
|  | City of Sun Valley   | 2014-Apr-23        |
|  | Blaine County Disaster Services  | 2014-Apr-23        |
|  | Blaine County Emergency Communications   | 2014-Apr-23        |
|  | Blaine County Recreation District  | 2014-Apr-23        |
|  | Cox Cable  | 2014-Apr-23        |
|  | Idaho Foundation of Parks and Lands  | 2014-Apr-23        |
|  | Idaho Transportation Department  | 2014-Apr-23        |
|  | Intermountain Gas Company  | 2014-Apr-23        |
|  | Sun Valley Company   | 2014-Apr-23        |
|  | Sun Valley Water and Sewer District  | 2014-Apr-23        |
|  | Email correspondence from St. Luke's Wood River Medical Center                               | 2016-Sep-9         |
|  | Letter correspondence from City of Sun Valley  | 2016-Sep-29        |
| <b>Agency Review Letters and Responses con't</b> | <b>Sun Valley Economic Development</b>   | <b>2016-10-10</b>  |
|  | <b>City of Ketchum, letter to Public Utilities Commission</b>                                | <b>2016-Oct-13</b> |
|  | <b>Local Emergency Planning Committee</b>  | <b>2016-Oct-17</b> |
|  | <b>St Lukes Wood River</b>   | <b>2016-Oct-17</b> |
|  | <b>SV Economic Dev.</b>  | <b>2016-Oct-17</b> |
| <b>Appendix</b>                                  | Existing structure photos and proposed structure simulations                                 | 2015-Sep-26        |
| <b>Miscellaneous</b>                             | Idaho Power's State of the System brochure   | 2015-Sep-26        |
|  | Existing Line Outage History   | 2015-Sep-26        |
|  | Idaho Power's Project Fact Sheet brochure  | 2016-Sep-9         |
|  | Idaho Power's Overhead/Underground Power Lines information                                   | 2015-Sep-26        |
|  | Wood River Electrical Plan- Background and Status (Blaine Co. Supplement); dated August 2016 | 2016-Oct-4         |

|  |  |                    |
|--|--|--------------------|
|  | Electric and Magnetic Fields brochure (Blaine Co. Supplement)  | 2016-Oct-4         |
|  | 2017 National Electrical Safety Code (NESC) (Blaine Co. Supplement)  | 2016-Oct-4         |
|  | EMF Design Guidelines  | 2016-Oct-3         |
|  | Magnetic Field Strength graph  | 2016-Oct-3         |
|  | EMF Detail   | 2016-Oct-3         |
|  | <b>Email from Tom Barber of Idaho Power and simulations of single-circuit distribution and double-circuit distribution</b>   | <b>2016-Oct-12</b> |
|  | <b>Article submitted by Idaho Power- eLab Accelerator Explores Resilience Options in Sun Valley</b>  | <b>2016-Oct-13</b> |
|  | <b>Letter from Idaho Power to WR Community Advisory Committee Members and Northern WR Valley-Local Backup Electrical Supply Report</b>   | <b>2016-Oct-13</b> |
|  | <b>IPC transmission line setbacks; email from Jeff Maffuccio; Idaho Power</b>  | <b>2016-Oct-20</b> |
|  | <b>Cost summary</b>  | <b>2016-Oct-20</b> |
|  | <b>Outage history</b>  | <b>2016-Oct-20</b> |
|  | <b>PowerPoint - North Valley Reliability: Second Transmission Line CUP</b>   | <b>2016-Oct-13</b> |
|  | <b>Wood River Electrical Plan – Plan Development &amp; Public Process Narrative</b>  | <b>2016-Oct-20</b> |
|  | <b>PowerPoint – North Valley Reliability: Second Transmission Line CUP</b>   | <b>2016-Oct-20</b> |
|  | <b>New Release: Idaho Power Files Application to Validate need of Transmission Line</b>  | <b>2016-Nov-8</b>  |
|  | <b>Correspondence to CAC with Attachments from Dave Angell-Idaho Power; Attachments: Northern Wood River Valley-Local Backup Electrical Supply report; Property Protection Analysis Report; Power Usage Distribution, Ketchum Idaho area with Appendix B</b> | <b>2016-Nov-8</b>  |

