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191346

Emergency Ordinance

*Designate the Director of the Bureau of Development Services to represent and act on the City's behalf as the Special Advisory Group for the Cascade Renewable Transmission System

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Under Oregon Revised Statute (ORS) 469.310, the Oregon Legislature declared that it is the policy of the State that siting, construction, and operation of energy facilities shall be accomplished in a manner consistent with protection of public health and safety and in compliance with the energy policy and air, water, solid waste, land use and other environmental protection policies of this state. "Energy Facilities" are defined under ORS 469.300(11).
2. On March 7, 2023, the Oregon Department of Energy (Department), staff to the Energy Facility Siting Council (EFSC), received a Notice of Intent to File an Application for a Site Certificate (NOI) for the Cascade Renewable Transmission System (facility). The facility is a proposed 320-kilovolt high-voltage direct current (HVDC) transmission line that would span approximately 100 miles between The Dalles and Portland.
3. On April 4, 2023, the Oregon Department of Energy sent notice to the City seeking comments on the NOI by June 1, 2023.
4. According to the notice sent to the City, the majority of the HVDC line would be installed in the bed of the Columbia River using a hydro jet cable burial machine, or "jet plow." The jet plow temporarily fluidizes sediment in an approximately 18-inch-wide trench, places the cable in the trench, and allows the sediment to settle back over the cable, burying it at the prescribed depth in the riverbed. Where the cable cannot be buried, a concrete mattress or a rock berm would be used to keep the cable weighted down and protected from damage. An approximately 7.5-mile segment of the HDVC line would be buried in lands adjacent to the river near Stevenson, Washington to avoid the

Introduced by

[Commissioner Carmen Rubio](#)

Bureau

[Development Services \(BDS\)](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

June 28, 2023

Bonneville Lock and Dam.

5. Additional underground segments would connect in-river transmission lines to two converter stations constructed near points of interconnection at both ends of the line. The Eastern Converter Station would be located near The Dalles and would connect to the Bonneville Power Administration's Big Eddy Substation with approximately 500 feet of overhead 500-kV AC transmission line. The Western Converter Station would be located in the Rivergate Industrial District in North Portland and would be connected to Portland General Electric's Harborton Substation with 230-kV AC cables installed under the Willamette River using horizontal-directional drilling.
6. In addition to obtaining necessary federal approvals, the applicant must obtain a Site Certificate from EFSC prior to the construction and operation of the proposed facility. The information provided in the NOI, and any comments provided by tribal governments, state agencies and local governments and the general public are used to prepare a Project Order outlining the requirements for the Application Site Certificate. During the review of the Application, EFSC will determine if the proposed facility complies with the Energy Facility Siting Council's standards established under Oregon Administrative Rule (OAR) chapter 345; other Oregon statutes and administrative rules applicable to the issuance of a site certificate; and the statewide planning goals adopted by the Land Conservation and Development Commission.
7. Under ORS 469.504, the applicant may choose to demonstrate compliance with the statewide planning goals by obtaining local land use approval from the affected local government or by seeking a determination of compliance from the EFSC. In the NOI, the applicant indicated that it intends to seek a determination from the EFSC.
8. To assist in the land use review, the governing bodies of all Oregon local governments within whose jurisdiction the facility is proposed to be located will be designated as Special Advisory Groups. In addition to reviewing application materials and providing comments, Special Advisory Groups, or their designees, will be asked to identify substantive criteria from government's acknowledged comprehensive plan and land use regulations that apply to the review of the proposed facility.
9. In accordance with ORS 469.350 and OAR 345-015-0120, the Department requests the following information by June 1, 2023; however, the City was granted an extension to July 15, 2023:
 - The name, address and telephone number of the contact person assigned to review the application for your jurisdiction.
 - A list of local ordinances and land use regulations that might apply to construction or operation of the proposed facility, and a

description of any information needed for determining compliance.

- A list of any local permits that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.
- Recommendations regarding the size and location of analysis areas for impacts to sensitive resources, including resources inventoried in your comprehensive plan.
- A list of studies that your jurisdiction recommends be conducted to identify potential impacts of the proposed facility and mitigation measures.


10. Local governments may also provide a response at the time of Application for Site Certificate and Draft Proposed Order. The City may provide additional comments or responses at those times or other possible opportunities granted by the Department.

NOW, THEREFORE, the Council directs:

- A. The Director of the Bureau of Development Services, or designee, is hereby designated to act on the City of Portland's behalf as the Special Advisory Group for the purposes of the initial response as well as an ongoing response in response to the Application for Site Certificate and Draft Proposed Order.
- B. The Director shall coordinate with all City Bureaus to ensure that all City Codes are considered in the City's response.

Section 2. The Council declares that an emergency exists because the Department of Energy requests City comments by July 15, 2023 and delay in the enactment of this ordinance would result in a delay in responding to the Department of Energy; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Memo to Council](https://www.portland.gov/sites/default/files/council-documents/2023/authority-designation-for-odoe-noi-process-memo-to-council-062823.pdf) (https://www.portland.gov/sites/default/files/council-documents/2023/authority-designation-for-odoe-noi-process-memo-to-council-062823.pdf), 206.4 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
June 28, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

On March 7, 2023, Cascade Renewable Transmission, LLC submitted a Notice of Intent to File an Application for a Site Certificate (NOI) to the Oregon Energy Facility Siting Council (EFSC). The proposal is for a 320-kilovolt high-voltage direct current (HVDC) transmission line that would span approximately 100 miles between a Bonneville Power Administration substation near The Dalles and an existing Portland General Electric substation in Northwest Portland. Most of the transmission line would be under the Columbia River.

Under ORS 469.504, in addition to seeking federal approval for the project, the applicant may choose to seek land use approval from affected local governments or seek a determination of compliance from the EFSC. In the NOI, the applicant indicated that it intends to seek a determination from the EFSC. This means the City of Portland and other local governments along the transmission route will not have regulatory authority over the project. However, local governments including the City of Portland are designated as Special Advisory Groups for the state's review of the project.

On April 4, 2023, the Oregon Department of Energy sent notice to the City of Portland seeking comments on the NOI, specifically to identify land use regulations and local permit requirements that would apply to portions of the project within the City of Portland if regulatory authority were not preempted. The City's deadline to submit comments is July 15, 2023. This ordinance would authorize the Director of the Bureau of Development Services or her designee to act on the City of Portland's behalf coordinating with City bureaus on relevant regulations and permit requirements and responding to the Oregon Department of Energy's request for comments.

Financial and Budgetary Impacts

This ordinance has no budgetary impacts and would not impact staffing levels.

Community Impacts and Community Involvement

This ordinance would only allow the Bureau of Development Services to respond to the Oregon Department of Energy's request for comments on behalf of the City of Portland.

100% Renewable Goal

Though the project is related to renewable energy transmission through the state, this ordinance would only allow the Bureau of Development Services to respond to the Oregon Department of Energy's request for comments on behalf of the City of Portland.

Agenda Items

544 Consent Agenda in [June 28, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/6/28)
(<https://www.portland.gov/council/agenda/2023/6/28>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea