

Appendix H
Agricultural Protection Plan Framework

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Table of Contents

H.1	Introduction	H-1
	H.1.1 Plan Framework Updates	H-1
	H.1.2 Purpose.....	H-1
H.2	Conditions.....	H-1
H.3	Other Applicable Plans	H-2
H.4	Mitigation Measures	H-2
	H.4.1 Design Features of the Project for Environmental Protection	H-2
	H.4.2 Selective Mitigation Measures.....	H-3

Acronyms and Abbreviations

B2H	Boardman to Hemingway Transmission Line Project
BLM	Bureau of Land Management
IPC	Idaho Power Company
Plan	Agricultural Protection Plan Framework
Project	Boardman to Hemingway Transmission Line Project
U.S.	United States
USFS	United States Forest Service

APPENDIX H – Agricultural Protection Plan Framework

H.1 Introduction

This Agricultural Protection Plan Framework (Plan) has been developed based on the principles and procedures established by the Bureau of Land Management (BLM) and U.S. Forest Service (USFS), which are applicable to high-voltage transmission projects. This Plan applies to the construction of transmission structures, permanent and temporary access roads, multi-use areas, pulling and tensioning sites, and other ancillary work areas associated with the Boardman to Hemingway Transmission Line Project (Project) on lands managed by federal, cooperating agencies and other lands as negotiated between Idaho Power Company (IPC) and the land manager. Requirements for agricultural protection on private lands will be negotiated between IPC and the landowner. The intent of this Plan is to provide a framework for protecting agricultural areas from Project-related disturbance.

H.1.1 Plan Framework Updates

This Plan framework will support the National Environmental Policy Act Plan of Development sufficiently to complete and execute the BLM and USFS Records of Decision, the BLM right-of-way grant and USFS special-use authorization for the Project. This Plan framework serves as a baseline document to guide development of the Final Agricultural Protection Plan developed with the Plan of Development before issuance of the Notice(s) to Proceed and commencement of construction. The Final Agricultural Protection Plan will be developed by the Construction Contractor(s) in consultation with IPC, the landowner, and the agencies as detailed design and engineering of the Project is completed and contain the detailed information necessary for site-specific guidance. This Plan framework provides Project-specific guidance for development of the Final Agricultural Protection Plan by identifying treatments and measures required to avoid, minimize, and mitigate Project-related impacts. When the preferred route is selected and final engineering is complete, a Final Agricultural Protection Plan will be prepared. The Construction Contractor(s) will be responsible for preparing and implementing the Final Agricultural Protection Plan.

H.1.2 Purpose

This Plan describes the framework for the measures intended to mitigate or provide compensation for agricultural impacts that may occur due to the construction of the Project. A goal of this Plan is to provide a basis for IPC's discussions with owners of property where the final Project will be sited. This Plan shall not be construed as establishing any contractual obligations or representations between IPC and any party and shall not create any third-party beneficiary rights between IPC and any party. Proposed agriculture protection measures will be included in the Final Agricultural Protection Plan.

H.2 Conditions

For the purpose of the Plan, agricultural land is defined as annually cultivated or rotated cropland, land in perennial field crops, improved pasture, hayfields, and land in the conservation or grazing reserve programs.

Unless an easement agreement specifically provides to the contrary, IPC will implement the protection measures described in the Final Agricultural Protection Plan in accordance with the following conditions:

- A. The protection measures and conditions described in the final plan apply only to construction activities occurring partially or wholly on privately owned agricultural land. They do not apply to

construction activities on public right-of-ways, railroad right-of-ways, public land, or private land that is not agricultural land, except where agricultural structures, such as drainage tile and irrigation systems associated with privately owned agricultural land, pass through or extend into these areas.

- B. IPC will provide a copy of the final plan to any landowner or landowner's designate and tenant of agricultural land prior to obtaining an easement.
- C. IPC may negotiate with the landowner or landowner's designate to carry out the protections that landowners wish to perform themselves.
- D. IPC will implement the protection measures contained in the final plan to the extent that they do not conflict with the requirements of any applicable federal, state, and local rules and regulations and other permits and approvals obtained by IPC for the project.
- E. IPC will implement the protection measures contained in the final plan to the extent that they are consistent with the protection measures approved by, or other requirements of, permits and approvals issued by governing agencies.
- F. Certain provisions of the final plan require that IPC consult with and/or obtain agreement with the landowner and the tenant of a property. IPC will make a good-faith effort to secure the agreement of both the landowner and tenant in such cases. If there is a disagreement between the landowner and tenant, IPC will secure the landowner's agreement unless the tenant can demonstrate a superior legal right in the matter.

Nothing in this document is intended to grant or suggest jurisdiction by any agency over remedies for property compensation resolved in accordance with Oregon or Idaho law.

H.3 Other Applicable Plans

Measures for erosion control, dust control, soil protection, water protection, weed control, and reclamation that will reduce impacts on agriculture are contained in the following plans:

- Traffic and Transportation Management Plan
- Spill Prevention, Control, and Countermeasures Plan
- Storm Water Pollution Prevention Plan Framework
- Water Resources Protection Plan
- Noxious Weed Management Plan
- Erosion, Dust Control and Air Quality Plan
- Reclamation, Revegetation and Monitoring Plan Framework

H.4 Mitigation Measures

H.4.1 Design Features of the Project for Environmental Protection

Following are design features for protection of agricultural land to reduce potential impacts resulting from the Project.

Design features of the Project for environmental protection are applied Project-wide and will address many of the concerns associated with agricultural operations and production in accordance with the BLM and USFS standards. Following is a description of design features to address agricultural operations and production during the construction and operation of Project facilities.

- **Design Feature 35.** On agricultural land, the right-of-way would be aligned, insofar as is practicable, to reduce the impact on farm operations and agricultural production
- **Design Feature 36.** Construction and maintenance activities would occur as practicable to minimize impacts on agricultural operations. In cultivated agricultural areas, soil compacted by construction and maintenance activities would be decompacted or the landowner compensated accordingly

H.4.2 Selective Mitigation Measures

Selectively recommended mitigation measures to be applied on a site-specific basis to reduce agriculture-related impacts include the following to be implemented by the Construction Contractor(s).

- **Selective Mitigation Measure 8 (Span and/or Avoid Sensitive Features).** Within the limits of standard tower design, structures would be located to allow conductors to avoid identified sensitive features such as dwelling/buildings and span sensitive existing land uses, natural features, hazardous substance remediation sites, and cultural resource sites. This could be accomplished through methods such as selective tower placement, spanning sensitive features, or realigning the B2H Project centerline (micro-siting).

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