BEFORE THE
ENERGY FACILITY SITING COUNCIL
OF THE STATE OF OREGON

In the Matter of Request for Amendment 1 to the Perennial Wind Chaser Station Site Certificate

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FINAL ORDER ON REQUEST FOR AMENDMENT 1 TO THE SITE CERTIFICATE

November 22, 2019
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**ACRONYMS AND ABBREVIATIONS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AC</td>
<td>Alternating Current</td>
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<tr>
<td>BMP</td>
<td>Best Management Practice</td>
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<tr>
<td>BPA</td>
<td>Bonneville Power Administration</td>
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<tr>
<td>Council</td>
<td>Oregon Energy Facility Siting Council</td>
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<tr>
<td>dBA</td>
<td>A-weighted decibel</td>
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<tr>
<td>Department</td>
<td>Oregon Department of Energy</td>
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<td>DEQ</td>
<td>Oregon Department of Environmental Quality</td>
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<td>DOGAMI</td>
<td>Oregon Department of Geology and Mineral Industries</td>
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<td>DSL</td>
<td>Oregon Department of State Lands</td>
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<td>EFSC</td>
<td>Oregon Energy Facility Siting Council</td>
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<td>ESCP</td>
<td>Erosion and Sediment Control Plan</td>
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<td>EFU</td>
<td>Exclusive Farm Use</td>
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<td>HMP</td>
<td>Habitat Mitigation Plan</td>
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<tr>
<td>kV</td>
<td>Kilovolts</td>
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<tr>
<td>MW</td>
<td>Megawatt(s)</td>
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<tr>
<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
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<tr>
<td>O&amp;M</td>
<td>Operations and Maintenance Building</td>
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<tr>
<td>OAR</td>
<td>Oregon Administrative Rule</td>
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<tr>
<td>ODFW</td>
<td>Oregon Department of Fish and Wildlife</td>
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<td>ODOE</td>
<td>Oregon Department of Energy</td>
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<tr>
<td>ODOT</td>
<td>Oregon Department of Transportation</td>
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<td>ORBIC</td>
<td>Oregon Biodiversity Information Center</td>
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<tr>
<td>ORS</td>
<td>Oregon Revised Statutes</td>
</tr>
<tr>
<td>RAI</td>
<td>Request for Additional Information</td>
</tr>
<tr>
<td>RFA</td>
<td>Request for Amendment</td>
</tr>
<tr>
<td>ROW</td>
<td>Right-of-Way</td>
</tr>
<tr>
<td>SAG</td>
<td>Special Advisory Group</td>
</tr>
<tr>
<td>USFWS</td>
<td>United States Fish and Wildlife Service</td>
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</table>
I. INTRODUCTION

The Energy Facility Siting Council (Council or EFSC) issues this final order, in accordance with Oregon Revised Statute (ORS) 469.405(1) and Oregon Administrative Rule (OAR) 345-027-0371, based on its review of the Request for Amendment (amendment request or the RFA) to the Perennial Wind Chaser Station site certificate. This order considers oral comments made at the August 22, 2019 public hearing, written comments received before the close of the record of the public hearing, agency consultation, and comments received from the Energy Facility Siting Council (Council or EFSC) following its review of the draft proposed order at the September 27, 2019 Council meeting. The certificate holder is Perennial-WindChaser, LLC (Perennial or certificate holder), which is wholly-owned by Perennial Power Holdings, Inc., a subsidiary of Sumitomo Corporation and Sumitomo Corporation of America.

The certificate holder requests that the Council approve changes to the site certificate to extend the construction commencement and completion deadlines. In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021.1 The RFA requests to extend each of these construction deadlines by two years, for a requested construction commencement date of September 23, 2020 and a requested construction completion date of September 23, 2023.

Based upon review of this amendment request, in conjunction with comments received from members of the public during the draft proposed order comment period and recommendations received from state agencies and tribal and local governments, the Council issues the first amended site certificate for the Perennial Wind Chaser Station, subject to the existing, new, and amended conditions set forth in this final order.

I.A. Name and Address of Certificate Holder

Perennial-WindChaser, LLC
600 Third Avenue, 30F
New York, NY 10016-2001

1 In accordance with OAR 345-027-0385(2), receipt of the amendment request prior to the deadline suspends expiration of the site certificate until Council acts on the request for amendment.
**Parent Company of the Certificate Holder**
Perennial Power Holdings, Inc.
a wholly-owned subsidiary of Sumitomo Corporation and Sumitomo Corporation of America
300 Madison Avenue
New York, NY 10017

**Certificate Holder Contact**
JJ Jamieson, Senior Director, Operations and Development
Perennial Power Holdings, Inc.
24 Waterway Ave, Suite 740
The Woodlands, TX 77380

I.B. Description of the Approved Facility
The Perennial Wind Chaser Station (facility) is an approved but not yet constructed facility that would be located in Umatilla County. The facility would be comprised of up to four General Electric LMS100 (or equivalent) natural gas-fired combustion turbine generators in simple cycle, producing up to 415 megawatts (MW) of electric power. In this type of system, natural gas is combusted in the combustion turbine generator, then expanded to drive the turbine generator, producing electric power. The energy facility or “Station” would include four generating units, each consisting of one General Electric LMS100 combustion turbine, intercooler heat exchanger, electrical generator, selective catalytic reduction unit, catalytic oxidation unit, and stack. The certificate holder

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2 The majority of comments on the record of the draft proposed order public hearing characterize the Perennial Wind Chaser Station as “fracked gas” infrastructure and express concern about the environmental and health impacts of hydraulic fracturing, or “fracking.” The certificate holder does not propose to drill for natural gas. The proposed facility would include a lateral natural gas pipeline that would transport natural gas to the generating station by tapping an existing pipeline owned by Gas Transmission Northwest located approximately 4.63 miles south of the generating station site. Gas Transmission Northwest’s interstate natural gas pipeline system transports natural gas sourced from multiple basins in the United States and Canada. PERAMD1Doc42 About Gas Transmission Northwest LLC_accessed 2019-09-05. The proposed facility does not include drilling for natural gas; furthermore, a natural gas drilling project would not fall within the definition of an “energy facility” under ORS 469.300(11). Therefore, comments regarding the environmental impacts of hydraulic fracturing are outside the scope of the Council’s review.

3 ASC Exhibit B, B-4.
would only burn natural gas, and each generating unit would be connected to a common cooling tower.\(^4\)

OAR 345-001-0010(40) defines a “non-base load power plant” as a “fossil-fueled generating facility that is limited by the site certificate to an average number of hours of operation per year of not more than 6,600 hours. For a non-base load power plant designed to operate at variable load, the facility’s annual hours of operation are determined by dividing the actual annual electric output of the facility in megawatt-hours by the facility’s nominal electric generating capacity in megawatts.”\(^5\) Perennial proposes to operate the Station no more than 4,400 hours per year at full load, with an expected 500 startups and shutdowns each year, for a total of 4,736 hours.\(^6\)

The certificate holder is also authorized to construct and operate the following related or supporting facilities:

**Buildings**

The facility would include a single pre-engineered metal building to serve as a control room and administration building. This building would also house the water treatment equipment.\(^6\) Separate smaller buildings and enclosures would house the chemical feed equipment, turbine control and main power, distribution power, 5-kV distribution panel and gas compressor motor control center, gas compressors, compressor lube oil skid, diesel fuel pump, the continuous emission monitoring shed and the alternative zero liquid discharge system, if this option is selected. The zero liquid discharge system is discussed in further detail below. Table INTRO-1, below, identifies the units of each building component.

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Units</th>
<th>Dimensions (L x W x H) (feet)</th>
<th>Total Area (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration and Water Treatment Building</td>
<td>1</td>
<td>200 x 40 x 20</td>
<td>8,000</td>
</tr>
<tr>
<td>ZLD Building</td>
<td>1</td>
<td>60 x 120 x 45</td>
<td>7,200</td>
</tr>
<tr>
<td>Chemical Feed Skid</td>
<td>2</td>
<td>30 x 40 x 10</td>
<td>2,400</td>
</tr>
</tbody>
</table>

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\(^4\) ASC Exhibit B, B-2.

\(^5\) ASC Exhibit B, B-2. This request for amendment assumes fewer annual hours (3,000 instead of the 4,400 hours assumed in ASC Exhibit Y) of power plant operations for the purposes of calculating excess tons of carbon dioxide expected to result from operation of the facility. RFA Attachment 11. This change is reflected in Section III.P.2, *Standards for Energy Facilities that Emit Carbon Dioxide* of this order.

\(^6\) Total area: 8,000 square feet. ASC Exhibit B, B-6.
### Table INTRO-1: Building Dimensions

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Units</th>
<th>Dimensions (L x W x H) (feet)</th>
<th>Total Area (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turbine Control &amp; Main Power Distribution Center</td>
<td>2</td>
<td>45 x 71 x 10</td>
<td>6,400</td>
</tr>
<tr>
<td>5-KV Distribution Panel &amp; Gas Compressor MCC</td>
<td>3</td>
<td>7.5 x 20 x 8</td>
<td>450</td>
</tr>
<tr>
<td>Gas Compressor</td>
<td>5</td>
<td>8 x 17.5 x 6</td>
<td>700</td>
</tr>
<tr>
<td>Compressor Lube Oil Skid</td>
<td>5</td>
<td>5 x 15 x 5</td>
<td>375</td>
</tr>
<tr>
<td>Diesel Fire Pumps</td>
<td>1</td>
<td>10 x 15 x 5</td>
<td>150</td>
</tr>
<tr>
<td>CEMS</td>
<td>2</td>
<td>10 x 15 x 10</td>
<td>300</td>
</tr>
</tbody>
</table>

**Key:** CEMS = continuous emission monitoring shed; H = height; kV = kilovolt; L = length; MCC = motor control center; W = width; ZLD = zero liquid discharge

**Notes:**
1. Dimensions are approximate (plus or minus 1 foot). Dimensions represent one unit.

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Figure B-3 in the ASC provides location details for each building.

**Fencing and Roads**

The certificate holder would access the Station from Westland Road via Interstate Highway 82 or 84. A paved loop road approximately 24 feet wide and 3,000 feet long would be constructed to serve normal truck and operator vehicle traffic, with connection to Westland Road. An entrance bridge would be constructed to cross the irrigation canal at the entrance to the Station.7

A spur road off the loop road would be constructed to allow for access to structures and equipment. A paved road, 20 feet wide and 232 feet long, would also be constructed through the center of the four combustion turbine generators so that each turbine could be accessed from the paved loop. No temporary access roads would be constructed.8

To service and access the 550-kV step-up substation, the certificate holder would use an existing dirt road, branching off from the road parallel to Brownell Ditch. To utilize this road,

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7 ASC Exhibit B, B-8.
8 ASC Exhibit B, B-8.
the only improvement necessary is the addition of gravel to the road surface.\textsuperscript{9} Table B-2 in the ASC provides a summary of the expected gravel uses, including the dimensions and square yardage.\textsuperscript{10}

A chain-link fence with three strands of barbed wire would surround the Station. The on-site switchyard would be surrounded by its own chain-link fence to separate the high-voltage switchyard from the rest of the Station.\textsuperscript{11} Additionally, the 550-kV step-up substation would be surrounded by a security fence.

\textit{Stormwater Detention Basin}

One stormwater detention basin, approximately 0.9 acres in size, would be located within the 20-acre Station fence. The basin would have a water storage depth of approximately 11 feet and would be sized to contain a 100-year, 24-hour rainfall with 50 percent extra capacity. Stormwater collected in the basin would infiltrate into the ground under the basin through gravity and natural drainage.\textsuperscript{12}

\textit{Natural Gas Pipeline}

A natural gas pipeline lateral would provide fuel for the Station. The lateral, to be owned and operated by Cascade Natural Gas Corporation (CNG), would bring natural gas to the Station from an existing pipeline owned by Gas Transmission Northwest (GTN). The natural gas pipeline lateral would tap the GTN pipeline approximately 4.63 miles south of the Station, at an existing metering station, and would be approximately 12 to 18 inches in diameter. The lateral would be located underground within an already established 50-foot-wide right-of-way (ROW) associated with the Hermiston Generating Plant (HGP) gas pipeline.\textsuperscript{13}

The natural gas pipeline does not qualify as an “energy facility” itself because is it not five miles or more in length as required under ORS 469.300(11)(E)(i); therefore, a corridor selection assessment is not necessary for the natural gas pipeline.

\textit{Transmission Line}

The certificate holder would primarily utilize existing transmission structures to convey electricity from the Station to a 500-kV step-up substation. The existing transmission structures currently support two distinct circuits: 1) the HGP’s 230-kV circuit to the Bonneville Power Administration (BPA) McNary Substation on one side; and 2) Umatilla Electric Cooperative’s

\textsuperscript{9} ASC Exhibit B, B-16.
\textsuperscript{10} ASC Exhibit B, B-8.
\textsuperscript{11} ASC Exhibit B, B-16.
\textsuperscript{12} ASC Exhibit B, B-9.
\textsuperscript{13} ASC Exhibit B, B-14.
Oregon Department of Energy

(UEC) 115-kV line on the other. The certificate holder would replace UEC’s 115-kV line on the existing structures with a new 230-kV single circuit transmission line. The initial tie-in to the existing line would occur at the northwest corner of the Station site. From the northwest corner, the line would cross Westland Road to a new pole on the western side of Westland Road. This pole would connect to the existing structures of the Hermiston to McNary line. As stated in the ASC, the first connecting pole of the existing line may need to be replaced as well. From the onsite switchyard in the southwest corner of the Station site, the certificate holder anticipates that the installation of four new towers or poles would be required to reach the Station’s northwestern corner boundary. If the first existing pole must be replaced, a total of six new poles would be required for the facility. If the existing pole does not need to be replaced, a total of five new poles would be required.14

Umatilla Electric Cooperative has existing ROWs for the western side of Westland Road. If two new poles are required on the west side of Westland Road (i.e., if the first existing pole requires replacement), the certificate holder estimates that about 0.46 acres of land would be temporarily disturbed during this installation. A new ROW is also expected to be necessary across Westland Road to connect the new transmission line from the northwest corner of the Station to the first new pole that would be constructed on the west side of Westland Road. The first new connecting pole would be 215 feet from the boundary at the northwest corner of the Station. The new ROW would, therefore, be 215 feet long and 100 feet wide. However, any ground disturbance associated with the installation of the new pole and potential replacement pole would occur within the boundary of the Station site or in the existing UEC ROW. Any disturbances associated with the four new poles that would be located within the Station site are considered permanent impacts and considered in the disturbance areas for the site as a whole (see ASC Exhibit C, Table C-1).15

From the tie-in, the new 230-kV line would extend approximately 11.59 miles, using the existing infrastructure, before terminating at the 500-kV step-up substation. No new poles would be constructed for this portion of the line. To replace the 115-kV line with the proposed 230-kV line, pulling stations would be required approximately every 3 miles and at turns, pulling and tightening the wires of the transmission lines. The equipment would not extend beyond the boundary of the existing transmission line ROW.16

The transmission line does not qualify as an “energy facility” itself because ORS 469.300(1)(a)(C) excludes from the energy facility definition lines constructed entirely within 500 feet of an

14 ASC Exhibit B, B-15.
15 ASC Exhibit B, B-15.
16 ASC Exhibit B, B-15. The certificate holder proposes to work with the HGP to ensure that there would be no interruptions of service to the plant during reconductoring activities.
existing corridor occupied by a high-voltage transmission line with a capacity of 230-kV or more. The certificate holder would utilize the existing infrastructure, which currently includes a line with a capacity of 230-kV, by upgrading the current 115-kV side of the towers to 230-kV. Therefore, a corridor selection assessment is not necessary for this transmission line.

500-kV Step-Up Substation

In order to tie in to the open bay at the McNary Substation, the voltage of the transmission line must be stepped up from 230-kV to 500-kV. Therefore, the certificate holder would locate a 500-kV step-up substation south of the BPA McNary Substation. The 500-kV transformer yard would be open-air, of alternating current, and constructed on a leveled and graveded area approximately 3 acres in size and surrounded by a security fence.

Additionally, an underground cable would be required to connect the 500-kV step-up substation to the McNary Substation tie-in location. The underground cable would be 477 feet long and installed in a concrete-encased duct bank approximately 2 feet wide by 2 feet high, with 3 feet of cover. A fenced termination structure (riser) occupying about 0.51 acres would also be constructed to connect the underground line to the aboveground McNary lines. The riser termination structure would bring the underground cable into the McNary Substation.

Interconnecting Water Pipelines

The certificate holder would use the Port of Umatilla as the source of all non-potable water required to meet the Station’s needs. The certificate holder would install a pipe to connect the Station to the existing Port of Umatilla water, which would be constructed below grade with a trench under the railroad tracks. The new pipeline would be approximately 208 feet long and 12 to 14 inches in diameter.

