

Location in Record	Comment Summary	Certificate Holder Response Summary	DPO Applicability/Topic	Summary of Preliminary Department Evaluation
Oral comments provided at hearing	Councilmembers asked staff to clarify the micro-siting areas and actual impact areas in the DPO.	Certificate Holder provided additional clarification of existing and proposed facility boundaries and components. Certificate holder explained "inclusion of the lease boundaries as part of the site boundary is the standard approach for most site certificates, so the amendment request would update the Site Boundary in a manner consistent with other site certificates."	I.C. Approved Facility and Proposed Amendment	The Department will review the DPO and make clarifications where possible.
WREFEAMD1Doc24-18	The County identified a potential discrepancy in the total miles of new access roads in the DPO: "The summary indicates...a total of 64 miles. Page 294 requests EFSC authorize up to 76 miles of permanent and 15 miles of temporary roads."	None.	I.C.2. Requested Amendment	The preliminary RFA1 requested authorization to construct up to 64 miles of new access roads, but the certificate holder amended the estimate to 76 miles in the complete RFA1. The Department could not find references to the previous estimate in the DPO or associated Public Notice.
WREFEAMD1Doc24-14	The Certificate Holder asserts that the two-year limit on deadline extensions under OAR 345-027-0385(5) should not apply to the facility because due "to the Facility already considered to be 'under construction'" and requests a three-year extension from the prior construction completion deadline.	N/A	III.A. General Standard of Review: OAR 345-022-0000; Condition GEN-GS-02.	In 2020, the Department determined that the construction commencement deadline was met. Since this determination applied to the entire Wheatridge Wind Energy Facility, the Department concurs that the approved facility components are considered "under construction" for the purposes of OAR 345-027-0385. In addition, the Department recommends a new construction commencement and completion

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				deadline be established for the newly proposed facility components.
WREFEAMD1Doc24-02; WREFEAMD1Doc24-04; WREFEAMD1Doc24-05; WREFEAMD1Doc24-06; WREFEAMD1Doc24-07; WREFEAMD1Doc24-08; WREFEAMD1Doc24-10; WREFEAMD1Doc24-11; WREFEAMD1Doc24-12	Several commenters, including participating landowners, provided letters of support for the project, citing local economic benefits such as employment and tax revenue generated by energy development and financial stability to agricultural producers provided by lease payments. Several commenters emphasized that the facility is located on private property and is not subject to any special protections from development.	None	III.A. General Standard of Review: OAR 345-022-0000	The Department does not recommend any changes to the DPO.
WREFEAMD1Doc24-21	Representative Smith (OR District 57) provided a letter of support for the project, commenting that the project represents a significant opportunity for economic development and renewable energy production within his District. He also provided support for meaningful local engagement and investment, particularly through incorporating apprenticeship utilization requirements within the project's workforce development plan and recommended the Council mandate a 15%-20% apprenticeship utilization requirement for all construction-related jobs.	None	III.A. General Standard of Review: OAR 345-022-0000	Apprenticeship utilization requirements are a matter outside of the Council's jurisdiction. The Department does not recommend any changes to the DPO.
WREFEAMD1Doc24-20	Mr. Myers commented that there is no documentation of the structural standards or specifications for the design of the 230-kV transmission line, including both towers and conductors, and insufficient documentation of design specifications for the proposed	None	III.C. Structural Standard: OAR 345-022-0020	No information on the record indicates that seismic or geologic conditions would preclude the proposed transmission line from being constructed in a manner that complies with applicable codes and

