



# ENERGY FACILITY SITING COUNCIL

## Energy Facility Siting Council Meeting Notice and Agenda

**November 17-18, 2022**

**Oxford Inn Suites  
Oxford Room  
1050 N. First Street. Hermiston, OR 97838**

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**Please Note:** Every effort will be made to consider items as they are indicated. However, the Council agenda and the order of agenda items are subject to change.

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**Thursday, November 17, 2022 at 5:15 p.m.**

**WebEx Webinar Information:**

<https://odoe.webex.com/odoe/onstage/g.php?MTID=e32ee0b5714ee1021363ed2dc7be2fe8f>

**Access Code: 2336 558 1748 Meeting password: EFSC**

**Teleconference #: 408-418-9388**

### **Roll Call and Opening Remarks**

- A. Consent Calendar (Action Item & Information Item)** – Review corrections to September 27, 2022 minutes; approval of the October 28, 2022 meeting minutes; Council Secretary Report; and other routine Council business.
- B. [5:30 p.m.] West End Solar Project, Public Hearing on Draft Proposed Order on Application for Site Certificate (Hearing)** – A 50 megawatt (MW) solar photovoltaic and battery storage facility on 324 acres in Umatilla County proposed by EE West End Solar, LLC (applicant), a subsidiary of Eurus Solar Holdings, LLC (parent company).
- 1. Proposed Facility Overview:** Kellen Tardaewether, Senior Siting Analyst, will provide an overview of the siting process, proposed facility components and location.
  - 2. Public Hearing Overview:** Alison Green Webster, Senior Administrative Law Judge at the Oregon Office of Administrative Hearings, will explain the legal requirements for providing comments on the record and will facilitate the hearing.
  - 3. Public Hearing:** Interested individuals will have an opportunity to provide oral testimony on the Application for Site Certificate and Draft Proposed Order. Written comments may also be submitted to the Department through the close of the public hearing.

**Anticipated Recess at 7:00 p.m.**

Friday, November 18, 2022 at 8:30 a.m.

WebEx Webinar Information:

<https://odoe.webex.com/odoe/onstage/g.php?MTID=eac33603dd961c3e32864b673c0b2a535>

Access Code: 2332 346 7180 Meeting password: EFSC

Teleconference #: 408-418-9388

### Roll Call and Opening Remarks

- C. **Biennial Fee Update (Action Item)** – Sisily Fleming, Siting Fiscal Analyst. The Council will consider staff's recommended fee schedule for 2023-2024.
- D. **Appointment of Rules Coordinator (Action Item)** – Sarah Esterson, Senior Policy Advisor. The Council will consider appointing Thomas Jackman as Rules Coordinator and Christopher Clark, Senior Siting Analyst and Sarah Esterson, Senior Policy Advisor as back up Rules Coordinators, in accordance with ORS 183.330(2).
- E. **Public Comment Period (Information Item)** – This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment. Items closed for comment include the Nolin Hills Wind Power Project; and, the Protected Areas, Scenic Resources, and Recreation Resources Standards Rulemaking.
- F. **Case Law Overview – (Information Item)** – Patrick Rowe, Oregon Department of Justice Senior Assistant Attorney General will provide an overview of the Oregon Supreme Court case, State v. Gaines, related to statutory interpretation.
- G. **2023 Legislative Session Preview (Information Item)** – Christy Splitt, Government Relations Coordinator.
- H. **West End Solar Project - Council Review of Draft Proposed Order on Application for Site Certificate (Information Item)** – Kellen Tardaewether, Senior Siting Analyst, will provide a presentation of the Draft Proposed Order on the ASC for the West End Solar Project, a proposed 50 megawatt (MW) solar photovoltaic and battery storage facility on 324 acres in Umatilla County. The presentation will include an overview of standards, conditions of approval, and issues raised in comments received on the record of the Draft Proposed Order for Council review. Council will have the opportunity to provide comments to the Department for consideration in the Proposed Order.

**Anticipated Adjournment at 12:30 p.m.**

**Anticipated Future Energy Facility Siting Council Meetings:**

- December 15-16, 2022
- January 19-20, 2023

**Webex Webinar Additional Information**

When you join, please use your full name so it is easier to identify attendees and manage public comments. Public participants will be in listen-only mode, but can use the WebEx tool to “raise your hand” to provide comments during Agenda Item F.

Phone participants will be in listen-only mode, but to notify the host that you wish to make a comment press \*3 to raise your hand. Council will offer an opportunity for phone participants to provide comments during Agenda Item F.

[WebEx Meeting Instructions](#)

[WebEx How to Raise Your Hand](#)

**Meeting Materials** associated with the agenda items are available at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>

**Siting Project Updates:**

To sign up for siting project updates click here: <http://web.energy.oregon.gov/cn/a6n53/subscribe>

**Requests to the Council to Address an Issue:**

Pursuant to Oregon Administrative Rule 345-011-0035, the public may ask the Council formally to address relevant issues within the Council’s jurisdiction at future meetings. Please be sure to include information about why the issue should be on the agenda. Your request must be in writing and received at least 14 days before the Council meeting.

**To ask the Council to address an issue, call or write:**

EFSC Secretary

Energy Siting Division/ODOE

550 Capitol St. NE

Salem, OR 97301-3737

Toll-Free (in Oregon): 1-800-221-8035

Phone: 503-378-8328

<https://www.oregon.gov/energy/facilities-safety/facilities>

**Americans with Disabilities Act:** The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Dawnita Bruce at 503-378-3895 (office) or 503-428-7905 (mobile); Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.