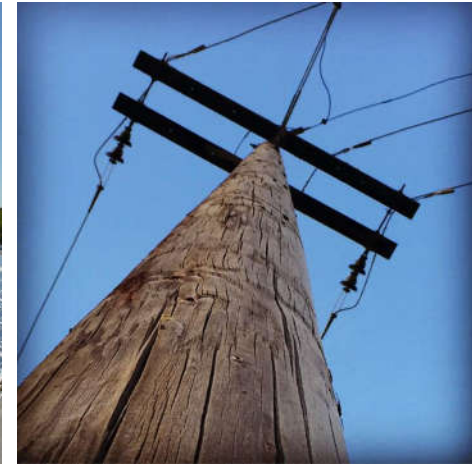


Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

Boardman City Hall
200 City Center Circle
Boardman, OR

October 25-26, 2018



Opening Items:

- Call to Order
- Roll Call
- Announcements

Announcements:

- For those attending in person:
 - Comment Registration Cards are available on the table.
 - Please fill out a card if you wish to comment during tonight's **Draft Proposed Order Public Hearing for the Wheatridge Wind Energy Facility Request for Amendment 2 of the Site Certificate**
 - GovDelivery Sign Up Cards to receive project information by email are also on the table
- Those participating via the AT&T phone line, please mute your phone and if you receive a phone call, please hang up from this call and dial back in after finishing your other call



Announcements continued:

- If you would like to address the Council, please do not use the speaker phone feature, because it will create feedback
- For those signed onto the webinar, please do not broadcast your webcam
- Please silence your cell phones
- Energy Facility Council meetings shall be conducted in a respectful and courteous manner where everyone is allowed to state their positions at the appropriate times consistent with Council rules and procedures. Willful accusatory, offensive, insulting, threatening, insolent, or slanderous comments which disrupt the Council meeting are not acceptable. Pursuant to Oregon Administrative Rule 345-011-0080, any person who engages in unacceptable conduct which disrupts the meeting may be expelled.



Agenda Item A

- Consent Calendar
- Council Secretary Report



Agenda Item B (Action Items)

Golden Hills Wind Project: Council Review of Contested Case Request, Proposed Order on Request for Amendment 5 of the Site Certificate

October 25, 2018

Sarah Esterson, Senior Siting Analyst



Presentation Overview

- Facility Overview and Site Certificate History
- Request for Amendment (RFA) 5 Procedural History
- RFA5 Proposed Changes
- Request for Contested Case on Proposed Order (Action Item)
- Proposed Order (Action Item)

Facility Overview

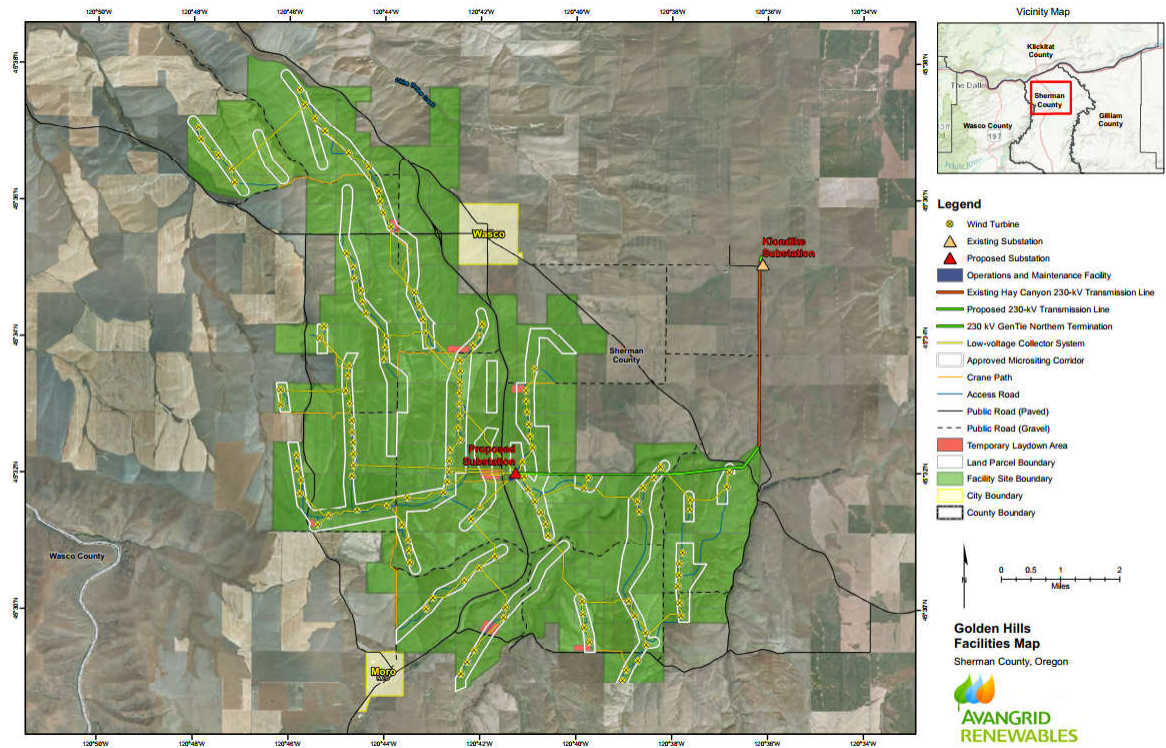
Certificate Holder:	Golden Hills Wind Farm LLC
Certificate Holder Parent Company:	Pacific Wind Development LLC; Avangrid Renewables LLC
Type of Facility (Approved, not yet constructed):	400 MW wind; 125 wind turbines
Related or Supporting Facilities:	<ul style="list-style-type: none">- substation- O&M building- meteorological towers- power collection system- transmission lines- SCADA- access roads and crane paths



Facility Site/Site Boundary Location

Site Boundary

- Contains 29,500 acres
- Private land, within Sherman County



Site Certificate History

- Site Certificate effective June 16, 2009
- Site Certificate Amended Four Times:
 - May 2012
 - January 2015
 - February 2017
 - April 2018

RFA5 – Proposed Modifications

Additional Wind Turbine Options (dimensions not to exceed):

- Blade-tip Height: 650-feet
- Tower Hub Height: 404-feet
- Aboveground Blade-tip Clearance: 46 feet

Additional Meteorological Tower Options:

- Height: 404 feet

Temporary Access Road and Crane Path Design Change:

- Increase width from 40 to 100 feet

Condition Changes

- PRE-DC-01



RFA5 Procedural History

Requirement	Responsible Party	Date
Complete RFA5 Received	Certificate Holder	July 6, 2018
Draft Proposed Order Issued	ODOE	July 13, 2018
Comment Period (41-days)	ODOE	July 13 – Aug 23, 2018
Public Hearing	EFSC	August 23, 2018
Council Review of Draft Proposed Order	EFSC	August 24, 2018
Proposed Order/Public Notice and Notice of Contested Case Issued	ODOE	September 12, 2018
Review of Contested Case Requests	EFSC	October 25, 2018
Final Order/Amended Site Certificate	EFSC	TBD

Council Review of Request for Contested Case

Opportunity to Request a Contested Case

- Individuals that comment on record of draft proposed order hearing
- September 12 – October 12, 2018

Request for Contested Case Received

- Ms. Gilbert, as individual and on behalf of Friends of Grande Ronde Valley
- 6 Issues Raised

Council Scope of Review – Contested Case Requests

- Evaluate whether issue was properly raised:
 - On the record of the draft proposed order, with sufficient specificity, within Council jurisdiction
- Evaluate whether request satisfies OAR 345-027-0071(6) requirements
- Evaluate whether request raises significant issue of law or fact that may affect Council's determination whether facility meets applicable laws and Council standards



Council Scope of Review – Continued

OAR 345-027-0071(10) identifies actions Council may take re: requests for contested case on amendment subject to Type A review:

- Option 1: Grant a contested case – find that request raises significant issue of law or fact..*
- Option 2: Deny contested case – find that request raises significant issue of law or fact..but could be addressed through new or amended conditions*
- Option 3: Deny contested case – find that request does not raise significant issue of law or fact..*

Staff Recommendations

Request for Contested Case:

Staff recommend Council deny request for contested case

Proposed Order:

Approve proposed order, with modifications, and adopt as final order;
grant amended site certificate

Request for Contested Case – Issue Summary

- Issue 1: Condition requiring pre-construction evaluation of private water wells; ongoing monitoring necessary for public health and safety
- Issue 2: Government to government consultation is needed
- Issue 3: Risk to aircraft operators from increase in total turbine tower height above 500 feet
- Issue 4: Setbacks to roads and structures not sufficient; 1,000 ft setback requested
- Issue 5: Survey areas are not adequate
- Issue 6: Monitoring for bird and bat impacts must be required for life of facility

Review of Issue 1

Issue 1: Condition requiring pre-construction evaluation of private water wells; ongoing monitoring necessary for public health and safety

Recommendations

- Core issue properly raised; modifications to issue not considered
- Issue does not raise a significant issue of law or fact..

Review of Issue 2

Issue 2: Government to government consultation is needed

Recommendation

- Not properly raised

Review of Issue 3

Issue 3: Risk to aircraft operators from increase in total turbine tower height above 500 feet

Recommendations

- Core issue properly raised; modifications to issue not considered
- Issue does not raise a significant issue of law or fact..

Review of Issue 4

Issue 4: Setbacks to roads and structures not sufficient; 1,000 ft setback requested

Recommendations

- Core issue properly raised; modifications to issue not considered
- Issue does not raise a significant issue of law or fact..

Review of Issue 5

Issue 5: Survey areas are not adequate

Recommendations

- Core issue properly raised
- Issue does not raise a significant issue of law or fact..

Review of Issue 6

Issue 6: Monitoring for bird and bat impacts must be required for life of facility

Recommendations

- Core issue properly raised; modifications to issue not considered
- Issue does not raise a significant issue of law or fact..

Council Decision on Request for Contested Case

Option 1

- Grant a contested case – find that request raises significant issue of law or fact..

Option 2

- Deny contested case – find that request raises significant issue of law or fact..but could be addressed through new or amended conditions

Option 3

- Deny contested case – find that request does not raise significant issue of law or fact..

