



Oregon

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To: Energy Facility Siting Council

From: Christopher M. Clark, Senior Siting Analyst

Date: December 31, 2025

Subject: Agenda Item F (Public Hearing – 6:00 PM): Biglow Canyon Wind Farm, Request for Amendment 4 – Public Hearing on Proposed Order for the January 15, 2026, EFSC Meeting

Attachments: Attachment 1: Proposed Order
Attachment 2: Comments

SUMMARY

On December 16, 2025, the Oregon Department of Energy (Department) issued a Proposed Order on Request for Amendment 4 of the Site Certificate for the Biglow Canyon Wind Farm (RFA4). The Proposed Order recommends the facility, with the changes proposed in RFA4 complies with all required standards and should be approved by the Energy Facility Siting Council (Council), subject to new and recommended amended site certificate conditions.

On the same date, the Department issued a Public Notice of the Proposed Order and Complete Request for Amendment as required by OAR 345-027-0365 and -0367. The Public Notice of the Proposed Order initiates a public comment period on RFA4 and the Proposed Order and establishes an opportunity to provide written and verbal comments at the public hearing at the Council meeting at 6:00 pm on January 15, 2026. Written comments may also be submitted to the Department through the close of the public comment period, January 30, 2026, at 5:00 p.m.

APPROVED FACILITY

The Biglow Canyon Wind Farm (facility) is an operational 450-megawatt (MW) wind power generation facility, consisting of 217 wind turbines and related and supporting facilities located within a 25,000-acre (39 sq. mile) site boundary in Sherman County. The site is located approximately 2 miles northeast of the City of Wasco.

PROPOSED FACILITY MODIFICATIONS

In RFA4, Portland General Electric Company (certificate holder), seeks Council approval to construct and operate:

- A 125 MW solar photovoltaic power generation facility occupying up to 1,445 acres (2.25 sq. miles)
- A 500 megawatt-hour Battery Energy Storage System

- Related or supporting facilities including:
 - 34.5 kV electrical collection system
 - Collector substation
 - 600-foot 230-kV transmission line
 - Operations and Maintenance Building
 - 10.5 miles of access roads
 - Perimeter fencing, gates, etc.

All facility components would be located within a 1,924-acre (3 sq. mile) Solar Micrositing Area located within the approved site boundary. The proposed Solar Micrositing Area is located approximately 4.8 miles northeast of the City of Wasco.

PROCEDURAL HISTORY

April 17, 2024: Certificate holder met with the Department for a pre-amendment conference; requested to use the proposed Solar Micrositing Area boundary as the basis for the study area boundaries and property owner lists for the proposed amendment.

April 21, 2025: Certificate holder submitted preliminary Request for Amendment 4.

April 29, 2025: Department issued Public Notice that pRFA4 had been received as required by OAR 345-027-0360(2).

April 30, 2025: Department requested comments from Reviewing Agencies, tribes identified by the Legislative Commission on Indian Services as potentially affected by the construction and operation of the facility components proposed in RFA4, and the Sherman County Court, as the Special Advisory Group for the facility appointed under ORS 469.480.

June 10, 2025: Department notified the certificate holder that pRFA4 was incomplete and issued requests for additional information (RAIs) needed to recommend findings and condition on applicable standards to the Council.

July 18, August 22, and September 19, 2025: Certificate Holder provided RAI responses.

November 7, 2025: Department informed the certificate holder that it had completed its review of the RAI responses and provided additional feedback.

November 22, 2025: Certificate holder provided a revised version of pRFA4 which, in addition to incorporating responses to the initial RAIs, removed facility components in a “Southern Solar Area” and a proposed 230-kV overhead transmission line from the proposal.

December 5, 2025: Department notified certificate holder that revised pRFA4, along with the RAI responses, was determined to be complete.

December 10, 2025: Certificate holder filed a complete RFA4.

December 16, 2025: Department issued Proposed Order and Public Notice of the Proposed Order and Complete Request for Amendment.

SCOPE OF COUNCIL REVIEW

Under OAR 345-027-0375(2)(a), to issue an amended site certificate the Council must determine that the preponderance of evidence on the record supports the conclusion that the facility, as amended, complies with all applicable laws and Council standards. Because the construction and operation of the new solar photovoltaic power generation facility and other related or supporting facilities would potentially impact all resources protected by Council standards, and because the certificate holder proposes to rely on the technical expertise of a third-party to construct and operate the facility components proposed in RFA4, the Department recommends the Council find that all laws and Council standards applicable to an original site certificate application are applicable to the review of the facility components proposed in RFA4. This includes all of the Council's general standards in OAR chapter 345, division 22, and for the proposed 600-foot 230-kV transmission line segment, Siting Standards for Transmission Lines under OAR 345-024-0090. Because there are no proposed changes to the existing Wind Power Generation Facility, the specific siting standards for wind facilities in OAR chapter 345, division 24 are not applicable to this review.