**Agency Comments-** see Agency Review Letters and Responses Tab

**County Supplements-** see Miscellaneous Tab

D Exhibits- Public Comment Tab (last tab at back of binder)

**PUBLIC COMMENT TAB**

(through 2:15pm OCT. 13, 2016)

|      |  |                   |
|------|--|-------------------|
| D-1  | Robert R. Rhoads; Meridian Idaho 83646 and Sun Valley property owner | 2016-Sep-26       |
| D-2  | Laura Midgley; 231 Valley Club Dr, Hailey, ID 83333 (2 dup. ltrs)    | 2016-Sep-6&Oct-3  |
| D-3  | Kiki Tidwell; 300 Let Er Buck Rd., Blaine County                     | 2016-Oct-3        |
| D-4  | John Milner and Kim Taylor; Audubon Pl. Blaine County                | rec'd 2016-Oct-4  |
| D-5  | Pam and Ray Slomski; Mid-Valley homeowners                           | rec'd 2016-Oct-11 |
| D-6  | Jane Mason; Mid-Valley homeowners                                    | rec'd 2016-Oct-11 |
| D-7  | Kiki Tidwell; 300 Let Er Buck Rd., Blaine County                     | rec'd 2016-Oct-11 |
| D-8  | Alan Richardson; 121 Audubon Pl., Blaine County                      | rec'd 2016-Oct-12 |
| D-9  | Ginna and Ken Lagergren; address not given                           | rec'd 2016-Oct-12 |
| D-10 | Janne Burdick; Audubon Pl., Blaine County                            | rec'd 2016-Oct-12 |