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	<p>wind turbines. Mr. Myers specifically identified a lack of specifications for wind speeds for turbines and transmission lines and the wind, ice and snow and seismic coefficients used in the transmission line design. Mr. Myers commented that lack of adequate review can lead to both structural failure and faulting, which is a fire hazard.</p>			<p>standards. In addition, Site Certificate Condition PRE-SS-01 requires the certificate holder to provide design data for the transmission line for review by the Department and DOGAMI prior to construction. No changes to the DPO are recommended.</p>
WREFEAMD1Doc24-20	<p>Mr. Myers commented that structural requirements published by the American Society of Civil Engineers (ASCE), including reliability standards, have become more stringent and that, many government agencies are requiring utility companies to harden their infrastructure against storms of a larger nature and seismic activity that could be more intense than in previous years. He added that the infrastructure industry is under more scrutiny to harden their projects and service territory distribution lines to protect citizens from collapses or failures that produce fires.</p>	None	III.C. Structural Standard: OAR 345-022-0020	<p>As noted above, no data on the record indicates that seismic or geologic conditions would preclude the proposed transmission line from being constructed in a manner that complies with applicable codes and standards, and Site Certificate Condition PRE-SS-01 requires the certificate holder to provide design data for the transmission line for review by the Department and DOGAMI prior to construction. No changes to the DPO are recommended.</p>
WREFEAMD1Doc24-20	<p>Mr. Myers commented that soil impacts from potential fires caused by the facility should be considered under the Soil Protection Standard. He noted that fire can have long-lasting (6-10 year) adverse effects on agricultural productivity, and that the silt loam soils in Morrow County were especially susceptible. He explained that fire strips most of the organic matter from the soils and can</p>	None	III.D. Soil Protection: OAR 345-022-0022	<p>The information in the record does not indicate that a wildfire caused by the facility presents a significant risk to agricultural areas to the north of the site, in part due to low fuel loads in cultivated fields; however, the Department recommends Council require wildfire suppression and containment protocols to be included in Emergency Response Plan.</p>

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	restrict water infiltration, which increases erosion and runoff.			
WREFEAMD1Doc24-20	Mr. Myers recommended the Council adopt a financial payment plan that would pay landowners a minimum one-time crop loss payment for placing transmission or renewable projects over Exclusive Farm Use ground as a deterrent for siting energy projects on EFU land.	None	III.E. Land Use: OAR 345-022-0030	Transmission lines and renewable energy facilities are permitted uses in the EFU zone, subject to the applicable substantive criteria in ORS chapter 215, OAR chapter 660, and local ordinances. In addition, matters of property rights are not included in or governed by the site certificate; landowners may negotiate for adequate compensation for agricultural losses in their agreements with the certificate holder.
WREFEAMD1Doc24-14	The Certificate Holder requested clarification of whether Condition CON-FW-02 requires seasonal raptor nest avoidance buffers to be maintained if a nest is unoccupied for the year. The Certificate Holder suggested that buffers be released if a nest is not occupied as of May 31.	N/A	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Condition CON-FW-02	Based on consultation with ODFW, because the condition requires ongoing nest monitoring during the sensitive nesting and breeding season, the Department recommends the Condition be amended to clarify that seasonal restrictions do not apply to a nest that is verified to be unoccupied for the season as of May 31.
WREFEAMD1Doc24-17	ODFW recommended that avoidance buffers for Ferruginous hawk in Condition CON-FW-02 should be reduced from 0.6 miles to 0.5 miles.	None	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Condition CON-FW-02	The Department recommends the Condition be amended as suggested.
Oral comments provided at hearing	Mr. Myers commented that due to the remote nature of the site “a staff of 3 to 4, maybe more” would be required to address	None	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Noxious Weed Control, implementation	The Department recommends that additional oversight of noxious weed control at the site is justified. The

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	weeds at the site during and after construction.			Department will coordinate with the County to ensure the annual fee under ORS 469.421(5) includes necessary, just, and reasonable amounts to assure adequate inspections and oversight of the certificate holder's implementation of the Noxious Weed Control Plan.
WREFEAMD1Doc24-18	The County commented that the Noxious Weed Control Plan attached to the DPO did not include clear provisions for implementation. The County requests that the Proposed Order include a condition that NextEra fund a full time County employee to ensure compliance with the weed plan for a minimum of 3 years. If the certificate holder violates the weed abatement plan during the initial 3-year period, the County requests that the certificate holder be required to fund the position for the life of the project.			
Oral comments provided at hearing	Mr. Myers indicated that the potential spread of kochia was a significant issue at the site. He explained that the species proliferates in June and July, and raised concerns that the weeds could spread into neighboring crop land, destroy fences, and produce a fire hazard. He explained that the dry plants provide additional fuel for fires and can exacerbate fire flame lengths due to their size.	None	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Noxious Weed Control; kochia infestations	Information in Exhibit P and Attachment P-1 indicate that Kochia is abundant throughout the micrositng corridors, especially near roads, areas of intensive grazing activity, and active and former agricultural areas. Section 6.0 of the Noxious Weed Control Plan attached to the DPO requires the certificate holder to prepare a chemical and mechanical treatment plan for all weed infestations, including kochia populations, in March or April for the first five years following construction. The Department proposes additional language be added to the plan to require a pre-construction treatment plan to be submitted to the

