



Oregon

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To: Oregon Energy Facility Siting Council

From: Sean Mole, Operations Analyst/Federal Projects Coordinator

Date: August 9, 2018

Subject: Agenda Item F- 2018-2019 Siting Operations Update for August 23-24, 2018 EFSC Meeting.

Attached is the Siting Division 2018-2019 Annual Work Plan. The Energy Siting Division uses the annual work plan to focus current process improvement activities and report on completion of past activities. The work plan provides direction and priorities for staffs' efforts beyond day-to-day activities and other established responsibilities.

Oregon Department of Energy
Energy Siting Division
2018-19 Work Plan
July 1, 2018

Introduction:

The Energy Siting Division uses the annual work plan to focus current process improvement activities and report on completion of past activities. The work plan provides direction and priorities for staffs' efforts beyond day-to-day activities and other established responsibilities. Meeting all legal requirements and protecting the state's resources will continue to guide our day-to-day review of applications and amendments to site certificates.

Each fiscal year's prioritized list of tasks is established in the last quarter of the previous fiscal year. The prioritized tasks will be considered when developing biennial budgets and assigning day-to-day work activities. The work plan provides a historical record of completed tasks and a location for a prioritized list of identified future tasks.

Work Plan High Level Goals:

1. Applicant/Site Certificate Holders – Increase applicant/certificate holders' trust and perception of value of the state energy siting process by decreasing the siting process unknowns.
2. Public – Increase and enhance the public's understanding, participation and trust in the state energy siting process.
3. Reviewing Agencies – Increase the quality and quantity of Energy Siting Division's connections to local, state, federal and tribal agencies that participate in the state energy siting process.
4. Regulatory Clarity – Increase the efficiency, effectiveness, transparency, accountability and predictability of the site certificate process.
5. Process Improvement – Systematically evaluate underlying business processes to achieve highest possible efficiency.
6. Adaptability – Strengthen the ability of the Energy Facility Siting Council, and Energy Siting Division's staff and processes, to adapt to changes in energy markets and environmental constraints, and the subsequent changes to applications for site certificates as well as department and division staffing and priorities.

Prioritized Work Tasks

Task Description	Status	High Level Goals
2018-19 Work Tasks		
<p><u>Project Management Tool</u> – Establish a project management tool that includes all phases and tasks associated with a site certificate process to ensure consistent review approaches and create better schedule forecasting. Further develop the Tool to include Rulemaking projects.</p>	<p>Tool evaluation is on hold, awaiting enterprise deployment of CRM (Customer Relations Management) system phase 2, expected to occur Q4 of 2018.</p>	<p>1, 3, 4, 5 & 6</p>
<p><u>Compliance Program Evaluation</u> – Review compliance program processes for workflow efficiency and robustness of site certificate holder reviews and audits, including pre-construction, construction, and operation phases. This information will feed into the compliance rulemaking project estimated to begin in the 4th quarter of 2018.</p>	<p>Includes tasks described in the 2018-2019 Compliance Work Plan. Processes continue to be evaluated. Desktop manual is in development.</p>	<p>1, 2, 3, 4, 5 & 6</p>
<p><u>Condition Tracking Tool</u> – Develop and implement certificate condition tracking tool that meets the needs of the Compliance Officer during site visits, and the Siting Analyst during application review and drafting of new certificates.</p>	<p>Proof of concept being developed via compliance matrix/spreadsheet.</p>	<p>1, 4, 5 & 6</p>
<p><u>Local and Federal Project Boundaries</u> – Gather geo-spatial boundaries for local-jurisdiction and federal-jurisdiction energy projects to be included with state jurisdictional facilities for internal use and with the website map.</p>	<p>Task to be continued by Limited Duration positions</p>	<p>1, 2, 3 & 5</p>
<p><u>Public Comment Publication</u> – Evaluate the workload requirements to publish all public comments regarding siting processes via ODOE’s webpages.</p>		<p>1, 2 & 5</p>
<p><u>Records Management Database</u> – Review current database lifespan, viability, and utility.</p>	<p>Alternate DB solutions are being investigated by the Department Operations Analyst and ODOE IT staff.</p>	<p>1, 4, 5, 6</p>
<p><u>Boardman Coal Plant</u> – Review all site certificates and amendments. Compare conditions to accumulated paperwork and reports to document compliance and prepare for certificate holder’s future plans which are either conversion or decommissioning after the 2020 shutdown.</p>		<p>1, 2, 3, 4 & 6</p>

