



ENERGY FACILITY SITING COUNCIL

■ Kent Howe, Chair ■ Cindy Condon, Vice-Chair ■ Marcy Grail ■ Ann Beier ■ Richard Devlin ■ Patricia Perry

Energy Facility Siting Council Meeting Notice and Agenda

Friday December 19, 2025 8:30 AM

**Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301**

WebEx Webinar Information:

<https://tinyurl.com/475ux426>

Or join WebEx meeting by phone: 650-479-3208 Access Code: 2661 144 8520 Meeting password: EFSC

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.

Roll Call and Opening Remarks

- A. Consent Calendar (Action Item & Information Item)** – Approval of November 21, 2025 minutes; Council Secretary Report; and other routine Council business.
- B. Annual Rulemaking Schedule (Action Item)**
 - 1. Thomas Jackman, Siting Policy Analyst and Rules Coordinator will present the proposed 2026 Rulemaking Schedule, which will include the following for each proposed rulemaking: a summary; recommendations for how to obtain public input; and a draft schedule.
 - 2. The Council will allow members of the public an opportunity to provide oral comments related to rulemaking priorities for 2026. The duration of time for individual commenters is limited to 7 minutes.
 - 3. The Council will provide direction to the Department of its rulemaking priorities for 2026.
- C. Modernization Rulemaking Consideration of Rules (Action Item)** – Tom Jackman, Siting Policy Analyst & Rules Coordinator will present a response to comments received on this rulemaking and an opportunity to adopt permanent rules or issue a new notice with updated rule language.
- D. 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. Items closed for comment include: Yellow Rosebush Energy Center Application for Site Certificate and Draft Proposed Order.

Per OAR 345-011-0020 the Chair establishes the duration of the time for individual commenters at 7 minutes, but may lengthen or shorten that timeframe as the length of the meeting and timing and duration of other Council business dictate.

- E. Annual Financial Assurance Evaluation (Action Item)** – Sisily Fleming, Fiscal Analyst, will present Council’s annual review of financial assurance providers and the bond and letter of credit templates for certificate holders’ use in meeting the Council’s Retirement and Financial Assurance standard in 2026.
- F. Habitat Mitigation Banking (Information Item)** – Greg Jackle, ODFW’s Sage Grouse Mitigation Coordinator and Nathan Ayers, Terra West Consulting. ODFW will provide an update on their review of Mitigation Banks, Habitat Management Plans and Credit Validation. Terra West Consulting, an approved mitigation bank, will provide an update on their experience developing and implementing habitat management plans, obtaining ODFW approval of mitigation credits and how applicants and certificate holder can learn more about mitigation banking as a mitigation option.
- G. Exemption Rulemaking – Notice of Proposed Rulemaking (Action Item)** – Tom Jackman, Siting Policy Analyst & Rules Coordinator. Council will consider staff’s recommendation to initiate the Exemption Rulemaking.
- H. Election of officers (Action Item)** – Todd Cornett, Assistant Director for Siting/Council Secretary Consistent with OAR 345-011-0010(1), Council will complete its obligation to annually elect a Chair and a Vice Chair.

Anticipated Adjournment at 12:55 p.m.

Anticipated Future Energy Facility Siting Council Meetings:

- January 15-16, 2026
- February 12-13, 2026

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 Item D.

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 C and D.

[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

Salem, OR 97301-3737

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

Phone: 503-378-8328

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

<http://egov.oregon.gov/ENERGY/SITING/index.shtml>

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.

Parking Information

There are limited numbers of metered visitor parking spaces at the ODOE parking lot. The link below will take you to a map of the location of the ODOE office and details on parking.

https://www.oregon.gov/energy/Get-Involved/Documents/ODOE_Parking.pdf