DEPARTMENT EVALUATION OF RFA4 AND SUMMARY OF PROPOSED ORDER

In the Proposed Order, the Department recommends that the facility, with the changes proposed in RFA4, complies with all required standards and should be approved by the Council, subject to new and recommended amended site certificate conditions, including but not limited to the select conditions discussed below.

The Proposed Order recommends the Council find that existing conditions of approval, or new or amended conditions that are generally consistent with recent orders, are adequate to ensure the facility, with the proposed changes, continues to comply with the following standards:

- Protected Areas: OAR 345-022-0040 (Section III.F., pages 147 - 157)
- Threatened and Endangered Species: OAR 345-022-0070 (Section III.I., pages 186 - 189)
- Scenic Resources: OAR 345-022-0080 (Section III.J., pages 189 - 196)
- Recreation: OAR 345-022-0100 (Section III.L., pages 203 - 208)
- Waste Minimization: OAR 345-022-0120 (Section III.O., pages 235 - 240)
- Siting Standards For Transmission Lines: OAR 345-024-0090 (Section III.P., pages 240 - 245)
- Noise Control Regulations: OAR 340-035-0035 (Section IV.A., pages 245 - 254)
- Water Rights (Section IV.C., pages 257 - 260)

GENERAL STANDARD OF REVIEW: OAR 345-022-0000 (Section III.A., pages 23 - 33)

The Department recommends the Council find that subject to compliance with existing and recommended new and amended conditions of approval, the preponderance of the evidence on the record supports the conclusion that the facility, with the changes proposed in RFA4, complies with the Council's General Standard of Review, Specific Standards for Transmission Lines, and the requirements of ORS chapter 469 and OAR chapter 345. Many existing mandatory conditions are maintained or maintained with administrative changes to reflect

current rule language and applicability to the proposed or existing facility.

Recommended General Standard Conditions 1 and 2: Consistent with the mandatory condition required under OAR 345-025-0006(4) and the requirements of HB 3681 (2025) the Department recommends the Council adopt conditions requiring the certificate holder to begin construction of the proposed solar facility within 6 years after the date the site certificate is issued and complete construction within three years after the date construction begins.

ORGANIZATIONAL EXPERTISE: OAR 345-022-0010 (Section III.B., pages 33 - 46)

As proposed in RFA4, the certificate holder would construct and operate the solar components in partnership with a participating entity, BIGL bn, LLC (BIGL) under a Build Transfer Agreement. BIGL is a project-specific LLC and relies upon the organizational expertise and experience of its parent company, BrightNight, LLC. BrightNight, LLC is based in Florida and has designed and constructed over 6 gigawatts (GWs) of solar and storage projects across the United States. The amendment request did not include any other information or evidence regarding BrightNight, LLCs experience or access to technical and financial resources necessary to design, construct and operate facility components proposed in RFA4 or in their technical ability and experience in selecting and managing qualified vendors and contractors. However, both PGE and BrightNight, LLC commit to having stringent contracting standards to ensure that selected contractors and vendors can adequately support the construction and operation of the facility components proposed in RFA4.

Recommended Amended Condition 1 (page 35): BIGL will be responsible for the selection and management of external vendors, including architects, engineers, major component suppliers, and prime contractors for design, construction and operation of the facility components proposed in RFA4. PGE would own, possess and control the facility components proposed in RFA4 and will remain the sole certificate holder. The Council previously imposed Site Certificate Condition 1 which required that the selection of construction contractors and vendors for the construction of the existing wind facility was based on demonstrated qualifications and experience. Given that the certificate holder proposes BIGL as a participating entity to oversee vendors and contractors during construction, the Department recommends that the Council amend Condition 1 to require the certificate holder to provide notice of the identity and qualifications of all primary contractors and vendors involved in the construction of the solar facility, as well as the individuals at BIGL that will manage and oversee the selected vendors and contractors.

