



# ENERGY FACILITY SITING COUNCIL

## Energy Facility Siting Council Meeting Notice and Agenda

### Oregon Department of Energy WebEx Teleconference/Webinar

**Friday, February 26, 2021 at 8:30 a.m.**

**WebEx Webinar Presentation:**

<https://odoe.webex.com/odoe/onstage/g.php?MTID=e9ef6748a27ba7d7302a29f27721cad31>

Dial in: 1-408-418-9388, Access Code: 179 625 1237

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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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**Friday, February 26, 2021  
8:30 AM**

#### Roll Call and Opening Remarks

- A. **Consent Calendar** – Approval of January 22, 2021 minutes; Council Secretary Report; and other routine Council business.
- B. **Radioactive Material Enforcement Rulemaking, Council Review of Public Comments and Consideration of Permanent Rules (Action Item)** – Christopher Clark, Siting Policy Analyst & Rules Coordinator. The Council will review public comments and consider the adoption of permanent rules on the proposed revisions to OAR chapter 345, division 029, related to enforcement of rules and laws governing the transport and disposal of radioactive materials and waste in Oregon. The written comment period for the proposed rules closed on February 10, 2021 at 5:00 pm.
- C. **Shepherds Flat North – Council Review of Request for Amendment 3 to Transfer Certificate Holder Ownership**
  1. **Transfer Hearing (Hearing):** Chair Grail, acting as Hearing Officer. The Council will conduct a hearing on the request to transfer ownership of the Shepherds Flat North site certificate holder, North Hurlburt Wind, LLC, from Caithness Energy, LLC to BEP SF Holdings, LLC. Shepherds Flat North is an operational 265 MW wind power generation facility. The purpose of the transfer hearing is to provide the public an opportunity to provide oral comments on the transfer request and applicable Council standards (Organizational Expertise and Retirement and Financial Assurance) to Council.
  2. **Council Review and Decision on Request to Transfer Certificate Holder Ownership (Action Item):** Sarah Esterson, Senior Policy Advisor. Council will receive a presentation from staff on the transfer request, comments received on the record of the transfer request, and will take action to approve or deny the transfer request. If approved, Council will issue a third amended site certificate to reflect the new certificate holder owner.

- D. Trojan ISFSI License Renewal Update and Initiation of Rulemaking (Action Item)** – Christopher Clark, Siting Policy Analyst & Rules Coordinator and Duane Kilsdonk, Compliance Officer. The Council will receive an update on the renewed operating license for the Trojan Independent Spent Fuel Storage Installation (ISFSI) issued by the US Nuclear Regulatory Commission and will consider initiating a rulemaking project to update the Council’s rules applicable to the ISFSI under OAR 345-026-0170 to 345-026-0390.
- E. Shepherds Flat South – Council Review of Request for Amendment 3 to Transfer Certificate Holder Ownership**
- 1. Transfer Hearing (Hearing):** Chair Grail, acting as Hearing Officer. The Council will conduct a hearing on the request to transfer ownership of the Shepherds Flat South site certificate holder, Horseshoe Bend Wind, LLC, from Caithness Energy, LLC to BEP SF Holdings, LLC. Shepherds Flat South is an operational 290 MW wind power generation facility. The purpose of the transfer hearing is to provide the public an opportunity to provide oral comments on the transfer request and applicable Council standards (Organizational Expertise and Retirement and Financial Assurance) to Council.
  - 2. Council Review and Decision on Request to Transfer Certificate Holder Ownership (Action Item):** Chase McVeigh-Walker, Senior Siting Analyst. Council will receive a presentation from staff on the transfer request, comments received on the record of the transfer request, and will take action to approve or deny the transfer request. If approved, Council will issue a third amended site certificate to reflect the new certificate holder owner.
- F. Montague Wind Power Facility - Council Review and Decision Amendment of the Wildlife Monitoring and Mitigation Plan (Action Item)** – Sarah Esterson, Senior Policy Advisor. The Council will receive a presentation from staff on the certificate holder’s request to modify the post-construction fatality monitoring study methods in the Wildlife Monitoring and Mitigation Plan (WMMP). Council may approve, modify or reject the WMMP amendment request.
- G. Shepherds Flat Central – Council Review of Request for Amendment 4 to Transfer Certificate Holder Ownership**
- 1. Transfer Hearing (Hearing):** Chair Grail, acting as Hearing Officer. The Council will conduct a hearing on the request to transfer ownership of the Shepherds Flat Central site certificate holder, South Hurlburt Wind, LLC, from Caithness Energy, LLC to BEP SF Holdings, LLC. Shepherds Flat South is an operational 290 MW wind power generation facility. The purpose of the transfer hearing is to provide the public an opportunity to provide oral comments on the transfer request and applicable Council standards (Organizational Expertise and Retirement and Financial Assurance) to Council.
  - 2. Council Review and Decision on Request to Transfer Certificate Holder Ownership (Action Item):** Sarah Esterson, Senior Policy Advisor. Council will receive a presentation from staff on the transfer request, comments received on the record of the transfer request, and will take action to approve or deny the transfer request. If approved, Council will issue a third amended site certificate to reflect the new certificate holder owner.
- 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, which includes the

Boardman to Hemingway Transmission Line Proposed Order and the Obsidian Solar Center Proposed Order, both of which are in the contested case process.

- I. **Legislative Updates (Information Item)** – Todd Cornett, Council Secretary & Christy Splitt, Government Relations Coordinator. The Council will receive an update on the legislative session and bills related to ODOE, EFSC, and state-level energy policy.
- J. **Council Member Appointment (Information Item)** – Patrick Rowe, Senior Assistant Attorney General. The Council will receive a presentation pertaining to the Council term limits.

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**WebEx Resources:**

[WebEx Meeting Instructions](#)

[WebEx How to Raise Your Hand](#)

ODOE strongly recommends joining the WebEx 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 WebEx tool to “raise your hand” to share public comments.

Or join WebEx meeting by phone. Phone participants will be in listen-only mode, but to notify the host you wish to make comment press \*3 to raise your hand. Council will offer an opportunity for phone participants to provide comments:

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**Adjourn approximately 2:15 p.m.**

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

- **April 22-23, 2021**
- **May 20-21, 2021**

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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 Wally Adams at 971-273-9778; Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.