CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: 12/1/2026 **Approx. Start Time:** 11:00 AM **Approx. Length:** 30 minutes

Presentation Title: PGE Tonquin Project: Rosemont-Wilsonville Transmission Line Land Use Update

Department: Department of Transportation & Development / County Counsel

Presenters: Dan Johnson, Director; Caleb Huegel, Assistant County Counsel

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

N/A – Informational Only

EXECUTIVE SUMMARY:

On November 4, 2025, the Clackamas County Land Use Hearings Officer approved two land use applications, files Z0282-25 and Z0313-25, for PGE's Rosemont-Wilsonville transmission line improvement project.

PGE's application materials generally describe the project as improvements to an existing 5.9-mile powerline corridor along SW Stafford Road to allow construction of a new 115-kV transmission line between the Rosemont and Wilsonville substations. The new connection will increase the capacity and operational flexibility of the surrounding grid by creating an additional path for moving power between the two substations and the areas that they serve.

Save Stafford Road (SSR) appealed the Hearings Officer's decision to the Land Use Board of Appeals (LUBA).

On March 19, 2026, LUBA remanded the Hearings Officer's decision back to the County. LUBA disagreed with some of SSR's arguments on appeal, but it agreed with SSR that the Hearings Officer's findings regarding compliance with the Scenic Roads Policies in the County's Comprehensive Plan were inadequate.

Both PGE and SSR appealed LUBA's decision to the Court of Appeals. On September 10, 2026, the court affirmed LUBA's decision. SSR subsequently petitioned the court for reconsideration.

On October 26, 2026, the court denied reconsideration. SSR now has until November 30, 2026, to petition the Supreme Court for review. If SSR does not petition the Supreme Court for review, or if the Supreme Court denies review, then the matter will eventually be returned to the County to process PGE's applications on remand.

In lieu of waiting for remand proceedings on the old applications, PGE filed two new applications: one for the portion of the line in the County's Exclusive Farm Use (EFU) zone (a Type 2 application for a "utility facility necessary for public service," where the initial decision is issued by staff), and one for the portion of the line in the County's Rural Residential Farm Forest 5-Acre (RRFF-5) zone (a conditional use application, where the County's decision is issued by the Hearings Officer). Unlike the original applications, PGE has not asked the County to consolidate the new applications for processing, so they are being processed separately. The proposal remains substantially similar to PGE's previous proposal; however, they have requested that the County not apply a condition that was included in the 2025 approvals, which required the use of ductile iron poles. It should be noted that the new applications do not terminate the old applications or the pending litigation on those.

On November 5, 2026, staff approved the EFU portion of the line. Randall Yamada, Stafford Road resident, has appealed staff's decision on the EFU portion to the Hearings Officer, and a hearing is scheduled for December 10, 2026.

A separate hearing on the RRFF-5 portion of the line is also scheduled for December 10, 2026. Staff's recommendation to the Hearings Officer is scheduled to be available on December 3, 2026. Unless the timeline is extended by the applicant, the Hearings Officer must issue a decision on the EFU portion by February 22, 2027, and on the RRFF-5 portion by March 26, 2027. Both decisions may be appealed to LUBA.

In 2023, the Board amended the Zoning and Development Ordinance to expressly require a conditional use permit for transmission lines in the RRFF-5 (and many other) zones. In the EFU zone, state law applies and requires the County to review "utility facilities necessary for public service" using only the state-adopted criteria.

As with nearly all land use permits, the ZDO does not establish a role for the Board in the processing of PGE's applications. Designating the Board as the decisionmaker on applications such as PGE's would require amendments to the ZDO. Any such amendments, however, would not apply retroactively to applications submitted before the amendments took effect.

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? ☐ YES ☒ NO

What is the cost? N/A What is the funding source? N/A

STRATEGIC PLAN ALIGNMENT:

- How does this item align with the County's Performance Clackamas goals?

  Public Trust in Good Government. The processing of land use applications is a required local government function under state law.

LEGAL/POLICY REQUIREMENTS:

All land use applications are reviewed subject to applicable elements of the Clackamas County Zoning and Development Ordinance.

PUBLIC/GOVERNMENTAL PARTICIPATION:

Public notice has been provided as required by state law and the ZDO.

OPTIONS:

N/A – Information Only

RECOMMENDATION:

N/A – Information Only

ATTACHMENTS:

N/A – Information Only

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval _____
County Administrator Approval _____

For information on this issue or copies of attachments, please contact Dan Johnson 503-742-4325