Recommended Amended Condition 2 (page 36): The Council previously imposed Site Certificate Condition 2, which required the certificate holder to contractually require all construction contractors and subcontractors for the construction of the existing facility to comply with all applicable laws and regulations and with the terms and conditions of the site certificate. The Department recommends the Council amend this condition to make it clear that this requirement will also extend to the contractual relationship between PGE and BIGL during operation of the proposed facility components.

Recommended Organizational Expertise Conditions 1 and 2 (pages 36-40): Similar to the approach for construction, certificate holder proposes to rely on the participating entity, BIGL,

for operations and maintenance of the facility components proposed in RFA4, for a minimum of the 5 years. This includes relying on the participating entity for the selection of vendors and contractors, the management of those vendors and contractors, and operations and maintenance. The certificate holder represents that it will implement a procurement process for O&M vendors and contractors that prioritizes technical qualifications, safety performance, environmental compliance and relevant experience in utility-scale solar and battery storage facilities and will require all adherence to industry best practices through a draft framework O&M Plan provided as Attachment 5 to RFA4. The Department proposes additional requirements in the framework plan to ensure that actions required for plan finalization and plan implementation are clear, as presented in Attachment C of this Order. Recommended Organizational Expertise Conditions 1 and 2 would require finalization and implementation of the plan, prior to and during operations, respectively.

Recommended Organizational Expertise Condition 3 (page 43-44): The Department recommends the Council adopt a new Condition to incorporate Construction progress reporting requirements established in OAR 345-026-0080(1) but increasing the frequency of reporting from semi-annual to every three months to allow the Department to track more closely the ability of the participating entity to adequately manage site certificate compliance during construction.

STRUCTURAL STANDARD: OAR 345-022-0020 (Section III.C., pages 46 - 60)

Potential seismic hazards in the Solar Micrositing Area are generally moderate to low. Non-seismic geologic hazards include landslides, collapsing soils, and erosion. In particular, some areas of high susceptibility for landslides are present along the drainages/canyons along the eastern and northwestern boundaries of the Solar Micrositing Area. Some of these areas are also designated as Hazard Areas under Sherman County's Natural Hazard Overlay Zone.

Recommended Amended Condition 68 (pages 59-60): Considering severe landslide hazard rating, the restrictions of the County's Natural Hazards Overlay Zone, and the potential for harm to waterways and habitat that could result from severe erosion or landslide issues in Biglow Canyon and its tributaries, as well as the certificate holder's representations that hazard areas can be avoided, the Department recommends the Council amend the condition to prohibit development within areas of the proposed Solar Micrositing Area with slopes greater than 20 percent.

SOIL PROTECTION: OAR 345-022-0022 (Section III.D., pages 60 - 77)

The majority of the proposed Solar Micrositing Area is comprised of silt loams soils. These soils are productive agricultural soils, and most areas within the proposed Solar Micrositing Area are currently used for dryland wheat cultivation and 25 acres for irrigated row crops.

Approximately 40.4 percent of the site is comprised of Class II high-value farmland soils. Other silt loam soils at the site with slopes less than 15 percent are considered Class III soils under the NRCS classification system. Smaller areas where agriculture is not feasible due to the presence of steep slopes, drainages, shallow soils or other factors are not cultivated. Some sections of the analysis area are planted into a grassland mix.

Recommended Soil Protection Conditions 1 to 4 (pages 67-72): The Council previously imposed several conditions to address the potential for erosion and other soil impacts at the site during the construction and operation of the wind facility. The certificate holder incorporated all best management practices (BMPs) required by conditions related to revegetation, soil management, dust control, stormwater management, and noxious weed control into a draft Comprehensive Solar Revegetation and Soil Management Plan (Exhibit I, Attachment I-2.) A draft plan with additional revisions recommended by the Department is included as Attachment D to the Proposed Order. Recommended Conditions 1 to 3 would require the certificate holder to finalize and comply with the plan during construction and operation of the proposed solar facility.

Recommended Soil Protection Conditions 4 to 8 (pages 72-77): To mitigate the risk of potential spills and soil contamination, Recommended Soil Protection Conditions 4 to 7 would require the certificate holder to provide and implement Spill Prevention, Control and Countermeasures (SPCC) Plans during construction and operation of the facility. Recommended Soil Protection Condition 8 would prohibit reportable quantities of hazardous materials not covered by the SPCC Plans from being stored at the site.