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| D-11                           | Matthew Siegle; 127 Coyote Bluff, Blaine County   | rec'd 2016-Oct-12                   |
| D-12                           | Laura Midgley; 231 Valley Club Dr., Blaine County   | rec'd 2016-Oct-12                   |
| D-13                           | John Milner; Audubon Pl. at East Fork Rd, Blaine Co.  | rec'd 2016-Oct-12                   |
| D-14                           | Aimee Christensen; address not given  | rec'd 2016-Oct-13                   |
| (through 2:15pm OCT. 20, 2016) |   |                                     |
| D-15                           | Kerrin McCall; Ketchum Energy Advisory Committee,<br>WR Renewable Energy Working Group and<br>Community Advisory Committee for WR Electrical Plan | rec'd at 2016-OCT-13 Pubic Hearing  |
| D-15.5                         | Rick LeFaivre; Community Advisory Committee   | rec'd at 2016-OCT-13 Pubic Hearing  |
| D-16                           | Alison Stone; Starweather Resident  | rec'd Oct 17, 2016                  |
| D-17                           | Jon Walker; Northridge property owner   | rec'd 2016-Oct-19                   |
| D-18                           | Richard and Shirleen Coleman; Northridge resident   | rec'd 2016-Oct-19                   |
| D-19                           | Kerrin McCall; see D-15   | rec'd 2016-Oct-20                   |
| D-20                           | Coyote Bluff homeowners; Coyote Bluff Sub.  | rec'd 2016-Oct-20                   |
| (through Oct. 27, 2016)        |   |                                     |
| D-21                           | Kiki Tidwell; 300 Let Er Buck Rd., Blaine County  | rec'd 2016-Oct-24                   |
| D-22                           | Kiki Tidwell; 300 Let Er Buck Rd., Blaine County  | rec'd at 2016-Oct-24 Public Hearing |
| D-23                           | Kurt Eggers; 560 N Second St., Ketchum  | rec'd 2016-Oct-24                   |
| D-24                           | Kerrin McCall; Ketchum  | rec'd 2016-Oct-24                   |
| D-25                           | Jeffrey C. Huber; Boise   | rec'd 2016-Oct-27                   |
| (through time Nov. 10, 2016)   |   |                                     |
| D-26                           | Matt Youdall; 631 West Meadow Dr.   | rec'd 2016-Nov-3                    |
| D-27                           | Matt Youdall& Melody Liles; 631 West Meadow Dr.   | rec'd 2016-Nov-3                    |
| D-28                           | Kiki Tidwell; 300 Let Er Buck Rd, Blaine County   | rec'd 2016-Nov-7                    |
| D-29                           | Kiki Tidwell; 300 Let Er Buck Rd, Blaine County   | rec'd 2016-Nov-7                    |
| D-30                           | Matthew Siegel; Vice President, Coyote Bluff HOA  | rec'd 2016-Nov-7                    |
| D-31                           | Cody Langbehn, Administrator; St. Luke's Wood River   | rec'd 2016-Nov-7                    |
| D-32                           | Chuck Turner, Chairman; BC Local Emergency Planning Comm.   | rec'd 2016-Nov-7                    |
| D-33                           | Kiki Tidwell; 300 Let Er Buck Rd, Blaine County   | rec'd 2016-Nov-9                    |
| D-34                           | Rick Lefaire; CAC   | rec'd 2016-Nov-8                    |
| D-35                           | Jo Lowe; 110 Limekiln Ln  | rec'd 2016-Nov-10                   |
| D-36                           | Harry Griffith; Sun Valley Economic Development   | rec'd 2016-Nov-10                   |
| D-37                           | Tim Silva; Sun Valley Resort  | rec'd 2016-Nov-10                   |
| D-38                           | Lynette Standley; Idaho Power News Release  | rec'd 2016-Nov-10                   |
| D-39                           | Cody Langbehn; St Luke's Administrator  | rec'd 2016-Nov-10                   |
| D-40                           | Peter Richardson; Richardson Adams PLLC   | rec'd 2016-Nov-10                   |
| D-41                           | Elise Lufkin; 101 Greenhorn Loop  | rec'd 2016-Nov-10                   |
| D-42                           | Marc Reinemann  | rec'd 2016-Nov-10                   |
| D-43                           | Len Harlig  | rec'd 2016-Nov-21                   |

|                                   |
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| <b>II. CONDITIONAL USE PERMIT</b> |
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**§9-25-3 CUP STANDARDS OF EVALUATION**

- ▶ **COMMENT:** Applicant responses in full are found under: Application Information Tab

9-25-3 (A) Review: The commission or the board shall review the particular facts and circumstances of each proposed conditional use in the terms of the following standards and shall find adequate evidence showing that such use at the proposed location:

1. Will, in fact, constitute a conditional use as established for the zoning district involved;

- ▶ **COMMENT:** The use being applied for is a 'public utility facility'. This conditional use will be permanent. The project traverses land zoned Light Industrial (LI), R-1, R-2, R-5, R-4 and RD before entering the jurisdictions of the cities of Ketchum and Sun Valley. Public utility installations and/or facilities are allowed by the issuance of a Conditional Use Permit for all of the aforementioned zoning districts within the jurisdiction of Blaine County.

9-2-1: DEFINITIONS OF WORDS AND TERMS: . . .

*PUBLIC UTILITY AND PUBLIC SERVICE FACILITIES: Structures essential to furnishing the public with electric power two hundred thirty (230) kilovolts or less, gas, water supply, water treatment, and public services, including power plants or substations, water treatment plants or pumping stations, fire stations, police stations or snow storage locations. . . .*

2. Will be harmonious with and in accordance with the general objectives or with any specific objective of the comprehensive plan and/or this title;

- ▶ **COMMENT:** Blaine County Comprehensive Plan, Section 13. Public Services, Facilities, and Utilities (See 8-1-1-14 in the Sterling Code Book) states that “. . . [i]n order to provide reliable service and meet projected population and load growth, Idaho Power planning includes: A second 138,000 volt transmission line from the Wood River substation to Ketchum. . . ” This project is about reliability and no longer about meeting growth loads, but this shows that a second line has been contemplated for 20 to 25 years.
- ▶ The applicant also states that “[t]his project is in accordance with Sections 1, 2 and 3 of the Conclusions and Recommendations for the Electrical Power portions of the Comprehensive Plan concerning funding and undergrounding where appropriate. The language the applicant is referring to is set out below:

- Electrical Power 1. . . .