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Oral comments provided at hearing	Mr. Cutsforth commented that he had worked with NextEra to develop weed control plans for Wheatridge II and felt that they had demonstrated the ability to work with local weed control authorities and adequately control weeds at the site.	None	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Noxious Weed Control, implementation	The Department does not recommend changes to the DPO.
WREFEAMD1Doc24-14	The Certificate Holder commented that Condition PRE-TE-02 requires the Wildlife Monitoring and Mitigation Plan (WMMP) to be finalized prior to construction and that Condition PRE-FW-02 requires the WMMP be finalized prior to operations. The certificate holder requested clarification of when the WMMP should be finalized.”	N/A	III.H. Fish and Wildlife Habitat: OAR 345-022-0060; Condition PRE-TE-02	Since the Wildlife Monitoring and Mitigation Plan is intended to monitor the effects of operating turbines and, the Department recommends Condition PRE-TE-02 be amended to require draft Plan to be finalized prior to operations.
WREFEAMD1Doc24-14	The Certificate Holder requested that recommended Condition PRE-TE-04 be amended to allow construction of the facility to begin before a final Lawrence’s Milkvetch mitigation plan has been approved. The Certificate Holder commented that it would not begin construction in a specific area until Milkvetch surveys had been completed, but that it could not complete all surveys and complete the final mitigation plan until the summer of 2024 when the threatened plant is identifiable.	N/A	III.I. Threatened and Endangered Species: OAR 345-022-0070; Lawrence’s Milkvetch; Condition PRE-TE-03	Exhibit Q indicates that up to approximately 31 acres within 100 feet of proposed temporary and permanent impacts were not surveyed for Lawrence’s milkvetch. The certificate holder may complete preconstruction compliance for a portion of the site under the phased approach contemplated by the condition. The Department recommends that surveys for the entire area affected by a phase of construction must be completed prior

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				to beginning construction of the phase.
WREFEAMD1Doc24-13	The OCTA commented that, “the original project and the proposed expansion appear to have significant visual impact to an observer” on the Oregon Trail in the Boardman Bombing Range or at the kiosk on the south side of Immigrant Road. The Association proposed rehabilitation of interpretive signs in the area as potential mitigation.	Certificate holder commented that it has a strong record of working with local non-profit organizations and intends to contact the Oregon-California Trails Association to see if it may be able to collaborate on a project to benefit visitors to the Oregon Trail.	III.K. Historic, Cultural, And Archaeological Resources: OAR 345-022-0090; Oregon National Historic Trail	In Section III.L of the DPO, the Department recommends the Council find that the construction and operation of the facility, with the changes proposed in RFA1, is not likely to result in significant visual impacts to the Wells Spring Segment of the Oregon Trail or the Echo Meadows Interpretive Site. The Department recommends this finding applies to sections of the trail within the Boardman Bombing Range.
Oral comments provided at hearing; WREFEAMD1Doc24-03	Ms. Kreider raised concerns about the cumulative impacts of laborers from multiple energy facilities, including several approved but not yet constructed solar, wind, and transmission projects in the vicinity of the site, on the community. She commented that the Morrow County Road Department had not been adequately consulted to adequately plan for multiple projects sharing roads at the same time to prevent impacts to agricultural users and other community members.	None	III.M. Public Services: OAR 345-022-0110; Traffic Safety	The Morrow County Board of Commissioners, as Special Advisory Group for the review of RFA1, was consulted on potential impacts of the facility, and other energy facilities in Morrow County, on public services including traffic safety. Existing Site Certificate Conditions PRE-LU-06 and PRE-PS-01 require the certificate holder to develop and implement a Traffic Management Plan in coordination with affected local governments. The plan must include measures for providing notice to essential service providers and adjacent landowners to minimize impacts. The DPO recommends these conditions be combined for