Work Tasks to be Completed After 2018-2019		
<p><u>Performance Metrics</u> – Develop a wide range of performance metrics to gain valuable feedback on how the energy siting process is working across different projects and different types of projects. This will allow us to develop targeted improvement strategies. Will also feed into key performance measures.</p>		1, 2, 3, 5 & 6
<p><u>Records Management</u> – Further develop Records Management Database to include EFSC meeting and Rulemaking documents. Includes development of procedures to ensure retention of appropriate public records.</p>		5 & 6
<p><u>Reset/Restructure Siting Division Data Storage Drives</u> – Siting Division F: drive to be cleaned up and restructured for easier access to relevant materials, and better retention of “archived” materials.</p>		5 & 6
<p><u>Pre-Application Packet Update</u> – Create and update hand-outs, guides and associated documents to align with current Public Guide, and other guidance documentation</p>		1, 2, 3, 4, 5, & 6
<p><u>GIS Division Training Program</u> – Develop and implement customized training for particular division staff to utilize geospatial project boundaries and critical spatial information in day to day operations.</p>		5 & 6

2017-2018 Completed Work Tasks		
<u>Public Guide</u> – Develop a guide for use by the public to better understand EFSC thresholds, processes and opportunities for public involvement.	Initial version is complete and published on ODOE’s website.	2 & 5
<u>Website Map</u> – Develop website interface with all EFSC-jurisdictional and non-jurisdictional project boundaries that allows the user to query using a range of factors.	Version 1 is complete and published on ODOE’s website	1, 2 & 3
<u>Historic Records Archiving</u> – Catalog, assemble, enter into database and deliver to DAS records center historic files which are not needed on a regular basis. Gather all agency internal records for Siting Rulemaking into a single location.	Historic Files have been delivered to Records Center and continue to be assembled. Project to be complete by Q4 2018	5 & 6
<u>EFSC Project Boundaries</u> – Finalize geo-spatial boundaries for EFSC jurisdiction projects to be utilized internally as well as in conjunction with the website map	Initial project complete, ongoing updates continue	1, 2, 3, & 5
<u>Records Management Database</u> – Review current database lifespan, viability, and utility.	Review of existing DB complete. Replacement alternatives are currently being examined.	1, 4, 5, 6
<u>Siting Division Intern Program</u> – Develop on-going plans for education and utilization of revolving Intern work force.	First rotation of interns Q4 2017, complete.	2 & 5
<u>Notice of Violation</u> – Establish procedures for when and how the Compliance Officer responds to certificate violations.	Process has been documented and vetted by DOJ.	1, 2, 3 & 4

2015-2017 Completed Work Tasks		
<u>Desk Manuals</u> – Develop desk manuals for all Siting staff that support the Project Management Tool and Time-Tracking System to provide forms and details responsibilities when Project Management tasks involve tight timelines and multiple individuals.	Staff received notebooks with initial procedures. Will be added to as appropriate, especially as Project Mgmt. tool is completed.	5 & 6
<u>Handouts</u> – Update and create more of the 30 current and identified handouts which help the public, applicants and reviewing agencies better understand the state siting process.	Handouts continue to be created and updated to meet current needs.	1, 2, 3, 5 & 6
<u>Pre-Application Packet</u> – Complete beta testing with recent applicant, finalize packet for use and upload to website.	Pre-Application Packet has been supplanted by Applicant Guide which is complete and available via ODOE website.	1, 2, 3, 4 & 5
<u>Records Management Database</u> – Finalize development of useful queries and reports. Includes all reports, and processes needed for preparation and printing of Contested Case records, Supreme Court records and transfer of hard copy to Records Center.	Database is in use and continues to be added to as data is received. Continuing training for division staff is on-going.	1, 4, 5, 6
<u>Website Improvements</u> – Develop and implement website redesign and/or updates to improve information availability, consistency and quality. Categories to include: <ul style="list-style-type: none"> • Rulemaking • Withdrawn/terminated projects • General application review process information 	New website has been launched and information availability, consistency continue to be upgraded.	1, 2, 3, 4, 5 & 6
<u>Agency GIS Program</u> – Participate in agency-wide efforts to establish GIS tools and connect to state-wide efforts led by DLCD.	Agency GIS program established in connection to Statewide GIS programs during 2015	1, 2, 3, 5 & 6