*2. All transmission and distribution wire service in the Scenic Corridors of State Highway 75, Federal Highway 93, and Federal Highway 20 should be undergrounded. Existing overhead transmission lines should be placed underground as technology and funding become available. New distribution installations should be all undergrounded. In rural areas where undergrounding covers long distances and would require a disproportionate expense, provision should be made for relief from this requirement for single-family residences.*

3. *Blaine County should explore various funding options, i.e., user fees, local improvement districts, or bonding, to accomplish the Comprehensive Plan goals for undergrounding electric service when those goals differ from filed Idaho Public Utilities Commission tariffs. In any event, the county should explore the possibility of undergrounding all wire in the Scenic Highway Corridors in conjunction with future highway improvements.*

4. *The potential health impacts identified from EMF studies should be carefully monitored and appropriate county ordinances for separation of residential development and power lines shall be adopted as evidence indicates.*

- ▶ In the Purpose Section of the Natural Resources Section of the county's comprehensive plan it states that: "*Blaine County desires:*

1. *To protect and enhance existing natural resources in Blaine County.*
2. *To preserve and protect the scenic and aesthetic values of Blaine County.*
3. *To protect the public health and general welfare, and to minimize property loss and public expenditure from flooding, avalanche, pollution, and natural hazards.*
4. *To support projects that protect or enhance the natural resources of the county.*

Installing a redundant transmission line into the Ketchum Substation would help to minimize loss from an outage or failure of the single, existing line. The history of outages and how much further this would minimize the loss is unknown. The latest statistics provide to the CAC on outages are now 10 years old. Certainly as the existing, wood poles age, the risk increases. Wildfire or avalanche is an additional hazard to the existing line. Idaho Power has considered rebuilding it with steel poles to reduce the likelihood of an outage even more. The response to this option does not appear to be in any of the written public record, but officials told a gathering of interested people including city and county elected officials, that the number of outages required to rebuild and make this line less vulnerable would about 30 eight hour outages. This number and duration of outages is considered too high by the applicant to be acceptable.

- ▶ Balanced against the desire to minimize loss, is the desire to preserve and protect scenic and aesthetic values. In a 1995 editorial on Idaho Power's decision at that time to delay further review of a second transmission line, the Mtn. Express concurred with the delay saying that "high voltage power lines are beautiful only to engineers." (Idaho Mtn. Express, March 8, 1995). As a result in 2007, Idaho Power asked the CAC to evaluate other possible routes for a redundant line. Largely because of topography west of the highway or topography or proximity to the existing line east of the highway, the CAC identified no suitable, alternative location.
- ▶ This left the option of undergrounding along the highway as the last consideration for protecting the scenic values along Highway 75. However, the cost of undergrounding can exceed the standard aboveground cost by approx. 10 times. This cost differential, per previous cases determined at the Idaho Public Utilities' Commission, must be paid by those served by the redundant line. As a result, undergrounding is likely unrealistic for an extended distance or more specifically south of the Hospital Dr. Intersection. The proposed plan, in general, was the result.