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				additional clarity. The Department does not recommend additional changes to the DPO.
WREFEAMD1Doc24-04; WREFEAMD1Doc24-06; WREFEAMD1Doc24-10	Several commenters, including participating landowners, stated that wind turbines have been sited in Morrow and Umatilla counties for quite some time without issue. They commented that roads associated with energy facilities are well maintained and suggested that the roads would benefit weed and fire control.	None	III.M. Public Services: OAR 345-022-0110	The Department does not recommend changes to the DPO.
WREFEAMD1Doc24-18	The County requested the Council ensure that the construction and operation of newly proposed wind turbines will not interfere with the vital emergency response functions of communication towers on Gleason Butte.	Certificate Holder provided a Partial Communication Systems Interference Analysis prepared by Capital Airspace Group. The analysis shows the proposed turbine location nearest to Gleason Butte communications towers (T23) is outside the exclusion zones for FM radio and land mobile radio and asserts that facility would not interfere with the operations of the communications towers.	III.M. Public Services: OAR 345-022-0110; emergency communications towers	The Department is coordinating with ODOT and the Umatilla Morrow Radio and Data District to determine whether proposed Turbines have the potential to interfere with emergency communications infrastructure.
WREFEAMD1Doc24-18	The County requested the Council add a condition that requires a Road Use Agreement signed and approved by Morrow County Public Works prior to construction.	None	III.M. Public Services: OAR 345-022-0110; traffic safety	Existing Site Certificate Condition PRE-PS-02 requires the certificate holder to submit, to the Department, a copy of an executed Road Use Agreement with the County prior to construction. The DPO recommends the Council retain this condition with administrative updates.

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Oral comments provided at hearing	Council member Imes raised concerns about the lack of specificity regarding the procedures, standards, and timeframes that the applicant will use to inspect the facility components and manage vegetation in the Wildfire Mitigation Plan. Specifically, that Section 3.2.2 of the mitigation plan does not contain sufficient evidence regarding operational procedures and inspections, and that Section 3.2.5 does not include sufficient evidence regarding how local responders will be included in training programs or site inspections, how often trainings will occur, or who will be responsible for providing training. She further commented that the Leaning Juniper IIA wildfire mitigation plan, also under review by the Council, was much more comprehensive and that it was important for the Council to have a consistent baseline approach for wildfire mitigation plans.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115; Wildfire Mitigation Plan, inspections and vegetation management during Operations.	The Certificate Holder provided a revised Wildfire Mitigation Plan that addresses some of these issues. The Department recommends the Council require consultation with local rural fire protection districts and other emergency service providers prior to finalization of the Wildfire Mitigation Plan and Emergency Management Plan.
Oral comments provided at hearing	Council member Imes commented that there was no mention of routine anchor bolt-inspection in the Wildfire Mitigation Plan.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, Wildfire Mitigation Plan, inspections and vegetation management during Operations.	The Certificate Holder has provided a revised Wildfire Mitigation Plan that includes provisions for routine anchor bolt inspection.
Oral comments provided at hearing	Mr. Myers commented that the remote and mountainous terrain of the site results in fast spreading fires that are difficult to fight. He provided anecdotal evidence of a recent fire	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, risk assessment	The Department recommends the Council require consultation with local rural fire protection districts and other emergency service providers

