



# ENERGY FACILITY SITING COUNCIL

## Energy Facility Siting Council Meeting Notice and Agenda

### Oregon Department of Energy Teleconference/Webinar

Thursday, May 21, 2020 at 4:30 pm  
Friday, May 22, 2020 at 8:30 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, May 21, 2020  
4:30 PM**

#### Roll Call and Opening Remarks

- A. **Consent Calendar** – Approval of minutes; Council Secretary Report; and other routine Council business.
- B. **Hearing Officer Appointment for Madras Solar Energy Facility (Action Item)** – Chase McVeigh-Walker, Senior Siting Analyst. Council will consider appointment of a Hearing Officer from the Oregon Office of Administrative Hearings to conduct all proceedings for the Madras Solar Energy Facility a proposed solar photovoltaic energy generation facility In Jefferson County, near Madras, Oregon.
- C. **Radioactive Waste Disposal Enforcement Rulemaking Initiation (Action Item)** – Christopher Clark, Rules Coordinator will request Council to initiate rulemaking to revise rules in OAR 345-029 related to enforcement of rules and laws governing the disposal of radioactive waste materials in Oregon.
- D. **[5:30 p.m.] Obsidian Solar Center, Draft Proposed Order Public Hearing (Public Hearing)** – The proposed Obsidian Solar Center facility includes approximately 400 megawatts of solar photovoltaic power generation equipment and its related or supporting facilities, occupying up to 3,921 acres in north Lake County, near Christmas Valley, Oregon. The applicant is Obsidian Renewables, LLC.
  - 1. Proposed Facility Overview: Kellen Tardaewether, Senior Siting Analyst will provide a brief overview of the proposed facility and the procedural history for the Application for Site Certificate.
  - 2. Hearing Officer Process Overview: Joe Allen, Senior Administrative Law Judge, Oregon Office of Administrative Hearings and Council-appointed hearing officer will outline the procedural steps for the hearing as provided in the Oregon Administrative Rules.

3. Testimony: Opportunity for members of the public and reviewing agencies to provide oral testimony administered by the hearing officer. Written comments may be submitted to the Department up to the close of the comment period which ends at the close of the hearing. See below for more details: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/OSC.aspx>

**Thursday, May 21, 2020, 4:30 pm Webinar Presentation:** <https://zoom.us/j/99010585686>

ODOE strongly recommends joining the Zoom meeting online, if possible. When you join, please use your full name so it is easier to identify attendees and manage public comments. Public participants will be in listen-only mode, but can use the Zoom tool to “raise your hand” to share public comments. Additional instructions will be provided during the meeting for comments over the phone.

**Or join Zoom meeting by phone, but phone participants remain on mute and do not have an option to “raise your hand” to notify Council that you wish to speak:**

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Webinar ID for Call-In Feature: 990 1058 5686

**Friday, May 22, 2020  
8:30 AM**

- E. **Wheatridge Wind Energy Facility, Council Review of Proposed Order on Request for Amendment 5 (Action Item)** – Maxwell Woods, Senior Policy Advisor will provide a presentation on the Proposed Order on Request for Amendment 5 of the Wheatridge Wind Energy Facility site certificate. Request for Amendment 5, being reviewed under the Type B review process, seeks Council approval to split, and share some, facility components into two site certificates, within redefined site boundaries, with new facility names and one new certificate holder. Both site certificate holders would continue to be owned by NextEra Energy Resources, LLC. Council will approve, modify or reject the proposed order as the final order and grant or deny issuance of two new site certificates.
- F. **Oregon Department of Energy Update (Information Item)** – Janine Benner, Director. The Council will receive an annual ODOE update from the Agency’s Director.
- G. **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.
- H. **The Climate Trust Annual Update (Information Item)** – Sheldon Zakreski, Executive Director of The Climate Trust, will provide Council with an update including The Climate Trust’s 2019 Financial Audit.
- I. **Carbon Monetary Offset Rate Update-Consideration of Proposed Rules (Action Item)** – Christopher Clark, Rules Coordinator will provide an analysis on the potential fiscal impacts and economic achievability a proposed rate increase and will review advice provided by the advisory committee appointed for this project and other stakeholders. Council will consider a request to initiate formal rulemaking proceedings to adopt the proposed increase.

**J. Construction Disruptions Related to the COVID-19 Pandemic (Information/Action Item) –** Christopher Clark, Rules Coordinator will provide a presentation on construction disruptions related to the COVID-19 pandemic.

1. Staff presentation – Staff will provide a presentation on disruptions to construction timelines related to the COVID-19 Pandemic and will present Council will potential options to provide relief to affected certificate holders.
2. Public comment – The Council will provide an opportunity for any members of the public to provide comments or advice.

**Please Note:** This agenda item will include 15 minutes for comments by members of the public.

**K. Obsidian Solar Center, Council Review of Draft Proposed Order (Information Item) –** Kellen Tardaewether, Senior Siting Analyst will present the draft proposed order (DPO) for the Obsidian Solar Center and comments received during the DPO comment period, which extended from March 12, 2020 through May 21, 2020 for members of the public and agencies. Depending on the volume and complexity of the comments received, this agenda item may need to be continued to a future Council meeting.

**Friday, May 22, 2020 at 8:30 am Webinar Presentation:** <https://zoom.us/j/99027693814>

ODOE strongly recommends joining the Zoom meeting online, if possible. When you join, please use your full name so it is easier to identify attendees and manage public comments. Public participants will be in listen-only mode, but can use the Zoom tool to “raise your hand” to share public comments. Additional instructions will be provided during the meeting for comments over the phone.

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**Adjourn approximately 1:20 pm**

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

- **June 25-26, 2020** – Virtual via WebEx Webinar
- **July 23-24, 2020** – Location TBD
- **August 20-21, 2020** – Location TBD

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

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

**Siting Project Updates:**

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

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

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

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

EFSC Secretary

Energy Siting Division/ODOE

550 Capitol St. NE

Salem, OR 97301-3737

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

Phone: 503-378-8328

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

**Americans with Disabilities Act:** The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call 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.