3. *Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area. All outdoor lighting shall comply with chapter 29A of this title;*

- ▶ **COMMENT:** See the applicant's response following the "Application Info." Tab. Hwy. 75 is a state designated scenic highway. This designation reflects the intended and, to a large extent, existing scenic character of the Hwy. 75 corridor between Hailey and Ketchum/Sun Valley. If a redundant line is needed, and no suitable alternative route can be identified, this proposed northbound, road right of way option has existing transmission and distribution lines along much of the route. The only stretch of roadway without an existing distribution line is a roughly 600' stretch south of the Hospital Dr. Intersection. So a power line, to a large degree, could be considered part of the "existing character" of this right of way. However, a new transmission line will be higher by 4 to up to 15 feet and about six inches wider. See the Plan & Profile Drawings in the application materials. In the limited locations where a lighting shield wire is necessary, this wire will add an additional 8' feet.
- ▶ If an overhead line runs east of St. Luke's Hospital, lighting for helicopter lighting will be needed. It is will be turned on only as necessary for landings and take-offs.
- ▶ Though the existing distribution line runs up the west side of Buttercup Rd., the CAC at least discussed running it up the east side in some areas. Some new housing has since been added on that side.

4. *Will not be hazardous or disturbing to existing or future neighboring uses;*

- ▶ **COMMENT:** The line is proposed to run immediately adjacent to the existing residential development on the east side of Hospital Dr. and the Gypsy Mobile Home Park south west of the hospital. Any hazard or disturbance will be highest in those existing or future Community Housing District neighbors. Can this be eliminated or mitigated? Moving the line to the west side of Hospital Dr. keeps it some distance away from the hospital buildings and further from those residences.
- ▶ The applicant states that "The project will be designed, constructed and operated under National Electric Safety Code ("NESC") requirements and restrictions, will be located within road or bike path rights of way or on private easements. As the line exits the WR Substation, it will be co-located on an existing transmission line. As it runs north within the Buttercup Rd. and Hwy. 75 Rights Of Way, it is proposed to replace and incorporate the existing distribution line.
- ▶
- ▶ The applicant should be prepared to address whether the increased voltage does or does not increase an electromagnetic hazard or disturbance. Before the CAC, the applicant in 2007 presented information stating that "numerous studies have shown either no association or inconclusive association between EMFs and human health" (PowerPoint Slide #38, Idaho Power, Feb. 2007) The applicant goes on to say that:  
    "[t]he magnetic (as opposed to the electric (?)) field of a power line depends on both the current in the line and the distance from it. When the voltage of a line is increased, it requires greater clearance and the greater distance from the ground. . . . when voltage is

doubled [from 69kv to 138kv, for example] the current drops by half. Combined with the increased distance, the magnetic field is actually reduced by two-thirds.” (CAC PowerPoint Slide #39, Idaho Power, Feb. 2007)

- ▶ The National Institute of Environmental Health Sciences, a division of the National Institute of Health states in a website page last reviewed on August 2, 2016 that:

“[d]uring the 1990s, most EMF research focused on extremely low frequency exposures stemming from conventional power sources, such as power lines, electrical substations, or home appliances. While some of these studies showed a possible link between EMF field strength and an increased risk for childhood leukemia, their findings indicated that such an association was weak. Now, in the age of cellular telephones, wireless routers, and portable GPS devices (all known sources of EMF radiation), concerns regarding a possible connection between EMFs and adverse health effects still persists, though current research continues to point to the same weak association. . . . Additionally, the few studies that have been conducted on adults show no evidence of a link between EMF exposure and adult cancers, such as leukemia, brain cancer, and breast cancer. Nevertheless, NIEHS recommends continued education on practical ways of reducing exposures to EMFs.”

5. *Will be served **adequately by essential public facilities and services** such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;*

- ▶ **COMMENT:** Electrical power is an essential public service, and a transmission line into this area is an essential public facility. The existing lines from south of Shoshone or north of Hagerman that feed the Wood River Substation north of Hailey provide an adequate and a redundant power supply into the Wood River Valley as far north as the East Fork area. North of East Fork, an adequate but not redundant power supply comes from either the Ketchum or Elkhorn Substations.
- ▶ A power transmission line is easier to operate and maintain if it runs along or near an adequate access road. This proposed route is close to an adequate access road its whole length. This is a significant cost savings for the applicant. However, neither this community nor ultimately Idaho Power has place a high priority on the adequacy of this infrastructure. Significant stretches of the three existing transmission lines in Blaine County run through relatively remote locations that required new, limited and sole purpose access roads. The existing transmission line to Ketchum runs through a relatively remote canyon between East Fk. and Elkhorn. The King Line west of Hailey runs through relatively inaccessible sections of Rock Ck. and the Silver Line near Picabo runs up on the ridgelines above and north of Picabo and east of Gannett.