Council Review of Proposed Order



Review of Proposed Order

No substantive changes between Draft Proposed Order to Proposed Order for the following standards:

- [OAR 345-022-0010] – Organizational Expertise
- [OAR 345-022-0040] – Protected Areas
- [OAR 345-022-0080] – Scenic Resources
- [OAR 345-022-0090] – Historic, Cultural and Archeological Resources
- [OAR 345-022-0100] – Recreation
- [OAR 345-024-0120] – Waste Minimization
- [OAR 340-035-0035] – Noise Control Regulations
- [ORS 196.800 through .990] – Removal-Fill Law
- [OAR 690 Division 537 and 590] – Water Rights



Review of Proposed Order

General Standard of Review [OAR 345-022-0000]

Proposed Order, Section III.A (p.11-14)

Recommended Amendment of Condition PRE-DC-01

- Change: Require blades be equipped with noise reducing technology
- Basis: Certificate holder representation/noise level specification

Review of Proposed Order

Structural Standard [OAR 345-022-0020]

Proposed Order, Section III.A (p.17-21)

Recommended Amendment of Condition PRE-SS-01:

- Change: Submittal of a protocol, for Department and agency review, prior to completion of pre-construction site-specific geo-technical report
- Basis: DOGAMI comment on Draft Proposed Order

Review of Proposed Order

Land Use [OAR 345-022-0030]

Proposed Order, Section III.A (p.23-32)

1) Recommended Amendment of Condition PRE-LU-14:

Change: Align condition language with county setback ordinance

Basis: Ms. Gilbert Comment 1 on record of Draft Proposed Order

2) Recommended Amended Findings for OAR 660-033-0130(37)(b)(S) – Unnecessary soil compaction

Change: Describe existing requirements of Habitat Mitigation/Reveg Plan

Basis: Ms. Gilbert Comments on Record of Draft Proposed Order



Review of Proposed Order

Retirement and Financial Assurance [OAR 345-022-0050]

Proposed Order, Section III.A (p.43-46)

Recommended Amended Findings

Change: Clarify tasks and actions included in retirement cost estimate

Basis: Ms. Gilbert's Comment 8 on Record of Draft Proposed Order

Review of Proposed Order

Fish and Wildlife Habitat [OAR 345-022-0060]

Proposed Order, Section III.A (p.46-53)

Recommended Amendment of Condition PRE-FW-04

Change: Clarify map reference for review of approved corridors

Basis: Ms. Gilbert Comment 6 on Record of Draft Proposed Order

Recommended Amended Findings

Change: Describe existing pre-construction wildlife survey requirements

Basis: Ms. Gilbert Comment 6 on Record of Draft Proposed Order

Review of Proposed Order

Threatened and Endangered Species [OAR 345-022-0070]

Proposed Order, Section III.A (p.53-55)

Recommended Amended Findings

Change: Describe existing pre-construction wildlife survey requirements

Basis: Ms. Gilbert Comment 6 on Record of Draft Proposed Order

Review of Proposed Order

Public Services [OAR 345-022-0010]

Proposed Order, Section III.A (p.73-81)

Recommended Amended Findings

Change: Evaluate sufficiency of existing conditions to minimize potential impacts to groundwater from aquifer collapse/contamination from blasting

Basis: Ms. Gilbert Comment 2 on Record of Draft Proposed Order

Review of Proposed Order

Public Health and Safety Standards for Wind Facilities [OAR 345-024-0010]

Proposed Order, Section III.A (p.83-90)

Recommended Amendment of Condition PRO-PH-01

Change: Require documentation of blade inspection and maintenance;
causal analysis for equipment failures

Basis: Ms. Gilbert Comment 4 on Record of Draft Proposed Order

Recommended Amended Findings

Change: Evaluate sufficiency of previously imposed setbacks

Basis: Ms. Gilbert Comment 4 on Record of Draft Proposed Order

Council Decision on Proposed Order

Option 1

- Approve Proposed Order and adopt Final Order

Option 2

- Approve Proposed Order with Modifications and adopt Final Order

Option 3

- Deny Proposed Order, direct staff to make changes and re-issue Proposed Order

Agenda Item C (Hearing)

Wheatridge Wind Energy Facility: Public Hearing on the Draft Proposed Order on Request for Amendment 2 of the Site Certificate

5:30 p.m.

October 25, 2018



Hearing Format

- **First:** ODOE presentation on facility, amendment request, and process
- **Then:** Opportunity to submit written comments; testimony
- **Last:** Certificate holder response

Facility Overview

Certificate Holder:
Wheatridge Wind Energy LLC

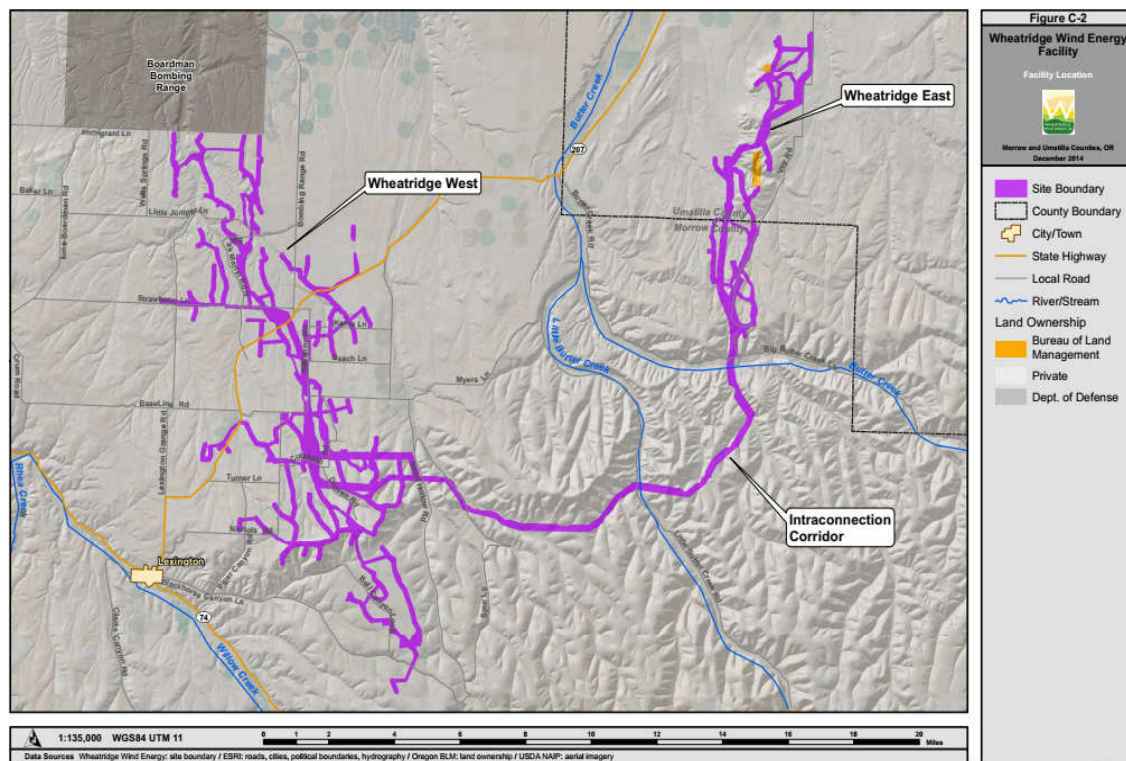
Parent Company:
NextEra Energy Resources, LLC

Type of Facility: 500 MW wind

Location: Morrow and Umatilla counties

Status: Approved, not yet constructed

Request for Amendment (RFA) 2 under review



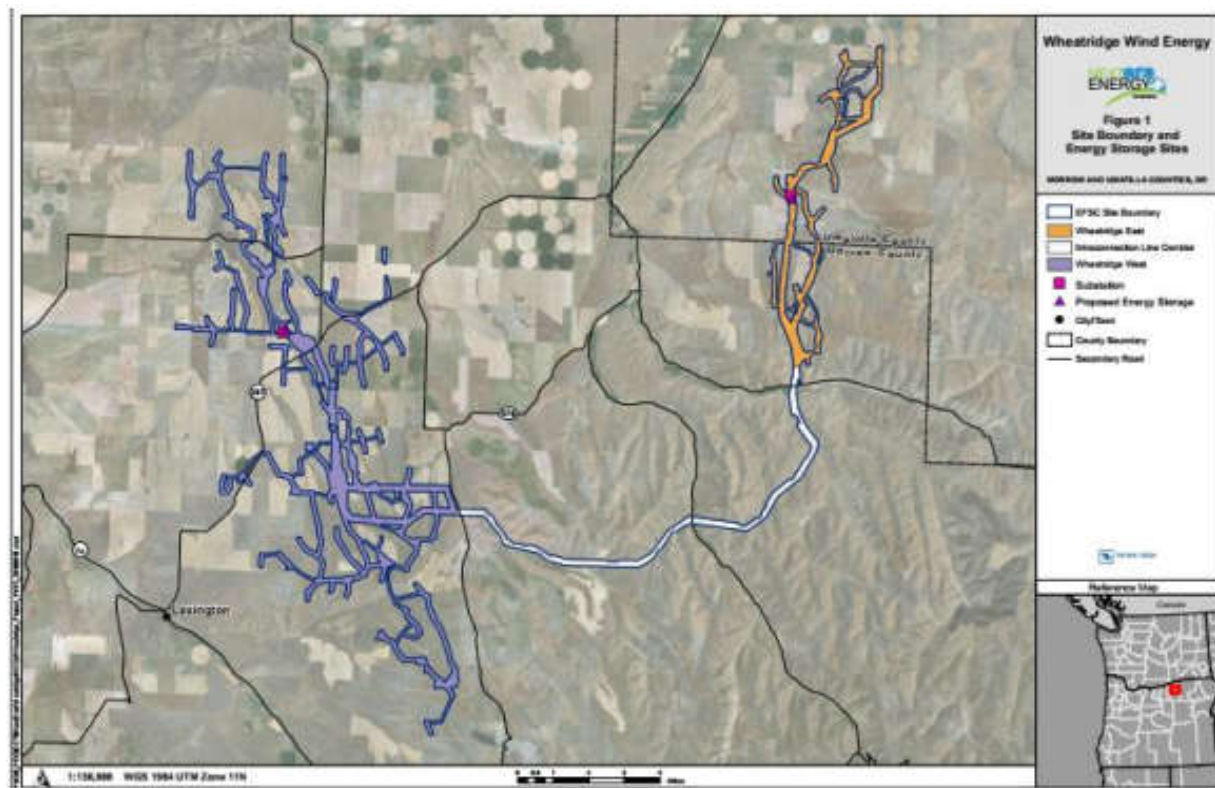
Amendment Request: Proposed Changes

Related or Supporting Facilities:

- Two battery storage systems
 - Interconnection facilities
 - Fire suppression system
 - Cooling system

Location:

Morrow and Umatilla counties



RFA2 Procedural History

April 9, 2018:	“Type B” review request received
April 25, 2018:	ODOE determined “Type A” review be maintained
May 18, 2018:	Preliminary RFA2 received; Type B review re-evaluation
June 14, 2018:	ODOE determined “Type A” review be maintained
June 29, 2018:	Council concurred with ODOE “Type A” review determination
Sept 17, 2018:	Complete RFA2 received
Sept 21, 2018:	Draft Proposed Order and Public Notice issued
Sept 21 – Oct 25, 2018:	Draft Proposed Order comment period



Process

October 25-26, 2018:

- Public Hearing on draft proposed order
- Close of record
- Council review of draft proposed order and comments received
- Council comments and input provided to ODOE

November 26, 2018 or earlier:

- ODOE issuance of proposed order (recommending approval, modification or denial) and addressing substantive comments received before close of record and within EFSC jurisdiction
- ODOE issuance of public notice and notice of opportunity to request a contested case

Consideration of Requests for a Contested Case

To request an issue be addressed in a contested case proceeding, the issue must be:

- Within the jurisdiction of the Council;
- Raised in person or in writing before the comment deadline (close of tonight's hearing, October 25, 2018)
- Raised with sufficient specificity to afford the Council, the Department of Energy, and the certificate holder an adequate opportunity to respond to the issue.
- To raise an issue with sufficient specificity, a person must present facts, on the record of the hearing, that support the person's position on the issue.
- OAR 345-027-0067(5), OAR 345-027-0071(5)



Draft Proposed Order Public Hearing:

Wheatridge Wind Energy Facility Request for Amendment 2

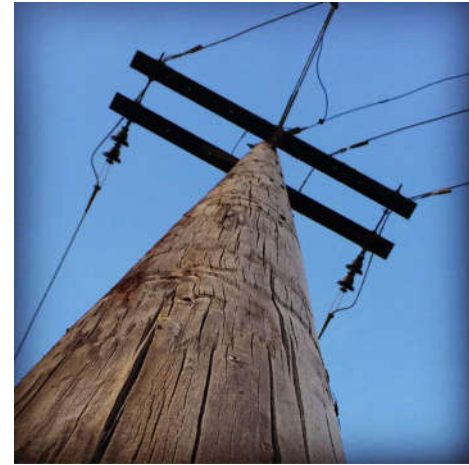


Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

Boardman City Hall
200 City Center Circle
Boardman, OR

October 25-26, 2018



Announcements:

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Agenda Item D (Information Item)



Proposed 2019 Meeting Dates


**October 26, 2018
Todd Cornett, Secretary**



PROPOSED EFSC MEETING DATES


2019 CALENDAR

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- Jan 24-25, 2019
- Feb 21-22, 2019
- Mar 21-22, 2019
- Apr 18-19, 2019
- May 23-24, 2019
- June 20-21, 2019
- July 25-26, 2019
- Aug 22-23, 2019
- Sept 26-27, 2019
- Oct 24-25, 2019
- Nov 21-22, 2019
- Dec 19-20, 2019

Agenda Item E (Information Item)

The Climate Trust Audit Update

**October 26, 2018
Todd Cornett, Secretary**



Agenda Item F: Public Comment

This time is reserved for the public to address the Council regarding any item within the Council's jurisdiction that is not otherwise closed for comment.



Agenda Item G (Information Item)

Boardman to Hemingway Transmission Line Project Update

October 26, 2018

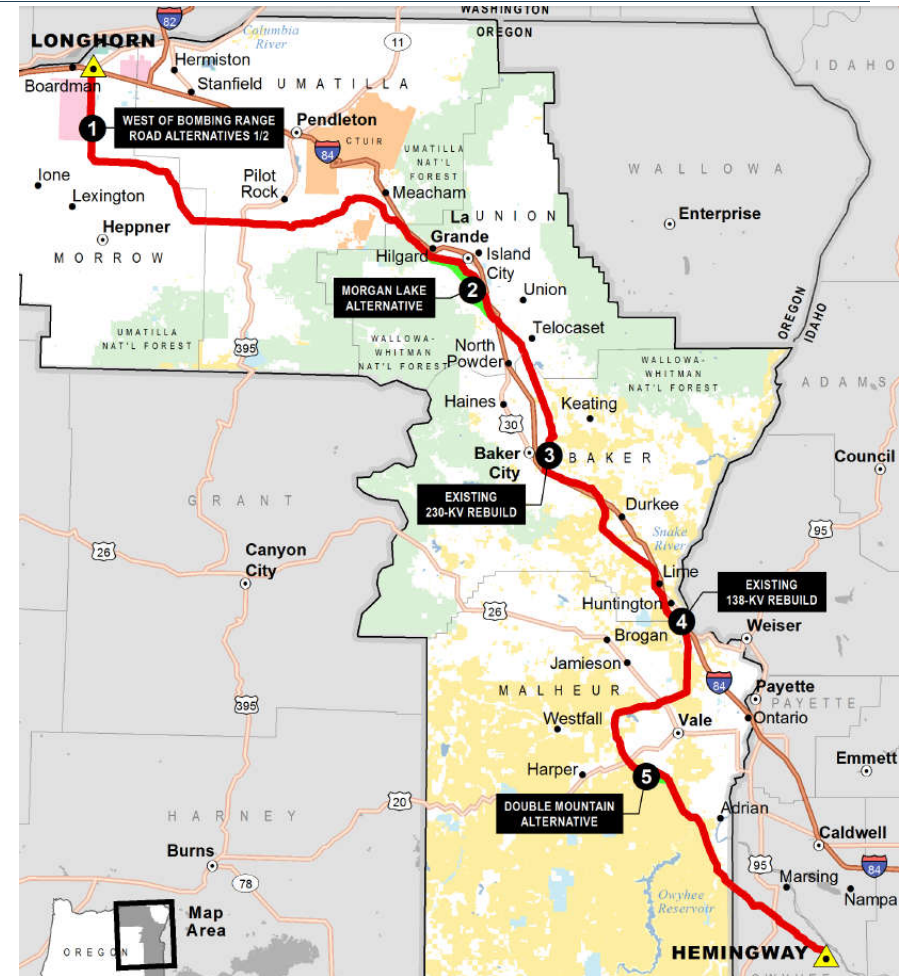
Kellen Tardaewether, Senior Siting Analyst



Boardman to Hemingway Transmission Line

Proposed Facility Overview

- Type of Facility: 500 kV electric transmission line, approx. 300 miles length
- Location (Oregon): Morrow, Umatilla, Union, Baker, and Malheur
- Regulated by federal and state permitting authorities



Procedural History

Milestone	Responsible Party	Date
Notice of Intent (NOI)	Applicant	July 2010
Project Order	ODOE	March 2012
Preliminary Application for Site Certificate (pASC)	Applicant	February 2013
Amended Project Order	ODOE	December 2014
Amended Preliminary Application for Site Certificate (ApASC)	Applicant	July 2017
Second Amended Project Order	ODOE	July 2018
Application for Site Certificate (ASC)	Applicant	September 2019
Draft Proposed Order (DPO)	ODOE/EFSC	2019

Complete Application for Site Certificate

- Application ‘Complete’ when
 - “applicant has submitted information adequate for the Council to make findings or impose conditions on all applicable Council standards.” [OAR 345-015-0190]
 - Application used to draft findings and recommendations for EFSC review in the draft proposed order
 - Notice of ASC issued on October 3, 2018
 - Informational Meetings on the ASC



Informational Meetings on the Complete Application

- Informational meetings held October 15-18, 2018
 - Ontario, Malheur County
 - Baker City, Baker County
 - La Grande, Union County
 - Pendleton, Umatilla County
 - Boardman, Morrow County



Complete Application for Site Certificate

- Application (ASC) and Reviewing Agency Reports used to draft findings and recommendations for EFSC review in the draft proposed order
- Reviewing Agency comment period

Exhibit A Applicant Information

Boardman to Hemingway Transmission
Line Project



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Exhibit S Historic, Cultural, and Archaeological Resources

Boardman to Hemingway Transmission
Line Project



Mark Stokes, Project Leader
(208) 388-2483
mstokes@idahopower.com

Zach Funkhouser, Permitting
(208) 388-5175
zfunkhouser@idahopower.com

Application for Site Certificate

September 2018

Exhibit K Land Use

Boardman to Hemingway Transmission
Line Project



Mark Stokes, Project Leader
(208) 388-2483
mstokes@idahopower.com

Zach Funkhouser, Permitting
(208) 388-5175
zfunkhouser@idahopower.com

Application for Site Certificate

September 2018

Boardman to Hemingway Transmission Line

Compliance Review (OAR 345-015-0200 Notice to Agencies that the Application is Complete)

- (4) Request an agency report containing the following information:
- (a) The agency's recommendations regarding any applications for permits administered by the agency that are applicable to construction or operation of the proposed facility.
 - (b) Issues significant to the agency.
 - (c) The agency's conclusions concerning the proposed facility's compliance with state statutes, administrative rules or ordinances administered by the agency.
 - (d) A list of site certificate conditions recommended by the agency.
 - (e) Any other information that the reviewing agency believes will be useful to the Council in reviewing the site certificate application.



Draft Proposed Order (DPO)

BEFORE THE
ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON

In the Matter of the Application for Site Certificate
for the Boardman Solar Energy Facility

DRAFT PROPOSED ORDER ON
APPLICATION FOR SITE
CERTIFICATE

November 13, 2017

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- ODOE recommended findings of fact, conclusions of law and conditions to EFSC on each Council Standard
- Incorporates/evaluates all agency comments/recommendations/conditions
- Notice of Issuance of DPO
 - Notice to Reviewing Agencies
 - Public Notice
- Public Hearings on the DPO and comment period

MORNING BREAK

Next:
Agenda H – Project Updates



Agenda Item H (Information Item)

Project Updates

Presented by:
Sean Mole and Todd Cornett



Site Certificate Request for Exemption

Jordan Cove LNG

On September 12, 2018 the Department received a letter from the applicant indicating its intention to submit an amended application for exemption. Staff have suspended their review awaiting further action.

Projects Under Review

Applications for Site Certificate

- Boardman to Hemingway Transmission Line (Agenda Item G)
- Blue Marmot Solar Energy Facility
- Nolin Hills Wind Power Project
- Obsidian Solar Center