Cooling tower blowdown from the Station would be reclaimed and sent to the cooling tower basin of the HGP for reuse as circulating water for the HGP. An additional wastewater pipeline would be constructed from the Station to the HGP to reclaim this blowdown. The pipeline would be approximately 538 feet in length, below grade, and 10 to 12 inches in diameter. As discussed below, if the Station is unable to send cooling tower blowdown to the HGP, the certificate holder would install a zero liquid discharge system.

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17 ASC Exhibit B, B-16.
18 Cooling tower blowdown is the flushing of a portion of high mineral concentration cooling tower system water down the drain, while simultaneously replacing it with fresh water. This process dilutes the system water mineral concentrations that steadily increase due to water evaporation. PERAMD1Doc18 What is Cooling Tower Blowdown.
19 ASC Exhibit B, B-16.

Perennial Wind Chaser Station Request for Amendment 1 to the Site Certificate
Final Order
November 22, 2019
Zero Liquid Discharge System (Alternative Scenario)

As explained in the ASC, Lamb Weston’s Water Pollution Control Facilities permit allows Lamb Weston’s facility to manage and dispose of the HGP’s wastewater by land application for beneficial use on the North Farm and Madison Farm in accordance with the Operations, Monitoring and Management Plan approved by the Oregon Department of Environmental Quality (DEQ). Lamb Weston has not yet indicated that it would accept reclaimed water from the HGP that was provided by the Station (see Section III.B., Organizational Expertise of this order). If Lamb Weston is not able to accept reclaimed water from the HGP that has come from the Station, the certificate holder would install a Zero Liquid Discharge (ZLD) system.20

As described in the ASC, the ZLD system would consist of a clarifier, a high efficiency reverse osmosis (HERO) system and a crystallizer. In this system, cooling tower blowdown and miscellaneous plant wastewaters would first be routed to the clarifier to remove suspended solids. The clarifier effluent would then enter the HERO system. Reject water from the HERO system would be sent to the crystalizer for complete crystallization and precipitation of solids. An electric boiler would be used to generate low pressure steam for the crystallization process.21 The system would be sized to approximately 140 gallons per minute (gpm) of blowdown from the cooling tower and miscellaneous plant wastewaters. A 200,000-gallon tank would handle any potential fluctuations in the operation of the ZLD system. Effluent from the ZLD system could be returned to the cooling tower basin as makeup water, and the solids would be transported offsite as waste. The certificate holder estimates that 16,830 pounds per day of solids would be produced and transported offsite at a frequency of one truck load per day.22 With a ZLD system, the electrical output would be approximately 411.9 megawatts, with the actual output dependent upon the technology selected, as opposed to the proposed 415 megawatts. The certificate holder attributes the decrease entirely to the ZLD system.23

Utility Lines

The certificate holder would add two new telecommunication lines to connect the Station telephone and data system to the nearby City of Hermiston system. Both lines would be located in a utility corridor. The specific details on placement location are depicted in the ASC at Exhibit B, Figure B-3.

Temporary Construction Facilities

The certificate holder would develop temporary construction facilities – including five construction offices, construction parking, construction laydown, and temporary storage of soil

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20 ASC Exhibit B, B-17.
21 ASC Exhibit B, B-17.
22 ASC Exhibit B, B-17.
23 RFA Attachment 11, Exhibit Y, Appendix Y-1.
displaced during construction – in an additional area adjacent to the Station. The temporary
construction area totals approximately 5.11 acres and would be located to the southwest of the
Station. The specific location is depicted in the ASC at Exhibit B, Figure B-2.

I.C. Description of Approved Facility Site Location

As defined in OAR 345-001-0010(55), the term “site boundary” means the perimeter of the site
of a proposed energy facility, its related or supporting facilities, all temporary laydown and
staging areas and all corridors proposed by the applicant. “Site” means all land upon which an
energy facility and its related or supporting facilities is located or proposed to be located.24
“Corridor” means a continuous area of land not more than one-half mile in width and running
the entire length of a proposed transmission line or pipeline.25

The site boundary includes portions of unincorporated Umatilla County, the City of Umatilla,
and the City of Umatilla urban growth area (UGA). The Station and the natural gas pipeline
corridor would be located entirely within unincorporated Umatilla County. The transmission
line corridor crosses unincorporated lands within Umatilla County and also intersects both the
City of Umatilla and the City’s UGA en route to the McNary Substation. The step-up substation
and the underground transmission line would be located entirely within the City of Umatilla’s
UGA (outside the city limits).26

The Station would be located approximately 5 miles southwest of Hermiston, Oregon, adjacent
to the existing HGP in Township 4 North, Range 28 East, Willamette Meridian. From the Station,
the supporting natural gas lateral pipeline would be routed 4.63 miles south and the
transmission line would be routed 11.59 miles north. Overall, the certificate holder estimates
approximately 23 acres of permanent impact and 37 acres of temporary impact.27 The Station
would be accessed via Westland Road, which provides access to Interstate Highways 82 and 84.
The Station location is currently clear of any significant structures or vegetation.28

I.D. Procedural History

The Council issued the Final Order on the Application for Site Certificate (Final Order on the ASC)
for the Perennial Wind Chaser Station on September 18, 2015. The site certificate became
effective upon execution on September 23, 2015.

24 ORS 469.300(25).
25 OAR 345-001-0010(13).
26 ASC Exhibit K, K-6.
27 ASC Exhibit C, C-2.
28 ASC Exhibit B, B-2.
II. AMENDMENT PROCESS

II.A. Requested Amendment

The certificate holder requests that the Council approve changes to the site certificate to extend the construction commencement and completion deadlines. In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021. The RFA requests to extend each of these construction deadlines by two years, for a requested construction commencement date of September 23, 2020 and a requested construction completion date of September 23, 2023.

OAR 345-027-0360(1)(d) requires that the certificate holder provide the specific language of the site certificate, including conditions, that the certificate holder proposes to change, add or delete through the amendment. The certificate holder proposes altering the dates contained within Conditions A.1 and A.2 to reflect the requested changes to the construction commencement and completion deadlines.

II.B. Amendment Review Process

Council rules describe the differences in review processes for the Type A and Type B review paths at OAR 345-027-0351. The Type A review is the standard or “default” amendment review process for changes that require an amendment. A key procedural difference between the Type A and Type B review process is that the Type A review requires a public hearing on the draft proposed order, and provides an opportunity to request a contested case proceeding on the Department’s proposed order. Another difference between the Type A and Type B review process relates to the time afforded to the Department in its determination of completeness of the amendment and issuance of the draft proposed order. It is important to note that Council rules authorize the Department to adjust the timelines for these specific procedural requirements, if necessary.

A certificate holder may submit an amendment determination request to the Department for a written determination of whether a request for amendment justifies review under the Type B review process. The certificate holder has the burden of justifying the appropriateness of the Type B review process described in OAR 345-027-0351(3). The Department may consider, but is not limited to, the factors identified in OAR 345-027-0357(8) when determining whether to process an amendment request under Type B review.

On August 2, 2018, the certificate holder submitted a Type B review amendment determination request (Type B Review ADR) in conjunction with its preliminary RFA. The Type B Review ADR
requested that the Department review and determine if the RFA should be reviewed under the
Type B review process. On August 22, 2018, the Department determined that the certificate
holder had not justified the appropriateness of the Type B review process, because the Type B
Review ADR did not provide supporting analysis for OAR 345-027-0357(8) factors (a) through
(d). Therefore, the Department determined that Type A review is the appropriate review
process for the RFA.\footnote{PERAMD1Doc3 Type B Review ADR Evaluation and Response 2018-08-22.}

In accordance with OAR 345-027-0363(2), on September 7, 2018 the Department determined
that the RFA was incomplete and issued a request for additional information.\footnote{PERAMD1Doc9 ODOE Determination and Request for Additional Information 2018-09-07.} On December
10, 2018, following review of the certificate holder’s October 11, 2018 response\footnote{PERAMD1Doc23 Revised pRFA 2018-10-11.} to the
information request, the Department issued its second request for additional information.\footnote{PERAMD1Doc29 ODOE Determination and Request for Additional Information 2018-12-10.} The certificate holder provided responses to the second information request on January 10,

After reviewing the responses to its information request, on June 21, 2019 the Department
determined that the RFA was complete. Under OAR 345-027-0363(5), an RFA is complete when
the Department finds that a certificate holder has submitted information adequate for the
Council to make findings or impose conditions for all applicable laws and Council standards. On
June 28, 2019, the Department posted an announcement on its project website notifying the
public that the complete RFA had been received.

As presented in Attachment B of this order, the Department received comments on the
preliminary RFA from the following tribal and local governments and state agencies:

- Confederated Tribes of the Warm Springs Indian Reservation
- Umatilla County (Special Advisory Group)
- City of Umatilla (Special Advisory Group)
- Oregon Department of Fish and Wildlife
- Oregon Department of Land Conservation and Development
II.C. Council Review Process

Draft Proposed Order

The Department issued the draft proposed order for public comment on July 8, 2019. Notice of public hearing was issued on July 8, 2019 and distributed to all persons on the Council’s general mailing list, to the special mailing list established for the facility, to a list of reviewing agencies as defined in OAR 345-001-0010(52), and to the property owner list as described in OAR 345-021-0010(1)(f).

The 45-day comment period extended from July 8, 2019 through the close of the draft proposed order public hearing (6:57 p.m.) at the August 22, 2019 Council meeting. In addition to accepting written comments during the comment period, the Council also accepted oral testimony at the public hearing. The Department presented to Council a summary of the draft proposed order prior to the public hearing.

The following day (at the August 23, 2019 Council meeting), the Department presented to the Council a summary of some of the comments received; however, due to the comment volume and complexity of some of the comments, the Council did not conclude its review of the draft proposed order and comments received on the record of the public hearing until its regularly scheduled Council meeting on September 27, 2019.

Over 1,600 written comments were received on the record of the public hearing, all of which have been provided to the Council in their entirety. The Council received oral testimony from six individuals in addition to the certificate holder during the August 22nd public hearing. Attachment C of this order contains an index presenting each commenter’s name, organization (if applicable), and the date the Department received the comment. Attachment C also contains a copy of the comments and a table showing where changes were made in the proposed order based on the issues raised.

Issues raised within the Council’s jurisdiction and related to the amendment request are addressed under the applicable standards in Section III of this order. Issues raised that are outside the Council’s jurisdiction or are not applicable to the Council’s decision on this RFA are not further addressed in this order. The September 12, 2019 staff report to the Council provides a summary and analysis of comments received on the record of the draft proposed order public hearing.

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34 OAR 345-027-0367(6).
35 PERAMD1Doc44 Agenda Item K Perennial DPO – Staff Report 2019-09-12.
Proposed Order and Contested Case Request on Proposed Order

On October 2, 2019, the Department issued the proposed order, taking into consideration Council comments provided during Council’s review of the draft proposed order and comments received “on the record of the public hearing” (i.e., oral testimony provided at the public hearing and written comments received by the Department after the date of the notice of the public hearing and before the close of the public hearing), including comments from reviewing agencies, special advisory groups, or tribal governments. Concurrent with the issuance of the proposed order, the Department issued a notice of the opportunity to request a contested case and a public notice of the proposed order. Only those persons who commented in person or in writing on the record of the public hearing were eligible to request a contested case proceeding on the proposed order. Pursuant to the notice of opportunity to request a contested case, the deadline to request a contested case was 5:00 pm on November 1, 2019.

The Friends of the Columbia Gorge, Columbia Riverkeeper, and Oregon Wild (collectively, “Requesters”) jointly filed a timely request for contested case proceeding on the proposed order by the deadline.

A summary of issues raised in the request for contested case received is provided below. The analysis and Council decision denying the request for a contested case proceeding are provided in the November 2019 Order on Request for Contested Case on the Proposed Order on Request for Amendment 1 to the Perennial Wind Chaser Station Site Certificate (November Order on Request).

Summary of Issues Raised by Requesters

Issue A: Requesters contend that, based on the Supreme Court’s August 1, 2019 decision related to the site certificate amendment rules adopted by Council in October 2017, the amendment request was submitted pursuant to invalid rules and, because the construction commencement deadline has passed, the site certificate for the facility has expired. Requesters also contend that the temporary rules are invalid, and therefore contend that these rules cannot be used to review, process, or approve the RFA. Requesters further state that “at a minimum, the Council should stay further action on Perennial’s RFA until the Supreme Court has issued a ruling on the validity of the ‘temporary’ rules.”

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36 See OAR 345-027-0371.
37 As of the date of this final order, the Oregon Supreme Court had not yet entered its judgement.
**Issue B:** Requesters contend that the Department should “never have accepted the RFA as complete” because “Perennial failed to submit accurate information regarding the status of its DEQ permit” that the Requesters assert was required by the division 21 rules at OAR 345-021-0000(7) and (10) and OAR 345-021-0010(1)(e)(D).

**Issue C:** Requesters contend that the Department further erred in determining that the RFA was complete “because Perennial’s purported explanation for why it needs an extension of the construction deadlines for the Project is legally inadequate.” Requesters argue that Perennial’s explanation does not meet the requirements of OAR 345-027-0085(1) because the certificate holder did not include additional details (such the steps it has taken to try to obtain a power purchase agreement) or explain why each construction deadline must be extended by a full two years.

**Issue D:** Requesters contend that the Proposed Order fails to consider potential methane emissions from operation of the Perennial Wind Chaser Station, and assert that the “Council’s Carbon Standard specifically requires that methane be considered as part of the carbon emissions analysis. See OAR 345-024-0590(2).”

**Issue E:** Requesters contend that the additional information that has become available about the impact of “fracked gas” (hydraulic fracturing) on the climate, as well as the effects of climate change itself, since the Council issued the original site certificate is information that the Council should consider in its review of the RFA. Requesters point to the requirement at OAR 345-027-0375(2)(b) that the Council consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction commencement or completion deadlines. The Requesters argue that changes in fact or law that the Council must consider include Oregon’s evolving policies with respect to climate change as well as scientific literature published since the site certificate was executed that “demonstrate the cradle-to-grave climate change impacts of fracked gas.”

**Summary of Council Review of Requests for Contested Case**

Council considered whether the above summarized issues warranted a contested case proceeding at its November 21-22, 2019 meeting, held in The Dalles, Oregon. At that meeting, Council found that none of the issues justified a contested case. Based on Council deliberation, Council issued the November Order on Request documenting the reasoning and analysis for denying a contested case proceeding on the issues raised in contested case request received. As provided in the Notice of Appeal in the November Order on Request, persons whose request for a contested case have been denied by the final order may file a petition for reconsideration with the Council within 60 days after the date of service of the order (OAR 345-001-0080). Additionally, persons whose request for a contested case have been denied by the final order may seek judicial review of the order, without first filing a petition for reconsideration with the
Council. Petitions for judicial review shall be filed within 60 days following the date of service of
the order, unless a petition for reconsideration has been filed, in which case the petition for
judicial review must be filed within 60 days following the date any order denying a petition for
reconsideration is served. If the Council does not issue an order in response to a petition for
reconsideration, per OAR 345-001-0080(4) and ORS 183.484(2), the petition for reconsideration
shall be deemed denied the 60th day following the date the petition was filed, and in such case,
a petition for judicial review shall be filed within 60 days only following such date.

Final Order

On November 22, 2019, the Council issued this final order approving the site certificate
amendment request based upon the applicable laws and Council standards required under OAR
345-027-0375(2) and in effect on the dates described in OAR 345-027-0375(3). The Council’s
final order is subject to judicial review by the Oregon Supreme Court as provided in ORS
469.403. A petition for judicial review of the Council’s approval of an application for amended
site certificate must be filed with the Supreme Court within 60 days after the date of service of
the Council’s final order (see Notice of Appeal on final page of order for additional details on
date of service).38

II.D Applicable Division 27 Rule Requirements

On August 22, 2019, the Council adopted temporary rules governing the process for amending
site certificates. The temporary rules are in effect through February 17, 2020 (or until
superseded). Amongst other changes, the temporary rules replaced the amendment processing
rules contained in OAR 345, Division 27. The temporary rules also include renumbering the
Division 27 ruleset to govern site certificate amendment processing. The temporary rules
include rules numbered in the Division 27, “-0300” series. References in this order reflect the
temporary rule numbering. However, rule references in the preliminary and complete requests
for amendment, as well as the Department’s draft proposed order, all of which were released
prior to the August 22, 2019 adoption of temporary rules, include reference to the prior
Division 27 ruleset.

As stated in OAR 345-027-0311(1), “The rules in this division apply to all requests for
amendment to a site certificate and amendment determination requests for facilities under the
Council’s jurisdiction that are submitted to, or were already under review by, the Council on or
after the effective date of the rules. The Department and Council will continue to process all

38 ORS 469.403 and OAR 345-027-0371(12).
requests for amendment and amendment determination requests submitted on or after
October 24, 2017 for which Council has not made a final decision prior to the effective date of
these rules, without requiring the certificate holder to resubmit the request or to repeat any
steps taken as part of the request prior to the effective date of these rules.” This reference
includes the review at hand, the Perennial Wind Chaser Station Request for Amendment 1.39

A site certificate amendment is necessary under OAR 345-027-0350(3) because the certificate
holder requests to extend the construction beginning and completion deadlines. Additionally,
OAR 345-027-0385 imposes specific requirements relating to a request for amendment to
extend construction deadlines and OAR 345-027-0375 sets the scope of Council’s review. OAR
345-027-0375(2)(b) provides that the Council shall consider “any changes in facts or law since
the date the current site certificate was executed” in its evaluation of a request to extend the
construction commencement or completion deadlines. The Department interprets OAR 345-
027-0375(2)(b) as requiring the review of any change to facility design as well as any change to
the existing environment, or changes in law.

The type A amendment review process is the default amendment review process and consists
of OARs 345-027-0359, -0360, -0363, -0365, -0367, -0371 and -0375.40 As previously explained,
the Department and Council are reviewing this RFA under the Type A review process based on
an evaluation of the factors listed in OAR 345-027-0357(8).41

39 On the record of the draft proposed order, numerous commenters asserted that, based on the Supreme Court’s August 1, 2019 decision related to the site certificate amendment rules adopted by Council in October 2017, the amendment request was submitted pursuant to invalid rules and, because the construction commencement deadline has passed, the site certificate for the facility is “expired, void, and cannot be amended.” As explained here, the Council adopted temporary rules on August 22, 2019 and is reviewing the RFA under these rules, which are in effect through February 17, 2020 (or until superseded).
40 OAR 345-027-0351(2).
41 PERAMD1Doc3 Type B Review ADR Evaluation and Response 2018-08-22.
III. REVIEW OF THE REQUESTED AMENDMENT

Under ORS 469.310, the Council is charged with ensuring that the “siting, construction and operation of energy facilities shall be accomplished in a manner consistent with protection of the public health and safety.” ORS 469.401(2) further provides that the Council must include in the amended site certificate “conditions for the protection of the public health and safety, for the time for completion of construction, and to ensure compliance with the standards, statutes and rules described in ORS 469.501 and ORS 469.503.” The Council implements this statutory framework by adopting findings of fact, conclusions of law, and conditions of approval concerning the amended facility’s compliance with EFSC standards set forth in OAR Chapter 345, Divisions 22 and 24 as well as all other applicable statutes, rules and standards (including those of other state or local agencies).

As discussed at the August 23, 2019 Council meeting in the context of comments received on the record of the draft proposed order public hearing,\(^\text{42}\) ORS 469.501(1)(L) explicitly prohibits the Council from adopting a need standard for generating facilities: “The council shall not adopt a standard requiring a showing of need or cost-effectiveness for generating facilities...” Similarly, ORS 469.310 states, “...It is furthermore the policy of this state, notwithstanding ORS 469.010(2)(f) [part of Oregon’s energy policy] and the definition of cost-effective in ORS 469.020, that the need for new generating facilities, as defined in ORS 469.503, is sufficiently addressed by reliance on competition in the market rather than by consideration of cost-effectiveness and shall not be a matter requiring determination by the Energy Facility Siting Council in the siting of a generating facility, as defined in ORS 469.503.” Accordingly, the Council cannot consider the “need” for the facility in its review of the amendment request.

III.A. General Standard of Review: OAR 345-022-0000

(1) To issue a site certificate for a proposed facility or to amend a site certificate, the Council shall determine that the preponderance of evidence on the record supports the following conclusions:

(a) The facility complies with the requirements of the Oregon Energy Facility Siting statutes, ORS 469.300 to ORS 469.570 and 469.590 to 469.619, and the standards adopted by the Council pursuant to ORS 469.501 or the overall public benefits of the facility outweigh the damage to the resources protected by the standards the facility does not meet as described in section (2);

\(^{42}\) Some commenters stated that Oregon needs the facility to replace declining coal power in the region and to help balance intermittent resources like wind energy, while other commenters stated that Oregon should forgo future investments in fossil fuel infrastructure in favor of renewable energy resources.
(b) Except as provided in OAR 345-022-0030 for land use compliance and except for those statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council, the facility complies with all other Oregon statutes and administrative rules identified in the project order, as amended, as applicable to the issuance of a site certificate for the proposed facility. If the Council finds that applicable Oregon statutes and rules, other than those involving federally delegated programs, would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the Council cannot waive any applicable state statute.

* * *

(4) In making determinations regarding compliance with statutes, rules and ordinances normally administered by other agencies or compliance with requirement of the Council statutes if other agencies have special expertise, the Department of Energy shall consult such other agencies during the notice of intent, site certificate application and site certificate amendment processes. Nothing in these rules is intended to interfere with the state’s implementation of programs delegated to it by the federal government.

Findings of Fact

OAR 345-022-0000 provides the Council’s General Standard of Review and requires the Council to find that a preponderance of evidence on the record supports the conclusion that the proposed amendments comply with the requirements of EFSC statutes and the siting standards adopted by the Council and that the proposed amendments comply with all other Oregon statutes and administrative rules applicable to the issuance of an amended site certificate for the facility.

The requirements of OAR 345-022-0000 are discussed in the sections that follow. As discussed above, the Department consulted with other state agencies, Umatilla County, and the City of Umatilla during review of the RFA to aid in the evaluation of the proposed amendments’ compliance with statutes, rules and ordinances otherwise administered by other agencies. Additionally, in some circumstances the Department relied upon these reviewing agencies’ special expertise in evaluating compliance with the requirements of Council standards.

OAR 345-022-0000(2) and (3) apply to RFAs where a certificate holder has shown that the proposed amendments cannot meet Council standards, or has shown that there is no reasonable way to meet the Council standards through mitigation or avoidance of the damage to protected resources; and, for those instances, establish criteria for the Council to evaluate in making a balancing determination. The certificate holder does not assert that the proposed amendments cannot meet an applicable Council standard. Therefore, OAR 345-022-0000(2) and (3) do not apply to this review.
Appropriateness of Request for Amendment to Extend Construction Deadlines [OAR 345-027-0385]

In accordance with OAR 345-027-0385, for energy facilities with site certificates approved prior to October 24, 2017, there is no specified maximum number of allowable timeline extensions but each extension can only be for up to two years. Perennial Wind Chaser Station was initially approved by EFSC in September 2015. This RFA requests to extend the construction commencement deadline from 2018 to 2020. If the Council grants the request, the construction commencement date would be five years after the issuance of the initial site certificate. The Department notes that while there is no maximum allowable time extension for the Perennial Wind Chaser Station, given that the current RFA would result in a construction commencement deadline extension of a total of two years, the extension request would allow a timeline to construct the facility that remains less than what would be available to a site certificate holder under the OAR 345-027-0385(3) and (4), which applies to energy facilities approved by EFSC after October 24, 2017.

OAR 345-027-0385(5)(c) provides that “when considering whether to grant a request for amendment for a deadline extension made under this section, the Council shall consider how many extensions it has previously granted.” This is the first construction deadline extension request for this facility. The certificate holder requests an extension of the construction deadlines to allow it to obtain a power purchase agreement for power generated by the facility.\(^{43}\) OAR 345-027-0385(1) requires that a certificate holder, in a request for construction timeline extension, must provide an explanation of the need for a timeline extension. The certificate holder has met this obligation.

While the certificate holder must, and did, provide its explanation of the need for an extension to address the requirements of OAR 345-027-0385(1), Council rules include no substantive review criteria for why the extension is needed and requested.\(^{44}\) Council is not required to find, and rules do not guide a finding, as to what constitutes an “acceptable” need for a timeline extension. If the Department were to determine that the certificate holder failed to meet the OAR 345 Division 27 information requirement to include an explanation of the need for the extension, then it would determine the amendment request to be incomplete and request further information during its completeness review.

\(^{43}\) RFA Section 1.

\(^{44}\) On the record of the draft proposed order public hearing, some commenters argued that the certificate holder’s explanation of the need for a timeline extension is insufficient because the certificate holder did not include additional details (such as the steps it has taken to try to obtain a power purchase agreement) or explain why each construction deadline must be extended by a full two years.
Because the information required under OAR 345-027-0385(1) was provided by the certificate holder, the Department recommends the Council consider the merits of the amendment request and the certificate holder's ability to satisfy the requirements of Council standards and other applicable statutes, rules and ordinances. The stated need for more time to obtain a power purchase agreement does not bear a relationship to the ability of the facility to comply with all applicable laws and Council standards.

Certificate Expiration [OAR 345-027-0313]

Under OAR 345-027-0313, in order to avoid expiration of the site certificate, the certificate holder must begin construction of the facility no later than the construction beginning date specified in the site certificate, unless expiration of the site certificate is suspended pending final action by the Council on a request for amendment to a site certificate pursuant to OAR 345-027-0385(2). The certificate holder submitted the request to extend the construction commencement and completion deadlines before the applicable construction commencement deadline and therefore satisfied the requirements of OAR 345-027-0385(1).

In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021. The facility was approved for construction in the site certificate prior to October 24, 2017; therefore, OAR 345-027-0385(5) requires that, if the Council grants the requested deadline extension, the new deadlines can be no more than two years from the deadlines currently in effect.\(^{45}\) Accordingly, the Council amends site certificate Conditions A.1 and A.2 to align with current OAR 345 Division 27 requirements. In addition, the Council also makes minor administrative adjustments to these conditions to update references to the applicable Oregon Administrative Rule in order to reflect the relocation of the mandatory condition on which Conditions A.1 and A.2 are based from Division 27 to Division 25.\(^{46}\)

Amended Condition A.1: The certificate holder shall begin construction of the facility by September 23, 2020 within three years after the effective date of the site certificate. Under OAR 345-015-0085(9), the site certificate is effective upon execution by the Council chair and the applicant.

\(^{45}\) OAR 345-027-0385(5)(d) states, “If a request for amendment for a deadline extension made under this section is granted, the Council shall specify new deadlines for beginning or completing construction that are not more than two years from the deadlines in effect before the Council grants the amendment.”

\(^{46}\) Since the time the Council issued the site certificate in 2015, the Council reorganized the OAR 345, Division 27 and Division 25 rules and relocated the mandatory conditions from Division 27 to Division 25.
Amended Condition A.2: The certificate holder shall complete construction of the facility by September 23, 2023 within six years after the effective date of the site certificate.

Mandatory Conditions in Site Certificates [OAR 345-025-0006]

OAR 345-025-0006 lists certain conditions that the Council must adopt in every site certificate. Since the time the Council issued the site certificate in 2015, the Council reorganized the OAR 345, Division 27 and Division 25 rules. The Council makes minor administrative adjustments to the following site certificate conditions to update references to Oregon Administrative Rules to reflect the relocation of the mandatory conditions from Division 27 to Division 25: Conditions A.1 through A.9, Condition B.5, Conditions C.5 through C.7, and Conditions G.1 through G.3.

Site Specific Conditions [OAR 345-025-0010]

In addition to mandatory conditions imposed on all facilities, the Council rules also include “site specific” conditions at OAR 345-025-0010 that the Council may include in the site certificate to address issues specific to certain facility types or proposed features of facilities. Since the time the Council issued the site certificate in 2015, the Council reorganized the OAR 345, Division 27 and Division 25 rules. The Council makes minor administrative adjustments to site certificate Conditions A.10, A.11, and O.1 to update references to Oregon Administrative Rules to reflect the relocation of the site-specific conditions from Division 27 to Division 25.

Commenters expressed concern on the record of the draft proposed order public hearing about the health and safety risks that could occur if the pipeline ruptured. As described in RFA Attachment 5, there are no known slope hazards along the pipeline route; the topography is a flat agricultural landscape with no mapped landslides. Existing site certificate Condition A.11 requires the certificate holder to design, construct and operate the lateral natural gas pipeline in accordance with the requirements of the U.S. Department of Transportation as set forth in Title 49 Code of Federal Regulations, Part 192. This condition is based on the Site-Specific Condition at OAR 345-025-0010(3). In addition, existing Condition A.10 (which is based on the Site-Specific Condition at OAR 345-025-0010(2)) requires the certificate holder to submit to the Department copies of all incident reports involving the pipeline required under 49 CFR § 191.15. The gas lateral would be owned and operated by Cascade Natural Gas Corporation. Cascade Natural Gas Corporation provides natural gas service to over 260,000 customers in Oregon and Washington (ASC Exhibit D, pp. D-1 and D-2).
Construction and Operation Rules for Facilities [OAR Chapter 345, Division 26]

The Council has adopted rules at OAR Chapter 345, Division 26 to ensure that construction, operation, and retirement of facilities are accomplished in a manner consistent with the protection of the public health, safety, and welfare and protection of the environment. These rules include requirements for compliance plans, inspections, reporting and notification of incidents. The certificate holder must construct the facility substantially as described in the amended site certificate [OAR 345-025-0006(3)] and the certificate holder must construct, operate, and retire the facility in accordance with all applicable rules adopted by the Council in OAR Chapter 345, Division 26.48

The Council adopts the following condition to support the Department’s review of ongoing site certificate compliance, in accordance with OAR Chapter 345, Division 26:

New Condition A.12: At least 90 days prior to beginning construction (unless otherwise agreed to by the Department), the certificate holder shall submit to the Department a compliance plan documenting and demonstrating actions completed or to be completed to satisfy the requirements of all terms and conditions of the amended site certificate and applicable statutes and rules. The plan shall be provided to the Department for review and compliance determination for each requirement. The Department may request additional information or evaluation deemed necessary to demonstrate compliance.

[AMD1 Condition A.12.]

Conclusions of Law

Based on the foregoing findings of fact and conclusions of law, and subject to compliance with the existing, new, and amended site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would satisfy the requirements of OAR 345-022-0000.

III.B. Organizational Expertise: OAR 345-022-0010

(1) To issue a site certificate, the Council must find that the applicant has the organizational expertise to construct, operate and retire the proposed facility in

48 Applicable rule requirements established in OAR Chapter 345, Division 26 include OAR 345-026-0005 to OAR 345-026-0170.
compliance with Council standards and conditions of the site certificate. To conclude that
the applicant has this expertise, the Council must find that the applicant has
demonstrated the ability to design, construct and operate the proposed facility in
compliance with site certificate conditions and in a manner that protects public health
and safety and has demonstrated the ability to restore the site to a useful, non-
hazardous condition. The Council may consider the applicant’s experience, the
applicant’s access to technical expertise and the applicant’s past performance in
constructing, operating and retiring other facilities, including, but not limited to, the
number and severity of regulatory citations issued to the applicant.

(2) The Council may base its findings under section (1) on a rebuttable presumption that
an applicant has organizational, managerial and technical expertise, if the applicant has
an ISO 9000 or ISO 14000 certified program and proposes to design, construct and
operate the facility according to that program.

(3) If the applicant does not itself obtain a state or local government permit or approval
for which the Council would ordinarily determine compliance but instead relies on a
permit or approval issued to a third party, the Council, to issue a site certificate, must
find that the third party has, or has a reasonable likelihood of obtaining, the necessary
permit or approval, and that the applicant has, or has a reasonable likelihood of entering
into, a contractual or other arrangement with the third party for access to the resource
or service secured by that permit or approval.

(4) If the applicant relies on a permit or approval issued to a third party and the third
party does not have the necessary permit or approval at the time the Council issues the
site certificate, the Council may issue the site certificate subject to the condition that the
applicant shall not commence construction or operation as appropriate until the third
party has obtained the necessary permit or approval and the applicant has a contract or
other arrangement for access to the resource or service secured by that permit or
approval.

Findings of Fact

Subsections (1) and (2) of the Council’s Organizational Expertise standard require that the
certificate holder demonstrate its ability to construct, operate, and retire the facility in
compliance with Council standards and all site certificate conditions, as well as its ability to
restore the site to a useful, non-hazardous condition. The Council may consider the certificate
holder’s experience and past performance in constructing, operating and retiring other facilities
in determining compliance with the Council’s Organizational Expertise standard. Subsections (3)
and (4) address the certificate holder’s reliance upon third party permits.
To demonstrate compliance with the Council’s Organizational Expertise standard, the certificate holder provided evidence regarding the certificate holder’s experience and organizational expertise to construct, operate and retire the facility in ASC Exhibit A (Applicant Information); Exhibit D (Organizational Expertise); Exhibit E (Permits); Exhibit M (Financial Capability); and Exhibit W (Facility Retirement). The Council addressed the Organizational Expertise standard in Section IV.B.1 of the Final Order on the ASC. The Council concluded that, subject to site certificate conditions B.1 through B.7, the certificate holder had the organizational expertise to design, construct, and operate the facility in a manner that protected public health and safety. These conditions require the certificate holder to select qualified contractors; notify the Department prior to commencing construction; require contractors to comply with all applicable laws, regulations, and site certificate requirements; assume the responsibility for any matter of non-compliance with the site certificate; prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition; obtain or ensure its contractors obtain all necessary permits or approvals; and provide evidence that its third parties have obtained all necessary permits or approvals and that the certificate holder has access to the resources or services secured by the permits or approvals.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. In the pRFA, the certificate holder provided updated information relevant to its organizational expertise (including staffing changes), the certificate holder’s ability to restore the site to a useful-non-hazardous condition, and the three third-party permits on which it intends to rely.

Compliance with Council Standards and Site Certificate Conditions

Perennial-WindChaser LLC is a wholly-owned subsidiary of Perennial Power Holdings, Inc. (PPH), which is a wholly-owned subsidiary of Sumitomo Corporation and Sumitomo Corporation of America. Perennial-WindChaser LLC, is a project-specific LLC and therefore relies upon the organizational expertise and experience of PPH, Sumitomo Corporation, and Sumitomo Corporation of America. The Council previously concluded (in Section IV.B.1 of the Final Order on the ASC) that Perennial’s parent companies have significant national and international experience. The Council further noted that one of these parent companies, PPH, has experience staffing and operating an EFSC-jurisdictional natural gas power plant in Umatilla County (the Hermiston Generating Plant).

49 PERAPPDoc1 Complete Application Combined, ASC Exhibit D, Sections D.2 and D.3.
During oral testimony at the draft proposed order public hearing, one individual informed the Council that Perennial Power Holdings, Inc. owns a 40 percent stake in American Bituminous Power Partners (an 80 MW coal waste power plant in West Virginia). The individual referred to a 2018 Associated Press article that reported that American Bituminous Power Partners was at risk of bankruptcy, and to a U.S. Environmental Protection Agency (EPA) finding that the coal waste plant was not fully in compliance with Clean Air Act requirements.

Perennial Power Holdings, Inc. does not operate the West Virginia power plant. Perennial Power Holdings, Inc.’s portfolio includes one existing resource in the west, the Hermiston Generating Plant. The Hermiston Generating Plant operates under a site certificate issued by the Council. The RFA states that Hermiston Generating Plant has had no regulatory compliance issues since the ASC was submitted in 2014. Based on review of the record for the facility, the Department confirms that, to date, no regulatory citations have been issued by the Department for the Hermiston Generating Plant. In addition, Hermiston Generating Plant has had no regulatory citations associated with its DEQ air quality permits since it began operation.

Based upon the qualifications of the certificate holder’s parent companies, and based on PPH’s (one of the certificate holder’s parent companies) ongoing compliance with the site certificate for another EFSC-jurisdictional facility, the Council continues to find that the certificate holder has the ability to design, construct, operate, and retire the facility in compliance with Council standards and site certificate conditions.

Public Health and Safety

The certificate holder’s ability to construct and operate the facility in a manner that protects public health and safety is addressed in Section III.C, Structural Standard; Section III.M, Public Services; and Section III.P, Siting Standards for Transmission Lines, of this order. Based on the reasoning and analysis provided in those sections, the Council finds that the requested extension of the construction deadlines would not impact the certificate holder’s ability to design, construct, and operate the facility in a manner that protects public health and safety.

Ability to Restore the Site to a Useful, Non-Hazardous Condition

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PERAMD1Doc45 AP News_Coal waste plant in fight in struggle to stay open 2018-07-02.
RFA Section 2.5.1.
PERAMD1Doc44 Agenda Item K Perennial DPO - Staff Report 2019-09-12, Attachment 1.
The RFA includes an updated estimate of the cost to restore the site to a useful, non-hazardous condition. In addition, the certificate holder provided a letter from MUFG Bank, Ltd. dated October 5, 2018 stating the bank’s willingness to arrange the required letter of credit subject to receipt of further information, the bank’s customary due diligence, and internal credit approval. This bank is on the list of pre-approved financial institutions for use in 2019 for bonds and letters of credit which was approved by EFSC at their October 25-26, 2018 Council meeting. As described in Section III.G, Retirement and Financial Assurance, the Council finds that the certificate holder would continue to satisfy the requirements of the Retirement and Financial Assurance standard subject to compliance with existing conditions and Amended Condition G.4.

ISO 9000 or ISO 14000 Certified Program

OAR 345-022-0010(2) is not applicable because the certificate holder has not proposed to design, construct or operate the facility according to an ISO 9000 or ISO 14000 certified program.

Third-Party Permits

As described in Section IV.B.1 of the Final Order on the ASC, the certificate holder would rely on third party state or local permits for construction and operation of the facility. The certificate holder provided an update on each of these permits in its RFA. The first third party permit is the Port of Umatilla’s existing water right permit, upon which Perennial would rely to supply the facility with up to 2,000 gallons of water per minute. The Council previously found that because the Port of Umatilla currently holds the permit and provided a letter to Perennial expressing its ability to supply water to the Station, Perennial has demonstrated a reasonable likelihood of entering into a contractual agreement or other arrangement with the Port for access to the resource. The certificate holder attached an updated (May 30, 2018) letter from the Port of Umatilla as Attachment 3 to the RFA. The letter contains the same information previously evaluated by the Council; therefore, the circumstances supporting the Council’s previous findings have not changed.

RFA Attachment 7.

MUFG Union Bank, N.A. is on the Council’s list of pre-approved financial institutions. The Department’s Project Development Officer from the Department’s Loan Development division determined that MUFG Union Bank, N.A. and MUFG Bank, Ltd. are “one and the same;” therefore, additional Council approval of MUFG Bank, Ltd. is not required.

As described in Section III.G, Retirement and Financial Assurance of this order, the Council amends existing Condition G.4 to require an initial bond or letter of credit amount that reflects the updated site restoration cost estimate.

RFA Section 2.3.1. and Final Order on the ASC, Section IV.B.1, Organizational Expertise.
The other two third party permits on which the certificate holder would rely are the site certificate for the Hermiston Generating Project (HGP) and the Water Pollution Control Facilities (WPCF) permit issued by DEQ and held by Lamb Weston. These permits are relevant because Perennial proposes to send reclaimed water from the facility to the HGP as makeup water for the HGP’s cooling tower. The HGP currently discharges its reclaimed water to Lamb Weston. Lamb Weston uses the reclaimed water for wash down or irrigation purposes and operates under the WPCF permit. Perennial explains that it expects that the Station would generate suitable wastewater for re-use as makeup water at the HGP because cooling water at the Station would be used inside the Station’s turbine equipment, which requires higher water quality specifications than cooling tower makeup water used at the HGP. Perennial states that, due to the anticipated quality of the wastewater, HGP anticipates no difficulty in continuing to meet the requirements of its site certificate and the parameters of its contract with Lamb Weston if it receives wastewater from the Station. Based on this information, and because the third parties (HGP and Lamb Weston) already hold these permits (site certificate and WPCF, respectively), the Council previously found that, subject to Lamb Weston’s ability to consent to receipt of the reclaimed water, the certificate holder appeared to have a reasonable likelihood of entering into a contractual or other arrangement with both parties for access to the services. The certificate holder states that the only circumstance that has changed since the Council’s previous evaluation is that DEQ renewed Lamb Weston’s WPCF permit.57 Lamb Weston has not yet indicated that it will accept reclaimed water from the HGP that was provided by the Station, but if that decision is made in the future, the certificate holder states that HGP would issue a letter to Perennial indicating acceptance of the Station’s reclaimed water. The Council previously imposed Condition B.7, which requires the certificate holder to provide to the Department, prior to construction, proof of agreements between the certificate holder and the third parties regarding access to the resources or services secured by the permits or approvals. The construction deadline extension request and DEQ’s renewal of Lamb Weston’s WPCF permit do not change the reasoning behind the Council’s previous findings, and the Council does not impose additional conditions.

Conclusions of Law

Based on the evidence in the record, and subject to compliance with the existing and amended conditions of approval, the Council finds that the certificate holder would continue to satisfy the requirements of the Council’s Organizational Expertise standard.58

57 RFA Section 2.5.1.
58 See Amended Condition G.4 in Section III.G of this order.
**III.C. Structural Standard: OAR 345-022-0020**

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that:

(a) The applicant, through appropriate site-specific study, has adequately characterized the seismic hazard risk of the site;

(b) The applicant can design, engineer, and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site, as identified in subsection (1)(a);

(c) The applicant, through appropriate site-specific study, has adequately characterized the potential geological and soils hazards of the site and its vicinity that could, in the absence of a seismic event, adversely affect, or be aggravated by, the construction and operation of the proposed facility; and

(d) The applicant can design, engineer and construct the facility to avoid dangers to human safety and the environment presented by the hazards identified in subsection (c).

(2) The Council may not impose the Structural Standard in section (1) to approve or deny an application for an energy facility that would produce power from wind, solar or geothermal energy. However, the Council may, to the extent it determines appropriate, apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

(3) The Council may not impose the Structural Standard in section (1) to deny an application for a special criteria facility under OAR 345-015-0310. However, the Council may, to the extent it determines appropriate, apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

**Findings of Fact**

As provided in section (1) above, the Structural Standard generally requires the Council to evaluate whether the certificate holder has adequately characterized the potential seismic, geological and soil hazards of the site, and whether the certificate holder can design, engineer and construct the facility to avoid dangers to human safety and the environment from these hazards. Only the standards in section (1) apply to the facility. OAR 345-022-0020(2) and (3) do not apply to this request for amendment because the facility would not produce power from
wind, solar or geothermal energy and the facility is not a special criteria facility as defined in OAR 345-015-0310.

The certificate holder provided information regarding the geological and soil stability within the analysis area in ASC Exhibit H. The Council addressed the Structural Standard in Section IV.C. of the Final Order on the ASC, and found that, subject to site certificate conditions C.1 through C.7, the certificate holder had adequately characterized the potential geological and soil hazards of the site and its vicinity, and that the certificate holder can design, engineer and construct the facility to avoid dangers to human safety presented by the non-seismic hazards identified. The conditions require the certificate holder to perform additional site-specific engineering evaluations; design the facility to resist ground shaking from seismic events; implement soil improvement techniques; and to comply with the mandatory conditions at OAR 345-025-0006(12)-(14).

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include changes to the site boundary, facility design, facility layout, or other changes that could impact the certificate holder’s ability to design, engineer, and construct the facility to avoid dangers to human safety and the environment from seismic, geological, and soils hazards. While the certificate holder’s characterization in ASC Exhibit H of the geological and soil stability within the analysis area remains applicable to Council’s review of this amendment request, based on consultation with DOGAMI on the request for amendment, additional review of the risks of ground shaking, fault rupture, landslide, and flooding is considered in this order. Furthermore, since the time the Council issued the Perennial Wind Chaser Station site certificate, the Council approved amended language for OAR 345-021-0010(1)(h) (the Division 21 requirements for Exhibit H), OAR 345-022-0020 (the Council’s Structural Standard), OAR 345-027-0020 (select mandatory conditions) and OAR 345-050-0060. The rulemaking included, in part, new requirements for an applicant or certificate holder to discuss the facility’s disaster resilience as well as the

59 The new rules went into effect on October 18, 2017.
60 OAR 345-050-0060 contains rules applicable to radioactive waste disposal facilities and is therefore not applicable to the Perennial Wind Chaser Station, which does not include such a component.
impacts of future climate conditions on the facility. The Department’s assessment is based upon the updated rule language.

The Council’s rulemaking directly affects three of the seven site certificate conditions previously imposed by Council to address potential seismic, geological, and soils hazards of the site. Conditions C.5 through C.7 mirrored the language previously found in the mandatory conditions at OAR 345-027-0020(12)-(14). The Council’s rulemaking amended the language of those specific mandatory conditions, and the new rules went into effect on October 18, 2017. In addition, based on a Council decision that same month to reorganize the OAR 345, Division 27 and Division 25 rules, the correct reference to the Council’s Mandatory Conditions is now to OAR 345, Division 25. Therefore, the Council updates Conditions C.5 through C.7 as follows to reflect the updated rule references and revised mandatory condition language:

**Amended Condition C.5** (OAR 345-027-0020(12)OAR 345-025-0020(12)): The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this rule, “seismic hazard” includes ground shaking, ground failure, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction, tsunami inundation, fault displacement and subsidence.

[Final Order Condition C.5; AMD1; Mandatory Condition 345-0275-002006(12)]

**Amended Condition C.6** (OAR 345-027-0020(12)OAR 345-025-0020(13)): The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division and to propose and implement corrective or mitigation actions.

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61 OAR 345-021-0010(h)(E) and OAR 345-021-0010(h)(F)(i) require the applicant to discuss the facility’s disaster resilience, and OAR 345-021-0010(h)(F)(ii) requires the applicant to discuss the impacts of future climate condition on the facility.

62 The language of Mandatory Condition 12 is based upon OAR 345-025-0006(12), but was modified to exclude reference to coastal sites because the site boundary is located far from coastal areas.
Amended Condition C.7 [OAR 345-027-0020(14)OAR 345-025-0020(14)]: The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site. After the Department receives notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions.

Seismic Hazards

In the Final Order on the ASC, based upon the applicant’s assessment of seismic hazards at the site, the Council found that the risks of liquefaction, liquefaction induced lateral spreading, landslides and ground failure/fault displacement at the facility are low. In ASC Exhibit H, Perennial identified ground shaking as a potential seismic hazard at the site, and proposed to implement soil improvement techniques (to address potentially collapsible soils) and to design the facility to resist ground shaking. Based upon the November 14, 2018 consultation with DOGAMI, the certificate holder provided additional information in its RFA related to the risk of ground failure/fault displacement and ground shaking at the facility, as discussed below.

In ASC Exhibit H, the certificate holder used the USGS Quaternary Fault and Fold Database to identify Quaternary crustal faults within a 47-mile (75-km) radius of the Station and the step-up substation. During consultation on this RFA, DOGAMI emphasized the importance of addressing all earthquake faults that could negatively impact the facility, and recommended that the certificate holder also examine LIDAR and the DOGAMI fault database. RFA Attachment 5, Appendix H-1, Figure 5 shows the locations of Quaternary faults mapped by the USGS, active faults mapped by the Washington Department of Natural Resources, and faults mapped by DOGAMI. Figure 3 of the same document shows available LIDAR data near the facility, which includes full coverage of the locations of the Station and step-up substation. The certificate holder’s engineering consultants evaluated the LIDAR data and determined that these data did not identify any faults beyond those shown on Figure 5. The consultants noted that an

63 Final Order on the ASC, Section IV.C. Structural Standard, p. 28.
64 PERAMD1 DOGAMI Consultation Correspondence Part A 2018-11-28 and PERAMD1 DOGAMI Consultation Correspondence Part B 2018-12-01.
unnamed fault located near and to the north of the step-up substation in southern Washington is oriented in a direction indicating that, if the fault were located beyond its known extent, it could potentially continue to the site of the step-up substation. However, the consultants evaluated LIDAR imagery of the step-up substation location and the surrounding area and concluded that there is no surficial evidence to indicate that the fault extends to the site. In addition, there are no faults mapped at or near the Station location; therefore, the risk of fault rupture at the facility is considered negligible.  

In ASC Exhibit H, Perennial identified ground shaking as a potential seismic hazard at the site, and committed to designing the proposed facility to conform to the current International Building Code (IBC). The version of the Division 21 requirements for Exhibit H that applied at the time of Council’s review of the ASC required the applicant to evaluate ground motion hazards using the 2009 IBC and the 2010 Oregon Structural Specialty Code (OSSC). Perennial explained that, based on the 2009 IBC, the design seismic event would have a 2 percent probability of exceedance in 50 years, an event with a 2,475-year recurrence interval. As a result, the Council imposed Condition C.3 requiring the certificate holder to design the facility to resist ground shaking from an event with a 2,475-year recurrence interval and in accordance with the 2010 OSSC and the 2009 IBC.

As previously explained, since the time the Council issued the site certificate, the Council approved amended language for OAR 345-021-0010(1)(h) (the Division 21 requirements for Exhibit H). These rules require Perennial to consult with DOGAMI regarding (among other items) the appropriate methodology and scope of the seismic hazards assessment. During the November 14, 2018 consultation, DOGAMI informed the certificate holder that the site-specific studies needed to be updated to reflect current codes. The current building code that applies to the seismic performance of structures at those locations is the 2014 OSSC, which incorporates and in some cases modifies the 2012 IBC. DOGAMI informed the Department and the certificate holder that DOGAMI anticipates that the Oregon Building Code Division will adopt the 2018 IBC (with modifications) towards the end of 2019. As a result, RFA Attachment 5 provides updated ground motion design parameters for the locations of the step-up substation and the Station for both the 2012 IBC/2014 OSSC and the 2018 IBC. The certificate holder represents that it would engineer and design the step-up substation and Station to meet the seismic performance requirements of Risk Category III structures as defined by the 2014 OSSC (or the 2019 OSSC, if the 2019 OSSC is adopted prior to issuance of the requested amended site certificate). The Council amends Condition C.3 to reflect changes in the applicable building

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65 RFA Attachment 5, Appendix H-1, Section 6.2.3.4.
67 PERAMD1 DOGAMI Consultation Correspondence Part A 2018-11-28 and PERAMD1 DOGAMI Consultation Correspondence Part B 2018-12-01.
codes:

**Amended Condition C.3:** The certificate holder shall design, engineer, and construct the facility to resist ground shaking from an event with a 2,475-year recurrence interval. All structures shall be designed in accordance with the versions of the Oregon Structural Special Code, (2010) and the 2009 International Building Code, and local building codes in effect at the time of construction.

[Final Order Condition C.3; AMD1]

To provide more information about subsurface conditions, existing Condition C.1 requires the certificate holder to take and analyze borings at the final locations of turbine/generators, access bridge, step-up substation, transmission towers and the buried transmission cable, and to perform a shear wave velocity measurement at the Station and step-up substation sites. Condition C.2 specifies the additional engineering evaluations the certificate holder must perform based on the refined subsurface conditions, including a requirement to refine or upgrade the seismic hazard evaluations.

During consultation, DOGAMI informed the certificate holder that the site-specific seismic evaluation should include evaluation of long-period ground motions from a Cascadia Subduction Zone Event. Site-specific long period ground motions can be high in eastern Oregon and special design considerations of long-period structures may therefore be necessary. In response, the certificate holder represented that it would perform site-specific ground motion study that would capture long-period amplification of large and distant subduction zone events at the site of the Station. The study would follow the guidance in Chapter 21 of the ASCE 7-16, which provides the minimum design loads on buildings and other structures. The Council amends existing Condition C.2 to require a site-specific ground motion study that accounts for long-period ground motion hazards at the site of the Station:

**Amended Condition C.2:** Prior to beginning construction, the certificate holder shall complete the following additional engineering evaluations:

(a) Refining the seismic hazard evaluations and develop code-based ground motion design parameters for the step-up substation, including design response spectra;

(b) Performing site-specific ground motion study following the guidance in ASCE 7-16, Chapter 21 for the Station. This study shall capture long-period amplification of large and distant subduction zone events;

(bc) Estimating soil bearing capacity and settlement for the transformer foundation, transmission tower foundation, and other geotechnical evaluations based upon the final design layout and design loads;

(cd) Developing geotechnical recommendations for trench excavation, shoring, and backfill of the buried transmission cable, as well as trenchless excavation techniques, if
necessary to pass below existing railroad tracks;
(de) Completing a final geotechnical design report.

[Final Order Condition C.2; AMD1]

Potential Geological and Soils Hazards

In ASC Exhibit H, the applicant evaluated potential non-seismic geological and soil hazards at the site, including landslides, flooding, soil erosion, collapsing soils, and high winds. Based upon the applicant’s assessment, and subject to compliance with Conditions C.5 through C.7 requiring the certificate holder to implement soil improvement techniques (to address potentially collapsible soils) and to comply with the mandatory conditions at OAR 345-025-0006(12)-14, the Council previously found that the applicant could design, engineer and construct the facility to avoid dangers to human safety presented by the non-seismic hazards identified.68

The site is flat and above 100-year flood elevations; the applicant therefore previously concluded in ASC Exhibit H that landslides and flooding are not anticipated. As part of its RFA, the certificate holder provided additional assessment of landslide and flooding hazards. Based upon review of the most current version of DOGAMI’s Statewide Landslide Information Database for Oregon (Version 3.4, released December 14, 2017), the certificate holder confirmed that neither the Station nor the step-up substation are located within mapped landslide areas. In addition, the certificate holder determined that the Station is located outside of the 500-year floodplain, and the step-up substation appears to be located outside of the 500-year floodplain (see the discussion under the Disaster Resilience and Climate Change Adaptation subsection below). Based upon this additional analysis, the certificate holder concluded that they do not anticipate landslide risk at either the Station or step-up substation sites, and that the risk of flooding appears to be low at both sites.69

Disaster Resilience and Climate Change Adaptation

As previously noted, rulemaking conducted since the last Council decision on the Perennial Wind Chaser Station established new informational requirements within OAR Chapter 345, Division 21. Specifically, OAR 345-021-0010(1)(h)(E) and OAR 345-021-0010(1)(h)(F)(i) require the certificate holder to discuss the facility’s disaster resilience (in the event of seismic hazards and non-seismic geologic hazards, respectively) and OAR 345-021-0010(1)(h)(F)(ii) requires the

68 Final Order on the ASC, Section IV.C., Structural Standard.
69 RFA Attachment 5, Section H.7.
certificate holder to discuss the impacts of future climate conditions on the facility.

**Disaster Resilience**

Based on a review of the record, the Department understands the greatest risks to the structural integrity of the facility to be ground shaking and collapsible soils. As previously discussed, Perennial identified ground shaking as a potential seismic hazard at the site, and commits to designing the facility to resist ground shaking. Condition C.3 (as amended) requires the certificate holder to design, engineer, and construct the facility in accordance with the versions of the OSSC, IBC, and local building codes in effect at the time of construction. The certificate holder also determined that soils at the Station and step-up substation site have the potential to collapse or lose strength during a seismic event. These soils may even collapse under non-seismic conditions: The loess layer for the Station site and the fine-grained alluvium silty sands at the step-up substation site may collapse by wetting, vibrating, or subjecting the soils to higher normal stresses. Therefore, as initially proposed in ASC Exhibit H and as confirmed in RFA Attachment 5, the certificate holder proposes to remove these layers and to backfill the excavated area with structural fill that would better accommodate the weight of heavy, settlement-sensitive structures like the facility turbines, generators, and condenser. For lighter facility components, the certificate holder proposes to remove and backfill the upper three feet of the loess prior to the foundation being laid. The Council previously imposed Condition C.4 requiring the certificate holder to implement soil improvement techniques to address potentially collapsible soils.

In its RFA, the certificate holder represents that it would have an emergency response plan for disasters to ensure that the facility would return to normal operation as quickly as practical after a disaster. The Council agrees that such a plan would render the facility more resilient to disasters, and imposes the following new condition:

**New Condition C.8:** Prior to construction, the certificate holder shall prepare an Emergency Response Plan. The certificate holder shall submit the plan no less than 30 days prior to beginning construction to the Department for review and approval by the Department, in consultation with the Department of Geology and Mineral Industries. The plan shall describe the procedures the certificate holder would take to recover facility operations after major disasters. The plan shall be maintained onsite and implemented throughout the operational life of the facility.

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70 RFA Attachment 5, Appendix H-1, Appendix A, Section 9.1.
71 ASC Exhibit H, p. 13 and RFA Attachment 5, Appendix H-1, Section 9.1.
72 RFA Attachment 5, Section H.6.
Climate Change Adaptation

The certificate holder reviewed the Oregon Global Warming Commission’s 2018 Biennial Report to the Legislature to determine the likely future climate conditions for the expected life span of the facility and the potential impacts of those conditions on the facility. The report indicates that climate change will result in sea level rise and increased temperatures, droughts, wildfires, and flooding in Oregon. The certificate holder explains in RFA Attachment 5 that while increased ambient temperatures and smoke from significant wildfires (which are more likely to occur with an increased frequency in drought conditions) could mildly impact combustion turbine performance, these impacts would not result in catastrophic failure of the Station, nor would the certificate holder need to temporarily cease Station operations during these conditions.

Flooding of either the step-up substation or the Station could cause significant damage to these facility components. The certificate holder referred to a U.S. Geologic Survey study of how future climate conditions may impact the Willamette and Columbia River levees, which states that the Pacific Northwest is projected to experience a decline in spring snowpack, earlier snowmelt, and earlier peaking streams, which may also result in some water basins experiencing higher peak flows. As a result, the Columbia and Umatilla Rivers may experience elevated flood levels. The Station and the step-up substation are both located above the 100-year flood elevations. The Station is also located outside of the 500-year floodplain. The National Flood Insurance Program map produced by the Federal Emergency Management Agency shows the step-up substation in Zone D, indicating that flood hazards are “undetermined, but possible.” The certificate holder explains that the step-up substation appears to be located outside of the 500-year floodplain because it is at a similar elevation as the City of Umatilla’s downtown area, which is mapped outside of the 500-year floodplain. Therefore, future climate conditions resulting in elevated flood levels in the Columbia and Umatilla Rivers are unlikely to result in flooding at the step-up substation and Station. The Department notes that guidance provided to the certificate holder by DOGAMI during consultation lists “build in lower risk areas and avoid building in higher risk areas, such as in...500 year flood zone” as an example of an action a certificate holder can take to design and build for future climate conditions.

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73 PERAMD1 USGS_Future Climate Effects on Columbia and Willamette River Levees.
74 RFA Attachment 5, Section H.7.
75 ASC Exhibit H, H-14.
76 RFA Attachment 5, Section H.7.
77 PERAMD1_DOGAMI Scope of Review for EFSC_July 2018.
Based upon the evidence provided, and subject to compliance with existing and amended conditions referenced above, the Council finds that the certificate holder has adequately characterized the potential seismic, geological and soil hazards of the site, and that the certificate holder can design, engineer and construct the facility to avoid dangers to human safety and the environment from these hazards.

Conclusions of Law

Based on the foregoing findings and the evidence in the record, and subject to compliance with the existing, amended, and new site certificate conditions, the Council finds that the facility, with the requested construction deadline extension, complies with the Council’s Structural Standard.

III.D. Soil Protection: OAR 345-022-0022

To issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to soils including, but not limited to, erosion and chemical factors such as salt deposition from cooling towers, land application of liquid effluent, and chemical spills.

Findings of Fact

The Soil Protection standard requires the Council to find that, taking into account mitigation, the design, construction and operation of a facility are not likely to result in a significant adverse impact to soils.

The certificate holder provided an assessment of potential soil impacts and compliance with the Soil Protection standard in ASC Exhibit I. The Council addressed the Soil Protection standard in Section IV.D. of the Final Order on the ASC, and found that, subject to site certificate conditions D.1 through D.9, the facility would comply with the standard. These conditions require the certificate holder to conduct construction work in compliance with an Erosion and Sediment Control Plan and a National Pollutant Discharge Elimination Systems #1200-C Construction Stormwater Discharge General Permit; control dust generated by construction activities; implement an approved Revegetation and Noxious Weed Control Plan; coordinate with landowners before applying herbicides and use a licensed contractor to apply the herbicides; and limit and mitigate for soil compaction.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The soil types and extent in the analysis area have not
substantially changed from the conditions described in ASC Exhibit I. In addition, the request for amendment does not include changes to the site boundary, facility design, facility layout, or other changes that could increase erosion, risks to soils from chemical factors, or otherwise adversely impact soils. However, the Department notes that the Revegetation and Noxious Weed Control Plan (Appendix 1 to the site certificate) does not currently account for temporary impacts at the pulling-tensioning sites. In addition, existing site certificate Condition D.3 does not require that the plan be finalized using information from the pre-construction habitat assessment required by existing site certificate Condition H.1. Therefore, the Council amends existing Condition D.3 as follows:

**Amended Condition D.3:** No less than 45 days prior to construction, unless otherwise agreed to by the Department, the certificate holder shall submit to the Department a final Revegetation and Noxious Weed Control Plan. The Department will review the plan in consultation with ODFW and the Umatilla County Weed Control Board. The plan must be approved by the Department prior to construction. As part of finalizing the plan, the certificate holder must update Table 1 of the draft plan (related to temporary and permanent impacts to habitat) based upon the pre-construction habitat assessment required by Condition H.1. In addition to the temporary ground disturbance areas described on page 3 of the draft plan, the final plan must consider temporary impacts at the pulling-tensioning sites, and the certificate holder must restore the soil and vegetation in these areas in accordance with the final plan, as approved by the Department. To control the introduction and spread of noxious weeds, the certificate holder must implement the requirements of the approved Revegetation and Noxious Weed Control Plan during all phases of construction and operation of the facility. Amendments to the Revegetation and Noxious Weed Control Plan must be reviewed and approved by the Umatilla County Weed Control Board and submitted to the department no later than 30 days after approval.

**[Final Order Condition D.3; AMD1]**

Subject to compliance with existing and amended site certificate conditions, the Council finds that the design, construction and operation of the facility, with the requested construction deadline extension, would not result in a significant adverse impact to soils.

**Conclusions of Law**

Based on the foregoing findings of fact and conclusions of law, and subject to compliance with existing and amended site certificate conditions, the Council finds that the facility, with the

\[78 \text{ RFA Section 2.5.3.}\]
requested extension of the construction deadlines, would comply with the Council’s Soil Protection standard.

III.E. Land Use: OAR 345-022-0030

(1) To issue a site certificate, the Council must find that the proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission.

(2) The Council shall find that a proposed facility complies with section (1) if:

(a) The applicant elects to obtain local land use approvals under ORS 469.504(1)(a) and the Council finds that the facility has received local land use approval under the acknowledged comprehensive plan and land use regulations of the affected local government; or

(b) The applicant elects to obtain a Council determination under ORS 469.504(1)(b) and the Council determines that:

(A) The proposed facility complies with applicable substantive criteria as described in section (3) and the facility complies with any Land Conservation and Development Commission administrative rules and goals and any land use statutes directly applicable to the facility under ORS 197.646(3);

(B) For a proposed facility that does not comply with one or more of the applicable substantive criteria as described in section (3), the facility otherwise complies with the statewide planning goals or an exception to any applicable statewide planning goal is justified under section (4); or

(C) For a proposed facility that the Council decides, under sections (3) or (6), to evaluate against the statewide planning goals, the proposed facility complies with the applicable statewide planning goals or that an exception to any applicable statewide planning goal is justified under section (4).

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Findings of Fact

The Land Use standard requires the Council to find that the facility, with the requested extension of the construction deadlines, would continue to comply with local applicable
substantive criteria, as well as the statewide planning goals adopted by the Land Conservation and Development Commission (LCDC).\textsuperscript{79}

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The following two changes related to the applicable substantive criteria have occurred between the date the pASC was submitted (April 3, 2014) and the date the preliminary RFA (August 2, 2018) was submitted:\textsuperscript{80} (1) Umatilla County amended UCDC § 152.617(II)(7) to add standards for a “utility facility necessary for public service” that is an “associated transmission line;” and (2) the City of Umatilla informed the Department that the transmission line reconductoring would be a use permitted outright (instead of a conditional use) within the Neighborhood Commercial (NC), Residential – single family (R1), and Residential – multi-family (R2) zones.\textsuperscript{81}

Changes in the Local Applicable Substantive Criteria

Umatilla County confirmed that the County Comprehensive Plan policies applicable to the facility remain the same.\textsuperscript{82} The certificate holder contacted the City of Umatilla Planning Department and confirmed that no new goals or policies have been added to the City’s Comprehensive Plan since April 3, 2014 (the date the preliminary ASC was filed) that would apply to the facility. Therefore, there are no changes to the applicable substantive criteria from the County and City comprehensive plans.

As discussed in ASC Exhibit K,\textsuperscript{83} the facility components would be located within the following zones:

- Natural gas pipeline
  - Umatilla County

\textsuperscript{79} The Council must apply the Land Use standard in conformance with the requirements of ORS 469.504.

\textsuperscript{80} Under the Council’s Land Use standard at OAR 345-022-0030, the “applicable substantive criteria” are criteria from the affected local government's acknowledged comprehensive plan and land use ordinances that are required by the statewide planning goals and that are in effect on the date the applicant submits the application. For Council review of a request for amendment, pursuant to OAR 345-027-075(3)(a) the Council shall apply the applicable substantive criteria under the Land Use standard in effect on the date the certificate holder submitted the request for amendment.

\textsuperscript{81} As discussed below, the Council previously assessed the transmission line reconductoring as a conditional use in the NC, R1, and R2 zones.

\textsuperscript{82} PERAMD1Doc11 County determination that zone changes do not apply_Waldher 2018-12-03.

\textsuperscript{83} Sections K.5.1, K.5.4, and K.6.1.
The certificate holder prepared updated zoning maps using GIS data obtained from the County and City and determined that the zoning within the City of Umatilla and the urban growth area (UGA) has not changed (Attachment D to this order shows the applicable zoning). However, as discussed later in this section, the Department received information from the City clarifying the requirements for transmission line reconductoring within the three zones located within the City of Umatilla and outside of the UGA. In addition, the City of Umatilla informed the Department that, in accordance with the Joint Management Agreement between the County and City that was entered into on January 3, 2017, the City now has authority to process land use permits for lands outside city limits but inside the UGA. In the Final Order on the ASC, the Council assessed the portion of the facility that would be located within the UGA against the applicable substantive criteria from the County’s 1972 Zoning Ordinance.84 The City of Umatilla adopted the 1972 Umatilla County Zoning Ordinance for the UGA; therefore, there are no changes to the applicable substantive criteria for the portions of the facility that would be located within the UGA.

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84 Final Order on the ASC, Section IV.E.1., Land Use, p. 40.
On July 2, 2014, the Umatilla County Board of Commissioners adopted Ordinance No. 2014-06, which rezoned the Umatilla Military Depot. A portion of the transmission line that would be reconducted is in close proximity to the eastern edge of the areas re-zoned from EFU to Umatilla Depot Refuge and Depot Industrial. However, the County Planning Director determined that the extent of the zone changes does not include the location of the transmission line that would be reconducted. Therefore, the Umatilla Military Depot rezone does not impact the criteria that are applicable to the transmission line that would be reconducted.

On April 28, 2017 the Umatilla County Board of Commissioners adopted Ordinance No. 2017-06, which rezoned a parcel immediately south of the power plant location and immediately west of a portion of the natural gas pipeline route. The parcel extends from Walker Road on the west to Cottonwood Bend Road on the east. The ordinance rezoned the parcel from EFU to Light Industrial with a Limited Use Overlay (LI/LU) to accommodate a planned data center. The natural gas pipeline would be located within the ROW of Cottonwood Bend Road (where the existing Cascade Natural Gas lateral to the Hermiston Generating Plant is located), which was not subject to the rezoning of the adjacent parcel from EFU to LI/LU. Therefore, the rezoning of that parcel does not impact the criteria that are applicable to the facility’s natural gas pipeline.

In the Final Order on the ASC, the Council listed UCDC § 152.617 (Conditional Uses and Land Use Decisions on EFU and GF Zoned Lands) among the applicable substantive criteria the Council applied to its review of the facility. Since the date the pASC was submitted, the Umatilla County Board of Commissioners amended UCDC § 152.617(II)(7) to add standards for a “utility facility necessary for public service” that is an “associated transmission line,” as further discussed below. While the language within UCDC § 152.617 has been changed, the reference to this portion of the UCDC in the list of applicable substantive criteria remains correct.

Changes in UCDC § 152.617 (Conditional Uses and Land Use Decisions on EFU and GF Zoned Lands)
The Council previously assessed the natural gas pipeline and the new transmission structures associated with the new transmission line as “utility facilities necessary for public service.” The natural gas line is located entirely on land zoned EFU, and up to three of the six new transmission structures would also be located on land zoned EFU (Attachment D to this order shows the applicable zoning). Pursuant to UCDC Section 152.059(C), a utility facility necessary for public service may be permitted in an EFU zone through a land use decision via

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85 PERAMD1Doc11 County determination that zone changes do not apply_Waldher 2018-12-03.
86 PERAMD1Doc11 County determination that zone changes do not apply_Waldher 2018-12-03.
87 Final Order on the ASC, Section IV.E.1., Land Use, p. 41.
administrative review and a utility facility necessary for public service may be established as provided in ORS 215.275 and UCDC § 152.617(II)(7). On the date the pASC was submitted, UCDC § 152.617(II)(7) mirrored the statutory requirements provided at ORS 215.275. On July 2, 2014 and March 16, 2016, the Umatilla County Board of Commissioners adopted Ordinance 2014-04 and Ordinance 2016-02, respectively, which amended UCDC § 152.617(II)(7) to add standards for a “utility facility necessary for public service” that is an “associated transmission line.” The provisions under UCDC § 152.617(II)(7)(A) largely mirror the statutory requirements provided at ORS 215.275 (utility facilities necessary for public service) and the current provisions under UCDC § 152.617(II)(7)(B) largely mirror the statutory requirements provided at ORS 215.274 (associated transmission line).

The UCDC does not define “associated transmission line,” but ORS 215.274 states that “‘associated transmission line’ has the meaning given that term in ORS 469.300.” As defined in ORS 469.300, “associated transmission lines” means “new transmission lines constructed to connect an energy facility to the first point of junction of such transmission line or lines with either a power distribution system or an interconnected primary transmission system or both or to the Northwest Power Grid.”

The natural gas pipeline does not meet this definition and is therefore not affected by the changes to UCDC § 152.617. Therefore, the Council’s previous findings in the Final Order on the ASC related to locating the natural gas pipeline on EFU-zoned land (under the provisions of UCDC § 152.617(II)(7) that mirror ORS 215.275) are not affected.

The Council previously found that, pursuant to UCDC § 152.056(J), reconductoring the existing transmission line is a minor betterment of an existing transmission line and is therefore permitted outright within the EFU zone, without a zoning permit.\(^8\) However, UCDC § 152.056 (uses permitted outright) is only applicable to the reconducted portions of the line and not to the potential six new poles (worst case scenario) proposed as necessary to tie-in to the existing transmission infrastructure. Up to three of the new transmission structures would be located on EFU-zoned land. These structures must be evaluated against the amended UCDC § 152.617(II)(7)(B) requirements for an associated transmission line, because these structures would be necessary to connect the power plant to the reconducted transmission line, and the reconducted transmission line would then connect the power plant to the Northwest Power

\(^8\) Final Order on the ASC at 43.
Grid at McNary Substation. Therefore, the certificate holder provided an analysis under UCDC § 152.617(II)(7)(B) of the new transmission structures that would be located on EFU land.89

(B) An associated transmission line is necessary for public service and shall be approved by the governing body of a county or its designee if an applicant for approval under ORS 215.283(1)(c) demonstrates to the governing body of the county or its designee that the associated transmission line meets either the requirements of paragraph (1) of this subsection or the requirements of paragraph (2) of this subsection.

The certificate holder must demonstrate that the associated transmission line meets the requirements of either paragraph (1) or paragraph (2) of UCDC § 152.617(II)(7)(B). As discussed below, in the RFA the certificate holder provides evidence that the associated transmission line meets the requirements of paragraph (2).

(1) An applicant demonstrates that the entire route of the associated transmission line meets at least one of the following requirements:

(a) The associated transmission line is not located on high-value farmland, as defined in ORS 195.300, or on arable land;

(b) The associated transmission line is co-located with an existing transmission line;

(c) The associated transmission line parallels an existing transmission line corridor with the minimum separation necessary for safety; or

(d) The associated transmission line is located within an existing right of way for a linear facility, such as a transmission line, road or railroad that is located above the surface of the ground.

The new transmission line structures on EFU land would not meet the requirements of criteria (b), (c), or (d) of paragraph (1). The certificate holder elected to assume that the structures would also not meet the requirements of criterion (a), and instead provides evidence that the associated transmission line meets the requirements of paragraph (2).

89 The Council previously determined that the reconducted portion of the transmission line qualifies as a use permitted outright under UCDC § 152.056(J) (Maintenance or minor betterment of existing transmission lines and facilities of utility companies and agencies). UCDC § 152.056(J) has not changed; therefore, the Council’s previous findings related to the portions of the reconducted transmission line that are located on EFU-zoned land are not affected.
(2) After an evaluation of reasonable alternatives, an applicant demonstrates that the entire route of the associated transmission line meets, subject to paragraphs (3) and (4) of this subsection, two or more of the following criteria:

Paragraph (2) first requires an evaluation of reasonable alternatives to siting the associated transmission line on EFU-zoned land. As the certificate holder demonstrates, there is no possible route that would eliminate the need for new transmission structures on land zoned EFU. The September 2012 Amended Notice of Intent (NOI) examined alternatives to the transmission line that was ultimately approved by Council in the Final Order on the ASC. In the Amended NOI, the applicant had proposed to select either a 17.9-mile, 230-kV transmission line that would have been routed west and generally parallel to Interstate 84 south of the Umatilla Army Depot, or a 20-mile, 230-kV transmission line that would have been routed along the eastern side of the Umatilla Army Depot before routing west to the north of the Umatilla Army Depot. Both alternatives would have connected the power plant to the BPA Longhorn Substation, and both alternatives would have required constructing new transmission line across areas zoned EFU.

By instead utilizing an existing transmission line (that would be reconductored) that connects to the BPA McNary Substation, the length of new transmission line – and associated impacts to EFU land – that would need to be constructed to connect the power plant to the regional electric grid is greatly reduced. However, up to three new transmission structures would be located on EFU land. The certificate holder explains that because the power plant and its switchyard would be located on EFU-zoned land, new transmission poles must cross EFU land adjacent to the switchyard in order to transmit electricity from the switchyard to the new transmission poles that would be located on non-EFU land, which would in turn connect the facility to the existing transmission line. The existing transmission line would ultimately connect the facility to the regional electric grid at the BPA McNary Substation. Based upon this reasoning, the Council finds that the certificate holder has evaluated reasonable alternatives and has demonstrated that no reasonable alternatives that would avoid EFU land exist.

Under UCDC § 152.617(II)(7)(B)(2), following the evaluation of reasonable alternatives, the certificate holder must demonstrate “that the entire route of the associated transmission line meets, subject to paragraphs (3) and (4) of this subsection, two or more of the following criteria:

(a) Technical and engineering feasibility;

(b) The associated transmission line is locationally-dependent because the associated transmission line must cross high-value farmland, as defined in ORS 195.300, or arable land to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;
(c) Lack of an available existing right of way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground;

(d) Public health and safety; or

(e) Other requirements of state or federal agencies."

The certificate holder argues that the associated transmission line satisfies at least two of the criteria, as required by paragraph (2), and provides an assessment under criteria (b) and (c). The certificate holder did not provide an assessment under criteria (a), (d), or (e).

Criterion (b) requires that the certificate holder demonstrate that the associated transmission line must cross high-value farmland (as defined in ORS 195.300) or arable land to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands.

Based on its location within the Columbia Valley viticultural area, and meeting certain requirements for elevation, slope, and aspect, portions of the power plant site are “high-value farmland” pursuant to ORS 195.300(10)(f)(C). The entire power plant site meets the requirements for elevation and slope; the portions of the power plant site that also have an aspect between 67.5 and 292.5 degrees meet this definition of high-value farmland. Two out of the three new transmission structures that would be located on EFU-zoned land would be located on high-value farmland (see RFA Attachment 6, Figure K-2).

All three new transmission line structures that would be located on land zoned EFU would also be located on arable land. Neither the UCDC, nor the statute on which UCDC § 152.617(II)(7)(B) is based (ORS 215.274), define “arable land.” In addition, the Land Conservation and Development (LCDC) rules pertaining to agricultural land define “arable land” with respect to siting wind power and photovoltaic solar power generation facilities on agricultural land, but do not define “arable land” with respect to siting transmission lines on agricultural land. In the absence of a definition for “arable land” with respect to siting transmission lines on agricultural land, the certificate holder’s analysis applies the definition of “arable land” with respect to siting wind power generation facilities on agricultural land:

OAR 660-033-0130(37)(b) defines “arable lands” for the purposes of siting wind energy generation facilities and OAR 660-033-0130(38)(a) defines “arable land” for the purposes of siting photovoltaic solar energy generation facilities.

DLCD stated that the certificate holder’s approach sounds reasonable. PERAMD1Doc19 DLCD Tim Murphy arable land definition 2019-05-31.
suitable for cultivation, including high-value farmland soils described at ORS 195.300(10).” ASC Exhibit I, Figure I-1l, shows that the entire power plant site consists of “Quincy loamy fine sand, gravelly substratum, 0 to 5 percent slopes.” The certificate holder explains that this soil type is a Class IV soil if irrigated, and Class IV soils are suitable for cultivation and therefore meet the definition at OAR 660-033-0130(37)(b) of arable land.92

The certificate holder explains that because the power plant and its switchyard would be located on EFU-zoned land that is entirely arable land (and, in some areas, both arable land and high-value farmland), the new transmission poles must cross arable land adjacent to the switchyard in order to transmit electricity from the switchyard to the new transmission poles that would be located on non-EFU land, which would in turn connect the facility to the existing transmission line.93 Based upon this reasoning, the Council finds that the associated transmission line is locationally-dependent because the associated transmission line must cross high-value farmland, as defined in ORS 195.300, or arable land to achieve a reasonably direct route. Therefore, the Council finds that the associated transmission line meets criterion (b).

Criterion (c) requires that the certificate holder demonstrate that the associated transmission line must cross EFU-zoned land due to lack of an existing, available, and aboveground linear ROW (such as a transmission line, road, or railroad) in which the associated transmission line could instead be located. A railroad ROW exists outside of, parallel, and adjacent to the northern border of the site boundary for the EFU-zoned power plant and switchyard site. However, no existing ROW extend from the switchyard to any location outside the EFU zone. Therefore, the Council finds that the associated transmission line meets criterion (c).

UCDC § 152.617(II)(7)(B)(2) requires that two of the five listed criteria be met. As previously discussed, the Council finds that the associated transmission line meets criteria (b) and (c). Therefore, the Council also finds that the associated transmission line would comply with the requirements of UCDC § 152.617(II)(7)(B)(2).

(3) As pertains to paragraph (2), the applicant shall present findings to the governing body of the county or its designee on how the applicant will mitigate and minimize the impacts, if any, of the associated transmission line on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmland.

92 RFA Section 2.5.4.
93 RFA Section 2.5.4.
The Council previously found that the transmission line (including the reconducted transmission line and the new transmission structures) would not interfere with the ability to irrigate, fertilize or harvest crops on surrounding center-pivot fields and would not affect the costs of the inputs. The Council also found that the development of the transmission line would not impair the ability of workers to access surrounding farmlands. The three new transmission structures on EFU-zoned land – which are the specific portions of the facility’s transmission line that are subject to the assessment under UCDC § 152.617(II)(7)(B) – would be separated from cultivated lands by the power plant to the east and Light Industrial-zoned land to the north (across a railroad ROW), south (the site of a planned data center), and west (across Westland Road). Therefore, the Council finds that the certificate holder would meet the requirements of paragraph (3).

(4) The governing body of a county or its designee may consider costs associated with any of the factors listed in paragraph (B) of this subsection, but consideration of cost may not be the only consideration in determining whether the associated transmission line is necessary for public service.

Paragraph (4) provides that cost may be a consideration associated with any of the factors listed in UCDC § 152.617(II)(7)(B), but that cost may not be the only consideration. The Council previously found that the costs of developing the transmission line (including the reconducted transmission line and the new transmission structures) are anticipated to be significantly lower than for any alternative alignment, not because the proposed route crosses EFU-zoned land, but rather because the alignment would be direct and primarily located within an existing ROW. In addition, the Council found that the cost savings of the proposed transmission line route are greater than any other alternative alignment because the facility would primarily utilize existing infrastructure and would primarily utilize an existing alignment. As explained in the RFA, locating up to three new transmission structures on EFU-zoned land at the power plant site would allow for a short interconnection to existing transmission infrastructure, which in turn would preclude the need to develop an entirely new transmission route to interconnect to the electric grid. Based on this assessment, the Council finds that while the selected transmission line route is likely less expensive than other transmission line route options, cost was not the only consideration associated with any of the

94 Final Order on the ASC at p. 48.
95 See Attachment D of this order.
96 Final Order on the ASC at 47.
paragraph (B) factors, and that therefore the associated transmission line would comply with the requirements of paragraph (4).

**Change in the City of Umatilla’s Neighborhood Commercial Zone**

The transmission line that would be reconducted crosses three zones within the City of Umatilla and outside of the UGA: NC, R1, and R2. The Council previously determined that the reconducted transmission line was permitted as a “Community Service” use, which was a conditional use in these zones. Since the date the pASC was submitted, the City of Umatilla adopted Article 10-4C of the City of Umatilla Zoning Ordinance, which pertains to the NC zone. Article 10-4C does not contain requirements for “Community Service” uses; however, the article permits major utility facilities (as defined in Article 10-1-6) as conditional uses (Section 10-4C-5(MM)) in the NC zone, subject to design criteria and standards. The Department contacted the City of Umatilla on November 5, 2018 to inquire if reconductoring an existing transmission line within the NC zone requires an evaluation of compliance with the property development standards for uses in that zone. The City informed the Department that, instead of a conditional use, reconductoring a transmission line is a use permitted outright within the NC, R1, and R2 zones. Based upon the City’s guidance, the Council finds that the transmission line reconductoring is a use permitted outright within the NC, R1, and R2 zones and therefore does not require a zoning permit.

**Conclusions of Law**

Based on reasons addressed above, and subject to compliance with the existing site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, satisfies the Council’s Land Use standard.