6. *Will not create **excessive additional requirements at public cost for public facilities and services** and will not be **detrimental to the economic welfare of the community;***

- ▶ **COMMENT:** Typically a new conditional use adds an additional impact on public facilities or services. Uniquely, this proposal adds a public service that is intended to eliminate any loss of power service to the north valley. The line is designed to be an asset, not a detriment, to the economic welfare of the community. To respond to the detrimental, aesthetic costs though, undergrounding any portion of it has a cost. At what point does that option create excessive additional requirements? The applicant calculates that they can absorb the additional costs of undergrounding from the Ketchum Substation through town and south to the Elkhorn light.

The additional cost south to the proposed location at the northeast corner of the Hospital Dr. light is estimated to be 2.6 million dollars. If the undergrounding costs get consumed by the options chosen within the City of Ketchum, will the eventual, actual costs be an excessive, additional, local, public cost? Will this depend on whether it is a surcharge or a local improvement district charge? Is the additional underground construction, or the above ground construction through this area, detrimental to the community's economic welfare? Are other alternatives possible to avoid the aesthetic cost of constructing a line right between the new bridge with its artistic component and the historic, metal, trail system bridge? A county permit to run this line within an existing distribution line location will save the applicant installation costs relative to any other option, should the county be a beneficiary of that in some way, i.e. by getting this relatively short and less expensive distance from the bridge to Elkhorn Rd. located underground? The conduit for undergrounding both north and south of the bridge is already, or soon will be, in place.

7. *Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water pollution or safety hazards. Water pollution includes impact to surface and ground water and potable water sources. When the proposed use involves a potential contaminant source or potential contaminant as set forth in appendix A of this title, on file in the county, and is located within a wellhead protection area, the commission shall consider the impact of the project on potable water sources and determine whether there is sufficient information in the record to demonstrate that the project has been designed to mitigate adverse impact to potable water source(s);*

- ▶ **COMMENT:** The concern about the EMF safety hazard is also addressed under Criteria #4 above. From personal experience near the transmission lines that run adjacent to the Wood River Pathway, transmission lines do emit some noise which can vary depending on weather conditions. It is not likely to be considered "excessive" unless a person is in the immediately vicinity of the line during those conditions.
- ▶ The project will be designed, constructed and operated under National Electric Safety Code (NESC) requirements and restrictions.
- ▶ Many segments of this project are within wellhead protection areas. The poles will be metal and thus will not require a wood preservative. Any "underground" river crossing would hang from existing conduit on the new bridge. A couple spots on the King Transmission Line, approved last fall, were within a wellhead protection area, but DEQ did not express concerns about contamination.

8. *Will have vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares;*

- ▶ **COMMENT:** No specific vehicular approaches to these public facilities are proposed. Each will have an access. The volume of traffic to operate and maintain this line is unknown. Given the relatively rare occasion when service is necessary and the distance away from Buttercup Rd. or portions of Hwy. 75, the extent of any traffic interference should be minimal. The possible interference will be greater on those portions of the line that run immediately adjacent to the Hwy. 75 travel lanes.