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	caused by a fire caused by a bird being electrocuted by a distribution line that took 6 firefighting vehicles over 6 hours to contain under fair conditions. He commented that the lack of infrastructure in the vicinity of the site would impair wildfire suppression and firefighting efforts.	address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.		prior to finalization of the Wildfire Mitigation Plan and Emergency Management Plan.
Oral comments provided at hearing	Mr. Myers and Ms. King raised concerns about the potential for the proposed wind turbines increasing fire risk from lightning strikes. Ms. King commented that there are no provisions for monitoring the facility for fires caused by lightning strikes during operations.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, risk assessment, lightning	RFA1 indicates lightning protection systems will be built into the turbine blades and tower to ground the entire structure and reduce the potential for lightning-caused fires. The draft Wildfire Mitigation Plan includes provisions for monitoring during Red Flag Warnings, including Red Flag Warnings issued for lightning events, but more specificity on how monitoring will occur during operations should be included.
WREFEAMD1Doc24-19	Ms. King raised concerns that the analysis area for fire risk was not adequate and did not account for the spread of fire due to high winds. She commented that her family homesteads are located just two miles outside the analysis area; and may be vulnerable to wildfire from the project because they are downwind from the towers to our south and southwest.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, risk assessment	The information in the record does not indicate that a wildfire caused by the facility presents a significant risk to agricultural areas to the north of the site, in part due to low fuel loads in cultivated fields; however, the Department recommends and the Council require the Emergency Management Plan to include protocols for fire suppression and containment if a fire were to occur at the site, including protocols to protect resources such as agricultural

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				operations. This information should be developed in consultation with local fire service providers.
WREFEAMD1Doc24-19	Ms. King raised concerns that risk to agriculture, including livestock and cropland was not adequately addressed in the Certificate Holder’s wildfire risk assessment and identification of areas of heightened fire risk.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, risk assessment, areas of heightened fire risk	The Department recommends and the Council require the Emergency Management Plan to include protocols for fire suppression and containment if a fire were to occur at the site, including protocols to protect resources such as agricultural operations. This information should be developed in consultation with local fire service providers.
WREFEAMD1Doc24-19	Ms. King raised concerns about the data relied on to conduct the wildfire risk assessment and the figures produced to support Exhibit V, particularly Figure V-1 (Hazard to Potential Structures); Figure V-4 (High Fire Consequence Areas) and Figure V-5 (Wildfire Potential impacts to Infrastructure). Ms. King argues the figures do not adequately account for potential impacts to residencies, agricultural buildings and equipment, or crop land. Ms. King argues the maps lack enough specificity to satisfy OAR 345-022-0115 (1)(a)(B) & (C).	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, risk assessment, data and maps	The Department recommends the wildfire data presented in RFA1, which is derived from the Oregon Community Wildfire Protection Plan (CWPP) Planning Tool is a reputable source that uses reasonably current data to characterize wildfire risk. The Department recommends Condition PRO-WP-01 be amended to clarify that future updates to the plan will incorporate new, or more complete, wildfire data as they become available.
Oral comments provided at hearing	Council member Imes commented that the record did not contain sufficient information about local firefighting capacity or how local fire responders were engaged in the process.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, Wildfire Mitigation Plan, coordination with local fire responders	The Department recommends the Council require coordination with local fire service providers prior to finalization of the Wildfire
WREFEAMD1Doc24-19	Ms. King raised concerns that local expertise was not adequately incorporated into the	and aligns the plan with the Wildfire		Mitigation Mitigation Plan and Emergency Management Plan.

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	Wildfire Mitigation Plan provisions for fire weather monitoring.	Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.		
Oral comments provided at hearing	Mr. Cutsforth recommended that NextEra take an opportunity to meet with the local fire districts, including the Heppner Rural Fire Protection District, to learn about local firefighting capabilities.			
WREFEAMD1Doc24-18	The County commented that the DPO does not sufficiently address potential wildfire risk and impacts to local fire districts. The County commented that the Heppner Rural Fire Protection District was not adequately consulted in the development of the plan. The County Commented that the Emergency Response section of the plan only addresses how Wheatridge employees will respond to a fire and does not include any indicator of how a large-scale wildfire within the site boundary will be addressed. The County requested that the DPO include a condition that the Wildfire Mitigation Plan be reviewed and approved by the fire protection districts within the site boundary prior to construction and that the certificate holder be responsible for providing affected districts with additional infrastructure, personnel, or equipment necessary to adequately serve the site area.			
Oral comments provided at hearing	Mr. Myers raised concerns that the facility may impair fire responders if they are not aware of how close they can be to certain structures.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, Wildfire Mitigation Plan, coordination with local fire responders	The Department recommends that Recommended Amended Public Service Condition PRE-PS-05 be revised to retain requirement for Department to coordinate with local