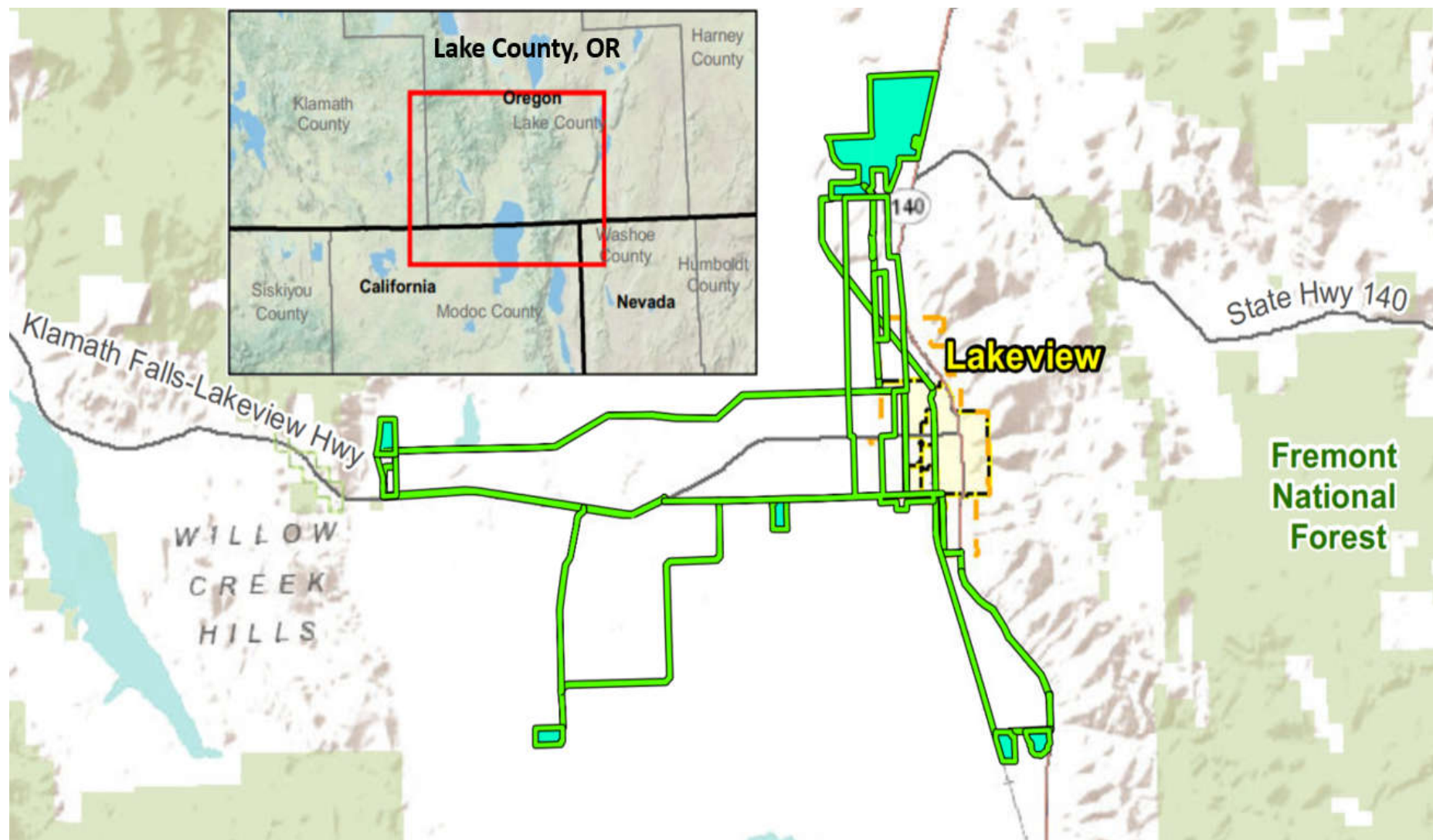
Requests for Amendment

- Carty Generating Station
 - Eugene to Medford Transmission Line
 - Montague Wind Power Facility
 - Stateline Wind Project
 - Perennial Wind Chaser Station
 - Summit Ridge Wind Farm
-

Proposed Blue Marmot Solar Energy Facility

Facility:	60 MW solar photovoltaic energy generation facility
Site Boundary:	5,170 acres
ASC Status:	Temporary NOI review suspension
Location:	Lake County
Applicant:	Blue Marmot Solar Park LLC
Parent Company:	EDP Renewables North America, LLC

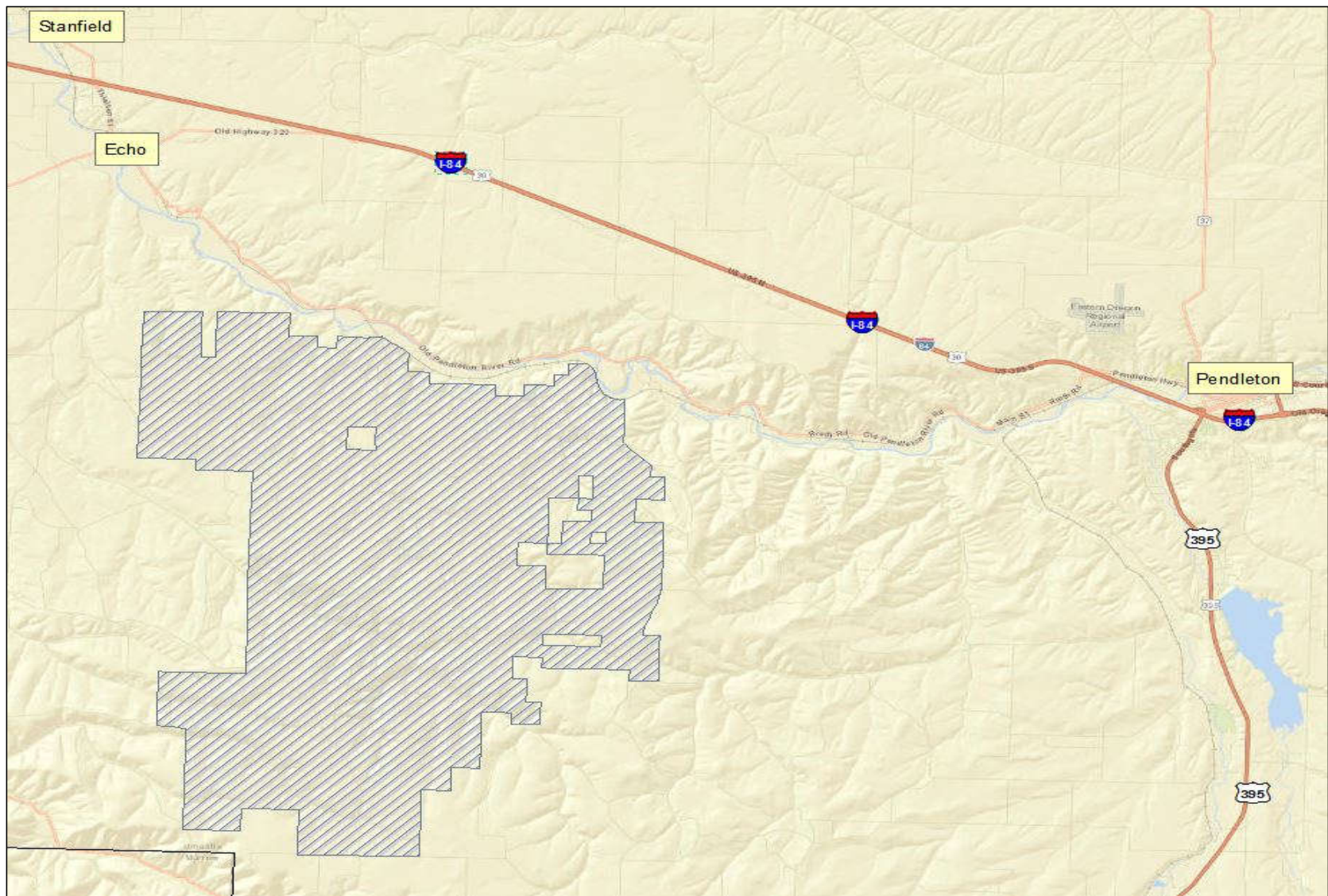




Proposed Nolin Hills Wind Power Project

Facility:	350 MW wind energy generation facility
Site Boundary:	44,900 acres
ASC Status:	Applicant to submit pASC
Location:	Umatilla County
Applicant:	Nolin Hills Wind, LLC
Parent Company:	Capital Power Cooperation

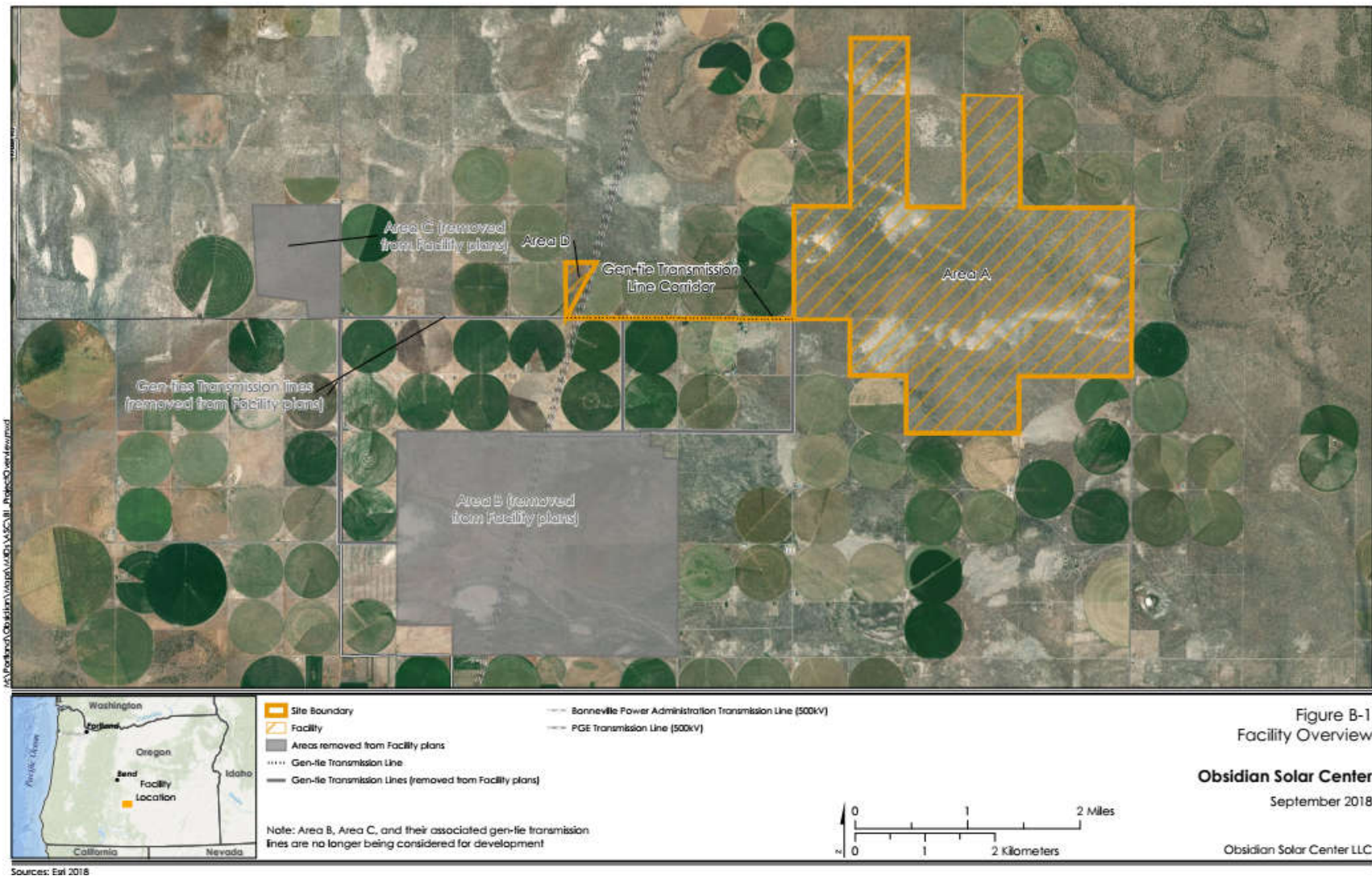




Proposed Obsidian Solar Center

Facility:	400 MW solar photovoltaic energy generation facility
Site Boundary:	3,921 acres
ASC Status:	pASC under review
Location:	Lake County
Applicant:	Obsidian Solar Center, LLC
Parent Companies:	Obsidian Renewables, LLC and Lindgren Development, Inc.