LAND USE: OAR 345-022-0030 (Section III.E., pages 77 - 147)

The proposed Solar Micrositing Area is in Sherman County and is located entirely within the County's Exclusive Farm Use (F-1) Zone. Portions of the Solar Micrositing Area are also located within the County's Natural Hazards (NH) combining zone.

Recommended Land Use Condition 1 (page 90-92): Recommended Land Use Condition 1 would require all above ground facility components to be set back at least 50 feet from all property lines to maintain compliance with the requirements of Sherman County Zoning Ordinance (SCZO) Section 3.1.4, and also to establish an additional buffer between the property line of a non-participating landowner to the outer perimeter fence of a solar array for fire protection.

Recommended Land Use Condition 2 (page 92-96): Recommended Land Use Condition 2 would require all components of the solar facility, including perimeter fences, to be setback at least 30 feet from a significant aggregate site protected under Statewide Planning Goal 5 and SCZO Section 3.6.

Recommended Land Use Condition 4 (page 107-108): Recommended Land Use Condition 4 would require proposed facility components to be designed in a manner that minimizes visual impacts, in compliance with the requirements of SCZO 5.8.14.(c).

Goal Exception and Recommended Land Use Condition 6 (pages 127-147): In RFA4, the certificate holder requests an Exception to Statewide Planning Goal 3 for the Solar Micrositing Area based on the following reasons:

1. Locational Dependence: The facility components proposed in RFA4 are locationally dependent on an existing substation with available interconnection capacity, are sited in proximity to major transportation corridors, and are co-located with the existing wind facility and other energy infrastructure.

2. Economic Benefits: The facility components proposed in RFA4 provide local rural economic development benefits through the creation of jobs, the generation of tax revenues, lease payments, and the creation of a Community Investment Plan.
3. Minimal Impacts to Other resources: The facility components proposed in RFA4 avoid and minimize impacts on other resources protected by Council Standards.
4. Consistency with State Climate Goals and Policies: The facility components proposed in RFA4 are consistent with Oregon's Policies and Goals Requiring the State to Address the Climate Crisis.

The Department recommends the Council find that the certificate holder has provided sufficient evidence to demonstrate that the facility components proposed in RFA4 are locationally dependent on nearby major transmission infrastructure and transportation corridors and that a proposed Community Investment Plan is adequate to demonstrate the creation of rural economic development benefits. The Department recommends the Council reject the minimal impacts to other resources and consistency with state climate goals and policies reasons.

The Class II soils at the site represent some of the most productive soils in the state, and while the underlying tract is not predominantly made up of those soils, up to 777 acres of high-value farmland soils and 311 acres of irrigated land would still be removed from agricultural production during construction and operation of the proposed solar facility. The Department recommends this level of impact represents more than a minimal loss of productive resource lands; however, it is still within the Council's discretion to grant an exception to Statewide Planning Goal 3 if it finds the reasons above provide sufficient justification, and the Department recommends the Council find that they do. In particular, the Department recommends the Council find that the availability of surplus capacity for interconnection at a location within the proposed Solar Micrositing Area is a unique reason, and represents a strong locational attractor given the limited availability of new interconnection in the state. While the proposal to provide compensatory mitigation to generate local economic benefits does not present a reason that is unique to the site itself, the Department recommends the Council find the proposed Community Investment Plan was prepared using reasonable methods and the proposed mitigation reasonably addresses the indirect impacts of converting agricultural lands in the proposed Solar Micrositing Area to nonfarm use. Recommended Land Use Condition 6 would require the certificate holder to finalize and implement the plan and demonstrate evidence that it has contributed at least \$1,600 per acre of cultivated land that will be occupied by facility components to a Community Investment Fund created and governed in accordance with the plan.

RETIREMENT AND FINANCIAL ASSURANCE: OAR 345-022-0050 (Section III.G., pages 157 - 168)

Recommended Retirement and Financial Assurance Conditions 1 to 3 (pages 163 -167): The certificate holder estimates that it would cost approximately \$14.24 million (Q4 2024 dollars) to retire the facility components proposed in RFA4 and restore the proposed Solar Micrositing Area. The Department recommends the Council find that the certificate holder used reasonable methods and assumptions to estimate the retirement costs.