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		and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.		fire service providers in review of Emergency Management Plan. Existing Site Certificate Conditions GEN-PS-03 and PRO-PS-02 require ongoing coordination and training opportunities for fire service providers and other first responders.
WREFEAMD1Doc24-18	The County commented that the Wildfire Mitigation Plan attached to the DPO does not include any periodic inspection requirements.		III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115, inspections and vegetation management during Operations.	The certificate holder provided a revised Wildfire Mitigation Plan that includes provisions for operational inspections and vegetation management. The Department recommends the revised plan be attached to the DPO and finalized in consultation with local fire service providers prior to construction.
WREFEAMD1Doc24-20	Mr. Myers asserts that the Wildfire Prevention and Risk Mitigation Standard has not been met and urged the Council to reevaluate fire risk in the area and create a better fire mitigation plan. He recommended that the revised plan included provisions for the protection of agricultural land and compensation for farmers affected by fire caused by the facility. Mr. Myers recommended that information regarding National Weather Service Zone 641 be reviewed. He commented that Red Flag Warnings in Zone 641 are statistically among the highest in the entire state. He stated that red flag warnings are the predominant indicator of a catastrophic event. He	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115; wildfire risk assessment	The information in record does not indicate that a wildfire caused by the facility presents a significant risk to agricultural areas to the north of the site, in part due to low fuel loads in cultivated fields; however, the Department recommends that further revision of the Wildfire Mitigation Plan and Emergency Management Plan is needed to identify fire breaks and containment strategies to protect agricultural lands if a fire were to occur at the site. This information should be developed in consultation with local fire service providers, and the

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	recommended the Council adopt a “Zone-wide area of uniformity in the fire prevention and mitigation plans” and that all energy facilities take a uniform approach to wildfire mitigation plans.			Department recommends the Council require consultation with local fire service providers prior to finalization of the Wildfire Mitigation Plan and Emergency Management Plan. The Department notes that financial liability of the certificate holder for damages from wildfire caused by the facility is a matter outside of the Council’s jurisdiction.
Oral comments provided at hearing; WREFEAMD1Doc24-07	Several commenters, including participating landowners, commented that the construction of new access roads would improve local firefighting capabilities by providing all purpose, all-weather, access to remote areas, including areas with steep terrain like Gleason Butte.	Certificate Holder provided a revised and updated Wildlife Mitigation Plan on April 2, 2024. The Certificate Holder asserts the plan revisions address issues raised in comments and aligns the plan with the Wildfire Mitigation Plan for the Leaning Juniper IIA Wind Power Facility.	III.N. Wildfire Prevention and Risk Mitigation: OAR 345-022-0115	The Department recommends that Council require consultation with local fire service providers prior to finalization of Emergency Management Plan. Existing Site Certificate Conditions GEN-PS-03 and PRO-PS-02 require ongoing coordination and training opportunities for fire service providers and other first responders. The opportunities for review and training will ensure local service providers are aware of new access points.
Oral Comments; WREFEAMD1Doc24-03	Ms. Kreider commented that the Council’s Standards did not adequately account for cumulative effects of energy facilities and recommended a cumulative effects standard that applies to all facilities be adopted.	None	III.Q. Cumulative Effects Standard for Wind Energy Facilities: OAR 345-024-0015	The Department recommends that these comments are outside of the scope of the current proceeding.
Oral Comments; WREFEAMD1Doc24-03	Ms. Kreider recommends the Council direct certificate holders of approved, but not yet constructed facilities, to communicate and	None	III.Q. Cumulative Effects Standard for Wind Energy Facilities: OAR 345-024-0015	The Council’s Cumulative Effects Standard for Wind Energy Facilities requires the Council to find that the

