



February 5, 2021

Blaine County Board of County Commissioners  
Old County Courthouse  
206 South 1<sup>st</sup> Avenue  
Hailey, Idaho 83333

**RECEIVED**

FEB - 8 2021

BLAINE COUNTY  
LAND USE & BUILDING SERVICES

Re: Idaho Power Company Application  
Wood River-Ketchum Transmission Line

Dear Board of Commissioners:

In connection with Idaho Power’s application for a conditional use permit for the Wood River - Ketchum 138kV transmission line (“Transmission Line”), Idaho Power is providing the attached comments on the “Suggested Conditions of Approval” set forth in the Blaine County Staff Report dated December 31, 2020 and updated on February 3, 2021. The purpose of Idaho Power’s comments is to clarify several of the Staff Report conditions and to more specifically address how the Transmission Line should be located along the west side of Highway 75 near the stock drive strip.

Also, Idaho Power has reviewed Mr. Haemmerle’s letter to the County Board dated January 27, 2021. Mr. Haemmerle asserts that Blaine County does not have authority to “modify a previously approved CUP”, referring to the conditional use permit granted for the Transmission Line by the Blaine County Planning and Zoning Commission in January 2019, and affirmed by the County Board under the terms of its Decision on Appeal in June 2019 (“CUP”). Idaho Power notes that our December 22, 2020 application (“Application”) to the Blaine County Board for the Owl Rock Road Route is not limited to requesting an amendment of the CUP:

**REQUEST**

Based on the information presented above, Idaho Power hereby requests that the Blaine County Board of County Commissioners modify the all-underground condition included in their Decision on Appeal, and authorize the Owl Rock Road Route as described in this Application and the exhibits attached hereto. This request is made under Blaine County Code Chapter 25, Conditional Use Permits, as either a rehearing of the County Board’s Decision on Appeal or in the alternative, as a conditional use permit request for the Owl Rock Road Route.

By providing alternative procedural options for Blaine County, Idaho Power’s Application provides flexibility for the County Board to process the Application for the Owl Rock Road Route as the County Board deems appropriate, whether as a direct request for a new conditional use permit for the Owl Rock Road Route or otherwise. Idaho Power’s Application is focused on the substance and merits of the Owl Rock Road Route, and the Company will follow the appropriate procedure as determined by the County Board.



Mr. Haemmerle's January 27, 2021 letter also effectively maintains that based on the County Board's Decision on Appeal, the County Board is forever prohibited from approving any route for the Transmission Line other than an all-underground route. But the paragraph Mr. Haemmerle has quoted from in the Decision on Appeal does not support this conclusion – in fact the paragraph supports the opposite conclusion, that the County Board recognized in the Decision on Appeal that the all-underground route might not be attainable and in such case, the County Board would be open to considering other routing alternatives for the Transmission Line.

It is within that review that the Board must find that the only condition of approval that would allow it to make positive findings at this time is to underground the entire line from the Wood River Substation to the traffic light at the intersection of Elkhorn Road and Highway 75. Undergrounding the redundant transmission line allows for positive findings on compliance with the Comprehensive Plan, impacts on neighboring uses, potential hazards and disturbances, and permanent damage to areas of vital scenic importance. While imposing such a condition will require difficult discussions on the funding alternatives, the Board believes that these funding discussions should be fully exhausted before any consideration of an overhead transmission line in this area. Depending upon the results of these funding processes, further consideration and deliberation may be necessary to "continue to work together on these issues, as there may still be opportunities to find areas of common interest and common ground." Accordingly, the Board affirms the Commission's decision with the modification that it require as a condition of approval that the entire transmission line be undergrounded from the Wood River Substation north to the City of Ketchum. [emphasis added]

Idaho Power and Blaine County followed precisely the process outlined in this paragraph for over a year following the Decision on Appeal. Blaine County has explored multiple funding alternatives for the approximately \$38 million cost for the all-underground route, including local improvement districts, county levies and county bond issuances. None of the alternatives have provided a feasible path for funding an all-underground route.

Accordingly, as contemplated in the Decision on Appeal, Idaho Power and Blaine County have "worked together" to explore alternative Transmission Line options and funding sources to "find areas of common interest and common ground". Idaho Power believes that the Owl Rock Road Route meets these standards by burying the eight miles of the existing distribution line and an additional 1.4 miles of the Transmission Line, through the surcharge funding mechanism outlined in Idaho Power's Application.