Recommended Retirement and Financial Assurance Conditions 1 to 3 (pages 163 -167): The Council previously imposed Site Certificate Condition 108, requiring the certificate holder to provide and maintain a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition in accordance with the mandatory conditions currently found in OAR 345-025-0006. The Department recommends the Council maintain this condition, with changes to make it clear that the conditions applies to all phases of the facility, including the solar facility. The Council also imposed Site Certificate Conditions 8, 9 and 10 specifying the form and amount of assurance needed for the wind energy facility. The Department recommends the Council delete Condition 8, make administrative edits to Condition 9 to remove outdated information, and amend Condition 10 to make it clear that it applies to all phases of the facility, and adopt Recommended Retirement and Financial Assurance Conditions 1 to 3, which would require the certificate holder to provide and maintain for the life of the proposed facility components, a bond or letter or credit in this amount, as adjusted for inflation and based on the final design of the facility.

FISH AND WILDLIFE HABITAT: OAR 345-022-0060 (Section III.H., pages 168 - 186)

Approximately 21 acres of Category 2 sagebrush shrub-steppe habitat, and 3.0 acres of Category 4 grassland steppe habitat would be permanently impacted by operation of the solar facility. Approximately 0.3 acres of Category 2 Sagebrush Shrub-Steppe would be temporarily impacted. All other anticipated impacts would be to Category 6 agricultural or developed lands.

Recommended Fish and Wildlife Habitat Conditions 1 and 2 (pages 174-176): Recommended Fish and Wildlife Habitat Conditions 1 and 2 would require the certificate holder to finalize and implement the draft Habitat Mitigation Plan included as RFA4, Attachment F, and provide in-kind, in-proximity mitigation for habitat impacts at a 78-acre Habitat Mitigation Area (HMA), adjacent to the Carty Generating Facility in Morrow County.

Recommended Fish and Wildlife Habitat Conditions 3 (pages 181-183): Recommended Fish and Wildlife Habitat Condition 3 would impose seasonal restrictions on construction work near active nest sites in accordance with recommendations from ODFW.

HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES: OAR 345-022-0090 (Section III.K., pages 196 - 203)

The certificate holder contracted with GeoVisions to survey the analysis area in 2024. The survey included a desktop review of records from previous surveys and pedestrian surveys of the proposed solar micrositing area. Five archaeological sites and six isolates within the proposed Solar Micrositing Area were identified during the surveys. Four of the archaeological sites and one archaeological isolate are designated as unevaluated for NRHP eligibility. Unevaluated resources must generally be treated as likely to be eligible for listing until they are demonstrated to be ineligible by further testing or study. GeoVisions recommended the remaining resources are likely not eligible for listing on the NRHP. On June 10, 2025, Oregon SHPO provided a letter concurring with these recommendations.

Recommended Historic, Cultural Archaeological Resources Conditions 1 to 5 (pages 201 – 203): Recommended Historic, Cultural, and Archaeological Conditions 1 and 2 would require the certificate holder to either avoid ground disturbing activities within a 20-meter avoidance

buffer of all unevaluated resources, or submit a Cultural Resources Monitoring Program for approval. Recommended Historic, Cultural, and Archaeological Conditions 3 to 5 would require the certificate holder to implement and update PGE's Inadvertent Discover Plan during construction and operation of the facility.

PUBLIC SERVICES: OAR 345-022-0110 (Section III.M., pages 208 - 223)

The certificate holder estimates that construction of the proposed solar components would last approximately 17 to 19 months and that there would be an average of 165 workers on-site each day during construction, with up to 350 workers on site during peak construction periods. Up to three new permanent employees would be needed for operations and maintenance activities.

Recommended Amended Condition 74 and 76 (page 210-211): Under average conditions, the certificate holder estimates up to 26 million gallons of water will be needed for construction. Construction-water will likely be obtained from a municipal source, such as City of Wasco, which affirmed capacity to meet the forecasted construction water demand. Recommended Amended Condition 74 would require the certificate holder to provide evidence demonstrating that adequate water supply to meet facility demand during construction and operation has been secured and that water for all construction activities will be legally obtained by service providers or third-party permits.

Recommended Public Services Condition 1 and 2 (pages 212-214): The Department recommends the Council impose Recommended Public Services Condition 1 and 2 requiring that the certificate holder develop and implement a construction worker housing plan to provide strategies to minimize impacts to the local housing supply based on an ongoing evaluation of patterns of uses and potential shortages or changes in housing demand.