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	share information, at minimum, or at best, “actually try to work out a win-win-win-win situation with the developers, the landowners, interest groups, and the state” by co-locating transmission corridors or taking other measures to reduce the cumulative impacts of facilities on the fragmentation of farms and natural resources.			applicant can design and construct a wind energy facility to reduce cumulative adverse environmental effects in the vicinity by practicable measures including, but not limited to, using existing roads or minimizing the amount of land used for new roads, and using underground transmission lines, combining transmission routes, and connecting the facility to existing substations, or if new substations are needed, minimizing the number of new substations. Measures to reduce cumulative impacts are discussed in Section III.Q of the DPO.
WREFEAMD1Doc24-15	Ms. Miller commented that it appeared that each project is being viewed piecemeal instead of looking at how each project will fit into the whole landscape and that cumulative visual impacts on open spaces were not being adequately addressed.			
WREFEAMD1Doc24-14	The Certificate Holder requested that the binding turbine setback from Butter Creek and Little Butter Creek be reduced [from 0.8 miles] to 0.5 miles to allow flexibility in turbine siting during final design while still maintaining turbine avoidance of the areas with the highest wildlife use.	N/A	III.Q. Cumulative Effects Standard for Wind Energy Facilities: OAR 345-024-0015; Condition GEN-CE-01	The Department based the recommended setback distances based on applicant representations in RFA1 (Exhibit P, Section 9.1.1.) In addition, certificate holder has represented that it cannot move turbines because FAA Determinations limits micrositing to no more than 1 arcsecond (Exhibit Q, Section 3) so it is unclear why additional flexibility is needed. No changes to the DPO are recommended.
Oral comments provided at hearing; WREFEAMD1Doc24-15; WREFEAMD1Doc24-19;	Commenters raised concerns about the visual impacts of turbines and aviation lighting proposed to be sited on Gleason Butte. Commenters note that the 3,189 peak is	Certificate holder notes that commenters acknowledge that Gleason Butte is not a designated scenic resource under the Scenic	Multiple Standards: Visual Impacts on Gleason Butte	The Department recommends the Council find that Gleason Butte is not identified as significant or important in a current land use management

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WREFEAMD1Doc24-20.	<p>visible from most of northern Morrow County and that even though it is not a protected landmark, many in the community consider it an aesthetic scenic value.</p> <p>Commenters suggested mitigation, including excluding turbines with a maximum blade tip height exceeding 3,189 feet above sea level, or within 0.25 miles of the peak.</p>	<p>Resources Standard but urge the Council to treat Gleason Butte as if it was a designated scenic resource. The commenters also ask the Council to condition approval of RFA1 on the removal of Facility turbines.</p> <p>Certificate Holder asserts that request to treat Gleason Butte as if it was a designated scenic resource is inconsistent with the Council's Scenic Resources Standard, which is clear that designated scenic resources are those identified as significant or important in a plan adopted by a local, tribal, state, or federal agency.</p>		<p>plan adopted by a tribal, state, regional, or federal government or agency, and as such, is not protected under the Council's Scenic Resources Standard. In addition, as private land that is not subject to any special management designation, Gleason Butte does not appear to be a protected area or an important recreational resource.</p>
WREFEAMD1Doc24-04; WREFEAMD1Doc24-06; WREFEAMD1Doc24-07; WREFEAMD1Doc24-09; WREFEAMD1Doc24-10	<p>Several commenters note that Gleason Butte is not a protected landmark and is not subject to protection for scenic or aesthetic values. Commenters note that there are already communications towers on the Butte.</p>	<p>Certificate holder notes that the record also reflects that Gleason Butte is already developed with multiple communications towers.</p>		<p>Department notes that it is not clear that only removing turbines taller than the peak of the Butte would significantly reduce visual impacts of the facility as visual simulations show that multiple turbines would still break the skyline along the ridgeline. The Department recommends that greater exclusions would likely not be practicable.</p>
WREFEAMD1Doc24-18	<p>In reference to comments regarding visual impacts to Gleason Butte, the County confirmed that it has not made any significant revisions to the Goal 5 Element of the Comprehensive Plan since the Wheatridge Facility was originally permitted December 19, 2014.</p>			
WREFEAMD1Doc24-19	<p>Ms. King requests the Council interpret the Cumulative Effects Standard broadly, to require the certificate holder to address adverse visual impacts of the facility from turbines and lighting, and to require the certificate holder to consider the effects of other facilities on land, roads, airspace and scenic resources. Ms. King suggests that while the effects from a single facility may be</p>	None	Multiple Standards: Visual Impacts on Gleason Butte	<p>The Council's Cumulative Effects Standard for Wind Energy Facilities under OAR 345-024-0015(4) provides that the Council must find that the applicant can design and construct the facility to reduce cumulative adverse environmental effects in the vicinity by practicable measures including, but not limited to designing the components of the</p>

