



# ENERGY FACILITY SITING COUNCIL

## Energy Facility Siting Council Meeting Notice and Agenda

Columbia Gorge Discovery Center  
5000 Discovery Drive  
The Dalles, OR

Thursday, November 21, 2019 at 5:00 p.m.

Friday November 22, 2019 at 9:00 a.m.

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

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**Thursday, November 21, 2019  
5:00 PM**

### Roll Call and Opening Remarks

- A. **Consent Calendar** – Approval of minutes; Council Secretary Report; and other routine Council business.
- B. **2020 Meeting Dates (Information Item)** – Michiko Mata, Division Assistant. Council will review the 2020 EFSC meeting dates.
- C. **Financial Assurance Forms and Institutions (Action Item)** – Sisily Fleming, Fiscal Analyst. The Council will consider staff’s recommended templates for financial instruments, and financial institutions recommended for the Council’s list as approved for use by certificate holders in obtaining financial instruments in 2020.
- D. **[5:30 pm] Rulemaking Public Hearing – Site Certificate Amendment Process (Hearing)** – Christopher Clark, Rules Coordinator. The Council will hold a public hearing on the rulemaking that proposes to amend the Oregon Administrative Rules Chapter 345, Division 27 by adopting the August 23, 2019 temporary rules as permanent rules. The amended rules would replace the amendment rules adopted on October 24, 2017; clarify the process the Council will use to review requests for amendments submitted on or after October 24, 2017 for which Council has not yet made a final decision; and amend provisions which exceeded the Council’s statutory authority under the Type B review process.

### Adjourn

**Roll Call and Opening Remarks**

- E. **Application Process Overview (Information Item)** – Todd Cornett, Council Secretary and Maxwell Woods, Senior Policy Advisor. Secretary Cornett and Maxwell Woods will provide a training related to the steps associated with the application review process.
- F. **Langenburg Technologies Overview (Information Item)** – Rick Barnes, Langenburg Technologies Representative. Council will receive an information presentation regarding Langenburg Technologies and a potential proposed energy facility in Morrow County.
- G. **Oregon Department of Fish & Wildlife, Fish and Wildlife Habitat Mitigation Policy Overview (Information Item)** – Jon Germond, Habitat Resources Program Manager or Sarah Reif, Energy Coordinator, Wildlife Division. Jon Germond or Sarah Reif will provide an overview of ODFW’s Fish and Wildlife Habitat Mitigation Policy and will discuss habitat categorization and mitigation assessment.
- H. **Public Comment Period** – This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment.
- I. **Port Westward Generating Project, Review of the Proposed Order on Request for Amendment 11 of the Site Certificate (Action Item)** – Christopher Clark, Rules Coordinator. Council will review the Proposed Order on Amendment 11 and will either adopt, modify, or reject the Proposed Order as the final order. RFA11 seeks Council approval to add a 4 to 6 MW battery storage system to the existing 650 MW natural gas-fired electric generating facility.
- J. **Wheatridge Wind Energy Facility, Council Decision on Requests for Contested Case; and Review of the Proposed Order on Request for Amendment 4 of the Site Certificate (Working Lunch - Action Items)** – Maxwell Woods, Senior Policy Advisor. The Council will first consider the request for contested case received on the Proposed Order on Request for Amendment 4 of the Wheatridge Wind Energy Facility site certificate (RFA4). If Council finds that the issues raised in the contested case request warrant a contested case proceeding, it will direct a contested case to be conducted. If Council denies the contested case request, Council will proceed to review the Proposed Order on Amendment 4 and will either adopt, modify, or reject the proposed order as the final order. RFA4 seeks Council approval to add 1,527 acres to the approved site boundary within Morrow County for construction and operation of up to 150 MW of photovoltaic solar energy facility components, up to 41 distributed energy storage (battery) system sites and expansion of the Wheatridge West collector substation. RFA4 also seeks Council approval for site certificate condition amendments.
  - I. **Council Decision on Request for Contested Case** – The Council will consider the request for contested case on the Proposed Order on Request for Amendment 4.
  - II. **Council Decision on Proposed Order** – Unless a contested case proceeding is granted, Council will proceed to review the Proposed Order on Amendment 4 and will either adopt, modify, or reject the proposed order as the final order.

- K. Perennial Wind Chaser Station, Council Decision on Requests for Contested Case; and the Review of the Proposed Order on Request for Amendment 1 of the Site Certificate (Action Items)** – Katie Clifford, Senior Siting Analyst. The Council will first consider requests for contested case on the Proposed Order on Request for Amendment 1 of the Perennial Wind Chaser Station site certificate (RFA1). If Council finds that the issues raised in the contested case request warrant a contested case proceeding, it will direct a contested case proceeding to be conducted. If Council denies all contested case requests, Council will proceed to review the Proposed Order on Amendment 1 and will either adopt, modify, or reject the proposed order as the final order. RFA1 seeks Council approval to extend the construction commencement and completion timelines by two years.
- I. Council Decision on Requests for Contested Case** – The Council will consider requests for contested case on the Proposed Order on Request for Amendment 1.
  - II. Council Decision on Proposed Order** – Unless a contested case proceeding is granted, Council will proceed to review the Proposed Order on Amendment 1 and will either adopt, modify, or reject the proposed order as the final order.
- L. 2020-2022 EFSC Rulemaking Project Schedule (Action Item and Public Comment Opportunity)** – Chris Clark, Rulemaking Coordinator. Council will consider proposed rulemaking projects to be undertaken in 2020-2022 time period. Council will also receive a status update regarding ongoing rulemaking projects. The Council will allow members of the public an opportunity to provide oral comment related to potential rulemaking projects.
- M. Blue Marmot Solar Energy Facility, Notice of Intent Extension Request (Action Item)** – Maxwell Woods, Senior Policy Advisor. Council will consider a request from EDP Renewables LLC to extend the expiration date for the Notice of Intent for the proposed Blue Marmot Solar Energy Facility by one year.

## Adjourn

### Anticipated Future Energy Facility Siting Council Meetings:

- **December 19-20, 2019** – Pendleton, OR
- **January 2020** – date/location to be determined

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To participate by teleconference please call toll-free: 1-877-873-8017 and enter code 799345.

**Webinar Presentation:** [Join Skype Meeting or https://meet.oregon.gov/sean.mole/MBFDWB4R](#) Trouble Joining? [Try Skype Web App here](#)

**Meeting Materials** associated with the agenda items are available at:  
<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>

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

Pursuant to Oregon Administrative Rule 345-011-0035, the public may ask the Council formally to address relevant issues within the Council's jurisdiction at future meetings. Please be sure to include

information about why the issue should be on the agenda. Your request must be in writing and received at least 14 days before the Council meeting.

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

EFSC Secretary

Energy Siting Division/ODOE

550 Capitol St. NE

Salem, OR 97301-3737

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

Phone: 503-378-8328

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

**Americans with Disabilities Act:** The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Sean Mole at 503-934-4005; Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.