

**BEFORE THE
ENERGY FACILITY SITING COUNCIL OF THE
STATE OF OREGON**

EMERGENCY ORDER APPROVING USE OF CONSULTANT

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This Emergency Order Approving Use of Consultants provides the Energy Facility Siting Council (Council) Chair’s authorization for the Department to utilize consultant support for the Application for Site Certificate (ASC) Exhibit S (Historic, Cultural and Archaeological Resources standard) for the Nolin Hills Wind Project. This order is intended to be consistent with the Council’s Order Approving Use of Consultants, approved on December 18, 2020. The Nolin Hills Wind Project was inadvertently omitted from the list of projects included in the December 18, 2020 order, where consultant support on Exhibit S materials for other projects currently under review was granted.

OAR 345-011-0010(3) states:

The chair may take action on behalf of the Council in emergencies that arise between meetings, subject to ratification by the Council. When practicable, the chair shall advise all members by telephone of any action proposed to be taken in an emergency.

The Department has identified an immediate need for consultant support for the Nolin Hills Wind Project ASC Exhibit S where a delay in consultant support until the next scheduled Council meeting on April 23-23, 2021 would result in significant schedule impacts, given contracting timing requirements and consultant availability.

Pursuant to Oregon Revised Statute (ORS) 469.470(6), the Council is authorized to appoint and utilize technical consultants in support of its review of Applications for Site Certificate (ASC) and Requests for Amendment of Site Certificates (RFA).

Consistent with the Council’s order Approving Use of Consultants issued December 18, 2020, the Chair finds that Hart Crowser is a professional services company with an office in Oregon, which has a team of professionals providing specialized technical consulting services, including expertise related to the Council’s Historic, Cultural and Archaeological Resources standard (OAR 345-022-0090) (Exhibit S).

The Chair hereby delegates to the Department the authority to contract with Hart Crowser to provide technical expertise and review of application, amendment and

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compliance materials related to the EFSC Historic, Cultural and Archaeological Resources standard for Nolin Hills Wind Project and authorizes compensation under a contract with Hart Crowser that specifically identifies the scope of the work to be performed. In all circumstances, the Department shall maintain responsibility for the use of all consultant work products, as well as all final recommendations to Council. Council shall retain all responsibility and authority for all final decisions and final orders.



Marcia L. Grail (Mar 5, 2021 09:07 PST)
Marcia L. Grail, Chair
Oregon Energy Facility Siting Council

Mar 5, 2021

DATE






Mar 2021 Nolin Hills Consultant Emergency Order

Final Audit Report

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