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	negligible, the cumulative impact is significant.			<p>facility to minimize adverse visual features.</p> <p>As noted above, Ms. King recommended Council impose restrictions on turbines taller than Gleason Butte to minimize adverse visual features. Department notes that it is not clear that only removing turbines taller than the peak of the Butte would significantly reduce visual impacts of the facility as visual simulations show that multiple turbines would still break the skyline along the ridgeline. The Department recommends that greater exclusions would likely not be practicable.</p>
WREFEAMD1Doc24-19	Ms. King suggested that the Council may impose conditions to minimize the potential significant adverse visual impacts of the facility under OAR 345-022-0080(2).	None	Multiple Standards: Visual Impacts on Gleason Butte	OAR 345-022-0080(2) applies to special criteria facilities and is not applicable to the facility.
WREFEAMD1Doc24-19	Ms. King commented that Exhibit R, Figure R-6, Visual Simulation from KOP 4, appears to inaccurately depict turbine heights, and that the certificate holder had declined to provide revised figures in response to her inquiry.	Certificate Holder states that it provided a memo assessing the visual impact of the proposed turbines on Gleason Butte in the general vicinity of Ms. King's home. Commenter notes that the memo was provided directly to Ms. King on March 20, 2024, and is attached as Exhibit A to Certificate Holder's responses. The memo concludes that the proposed turbines "will be	Multiple Standards: Visual Impacts on Gleason Butte	The Department cannot verify the accuracy of the simulations, although the information on the record indicates they were prepared using common and accepted practices. Regardless, Department notes that the simulations are provided for reference.

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		'barely discernable' from Ms. King's property."		
WREFEAMD1Doc24-19	Ms. King commented that the construction and operation of the facility, specifically the turbines proposed to be sited on Gleason Butte would have significant adverse visual impacts on the Bartholomew-Myers Farm, which she asserts is a historic resource due to its listing under the Century Farm and Ranch Program (CFR1093).	Certificate Holder states that it provided a memo assessing the visual impact of the proposed turbines on Gleason Butte in the general vicinity of Ms. King's home. Commenter notes that the memo was provided directly to Ms. King on March 20, 2024, and is attached as Exhibit A to Certificate Holder's responses. The memo concludes that the proposed turbines "will be 'barely discernable' from Ms. King's property."	Multiple Standards: Visual Impacts on Gleason Butte	The Bartholomew-Meyers Farm is not registered on the NRHP but was identified as likely eligible for listing under Criterion A in Exhibit S of the Application for Site Certificate for the Boardman to Hemingway Transmission Line. The ZVI analysis and visual simulations provided in Exhibit R of WREFE RFA1 indicate 0-20 turbines will be visible in the vicinity of the Bartholomew-Meyers Farm Homestead site, with greater turbine visibility on other portions of the farm property. Certificate holder maintains impacts will not be significant; however, consistent with recommendations for indirect impacts to other historic properties, Department recommends certificate holder be required to submit a complete a Section 106 Documentation Form for the Bartholomew-Myers Farm prior to construction.
WREFEAMD1Doc24-19	Ms. King suggests the adverse visual impacts of the facility on Morrow County residents raises environmental justice concerns, and that impacted landowners within the viewshed were not given adequate notice of the proposed facility.	None	Multiple Standards: Visual Impacts on Gleason Butte	Public Notice of the Complete RFA1 and DPO was provided as required under OAR 345-027-0367. Further changes to the Council's noticing procedures are outside of the scope of this proceeding.