2014-2015 Completed Work Tasks		
<p><u>EFSC Member Guide</u> – Create guide to serve as an introduction to EFSC and resource as issues arise during their time serving.</p>	<p>Complete. New items will be added as appropriate, but complete guide has been shared with current members, and orientation has been completed for new member.</p>	<p>5 & 6</p>
<p><u>Financial Assurance Update Templates</u> – Complete financial assurance template annual update letters.</p> <ul style="list-style-type: none"> • 12 facilities for which annual updates are currently calculated. • For the Shepherds Flat Central, North and South site certificates: their current LOC are effective until 2017, but we need to calculate annually to determine their continued ability to meet requirements. Current letters will only be to make certificate holder aware of where they are until new financial assurance is required. • 	<p>All appropriate projects have a template letter. Shepherds Flat N, S, and C received an annual letter.</p>	<p>1 & 5</p>
<p><u>Records Management</u> – Develop and implement a records management system to allow for improved access to digital records, reduce the volume of paper in the office, meet the legal requirements for review, legal proceedings and retention and that allows for data queries within and across projects.</p>	<p>Database is operational, retention plan update complete. Training is underway and documents are being uploaded to Database.</p>	<p>1, 3, 5 & 6</p>
<p><u>Fee and Cost Tracking</u> – Develop protocols and templates for better estimating and tracking the costs associated with Notices of Intentions and Site Certificate Applications, and to ensure consistent methodology, calculation and compliance with statutory requirements.</p>	<p>Templates and protocols created and in use. Tracking actuals to determine accuracy.</p>	<p>1 & 5</p>
<p><u>Annual Assessment</u> – Develop protocols and templates to more accurately forecast and assess the compliance costs of each certificated facility. This includes establishing an annual work plan by the Compliance Officer to forecast the time and cost of compliance activities related to each certificated facility.</p>	<p>Templates and protocols created. Tracking actuals to determine accuracy.</p>	<p>1 & 5</p>
<p><u>Rulemaking Prioritization</u> – Develop system for identifying potential rulemaking changes and bringing them to EFSC annually or bi-annually for prioritization.</p>	<p>First prioritization occurred on May 9.</p>	<p>1, 2, 3, 4 & 5</p>

<u>Rulemaking Activities</u> – Rulemaking activities are initiated by the Energy Facility Siting Council.	Amendment rulemaking is on-going, Balancing Rulemaking is complete	1, 2, 3 & 4
<u>Administrative Rules Iterations</u> – Development of hard copy and digital versions of all OAR 345 rules for each set of effective dates going back to April 1999.	Complete.	1, 2, 6
<u>Exempt Facilities Review</u> – Update exemption files. Analyze current exemptions and develop “next steps” plan for resolving questions raised during analysis. Update website as possible.	Files are updated. Meeting for development of next steps is scheduled for July 2015.	1, 2, 4 & 5
<u>Financial Management Policy</u> – Complete update to Agency policy and procedures for Siting financial management to reflect process improvements and improve communication.	Policy has been updated and procedures are implemented.	5
<u>Invoicing</u> – Develop and initiate improvements to the invoicing process to receive more timely and informational invoices from reviewing agencies, and provide more timely and informational invoicing to applicants and certificate holders.	Outreach with reviewing agencies is occurring and weekly tracking of project costs are also occurring.	1, 3 & 5
<u>Financial Assurance Gap Analysis</u> – Analyze, and document whether the financial assurance for the situation for COY (PGE), MST, SMF, SMP, BCP, EMT, SUI, LJWa and LJWb meet their contractual requirements for financial assurance.	Analysis complete. COY (PGE), LJWa and LJWb are closed issues. Remaining projects have issues that have been identified and resolution of issues is included in 2015-16 Work Plan.	1, 4 & 5
<u>Legislative Concepts</u> – ODOE will propose two legislative concepts for Siting in the 2015 Legislative session. 1) Clarify which standards are applicable for a site certificate amendment and 2) Allow compensation for: reviewing agencies for expenses incurred before the NOI only at the request of the applicant; any tribe identified by the Legislative Commission on Indian Services as affected by the proposed facility for the tribe’s identified expenses in reviewing the NOI or site certificate application and; reviewing agencies that EFSC relies on for site inspections or review of compliance with conditions after the site certificate is issued.	Legislative concepts became SB 258 and 259. SB 258 was withdrawn. SB 259 passed.	1, 3 & 4