**III.F. Protected Areas: OAR 345-022-0040**

(1) Except as provided in sections (2) and (3), the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a

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98 Section 10-1-6 of the City of Umatilla City Code defines a “major utility facility” as “Any utility facility or structure, as distinguished from local distribution utility facilities, owned or operated by a public, semi-public, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution, or processing of its products or for the disposal of cooling water, waste or byproducts and including power transmission lines, major trunk pipelines, power substations, dams, water towers, railroad tracks, sewage lagoons, sanitary landfills, and similar facilities.” In accordance with Section 10-4C-5, major utilities facilities are conditionally permitted in the NC zone subject to the decision criteria in Section 10-12-1 and any applicable standards in Section 10-12-2 specific to the use, the property development standards of Section 10-4C-7, and the site plan design review requirements and procedures under Section 10-4C-8.
proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. References in this rule to protected areas designated under federal or state statutes or regulations are to the designations in effect as of May 11, 2007:

(a) National parks, including but not limited to Crater Lake National Park and Fort Clatsop National Memorial;

(b) National monuments, including but not limited to John Day Fossil Bed National Monument, Newberry National Volcanic Monument and Oregon Caves National Monument;

(c) Wilderness areas established pursuant to The Wilderness Act, 16 U.S.C. 1131 et seq. and areas recommended for designation as wilderness areas pursuant to 43 U.S.C. 1782;

(d) National and state wildlife refuges, including but not limited to Ankeny, Bandon Marsh, Baskett Slough, Bear Valley, Cape Meares, Cold Springs, Deer Flat, Hart Mountain, Julia Butler Hansen, Klamath Forest, Lewis and Clark, Lower Klamath, Malheur, McKay Creek, Oregon Islands, Sheldon, Three Arch Rocks, Umatilla, Upper Klamath, and William L. Finley;

(e) National coordination areas, including but not limited to Government Island, Ochoco and Summer Lake;

(f) National and state fish hatcheries, including but not limited to Eagle Creek and Warm Springs;

(g) National recreation and scenic areas, including but not limited to Oregon Dunes National Recreation Area, Hell’s Canyon National Recreation Area, and the Oregon Cascades Recreation Area, and Columbia River Gorge National Scenic Area;

(h) State parks and waysides as listed by the Oregon Department of Parks and Recreation and the Willamette River Greenway;

(i) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;

(j) State estuarine sanctuaries, including but not limited to South Slough Estuarine Sanctuary, OAR Chapter 142;
(k) Scenic waterways designated pursuant to ORS 390.826, wild or scenic rivers designated pursuant to 16 U.S.C. 1271 et seq., and those waterways and rivers listed as potentials for designation;

(l) Experimental areas established by the Rangeland Resources Program, College of Agriculture, Oregon State University: the Prineville site, the Burns (Squaw Butte) site, the Starkey site and the Union site;

(m) Agricultural experimental stations established by the College of Agriculture, Oregon State University, including but not limited to: Coastal Oregon Marine Experiment Station, Astoria Mid-Columbia Agriculture Research and Extension Center, Hood River Agriculture Research and Extension Center, Hermiston Columbia Basin Agriculture Research Center, Pendleton Columbia Basin Agriculture Research Center, Moro North Willamette Research and Extension Center, Aurora East Oregon Agriculture Research Center, Union Malheur Experiment Station, Ontario Eastern Oregon Agriculture Research Center, Burns Eastern Oregon Agriculture Research Center, Squaw Butte Central Oregon Experiment Station, Madras Central Oregon Experiment Station, Powell Butte Central Oregon Experiment Station, Redmond Central Station, Corvallis Coastal Oregon Marine Experiment Station, Newport Southern Oregon Experiment Station, Medford Klamath Experiment Station, Klamath Falls;

(n) Research forests established by the College of Forestry, Oregon State University, including but not limited to McDonald Forest, Paul M. Dunn Forest, the Blodgett Tract in Columbia County, the Spaulding Tract in the Mary's Peak area and the Marchel Tract;

(o) Bureau of Land Management areas of critical environmental concern, outstanding natural areas and research natural areas;

(p) State wildlife areas and management areas identified in OAR chapter 635, Division 8.

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(3) The provisions of section (1) do not apply to transmission lines or natural gas pipelines routed within 500 feet of an existing utility right-of-way containing at least one transmission line with a voltage rating of 115 kilovolts or higher or containing at least one natural gas pipeline of 8 inches or greater diameter that is operated at a pressure of 125 psig.

Findings of Fact
The Protected Areas standard requires the Council to find that, taking into account mitigation, the design, construction and operation of a facility are not likely to result in significant adverse impacts to any protected area as defined by OAR 345-022-0040. OAR 345-022-0040(3) provides that subsection (1) does not apply to transmission lines or natural gas pipeline routes within 500 feet of an existing utility ROW containing at least one transmission line with a voltage rating of 115 kilovolts or higher or containing at least one natural gas pipeline of 8 inches or greater diameter that is operated at a pressure of 125 pounds per square inch gage. The facility’s natural gas pipeline and the transmission line that would be reconducted would each be located within an existing utility ROW and, consequently, are not subject to the provisions of OAR 345-022-0040(1).

The certificate holder evaluated the likelihood of significant adverse impacts to protected areas from construction and operation of the facility in ASC Exhibit L. The Council addressed the Protected Areas standard in Section IV.F. of the Final Order on the ASC and found that the design, construction and operation of the facility would not result in significant adverse impacts to any protected area in the analysis area. The Council did not impose any specific conditions under the Protected Areas standard.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. No new protected areas have been added within the 20-mile analysis area, and the geographic extent and location of the protected areas described in ASC Exhibit L remains the same. In addition, the request for amendment does not include changes to the site boundary, facility design, facility layout, or other changes that could increase traffic, noise, water use, or wastewater disposal resulting from facility construction or operation. Furthermore, the request for amendment does not include changes to the facility structures, layout, or emissions that would result in new or different visual impacts. The Council’s finding in the Final Order on the ASC that visual impacts from facility emissions and the facility’s plume would not result in significant adverse impacts to protected areas was based, in part, on the fact that the certificate holder would need to obtain a Prevention of Significant Deterioration/Air Contaminant Discharge Permit from DEQ.

DEQ issued a Standard ACDP for the Perennial Wind Chaser Station on January 26, 2016. On July 26, 2017, DEQ issued a permit modification that extended the construction commencement deadline by 18 months (to January 26, 2019). As noted in some comments on

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100 RFA Section 2.5.5.
the record of the draft proposed order public hearing,\textsuperscript{101} and as confirmed by DEQ,\textsuperscript{102} Perennial has applied for a second construction deadline extension. DEQ is evaluating the application; the permit has not yet been modified and will be subject to the public comment process. If DEQ grants the second extension, the new construction commencement date will be July 26, 2020 – slightly less than two months prior to the new construction commencement date requested by Perennial (September 23, 2020) in its RFA. Should Perennial fail to begin construction by July 26, 2020, the existing facility DEQ-issued ACDP would no longer be valid and Perennial would need to apply for a new ACDP.\textsuperscript{103} Commenters argue that, “[s]ince Perennial’s Air Permit requires construction to begin, at the absolute latest, by July 26, 2020, there is no reason for EFSC to extend the construction start deadline in the site certificate beyond that date.”

The Environmental Protection Agency (EPA) has delegated authority to the DEQ to administer air quality under the Clean Air Act. The ACDP program administered by DEQ includes the federally-delegated new source review requirements of the Clean Air Act and the Prevention of Significant Deterioration program. The ACDP is therefore a federally-delegated permit over which the Council does not have jurisdiction.\textsuperscript{104}

Although the Council does not have jurisdiction over federally-delegated permits, the Council may rely on the determinations of compliance and the conditions in federally-delegated permits in evaluating an application for compliance with relevant Council standards. The Council did so in Section IV.F. of the Final Order on the ASC in its evaluation of facility compliance with the Protected Areas standard.

Perennial’s original ACDP application assessed the potential impact of air emissions on two protected areas, the Eagle Cap Wilderness Area and the Columbia River Gorge National Scenic Area. The Eagle Cap Wilderness Area is the closest Class I Prevention of Significant

\textsuperscript{101} Commenters expressed concern that air emissions from the generating station – such as carbon monoxide, volatile organic compounds, and nitrogen oxide – could impair air quality in the Columbia River Gorge, result in smog, and cause acid deposition during inversion events. Perennial previously applied for and received an ACDP from DEQ following an evaluation of these potential impacts in its ACDP application, and commenters noted that the ACDP may expire before the new construction commencement date requested in this RFA.

\textsuperscript{102} PERAMD1Doc44 Agenda Item K Perennial DPO - Staff Report 2019-09-12, Attachment 1.

\textsuperscript{103} OAR 340-224-0030(5)(c) ([e]xcept as provided in subsection (i), the permit will be terminated 54 months after it was initially issued if construction does not commence during that 54 month period. If the owner or operator wants approval to construct beyond the termination of the permit, the owner or operator must submit an application for a new Major NSR or Type A State NSR permit).

\textsuperscript{104} In accordance with ORS 469.503(3), “...except for those statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the council, the [Council must find that the] facility complies with all other Oregon statutes and administrative rules...”
Deterioration area to the facility and is located over 133 miles from the generating station. The Columbia River Gorge National Scenic Area is located approximately 121 miles away at its nearest distance. The Council previously found that because of the distance of the facility from Class 1 areas as well as the fact that the facility would need to obtain a Prevention of Significant Deterioration/ACDP from DEQ, the facility would have a negligible impact on Class 1 areas and the Columbia River Gorge National Scenic Area.\footnote{Final Order on the ASC, Section IV.F., Protected Areas, p. 124.}

At the time the Council made this finding, DEQ had not yet issued the original ACDP for the facility. In other words, the Council’s finding was based on the fact that Perennial had not yet obtained, but that it would need to obtain and maintain, a valid ACDP prior to commencing construction. This remains true – even if the Council amends the site certificate to extend the construction commencement date to September 23, 2020, Perennial would not be able to commence facility construction without a valid DEQ permit.

DEQ has informed the Department that DEQ would not issue an ACDP or a modified ACDP for a facility if there would be significant adverse impacts to Class I areas.\footnote{PERAMD1Doc44 Agenda Item K Perennial DPO - Staff Report 2019-09-12, Attachment 1.} As DEQ has previously issued an ACDP and a modified ACDP for the facility, information now exists that allows the Council to further evaluate the likelihood of significant adverse impacts to Class I areas and the Columbia River Gorge National Scenic Area. DEQ’s review report for the original ACDP concluded, “Based on the air quality analysis, DEQ has determined that the Perennial-WindChaser will not have an adverse impact on air quality in any Class I and Class II areas nor on the Columbia River Gorge National Scenic Area.” DEQ has informed the Department that DEQ does not anticipate that the facts underlying this conclusion would change any time before September 23, 2020 (the requested construction commencement deadline in the RFA) for the following reasons:\footnote{PERAMD1Doc44 Agenda Item K Perennial DPO - Staff Report 2019-09-12, Attachment 1.}

- Perennial’s current request for an ACDP permit modification does not indicate any changes to the configuration or emissions profile of the facility.
- The ambient air quality is not likely to change appreciably before September 23, 2020.
- The relevant air quality standards are not likely to change appreciably before September 23, 2020.
- The relevant air quality models have not recently changed appreciably, and are not likely to change appreciably before September 23, 2020.
The Council therefore continues to find that the facility, with the requested extension of the construction deadlines, would have a negligible visual impact on Class 1 areas and the Columbia River Gorge National Scenic Area.

**Conclusions of Law**

Based on the foregoing findings of fact, the Council concludes that, taking into account mitigation, the design, construction and operation of the facility, with the requested extension of the construction deadlines, would not be likely to result in significant adverse impacts to any protected areas, in compliance with the Council’s Protected Area standard.

**III.G. Retirement and Financial Assurance: OAR 345-022-0050**

To issue a site certificate, the Council must find that:

1. The site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility.

2. The applicant has a reasonable likelihood of obtaining 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.

**Findings of Fact**

The Retirement and Financial Assurance standard requires a finding that the facility site can be restored to a useful, non-hazardous condition at the end of the facility’s useful life, should the certificate holder either stop construction or cease operation of the facility. In addition, it requires a demonstration that the certificate holder can obtain a bond or letter of credit to restore the site to a useful, non-hazardous condition.108

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy

108 On the record of the draft proposed order public hearing, commenters raised the potential for the facility to be abandoned on the landscape. For the reasons discussed in this section of the order, subject to compliance with the existing and amended conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Council’s Retirement and Financial Assurance standard.
requirements of the standard. There have been no changes in the certificate holder’s corporate
structure that would impact the likelihood of the certificate holder obtaining 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. As part of its RFA, the certificate holder provided the following updated
information: 1) an updated site restoration cost estimate and 2) a recent letter from its
financial institution to demonstrate its continued ability to receive an adequate bond or letter
of credit.

_Restoration of the Site Following Cessation of Construction or Operation_

OAR 345-022-0050(1) requires the Council to find that the facility site, with proposed changes,
can be restored to a useful non-hazardous condition at the end of the facility’s useful life, or if
construction of the facility were to be halted prior to completion.

Restoring the site to a useful, nonhazardous condition upon permanent cessation of
construction or operations would primarily consist of dismantling and removing some
equipment and structures and capping and leaving in place other components. Onsite buildings
would be demolished following final use of any remaining fuels and chemicals. The onsite 230-
kV switchyard, the 500-kV step-up substation, and the underground line connecting the 500-kV
step-up substation to the McNary Substation would be dismantled and removed from the site.
The structures of the existing Hermiston to McNary transmission line would remain in place;
however, the certificate holder would remove the new 230-kV conductor from the existing
transmission line and would also remove the five transmission towers that would be
constructed between the switchyard and the existing transmission line. The interconnecting
water pipelines would be capped and left in place. The natural gas pipeline lateral would be
disconnected from the GTN interstate transmission pipeline header, capped, and left in place.
The certificate holder would grade decommissioned areas to restore the site to suitable or
natural site drainage patterns, and would then reseed these areas to provide suitable ground
cover in order to prevent soil erosion.

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109 RFA Section 2.5.1 and Section III.B., Organizational Expertise of this order.
110 RFA Attachment 7.
111 The foundations of the new transmission structures would be removed to a depth of four feet below grade. RFA
Attachment 7, Exhibit W. As explained in ASC Exhibit B, Section B.4, the first connecting transmission structure of
the existing Hermiston to McNary transmission line may need to be replaced with a new structure or otherwise
modified. If that structure is replaced, there would be a total of six new transmission structures required for the
facility. This transmission structure would remain in place because it is part of the existing transmission line serving
the HGP. PERAMD1Doc32 Decommissioning Cost Estimate_Neil 2019-01-03.
112 RFA Attachment 7, Exhibit W, Sections W.4 and W.5.
The Council previously found that the actions necessary to restore the site to a useful non-hazardous condition (as described in ASC Exhibit W) are feasible. In addition, the Council found that the certificate holder was capable of restoring the site to a useful, non-hazardous condition, subject to Conditions D.6, N.4, N.5, and N.6 (pertaining to the management of hazardous waste) and Conditions B.5, G.1, and G.2 (imposing mandatory conditions pertaining to preventing the development of conditions on the site that would preclude restoration, requiring the certificate holder to retire the facility in accordance with a retirement plan approved by the Council, and requiring the certificate holder to retire the facility upon permanent cessation of construction or operation).

While the RFA provides language that clarifies the specific actions and tasks it would take to restore the site to a useful, non-hazardous condition, the RFA does not propose to change the site restoration actions and tasks previously evaluated by Council. Therefore, subject to compliance with the existing site certificate conditions, the Council finds that the certificate holder would continue to be able to adequately restore the site to a useful, non-hazardous condition following permanent cessation of construction or operation.

**Estimated Cost of Site Restoration**

OAR 345-022-0050(2) requires the Council to find that the certificate holder has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount necessary to restore the facility site to a useful non-hazardous condition. A bond or letter of credit provides a site restoration remedy to protect the state of Oregon and its citizens if the certificate holder fails to perform its obligation to restore the site. The bond or letter of credit must remain in force until the certificate holder has fully restored the site.

As part of its RFA, the certificate holder provided an updated site restoration cost estimate that accounts for the costs of labor, materials and equipment, materials disposal, specialized disposal of hazardous waste, and grading and seeding activities associated with site restoration. Table RF-1 recreates those tables, and shows that the certificate holder’s cost estimate, in 2nd Quarter 2018 dollars, totals $6.261 million without a ZLD system and $6.274 million with a ZLD system.