9. *Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance;*

- ▶ **COMMENT:** In its response to the CUP criteria, the applicant wrote that this criteria was not applicable. If a power transmission line was not going to damage a natural, scenic or historic feature of major importance, i.e. the multiple features of the Sawtooth Scenic By-way, this transmission line would have been constructed two decades ago.
- ▶ The efforts of the applicant and the CAC to minimize the height of the structure relative to the existing distribution line are intended to minimize impact of this transformation. Can more be done to the transmission structures themselves to avoid damage to natural, scenic or historic features of major importance?
- ▶ The efforts to shift an overhead line to Hospital Dr. or transition to an underground location at Hospital Dr. to Elkhorn Rd. and Ketchum's southern boundary are also intended to minimize the impact to the viewshed along Hwy. 75. The CAC recommended undergrounding at, or more precisely, immediately south of Hospital Dr. for this reason. Even if the underground transition is not located at the south end of Hospital Dr., a transition point near the north end of Hospital Dr. would help to minimize the impact and damage of a new transmission line through this narrow, tree lined, corridor.
- ▶ Other than any possible impacts from the access vaults, the impacts, and thus the CUP review and evaluation, effectively stop at the underground transition point.
- ▶ While there might be other points along the proposed route where specific aesthetic concerns exist, but one of the most significant is shown in the photos simulations (See Pg. 29 under the Appendix Tab). The Boulder Mountains are clearly visible in the background and the view is also obstructed by the line as it run along the west side and then crosses Hwy. 75. A transition from the east to the west side further to the south (say at Pole # 106 thru 110) would minimize this unique, northbound intrusion but still not impact significantly the southbound view into Greenhorn Canyon which is sometimes uniquely impressive in the Fall. At public open houses hosted by the applicants a few years ago, homeowners on the west side apparently objected strongly to this consideration. Whether the option presented was from Poles #106 thru 110 or further south like immediately north of the East Fk. light is unknown.

10. *If the applicant or landowner with respect to an application for a conditional use permit under this chapter is, the commission or the board, in addition to all other applicable standards and criteria hereunder, shall take into account the plans and needs of the state, or any agency, board, department, institution or district thereof, as required by Idaho Code section 67-6528.*

- ▶ **COMMENT:** This criteria is not applicable. Idaho Power Co. is not the State of Idaho, or any agency, board, department, institution, or district of the state.

### III. Decision and Conditions

**§ 9-25-5(A)** *The commission . . . shall enter an order approving, conditionally approving or disapproving the application within thirty one (31) days after conclusion of the public hearing together with the reasons therefor. Conditional uses are subject to the conditions specified prior to issuance of their permits. Conditions which may be attached include, but are not limited to, those which will:*

- 1. Minimize adverse impact on other development.*
- 2. Control the sequence, timing and duration of development.*
- 3. Assure that development is maintained properly.*
- 4. Designate the exact location and nature of development.*
- 5. Require the provision for on site or off site public facilities or services.*
- 6. Mitigate foreseeable social, economic, fiscal and environmental effects, including the effect on potable water sources when the project is located within a wellhead protection area. The commission may impose reasonable conditions of approval to protect the surface and/or ground water from contamination, including, without limitation, the installation by the applicant of monitoring wells and the granting of easements relating to such wells.*
- 7. Require more restrictive standards than those generally required in this title.*

**Possible Motion:** Having considered the evidence in the record, upon a motion by Commissioner \_\_\_\_\_, a second by Commissioner \_\_\_\_\_ and \_\_\_ to \_\_\_ vote, the Commission hereby approves/conditionally approves/denies a conditional use permit application for Idaho Power Co. to construct a power transmission line from the Wood River Substation immediately north of Hailey to the Ketchum City Limits. If the Commission conditionally approves this application, it is subject to the following conditions:

**Possible Conditions as relevant and from the King Line CUP approval in 2015:**

1. The applicant may proceed with construction within three (3) years of the date of the Findings of Fact, Decision and conditions, or the approvals contained herein shall be null and void.
2. The applicant shall comply with all applicable county, state and federal regulations and requirements.
3. Any modifications to the approved plans may require further zoning review, and may be subject to additional regulations pursuant to the Blaine County Zoning Code.
4. Near residential areas, night time work shall be minimized to the extent possible.
5. The applicant shall control the introduction or spread of noxious weeds into any disturbed area.
6. In lieu of any financial security for revegetation or noxious weed control, the administrator will conduct an inspection of the rebuilt line within two (2) years of its completion and report to the Planning & Zoning Commission about the need to modify this permit to add a financial guarantee for any area that has not revegetated or has become infested with noxious weeds after construction.