



ENERGY FACILITY SITING COUNCIL

Energy Facility Siting Council Meeting Notice and Agenda

January 19-20, 2023

Hotel Condon
Conference Room
202 S Main St.
Condon, OR 97823

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.

Thursday, January 19, 2022 at 5:30 p.m.

WebEx Webinar Information:

<https://odoe.webex.com/odoe/j.php?MTID=m0dc3a039e4928ecc4c3c2d1bc3c767d0>

Access Code: 2336 649 4486 Meeting password: EFSC

Teleconference #: 408-418-9388

Roll Call and Opening Remarks

- A. **Consent Calendar (Action Item & Information Item)** – Approval of the December 16, 2022 meeting minutes; Council Secretary Report; and other routine Council business.

- B. **[5:30 p.m.] Oregon Trail Solar Facility, Public Hearing on Draft Proposed Order on Request for Amendment 1 (Hearing)** – A request to extend the beginning and completion construction dates by three years each and amend a cultural-resource construction monitoring condition for an approved, but not yet constructed, energy facility to include any combination of wind and solar energy generation components not to exceed 41 megawatts (MW), including up to 16 wind turbines within an approximately 12,638 acre micrositing area or up to 400 acres of solar photovoltaic components within an approximately 1,228 micrositing area. Facility components would be located within an approved 13,866 acre site boundary. The certificate holder is Oregon Trail Solar, LLC, a wholly owned subsidiary of Avangrid Renewables, LLC, the U.S. division of parent company Iberdrola, S.A.
 - 1. **Proposed Facility Overview:** Kathleen Sloan, Senior Siting Analyst, will provide an overview of the siting process, proposed facility components and location.
 - 2. **Public Hearing Overview:** Chair Marcy Grail, acting as the Presiding Officer will explain the legal requirements for providing comments on the record and will facilitate the hearing.

3. Public Hearing: Interested individuals will have an opportunity to provide oral testimony on Request for Amendment 1 and Draft Proposed Order. Written comments may also be submitted to the Department through the close of the public hearing.

Anticipated Recess at 7:00 p.m.

Friday, January 20, 2023 at 10:30 a.m.

WebEx Webinar Information:

<https://odoe.webex.com/odoe/j.php?MTID=m8e70dea74a7dff4bd2c7677771a5c35>

Access Code: 2346 811 4354

Meeting password: j3MxHmka5i4 (53694652 from phone)

Teleconference #: 408-418-9388

Roll Call and Opening Remarks

- C. **Nolin Hills Contested Case Hearing Officer Replacement (Action Item)** – Sarah Esterson, Senior Policy Advisor. The Council will consider replacing Kate Triana, Senior Administrative Law Judge with the Oregon Office of Administrative Hearings with Allison Greene Webster, Senior Administrative Law Judge with the Oregon Office of Administrative Hearings due to scheduling conflicts.
- D. **Council Appointment to The Climate Trust’s Oregon Offset Committee (Action Item)** – Todd Cornett, Siting Division Administrator/Council Secretary. The Council will consider appointing a new member to the Oregon Offset Committee, consistent with the requirements of ORS 469.503(2)(e)N(iii).
- E. **Public Comment Period (Information Item)** – This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment. Applications for Site Certificates which are closed for comment include the West End Solar Project and the Nolin Hills Wind Power Project.
- F. **Annual Financial Assurance Update (Action Item)** – Sisily Fleming, Fiscal Analyst. Council’s Retirement and Financial Assurance standard (OAR 345-022-0050) requires that certificate holder’s obtain a bond or letter of credit in a form and amount deemed satisfactory to Council. Council will receive a presentation on “form” options, including updates to the financial instrument templates and financial institutions staff recommends be considered satisfactory, proposed for the Council’s 2023 pre-approved template and financial institution list.
- G. **Alto Columbia, LLCs Request to Amend Port of Morrow Agreement to reflect Certificate Holder Name Change (Action Item)** – Sarah Esterson, Senior Policy Advisor will provide a presentation on Columbia Ethanol Project’s request for Council approval to amend an agreement with Port of Morrow (required by Site Certificate Condition IV.C.13) to reflect within the agreement the certificate holder name change. The name change (from Pacific Ethanol Columbia, LLC to Alto Columbia, LLC) occurred in 2021 following an ownership restructure.

H. Oregon Trail Solar Facility - Council Review of Draft Proposed Order on Request for Amendment 1 (Information Item) – Kathleen Sloan, Senior Siting Analyst, will provide a presentation of the Draft Proposed Order on Request for Amendment 1 of the Site Certificate. The presentation will include an overview of changes proposed in the amendment request, changes in fact or law from Council’s prior order approving the site certificate, and issues raised in comments received on the record of the Draft Proposed Order for Council review. Council will have the opportunity to provide comments to the Department for consideration in the Proposed Order.

Anticipated Adjournment at 1:30 p.m.

Anticipated Future Energy Facility Siting Council Meetings:

- **February 23-24, 2023**
 - **March 23-24, 2023**
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Webex Webinar Additional Information

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 provide comments during Agenda Items B & E.

Phone participants will be in listen-only mode, but to notify the host that you wish to make a comment press *3 to raise your hand. Council will offer an opportunity for phone participants to provide comments during Agenda Items B & E.

[WebEx Meeting Instructions](#)
[WebEx How to Raise Your Hand](#)

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

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

Phone: 503-378-8328

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

Salem, OR 97301-3737

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 Nancy Hatch at 503-378-3895 (office) or 503-428-7905 (mobile); Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.