Mr. Haemmerle's January 27, 2021 letter argues that only an all-underground Transmission Line route can meet the Blaine County conditional use permit standards for evaluation. However, one can reasonably argue that the Owl Rock Road Route will not add any greater power line visual impact to the Wood River Valley and may actually reduce the visual impact by placing the existing overhead distribution lines underground and placing the more streamlined new transmission line overhead. All while providing a second power source to northern Blaine County that would (1) help protect against a potentially devastating power outage to the northern County resulting from a loss of the existing transmission line and (2)

allow Idaho Power to rebuild the existing transmission line without requiring numerous 8-hour outages to the northern County.

For these reasons, Idaho Power maintains that the County Board has the procedural authority and the substantive basis to grant Idaho Power a conditional use permit for the Owl Rock Road Route with the surcharge funding mechanism.

Respectfully Submitted

A handwritten signature in blue ink, appearing to read "Patrick A. Harrington". The signature is written in a cursive style with a large initial "P".

Patrick A. Harrington  
Corporate Secretary

### Suggested Conditions of Approval

1. Idaho Power Company shall underground the approximately 8 miles of Idaho Power's existing distribution and communication lines from the Buttercup Rd/Meadow Dr intersection near the Wood River Substation, to a point South of Hospital Drive.

2. Underground the redundant 138kV transmission line ("Transmission Line") approximately 1.4 miles starting at Owl Rock Road and continuing to the Elkhorn Rd intersection, where the transmission line will continue underground into the city of Ketchum, after pole #165 until it links to the proposed underground conduit located on the west side of the Elkhorn Rd intersection.

3. The above ground transmission line shall be built substantially as depicted in Exhibit B, Plan & Profile Drawings Owl Rock Road Route dated 12.17.2020, recognizing that certain construction adjustments may be needed based on rock and soil conditions, above-ground obstacles and other construction-related impediments.

4. Obtain all necessary easements for 138kV transmission line above and below ground and distribution undergrounding. Idaho Power will work with property owners to try to secure satisfactory easements to locate the Transmission Line within the "Stock Drive" strip located west of Highway 75, for portions of the Transmission Line (approximately 2.5 miles) to be located along the west side of Highway 75. Idaho Power will also work with Blaine County staff to explore opportunities for locating the Transmission Line in the Stock Drive. If Idaho Power determines in good faith that satisfactory easements are not available for the Stock Drive (at minimal cost, other than potentially reimbursing landowners for their out-of-pocket costs for granting the easements), then Idaho Power will have the option of locating the Transmission Line within the west side of the Highway 75 right-of-way, similar to the location of the current Idaho Power distribution line.

5. Additional micro-siting shall occur for the above ground transmission as follows:

a. At Pole # 89 and 90 where the distribution line crosses the Big Wood River, the applicant shall run its conduit on the existing bridge instead of boring under the river, if feasible from a safety and engineering standpoint.

b. Poles #90-96 adjacent to Audubon Place, if not undergrounded, shall be micro-located (i.e., moving a pole location to the extent possible) to reduce visibility from driveways and maximizing the screening provided by the established conifers but not to a location that would compromise the structural integrity of the bike path.

c. Poles #99 thru #106 shall align with the bike path, more or less, as shown on *Exhibit B* but far enough from the path that it does not compromise the structural integrity of the bike path pavement or create a safety hazard.

6. Shall install the "H" type underground transition structure (or structure less conspicuous) at the Owl Rock Road Transition location. Install plantings including conifers to grow at an adequate height and width to screen the underground transition structure(s) from Highway 75. Design plan shall be submitted to and approved by the Land Use Department Administrator.

7. Noxious weed mitigation and re-seeding of native seed mix shall occur in all disturbed areas. Areas of disturbance shall be monitored by Idaho Power on an annual basis for five years to ensure the establishment of desirable vegetation and the abatement of noxious weeds.

8. A financial security in the amount of 30% of the estimated cost of the revegetation approved by the Administrator shall be collected and held for up to five (5) growing seasons, if deemed necessary by the Administrator to ensure at least 80% establishment of the plants as determined by the Administrator.

9. Applicant shall comply with all applicable zoning, building, fire and health district regulations.

10. Night time work shall be minimized to the extent possible.

11. The applicant shall notify Cox Communications and other lessees of work plans and schedules.

12. Poles shall be of corten steel material.

13. A notice shall be sent out to 300' of adjoining landowners by Idaho Power of the new transmission line prior to the commencement of construction.

~~14. An independent third-party review and verification of construction cost estimates for bids, paid by applicant, shall be provided to the County Administrator since Idaho Power has never undergrounded a 138Kv transmission lines prior to this occasion.~~

1415. Reconstruction of the existing transmission line, including pre-construction design and engineering work and right-of-way acquisition, shall commence as soon as possible after permitting.

1516. Any modifications to the plans or approved uses shall require further zoning review, and may be subject to additional regulations pursuant to the Blaine County Zoning Ordinance.