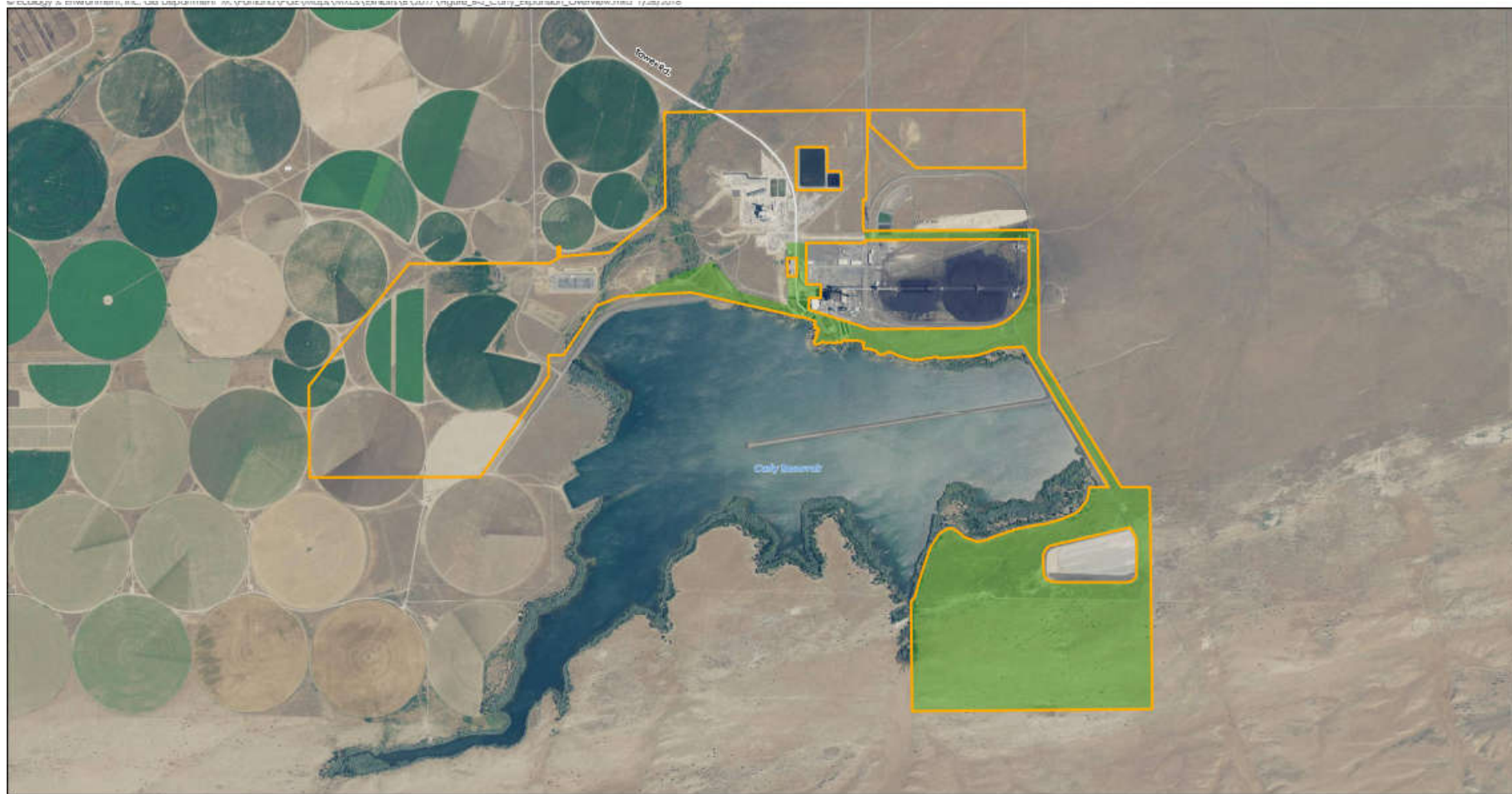


Carty Generating Station

Facility:	450 MW combined cycle natural gas
Operating Status:	July 2016 – Operational Previously approved components not constructed
Location:	Morrow County
Certificate Holder:	Portland General Electric
Amendment Request:	50 MW solar photovoltaic unit; related or supporting facilities
Amendment Status:*	Anticipated issuance of Proposed Order October 2018

*Processed under old amendment rules





- Amended Site Boundary
- Carty Site Boundary Expansion Areas

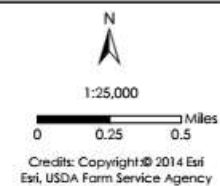
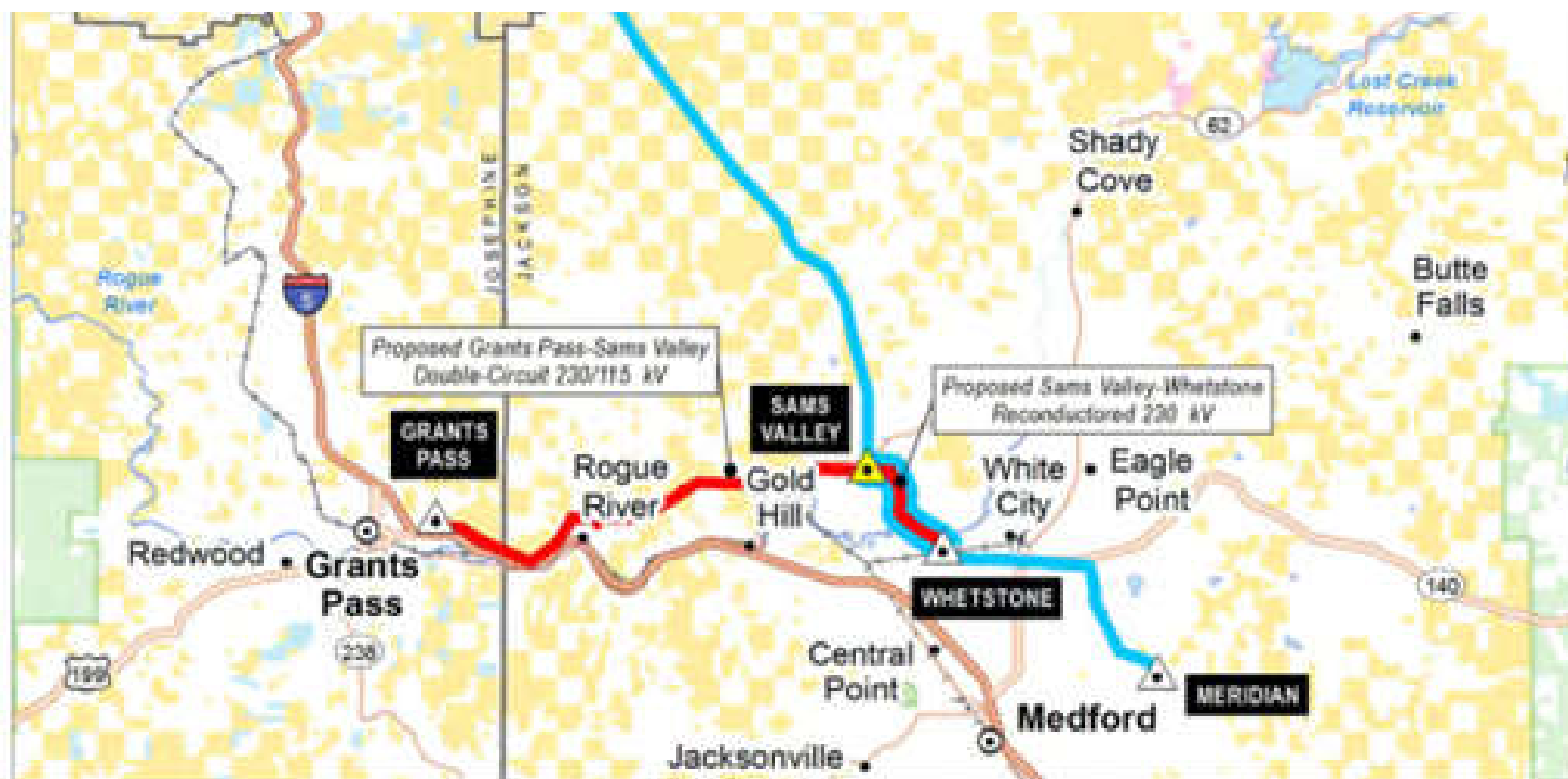


Figure B-2
Site Overview and
Amended Site Boundary
 Request for Amendment No. 1
 Carty Generating Station Site Certificate
 Portland General Electric Company
 February 2018

Eugene to Medford Transmission Line

Facility:	137-mile 500 kV transmission line, from Medford to Eugene
Operating Status:	
Location:	Eugene, Lane County, through Douglas County to Medford, Jackson County
Certificate Holder:	PacifiCorp
Amendment Request:	Site boundary expansion; new 17.6-mile 230 kV transmission line; new 500 kV substation; substation upgrades; 230 kV reconductor; access road modification
Amendment Status:	pRFA under review





Project Features

- Proposed 230/115 kV Transmission Line and 230 kV Reconductor
- Existing Eugene-Meridian 500 kV Transmission Line
- Transmission Lines Adjacent to Each Other

Substations

- Proposed
- Existing

Land Status

- Bureau of Land Management
- Forest Service
- Military Reservation or Corps of Engineers

Private

- State or Local
- State or Local Parks and Recreation or Wildlife

Montague Wind Power Facility

Facility:	404 MW Wind Energy Facility (as Approved)
Status:	September 2017– Phase 1* Construction commenced; not yet operational
Location:	Gilliam County
Certificate Holder:	Montague Wind Power Facility, LLC (subsidiary of Avangrid Renewables, LLC)
Amendment Request:	(Phase 2) Three proposed Design Scenarios
Amendment Status:	pRFA under review