Recommended Amended Condition 77 and 78 (pages 215-218): The Council previously imposed Conditions 77, 78 and 79 to mitigate the traffic related impacts from the construction of the existing wind facility. Condition 77 and 78 required the certificate holder to monitor impacts on roads during construction and to restore the roads to at least their pre-construction condition following the completion of construction. Condition 79 required the certificate holder to implement specific measures to reduce traffic delays on county roads serving as transportation routes for delivery of equipment to the site during construction of the wind facility. The Department recommends the Council amend Condition 77 to incorporate the requirements of Condition 79; and amend Condition 78 to require the certificate holder to provide an executed Road Use Agreement between the certificate holder and Sherman County Public Works Department and implement the agreement during construction.

WILDFIRE PREVENTION AND RISK MITIGATION: OAR 345-022-0115 (Section III.N., pages 223 - 235)

The Department recommends Council find that wildfire risk within the proposed Solar Micrositing Area and within the analysis area is high, particularly in the summer months.

Recommended Wildfire Prevention and Risk Mitigation Conditions 1 to 4 (pages 229-234): Recommended Wildfire Prevention and Risk Mitigation Conditions 1 and 2 would require the

certificate holder to develop and implement a Construction Wildfire Mitigation Plan (WMP), consistent with Attachment G to the Final Order on AMD4. Recommended Wildfire Prevention and Risk Mitigation Conditions 3 and 4 would require the certificate holder to develop and implement an Operational WMP. Recommended Wildfire Prevention and Risk Mitigation Condition 3 would allow the certificate holder to rely on a Wildfire Protection Plan approved by the Oregon Public Utility Commission under OAR chapter 860, division 300, or another plan approved by the Department in accordance with the Site Certificate to satisfy the requirement for an Operational WMP.

REMOVAL-FILL (Section IV.B., pages 254 - 257)

Recommended Removal-Fill Condition 1 (page 255): The certificate holder represents that it would maintain a minimum 50-foot avoidance buffer from any disturbance activities to the boundary of the delineated waters of the state. Recommended Removal-Fill Condition 1 would impose this representation as a requirement and would require the certificate holder to ensure that a valid Wetland Delineation Report is in place at the time of construction.

PUBLIC COMMENT PERIOD AND NEXT STEPS

The Department issued a Public Notice of Public Hearing and Request for Comments on the Request for Site Certificate Amendment and Proposed Order on December 16, 2025. The public notice initiated a 45-day public comment period on RFA4 and the Proposed Order, which concludes at 5:00 p.m. (PT) on January 30, 2026.

The public notice also established an opportunity for the public to provide written or verbal comments on RFA4 and the Proposed Order at the Public Hearing to be held at 6:00 p.m. on January 15, 2026, at the Council's meeting in Grass Valley. During the hearing, there will first be a brief overview by the Department on the siting process, the approved facility and requested amendment, followed by an overview of the hearing format and finally an opportunity to provide oral comments on RFA4 and the Proposed Order. The duration of the time for individual commenters to provide oral comments will be 7 minutes, but that may be lengthened or shortened based on the number of people who wish to comment. Written comments reflecting oral comments are encouraged.

All comments received as of the date of this staff report are included in Attachment 2. Any additional comments that received in advance of the hearing will be provided to the Council.

As explained in the Public Notice, commenters contending that the Council should reject the RFA or reject or receive the Department's Proposed Order must raise their issues on the record, with sufficient specificity. To raise an issue on the record, a person must raise the issue in person at the public hearing or in a written comment received by the Department before the comment deadline, 5:00 pm PT on January 30, 2026. To raise an issue with sufficient specificity, in their written and/or oral comments, a person must:

- Identify the recommended findings of fact, conclusions of law or conditions of approval identified in the proposed order to which they object;

- Specify the Council standard or other applicable state and local requirements on which their objection is based; and,
- Present facts or statements supporting their objection.

Individuals who comment during the comment period will have the opportunity to continue in the following process, allowing further review of their issue(s). Following the close of the public comment period, commenters may participate in the following process:

1. Certificate holder must submit written responses to written and verbal comments by February 13, 2026.
2. The Department may submit written responses to written and verbal comments by February 13, 2026.
3. Commenters may submit replies to certificate holder and Department responses by February 27, 2026
4. Certificate holder and Department may submit sur-replies to commenters by March 6, 2026.

If no comments are received during the comment period, the process and deadlines above do not apply.

Following the conclusion of the public hearing process, the Department will issue a draft Final Order, to be reviewed during a future EFSC meeting. EFSC will review the Department's draft Final Order and if comments are received, will review the Department's written analysis of comments, responses, replies and sur-replies, as applicable. EFSC will then issue a Final Order either approving or rejecting RFA4. If approved, the Council will issue an amended Site Certificate.