<p><u>Secondary Siting Analysts</u> – Establish protocols for the use of secondary/back up Siting Analysts for energy facility siting applications. The intent is to provide additional support and backup when needed without adding to the overall cost of the review process.</p>	<p>Secondary Siting Analysts have been assigned. Eased transition when closing Hermiston office. Developed roles and responsibilities; included in Desk Manuals.</p>	<p>1, 5 & 6</p>
<p><u>Compliance Matrices</u> – Create compliance matrices for all certificated facilities to increase the efficiency for the Compliance Officer and allow for improved planning for the facility managers.</p>	<p>16 of 22 complete. Remaining facilities require customized process. Limitations of matrix program has led 2015-16 task to develop a more useful tool.</p>	<p>1, 5 & 6</p>
<p><u>Facility Complaint Process</u> – Develop a compliance complaint process, and make it possible for individuals to bring compliance issues to the Division's attention through the website.</p>	<p>Program meeting requirements of OAR 345-026-0050(2) has been developed, and presented to EFSC at May 2015 meeting for review.</p>	<p>2 & 5</p>
<p><u>Financial Assurance Procedures</u> –</p> <ul style="list-style-type: none"> • Create chain of custody procedure for receipt of bonds and letters of credit. • Develop procedures for reviewing new financial institutions, and/or financial assurance formats, and steps leading to submitting to EFSC to ensure all bonds and letters of credit are held by a financial institution which exhibits the financial strength necessary to appropriately protect the state. 	<p>Chain of custody procedure is complete and in practice. Procedure for annual review of financial institutions and templates has been developed, and presented to EFSC at May 2015 meeting for review.</p>	<p>1, 4, 5 & 6</p>
<p><u>Pre-application Packet</u> – Establish new pre-application packet to better prepare applicants to be successful. Post on website for benefit of reviewing agencies and public.</p>	<p>Sections are being provided to EFSC for review in 2015. Posting to website will be undertaken in 2015.</p>	<p>1, 2, 3, 4 & 5</p>
<p><u>New Employee Training</u> – Develop training plan to more efficiently and effectively on-board new staff.</p>	<p>Plan rolled out in final format with most recent Siting Analyst. Plan will be reviewed/updated/improved for each hire.</p>	<p>5 & 6</p>
<p><u>Project Boundaries</u> – Develop geospatial boundaries of all current certificated facilities for use by Siting Division in evaluating existing and proposed energy facilities.</p>	<p>Boundaries and/or map points for certificated facilities and facilities under review have been gathered.</p>	<p>1 & 5</p>

2013-2014 Completed Work Tasks		
<u>Reviewing Agency Training</u> – Developed annual reviewing agency training to help representatives better understand their role in the state energy siting process. Will hold at least one annual training per year and alternate between east and west side of state to ensure maximum participation.		3
<u>Inter-Disciplinary Teams</u> – Initiated inter-disciplinary team meetings during the Notice of Intent phase and application phase to create a shared understanding of projects and identify and resolve significant issues as soon as possible.		1, 3 & 5
<u>EFSC meetings</u> – Invested in audio and visual equipment to enhance remote participation and attendance in EFSC meetings. Each EFSC meeting has much clearer audio for those calling in and includes a webinar with all presentations and video streaming if there is adequate bandwidth. Equipment is also used for other division and department meetings.		1, 2, 3 & 5
<u>GovDelivery</u> – E-mail notices are used for all public notices. The public continues to have the option for US mail delivery, but they are also able to manage their personal accounts and can receive e-mail or text messages for any combination of projects, EFSC meetings and rulemaking activities.		2 & 5
<u>Project Website Pages</u> – Project pages have been standardized, allowing for more up to date and efficient management of the sites.		2, 3 & 5
<u>Geo-Spatial Boundary</u> – Requested geo-spatial boundaries for all applications to provide to state and local reviewing agencies. Allows agency comparison of NOI and application to standard geo-spatial data sets in a more accurate and timely manner.		3 & 5
<u>Rulemaking Documentation System</u> – Developed templates for historical documentation of rulemaking process timelines and consolidated records management system for rulemaking.		5 & 6
<u>Handouts</u> – Created and recreated 6 of the most used handouts that describe the EFSC process the role various stakeholders play.		2, 3 & 5

<u>Standardized Communication</u> – Developed templates for public notices, reviewing agency memos and other standard communications with applicants.		1, 2, 3, 4, & 5
<u>Work Plan Development</u> – Developed templates for Division and Compliance-specific fiscal year work plans. Established protocols for updating semi-annually.		5 & 6