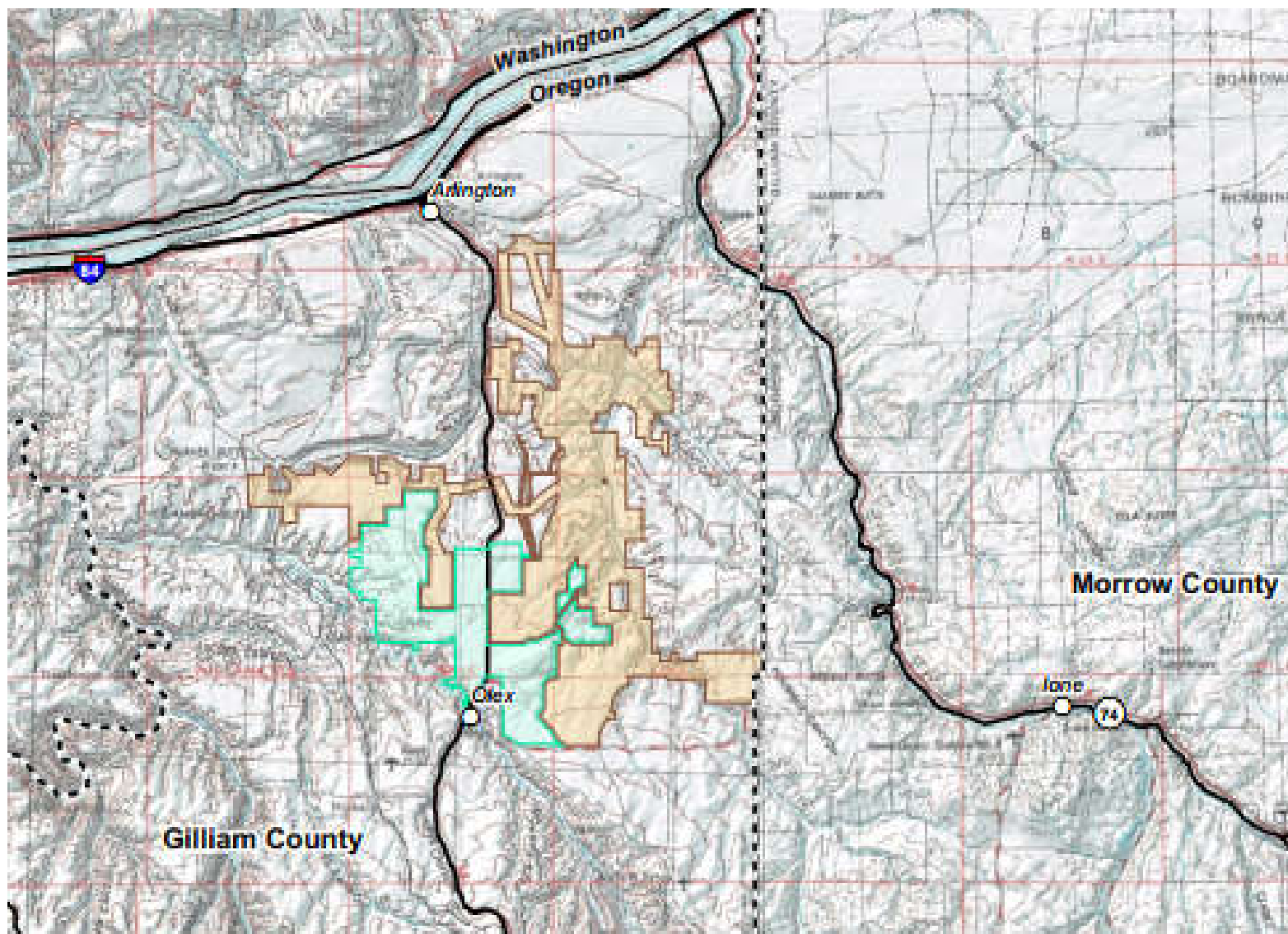
*pRFA4 introduced a “Phased” development approach to the approved facility. 56 of the previously approved 269 Turbines to be built as Phase 1.



Montague AMD4 Design Scenarios

- Design Scenario A: 202 MW of wind energy generation (81 2.5-megawatt turbines), 100 MW battery storage
- Design Scenario B*: 202 MW of wind energy generation (56 3.6-megawatt turbines), 100 MW battery storage
- Design Scenario C: 100 MW of solar energy generation (640 acres), 100 MW of wind energy generation (40 2.5-megawatt turbines), 100 MW battery storage

**On 10/22/2018, the Certificate Holder provided the Department a plan to modify Design Scenario B wind turbine dimension specifications. The proposed modifications include increasing both the maximum blade tip height to 182 meter (from 150 meters) and the nameplate capacity to 4.2 MW (from 3.6 MW), and reducing the total number of turbines to 48 (from 56 as proposed)*



Stateline Wind Project

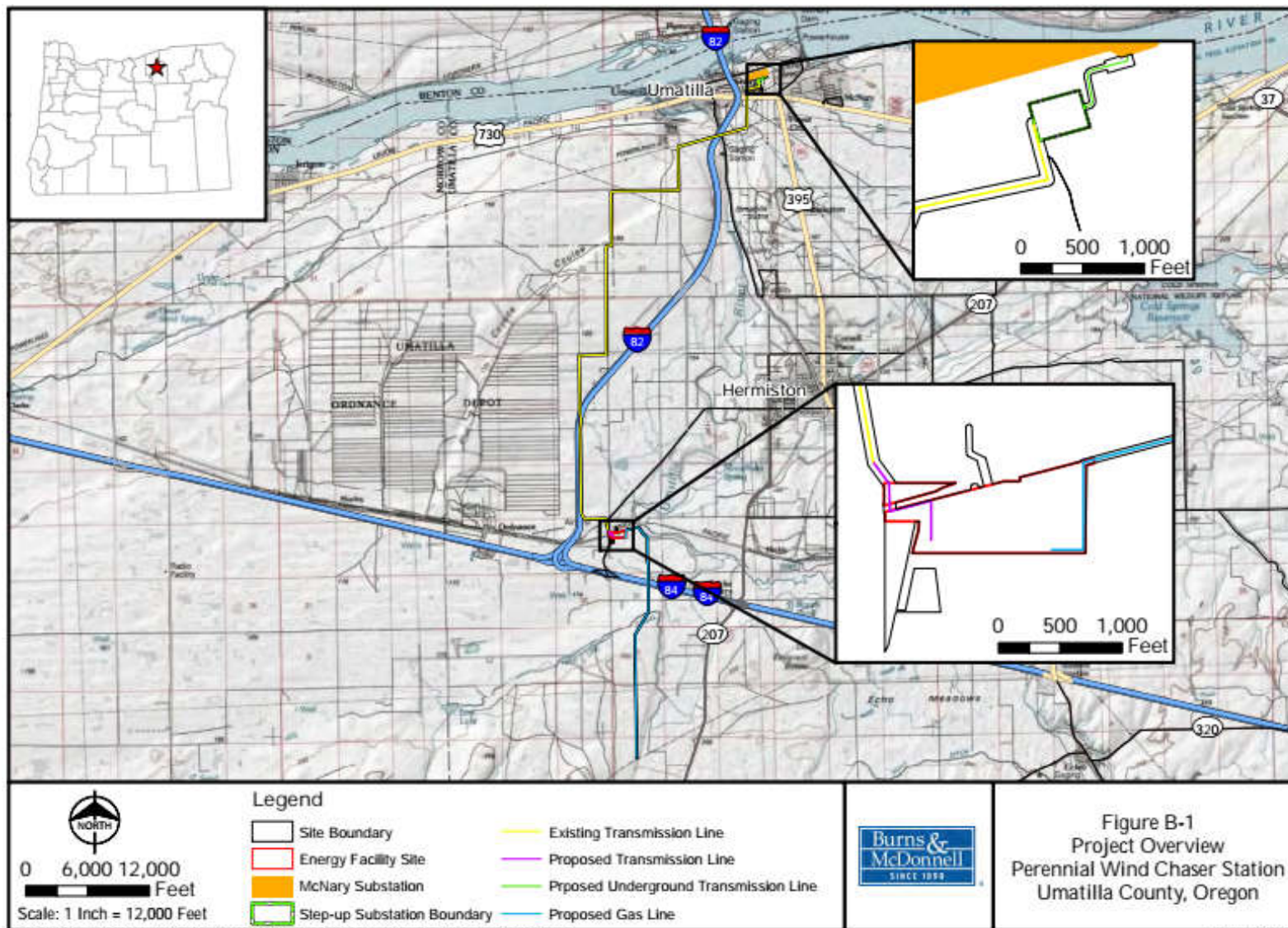
Facility:	Two operating units – 99 and 123 MW wind energy generation facility
Operating Status:	Operational
Location:	Umatilla County
Certificate Holder:	FPL Energy Vansycle, LLC and FPL Energy Stateline II, Inc.
Parent Company:	NextEra Energy Resources, LLC
Amendment Request:	Repower 43 existing wind turbines; re-disturb previous disturbance areas; facility name change
Amendment Status:	pRFA under review



Perennial Wind Chaser Station

Facility:	415 MW simple cycle natural gas energy generation facility
Operating Status:	Approved; not yet constructed
Location:	Umatilla County
Certificate Holder:	Perennial-WindChaser LLC
Parent Company:	Perennial Power Holdings, Inc.
Amendment Request:	Construction deadline extension
Amendment Status:	pRFA under review





Source: Umatilla Co. (2011), ORMAP (2012); USDA (2012); ESRI (2013); and Burns & McDonnell (2014)

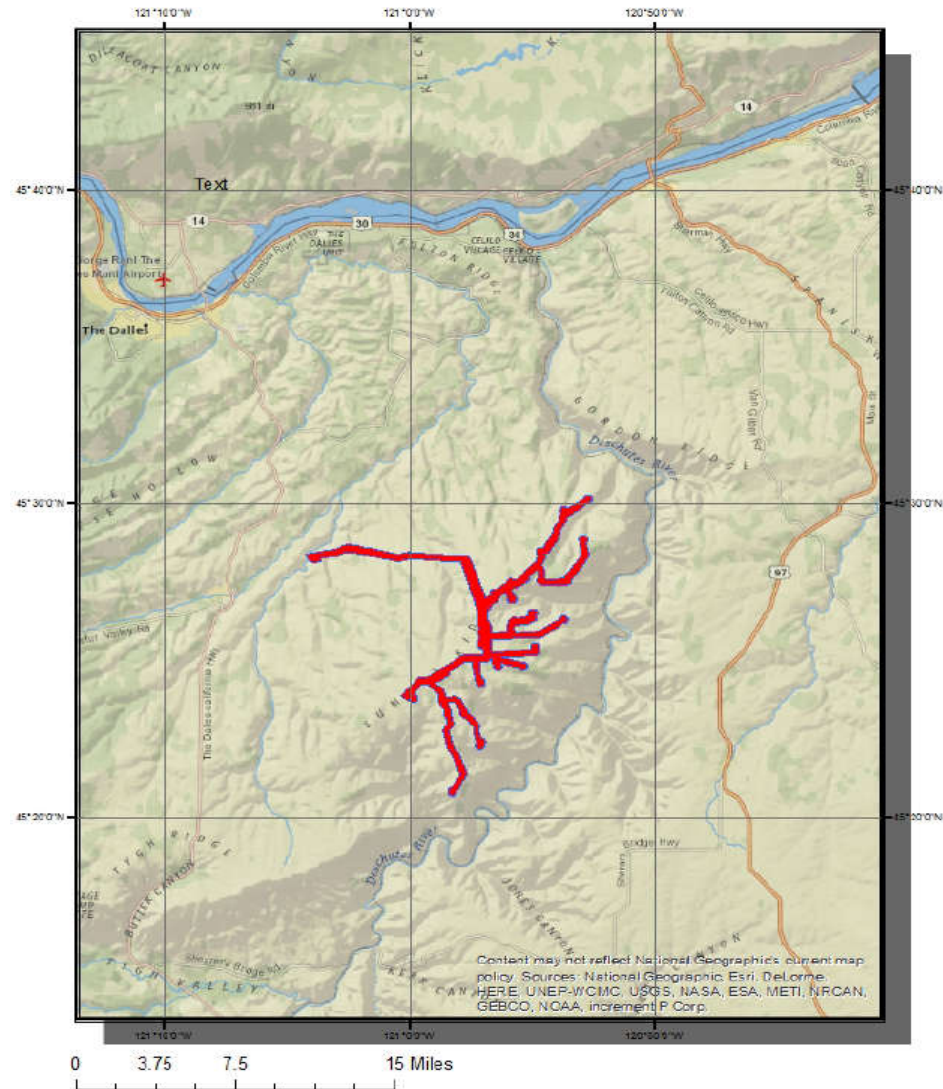
Issued: 7/17/2014

Summit Ridge Wind Farm

Facility:	194.4 MW wind energy generation facility
Operating Status:	Approved, not yet constructed
Location:	Wasco County
Certificate Holder:	Summit Ridge Wind, LLC
Parent Company:	Pattern Renewables 2 LP
Amendment Request:	Construction deadline extension
Amendment Status:	pRFA under review



Summit Ridge Wind Farm



Agenda Item I (Information Item)

Wheatridge Wind Energy Facility: Draft Proposed Order on Request for Amendment 2

October 26, 2018

Kellen Tardaewether, Senior Siting Analyst



Presentation Overview

- Certificate Holder/Facility and Facility Location Overview
- Site Certificate History
- Request for Amendment 2 (RFA2) Procedural History
- RFA2 Requested Facility Modifications
- Draft Proposed Order and Comments



Facility Overview

Certificate Holder: Wheatridge Wind Energy LLC

Certificate Holder Parent Company: NextEra Energy Resources LLC

Type of Facility
(Approved, not yet constructed): 500 MW wind; 292 wind turbines

Related or Supporting Facilities:

- substations
- O&M buildings
- meteorological towers
- power collection system
- transmission lines
- SCADA
- access roads



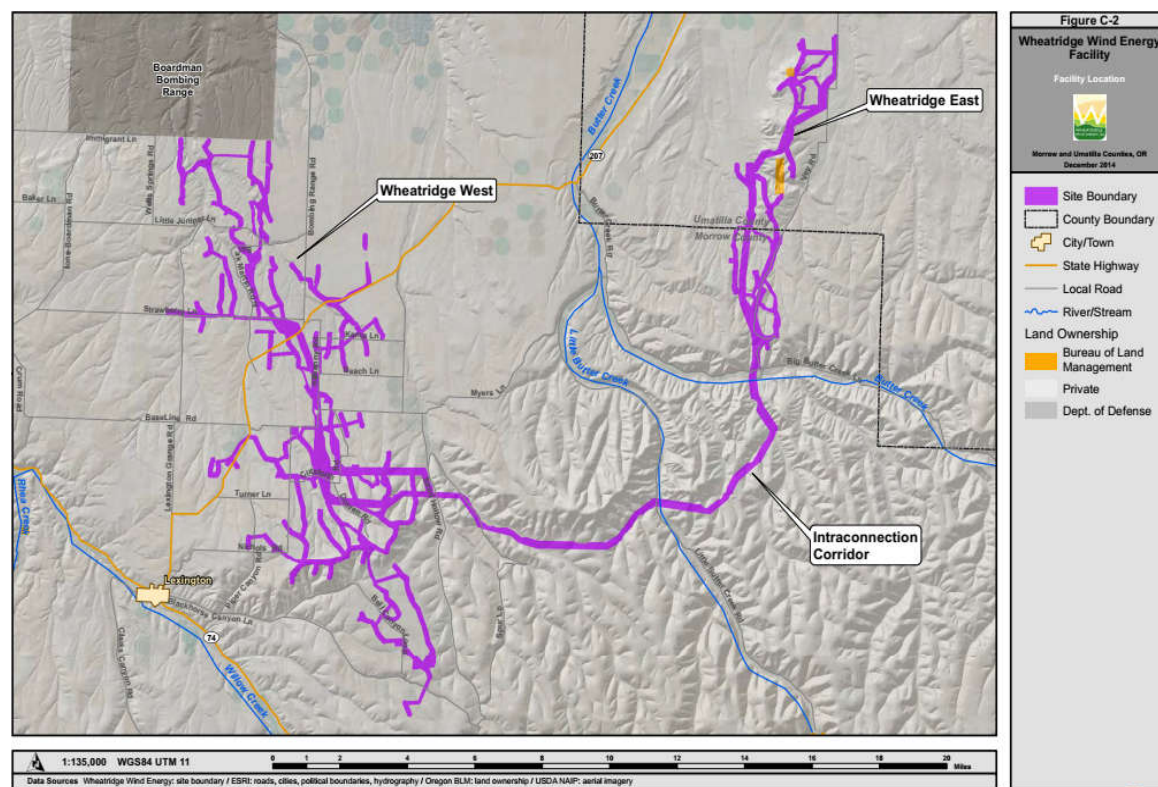
Facility Site/Site Boundary Location

Site Boundary

- Approximately 13,000 acres
- Private land, within Morrow/Umatilla counties

Site Certificate History

- Site Certificate effective May 2017
- One previous amendment (Aug 2017)
 - Transfer of certificate holder owner



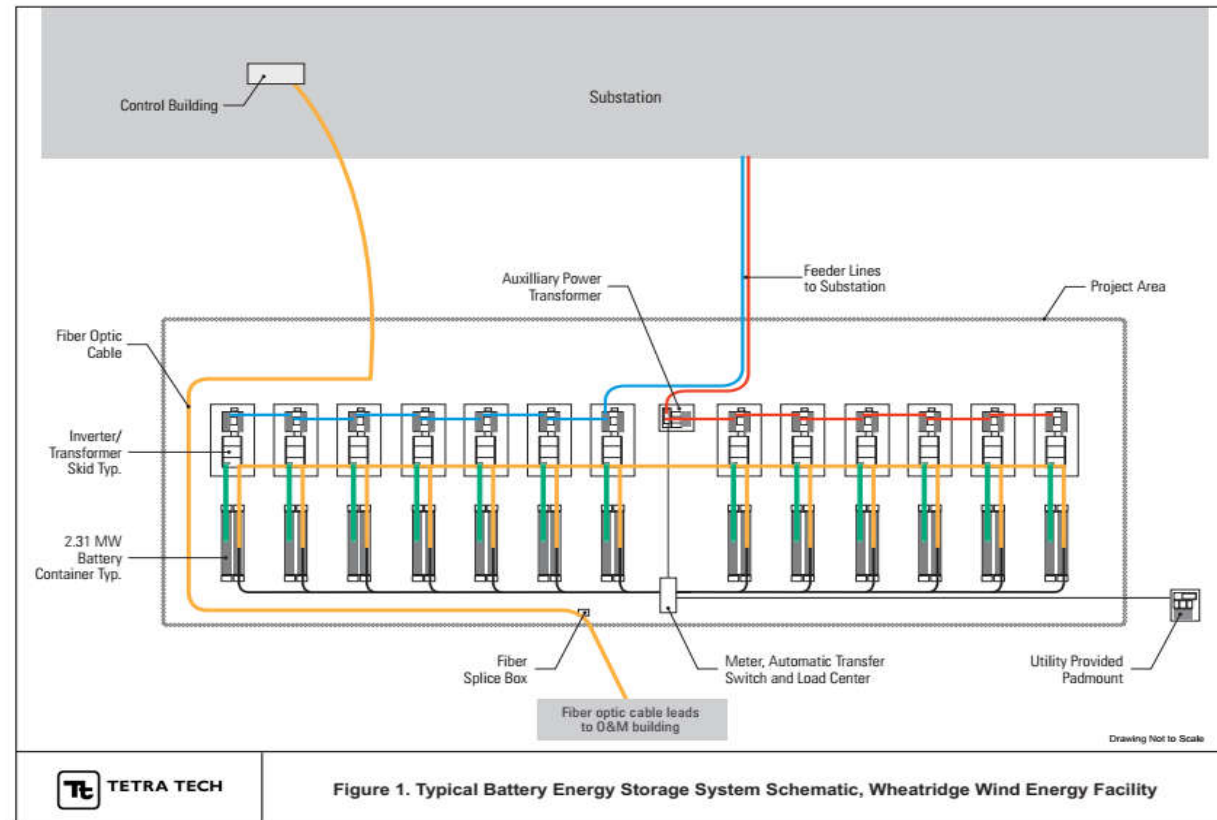
RFA2 Procedural History

Requirement	Responsible Party	Date
Preliminary RFA2 Received	Certificate Holder	May 18, 2018
Complete RFA2 Received	Certificate Holder	Sept 17, 2018
Draft Proposed Order Issued	ODOE	Sept 21, 2018
Comment Period (34-days)	ODOE	Sept 21 – Oct 25, 2018
Public Hearing	EFSC	Oct 25, 2018
Council Review of Draft Proposed Order	EFSC	Oct 26, 2018
Proposed Order/Public Notice and Notice of Contested Case Issued	ODOE	TBD
Contested Case Proceeding	EFSC	TBD
Final Order/Amended Site Certificate	EFSC	TBD

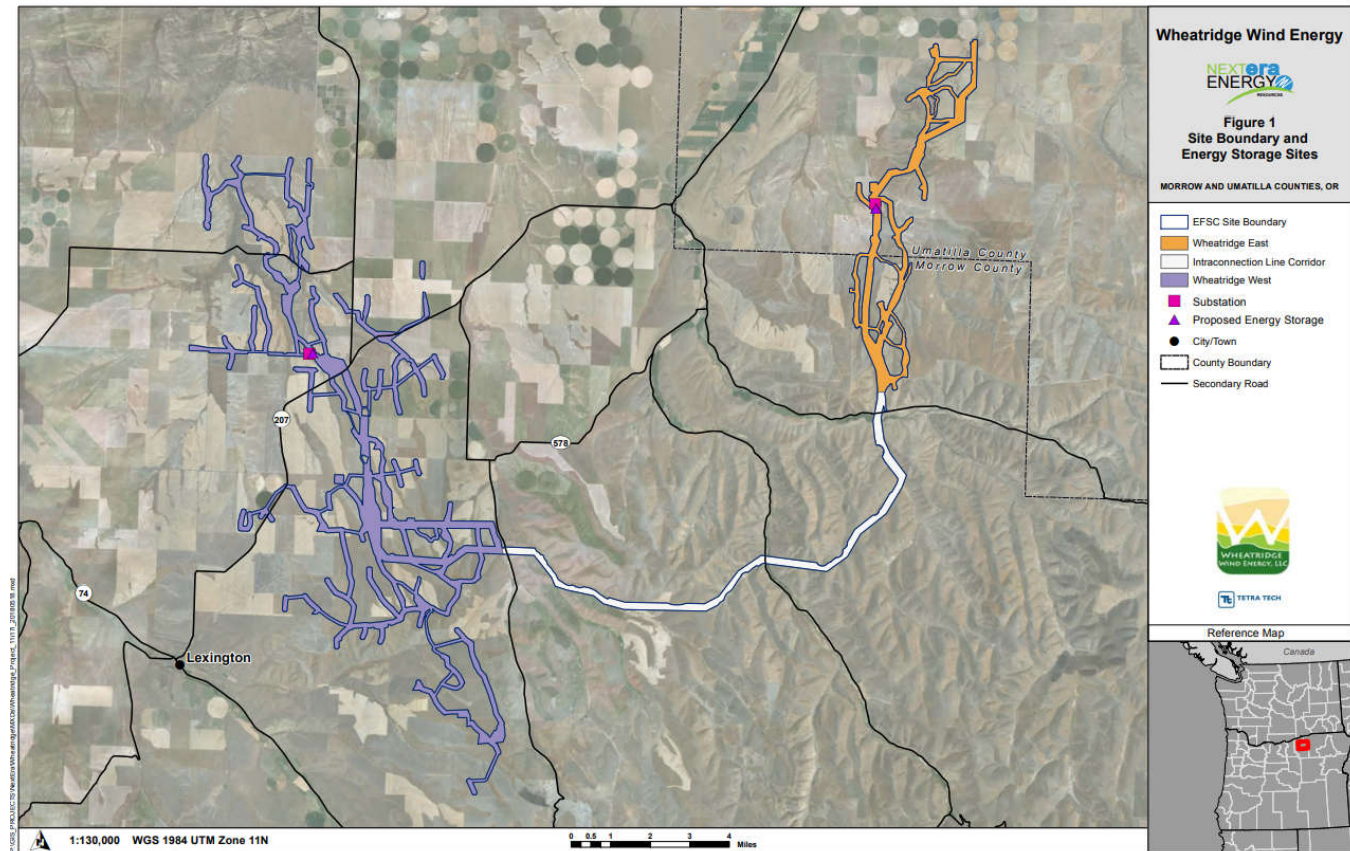
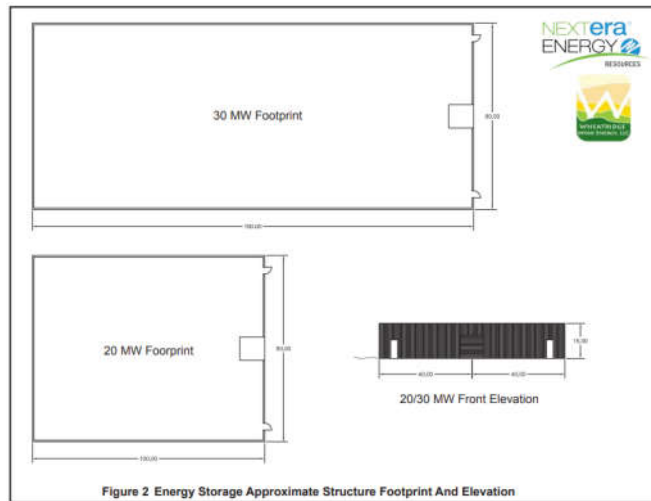
RFA2– Proposed Modifications

Related or Supporting Facilities:

- Two battery storage systems
 - Interconnection facilities
 - Fire suppression systems
 - Cooling systems



RFA2– Proposed Battery Storage Facilities



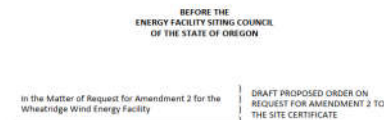
Draft Proposed Order Comments

Reviewing Agency and Tribal Government Comments (as of 10/22/18)

- Oregon Department of Fish and Wildlife, non-substantive

Public Comments (as of 10/22/18)

- Certificate Holder



September 21, 2018

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Council Scope of Review

Pursuant to OAR 345-027-0071, Council shall:

- Review draft proposed order
 - Evaluate compliance with applicable standards, laws that could be impacted by change
- Consider all comments received
- Provide comments to staff for consideration in the proposed order

Review of Draft Proposed Order

No substantive changes in previous Council Findings:

- [OAR 345-022-0040] – Protected Areas
- [OAR 345-022-0060] – Fish and Wildlife Habitat
- [OAR 345-022-0009] – Historic, Cultural and Archeological Resources
- [OAR 345-022-0100] – Recreation
- [OAR 345-022-0120] – Waste Minimization
- [OAR 345-024-0115] – Cumulative Effects Standard for Wind Energy Facilities
- [OAR 345-024-0090] – Siting Standards for Transmission Lines
- [OAR 340-035-0035] – Noise Control Regulations
- [ORS 196.800 through .990] – Removal-Fill Law
- [OAR 690 Division 537 and 590] – Water Rights



Review of Draft Proposed Order

General Standard of Review [OAR 345-022-0000]

Draft Proposed Order, Section III.A (p.9-12)

- Recommend Amendment of General Standard Condition 1
 - Clarify construction commencement deadline
- Recommend Amendment of General Standard Condition 2
 - Clarify construction completion deadline

Review of Draft Proposed Order

Organizational Expertise [OAR 345-022-0010]

Draft Proposed Order, Section III.A (p.12-16)

- Recommended New Organizational Expertise Condition 10:
Prior to and during construction, and during operations, certificate holder must provide evidence of contractual agreement with licensed hauler

Review of Draft Proposed Order

Structural Standard [OAR 345-022-0020]

Draft Proposed Order, Section III.A (p.16-20)

- Recommend Amendment of Structural Standard Condition 1:
Submittal of a protocol, for Department and agency review, prior to completion of pre-construction site-specific geo-technical report

Review of Draft Proposed Order

Soil Protection [OAR 345-022-0022]

Draft Proposed Order, Section III.A (p.21-24)

- Recommend Amendment of Soil Protection Condition 5:
Administrative changes to align with DEQ's Hazardous Waste Program, and to clarify operational spill plans apply to battery storage systems

Review of Draft Proposed Order

Land Use [OAR 345-022-0030]

Draft Proposed Order, Section III.A (p.21-24)

- Recommend Amendment of Land Use Condition 3:
Provide third-party technical report, with building permit applications, to allow Department and Morrow County opportunity to evaluate suitability of fire suppression system proposed for battery storage systems

Review of Draft Proposed Order

Retirement and Financial Assurance [OAR 345-022-0050]

Draft Proposed Order, Section III.A (p.42-47)

- Recommended New R&FA Condition 6:
Monthly inspections; annual demonstration of coverage under commercial business insurance
- Recommended Amendment of R&FA Condition 5:
Increase bond or letter of credit from \$18.1 (Q1 2015) to \$19.5 (Q3 2018)

Review of Draft Proposed Order

Threatened and Endangered Species [OAR 345-022-0070]

Draft Proposed Order, Section III.A (p.50-52)

- Recommended Amendment of T&E Condition 3:
Clarify the survey area to be included in the preconstruction plant surveys

Review of Draft Proposed Order

Scenic Resources [OAR 345-022-0080]

Draft Proposed Order, Section III.A (p.52-54)

- Recommended Amendment of Scenic Resources Condition 1 and 2:
Clarify that requirements of condition (lighting minimization, neutral finish) apply to the battery storage systems (structures)

Review of Draft Proposed Order

Public Services [OAR 345-022-0010]

Draft Proposed Order, Section III.A (p.61-69)

- Recommended Amendment of Public Services Condition 4:
Modify requirements of Operational Waste Management Plan, to apply to battery storage (includes references of 49 CFR 173.185)

Review of Draft Proposed Order

Public Health and Safety Standards for Wind Facilities [OAR 345-024-0010]

Draft Proposed Order, Section III.A (p.72-73)

- Recommended Amendment of PH&S Condition 2:
Clarify fencing/gate requirements apply to the battery storage systems

Recommended Modifications in Proposed Order

1. Administrative conversion and edits; procedural history updates
2. Address comments received
 - *2 comments received prior to hearing - certificate holder and ODFW
3. Remove erroneous reference to recommended amendments to Public Services Condition 13 (PRE-PS-05)

Council Deliberation



Next Steps

September 26, 2018 or earlier:

- ODOE issuance of proposed order, addressing substantive comments within EFSC jurisdiction; and,
- ODOE issuance of public notice and notice of opportunity to request a contested case

Followed by:

- Council review of requests for contested case, and grant or denial of requests
- Contested case proceeding; or approval, modification or rejection of proposed order



Agenda Item J (Action Item)

Biennial Fee Schedule Update

October 26, 2018

Sisily Fleming, Fiscal Analyst



BIENNIAL FEE SCHEDULE UPDATE

NOTICE OF INTENT (NOI)		Proposed 1/1/19	Explanation of Change
OPTION A: Customized NOI Approach (Applies to all Facility Types)			
Initial Filing Fee	\$5,000	No Change	
Custom NOI Fee (Based on Cost Estimate)	not less than \$40K	No Change	
OPTION B: Standard NOI Approach			
Natural Gas Fired Generation	\$55,000	\$57,000	Increased for Inflation (4.5%)
BioFuels	\$65,000	\$68,000	Increased for Inflation (4.5%)
Electrical Transmission	\$125,000	\$131,000	Increased for Inflation (4.5%)
Pipeline Transmission	\$125,000	\$131,000	Increased for Inflation (4.5%)
Wind Generation	\$35,000	\$40,000	Combine categories with the title Wind, Solar, Geothermal, & All Other Generation, and increase fee based on actual expenses incurred in processing most recent NOI's
Other (Solar, Geothermal, etc)	\$30,000		

BIENNIAL FEE SCHEDULE UPDATE

EXPEDITED REVIEW		Proposed 1/1/19	Explanation of Change
Determination of Qualification for Expedited Review	\$5,000	\$15,000	Increase aligns fee with the actual expenses incurred in processing the most recent request for Determination of Expedited Review

OTHER TYPES OF REQUESTS		Proposed 1/1/19	Explanation of Change
All Requests for Exemption	\$3,000	\$10,000	Increase aligns fee with the actual expenses incurred in processing the most recent Requests For Exemption
Request for Pipeline under ORS 469.405 (3)	\$2,500	\$3,000	Increased for Inflation (4.5%)

Agenda Item K (Action Item)

Annual Financial Assurance Update For the Retirement of Energy Facilities

October 26, 2018

Sisily Fleming, Fiscal Analyst



ANNUAL FINANCIAL ASSURANCE UPDATE

Financial Institutions 2019 Review				
Financial Institution	Credit Rating Institution			
	Moody's	S & P's	Fitch	A.M. Best
Letter of Credit				
Bank of Nova Scotia (NY Agency)	Aa2		AA-	
MUFG Union Bank, N.A.	A1 ↓	A ↓	A	
JP Morgan/Chase Bank, N.A.	Aa2		AAA ↑	
Wells Fargo Bank, N.A.	Aa1	AA-	A+ ↑	
Royal Bank of Scotland Connecticut Branch	Baa2 ↓	BBB+	BBB+ ↓	
Bank of America N.A.	Aa3 ↑	A+ ↑	AA- ↑	
CoBank		AA-	AA- ↑	
Bank of the West	Aa3	A-	A	
Helaba (NY Branch of Landesbank Hessen-Thuringen GZ)	Aa3	A	A+ ↓	
Bank of Tokyo-Mitsubishi, UFJ (NY Branch)	A1		A	
Natixis (NY Branch)	Aa3 ↑	A	A	
Royal Bank of Canada (NY Branch)	Aa2	AA-	AA	
Barclay's Bank, PLC (NY Branch)	A2	A	A	
Bond				
Federal Insurance Co	Aa3	AA	AA ↑	A++
Liberty Mutual Insurance Company	A2	A	BBB+	A
SAFECO Insurance Co of America	A2	A	A-	A
Westchester Fire Insurance Co	Aa3	AA	AA	A++
Fidelity & Deposit Co of MD		AA-		A+

Agenda Item L (Action Item)

Ratified Council Order Appointing Consultant for Oregon State Historic Preservation Office Assistance

October 26, 2018

Todd Cornett, Secretary



Adjourn