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113 Final Order on the ASC, Section IV.G. Retirement and Financial Assurance.
114 RFA Section 2.5.6 and Attachment 7, Tables W-1 and W-2.
115 If Lamb Weston is not able to accept reclaimed water from the HGP that has come from the Perennial Wind Chaser Station, the certificate holder proposes to install a ZLD system. See Section I.B. of this order for more information.
Table RF-1: Certificate Holder’s Decommissioning and Site Restoration Cost Estimate

<table>
<thead>
<tr>
<th>Facility Component</th>
<th>Cost Estimate (without ZLD System)</th>
<th>Cost Estimate (ZLD System Option)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Combustion Turbines 1-4</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Turbines &amp; Foundations</td>
<td>$2,047,000</td>
<td>$2,047,000</td>
</tr>
<tr>
<td>Generator Step-up Transformers</td>
<td>$39,000</td>
<td>$39,000</td>
</tr>
<tr>
<td>On-site Concrete Crushing &amp; Disposal</td>
<td>$34,000</td>
<td>$34,000</td>
</tr>
<tr>
<td>Debris</td>
<td>$15,000</td>
<td>$15,000</td>
</tr>
<tr>
<td><strong>Combustion Turbines Subtotal</strong></td>
<td>$2,135,000</td>
<td>$2,135,000</td>
</tr>
<tr>
<td><strong>Other Components</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Switchyard &amp; Substation²</td>
<td>$128,000</td>
<td>$128,000</td>
</tr>
<tr>
<td>Balance of Plant Misc.</td>
<td>$1,065,000</td>
<td>$1,028,000</td>
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<tr>
<td>Roads</td>
<td>$55,000</td>
<td>$55,000</td>
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<tr>
<td>All Balance of Plant Buildings</td>
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<tr>
<td>Fuel Equipment</td>
<td>$118,000</td>
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</tr>
<tr>
<td>All Other Tanks</td>
<td>$36,000</td>
<td>$36,000</td>
</tr>
<tr>
<td>Transformers &amp; Foundation</td>
<td>$341,000</td>
<td>$341,000</td>
</tr>
<tr>
<td>Cooling Towers &amp; Basin</td>
<td>$216,000</td>
<td>$216,000</td>
</tr>
<tr>
<td>ZLD System</td>
<td>--</td>
<td>$47,000</td>
</tr>
<tr>
<td>Hazardous Waste Disposal</td>
<td>$500,000</td>
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<tr>
<td>Concrete Removal, Crushing, &amp; Disposal</td>
<td>$66,000</td>
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</tr>
<tr>
<td>Grading &amp; Seeding</td>
<td>$317,000</td>
<td>$317,000</td>
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<tr>
<td>Debris</td>
<td>$18,000</td>
<td>$18,000</td>
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<tr>
<td><strong>Other Components Subtotal</strong></td>
<td>$2,874,000</td>
<td>$2,884,000</td>
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<tr>
<td>Subtotal</td>
<td>$5,009,000</td>
<td>$5,019,000</td>
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<tr>
<td>Indirect Project Costs (5%)</td>
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<td>$251,000</td>
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<tr>
<td>Future Developments Contingency (20%)</td>
<td>$1,002,000</td>
<td>$1,004,000</td>
</tr>
<tr>
<td><strong>Total Site Restoration Cost (Q2 $2018)</strong></td>
<td>$6,261,000</td>
<td>$6,274,000</td>
</tr>
</tbody>
</table>

Notes:
1. Numbers may not sum to total due to rounding.
2. This item includes the five new transmission structures. PERAMD1Doc32 Decommissioning Cost Estimate_Neil 2019-01-03

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RFA Attachment 7, Tables W-1 and W2 show that the certificate holder included indirect project costs totaling five percent of the sum of all line items (cost subtotal). The Department communicated to the certificate holder that this value (five percent of the cost subtotal) is not consistent with the Department’s typical practices and experience. Specifically, the Department typically increases the cost subtotal by ten percent (10%) for the demolition contractor’s
overhead charges. It then increases the new subtotal (cost subtotal plus overhead) by ten percent (10%) to account for the demolition contractor’s profit expectation and increases the resulting subtotal (cost subtotal + overhead + profit) by three percent (3%) to account for the contractor’s insurance costs. The certificate holder explained that the consulting team that prepared the cost estimate evaluated historical data within its files on actual decommissioning projects, and it was the consultant’s position that the five percent figure was more appropriate. However, in the absence of additional detail supporting that position, the Council applies the methodology presented here to increase the cost subtotal to account for the demolition contractor’s overhead costs, profit, and insurance costs, as shown in Table RF-2.

In addition, the Council increases the resulting subtotal (inclusive of the cost subtotal, overhead costs, profit, and insurance cost) by one percent (1%) to account for the cost of a performance bond that would be posted by the contractor as assurance that the work would be completed as agreed. Furthermore, the Council adds a contingency for administrative and management expenses of 10 percent to the cost estimate. These are the anticipated direct costs borne by the State in the course of managing site restoration and would include the preparation and approval of a final retirement plan; obtaining legal permission to proceed with the demolition of the facility; legal expenses for protecting the State’s interests; preparing specifications, bid documents, and contracts for demolition work; and managing the bidding process, the negotiation of contracts, and other tasks.

If it becomes necessary for the State to draw upon the bond, it might be many years in the future. Other factors contribute to uncertainty; for example, different environmental standards or other legal requirements might be in place in the future, new disposal sites might need to be found for demolition debris, and the cost of labor and equipment available might increase at a rate exceeding the standard inflation adjustment. The certificate holder’s decommissioning and site restoration cost estimate applied a 20 percent (20%) future developments contingency to account for such uncertainty.

Table RF-2 provides a summary of the Department’s site restoration cost estimate.

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Table RF-2: Department’s Decommissioning and Site Restoration Cost Estimate

<table>
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<td><strong>Combustion Turbines Subtotal</strong></td>
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</tr>
<tr>
<td><strong>Other Components Subtotal</strong></td>
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<td>$2,884,000</td>
</tr>
<tr>
<td>Subtotal</td>
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<td>$5,019,000</td>
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<tr>
<td>Overhead (10%)</td>
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<tr>
<td>Profit (10%)</td>
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<td>Insurance (3%)</td>
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<td>Subtotal</td>
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<td>Performance Bond (1%)</td>
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<td><strong>Gross Cost</strong></td>
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<tr>
<td>Administration &amp; Project Management (10%)</td>
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<tr>
<td>Future Developments Contingency (20%)</td>
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<tr>
<td><strong>Total Site Restoration Cost (Q2 $2018)</strong></td>
<td>$8,196,687</td>
<td>$8,213,051</td>
</tr>
<tr>
<td><strong>Total Site Restoration Cost (rounded to nearest $1,000)</strong></td>
<td>$8,197,000</td>
<td>$8,213,000</td>
</tr>
</tbody>
</table>
Table RF-2: Department’s Decommissioning and Site Restoration Cost Estimate

<table>
<thead>
<tr>
<th>Facility Component</th>
<th>Cost Estimate (without ZLD System)(^1)</th>
<th>Cost Estimate (ZLD System Option)(^1)</th>
</tr>
</thead>
</table>

Notes:
1. Numbers may not sum to total due to rounding.
2. This item includes the five new transmission structures. PERAMD1Doc32 Decommissioning Cost Estimate_Neil 2019-01-03.

Based upon the preceding analysis, and as shown in Table RF-2, the Council finds that the following amounts are reasonable estimates of the cost to restore the site to a useful, nonhazardous condition: $8.197 million (2\(^{nd}\) Quarter 2018 dollars) without the ZLD system and $8.213 million (2\(^{nd}\) Quarter 2018 dollars) with the ZLD system. As discussed below, the Council amends Condition G.4 to reflect the updated site restoration cost estimate.

**Ability of the Certificate holder to Obtain a Bond or Letter of Credit**

OAR 345-022-0050(2) requires the Council to find that the certificate holder continues to have a reasonable likelihood of obtaining a bond or letter of credit in a form satisfactory to the Council to restore the site to a useful, non-hazardous condition. A bond or letter of credit provides a site restoration remedy to protect the state of Oregon and its citizens if the certificate holder fails to perform its obligation to restore the site. The bond or letter of credit must remain in force until the certificate holder has fully restored the site. OAR 345-025-0006(8) establishes a mandatory condition, included as Condition G.3, which ensures compliance with this requirement. In addition, the Council previously imposed Condition G.4, which specifies the initial bond or letter of credit amount for the facility.

The Council amends existing Condition G.4 as follows to require an initial bond or letter of credit amount that reflects the updated site restoration cost estimate. The Council also amends the condition so that any revision to the restoration costs (beyond whether or not the facility would use a zero liquid discharge system) would need to be reviewed and approved by the Council through a site certificate amendment.

**Amended Condition G.4:** Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council a bond or letter of credit naming the State of Oregon, acting by and through the Council, as beneficiary or payee. The initial bond or letter of credit amount for the facility is $4.560 $8.197 million, without a zero liquid discharge system or $4.61 $8.213 million with a zero liquid discharge system, depending upon the final design configuration, to be adjusted to the date of issuance, and adjusted on an annual basis thereafter, as described in sub-paragraph (b) of this condition:
(a) The certificate holder may adjust the amount of the initial bond or letter of credit based on the final design configuration of the facility. However, any revision to the restoration costs should be adjusted to the date of issuance as described in (b) and would need to be subject to review and approval by the Department Council through a site certificate amendment.

(b) The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation:

i. Adjust the amount of the bond or letter of credit (expressed in second quarter 2013 dollars) to present value, using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services’ “Oregon Economic and Revenue Forecast” or by any successor agency and using the second quarter 2013 index value and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the index is no longer published, the Council shall select a comparable calculation to adjust second quarter 2013 dollars to present value.

ii. Round the result total to the nearest $1,000 to determine the financial assurance amount.

(a) The certificate holder shall use an issuer of the bond or letter of credit approved by the Council

(b) The certificate holder shall use a form of bond or letter of credit approved by the Council. The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under OAR 345-026-0080. The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site.

[Final Order Condition G.4; AMD1]

As part of this request for amendment, the certificate holder provided a letter from MUFG Bank, Ltd. dated October 5, 2018 stating that the bank understood that the certificate holder would need to obtain a letter of credit in the amount of $6.5 million. The letter further expressed the bank’s willingness to arrange the required letter of credit, subject to receipt of further information, the bank’s customary due diligence, and internal credit approval.\footnote{RFA Attachment 7.}

MUFG Union Bank, N.A. is on the Council’s list of pre-approved financial institutions. The Department’s Project Development Officer from the Department’s Loan Development division...
determined that MUFG Union Bank, N.A. and MUFG Bank, Ltd. are “one and the same;”
therefore, additional Council approval of MUFG Bank, Ltd. is not required.\textsuperscript{118}

The updated site restoration cost estimate ($8.197 million in 2\textsuperscript{nd} Quarter 2018 dollars without
the ZLD system and $8.213 million in 2\textsuperscript{nd} Quarter 2018 dollars with the ZLD system) is greater
than $6.5 million. However, based on Condition G.4, construction of the facility cannot begin
until the certificate holder submits a sufficient bond or letter of credit to the Department. As
such, there is no risk that construction of the facility would begin without financial assurance
protection for the state. Additionally, the certificate holder’s parent company is a multi-national
energy facility developer and operator and it is reasonable to conclude that it will be able to
secure a bond or letter of credit as required by Condition G.4. Based on the evidence in the
record, the Council finds that the certificate holder continues to have a reasonable likelihood of
obtaining 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.

\textbf{Conclusions of Law}

Based on the foregoing findings of fact, and subject to compliance with the existing and
amended conditions, the Council finds that the facility, with the requested extension of the
construction deadlines, would comply with the Council’s Retirement and Financial Assurance
standard.

\textbf{III.H. Fish and Wildlife Habitat: OAR 345-022-0060}

\textit{To issue a site certificate, the Council must find that the design, construction and
operation of the facility, taking into account mitigation, are consistent with the fish and
wildlife habitat mitigation goals and standards of OAR 635-415-0025 in effect as of
September 1, 2000.}

\textbf{Findings of Fact}

The EFSC Fish and Wildlife Habitat standard requires the Council to find that the design,
construction and operation of a facility is consistent with the Oregon Department of Fish and
Wildlife’s (ODFW) habitat mitigation goals and standards, as set forth in OAR 635-415-0025.
This rule creates requirements for mitigating impacts to fish and wildlife habitat, based on the
functional quantity and quality of the habitat impacted as well as the nature, extent, and
duration of the impact. The rule also establishes a habitat classification system based on the
function and value of the habitat it would provide to a species or group of species likely to use

\textsuperscript{118} MUFG Union Bank, N.A. is a wholly-owned subsidiary of MUFG Bank, Ltd.

Perennial Wind Chaser Station Request for Amendment 1 to the Site Certificate
Final Order
November 22, 2019
66
it. There are six habitat categories, with Category 1 being the most valuable, and Category 6 the least valuable.

The certificate holder provided information about the anticipated facility impact on fish and wildlife habitat in ASC Exhibit P. The Council addressed the Fish and Wildlife Habitat standard in Section IV.H. of the Final Order on the ASC and found that, subject to conditions H.1 through H.13, the facility would comply with the standard. These conditions prohibit disturbance of Category 1 habitat, and require pre-construction verification of the acres of impacted habitat by habitat category and subtype as well as mitigation in accordance with the final acreage determination. In addition, the conditions require the certificate holder to: restore temporarily impacted areas to preconstruction conditions or better; prepare and implement monitoring plans; train personnel in environmental protection; design the transmission line to minimize risk of avian mortality; and to minimize the impacts of vehicular traffic on surrounding areas. The conditions also: restrict construction activities within specified buffers of raptor nests within the raptor breeding season if active nests are located during pre-construction raptor surveys; require coordination with ODFW about appropriate avoidance and/or mitigation measures if construction activities occur during the migratory bird breeding season and have the potential to impact the nests of native, non-raptor species; and require coordination with ODFW on appropriate avoidance or mitigation measure if a California myotis (a state-sensitive bat species) roost is observed during pre-construction biological surveys. Finally, the conditions require: consultation with ODFW about appropriate avoidance or minimization measures if construction activities occur during native non-raptor migrations; a report containing results of all preconstruction surveys; and clear delineation of boundaries of environmentally sensitive areas during construction.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include any changes to the facility design or layout that would create new or different impacts to fish and wildlife habitat. In addition, as explained in more detail below, through a combination of desktop analysis, on-site reconnaissance, and field surveys, the certificate holder determined that the fish and wildlife habitat descriptions in ASC Exhibit P remain applicable because the location and geographic extent of waters, habitats, and other natural resources identified in the ASC have not changed. Additional surveys conducted as part of this RFA provide a greater level of detail than the ASC about fish and wildlife habitat at the pulling-tensioning sites along the transmission line to be reconductored, as on-the-ground field surveys were not previously

119 RFA Section 2.5.7 and RFA Attachment 8 (Sections 3.1, 3.3, and 3.4.2).
conducted at these locations. Furthermore, because the 2012 Washington ground squirrel (WGS) surveys were conducted more than three years ago and some areas were not surveyed to protocol, the certificate holder re-surveyed previously surveyed areas for WGS as part of this RFA.

Desktop Analysis, Site Reconnaissance, and Field Surveys

As part of this RFA, the certificate holder reviewed desktop wetlands and soils data (National Wetlands Inventory, National Hydrography Dataset, and the Soil Survey Geographic Database) as well as aerial imagery. To confirm the results of the desktop analysis, ecologists conducted on-site reconnaissance on June 11 and 12, 2018 to assess current conditions of fish and wildlife habitat, including waters and wetlands. Based upon the desktop analysis and site reconnaissance, the certificate holder concluded that no changes to fish and wildlife habitat have occurred. While the certificate holder’s preliminary RFA initially relied upon the previous habitat surveys conducted in support of the ASC, the certificate holder performed additional field surveys in response to requests by the Department and ODFW.

Prior to performing the surveys, one of the certificate holder’s consultant teams (Ecology and Environment, Inc.; E & E) conducted a search of updated Oregon Biodiversity Information Center (ORBIC) data, which provided new information about two state-sensitive species (Pacific lamprey and western burrowing owl) and WGS habitat. Based on the 2018 ORBIC data, areas potentially occupied by Pacific lamprey have expanded since E & E searched the database in 2012. However, because construction and operation of the facility would not involve in-water work, the certificate holder states that there would be no impact to this species. While a pair of western burrowing owls were detected, the pair were documented at a distance (2.5 miles) from the facility. In addition, existing Condition H.8 requires the certificate holder to conduct raptor nest surveys, including surveys of burrowing owl burrows, for each year of construction. If nests are present, the certificate holder must notify the Department and ODFW and construction-related activities must be restricted 0.25 miles of burrowing owl burrows until the nests have failed or chicks have fledged. The 2018 ORBIC search also shows that WGS areas have increased in size since the 2012 ORBIC search. Additional WGS surveys were performed in support of this RFA.

E & E conducted surveys on April 22, April 23, and May 10, 2019 to identify vegetation communities, verify the presence or lack of wetlands/waters, and evaluate WGS presence. In addition, the biologists recorded sightings of special status and common wildlife species

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\(^{120}\) PERAMD1DOC20 ODFW Comment Letter and Follow up Email December 2018.

\(^{121}\) PERAMD1Doc29 ODOE Determination and Request for Additional Information 2018-12-10 and PERAMD1Doc20 ODFW Comment Letter and Follow up Email December 2018.
observed during the course of WGS surveys, and searched for raptor nests using high-powered binoculars.

With the exception of the survey area for raptor nests (which includes areas up to 0.25 miles from the site boundary), the survey area included all areas subject to ground disturbance from construction and operation of the facility, including the following:

- 50-foot-wide natural gas pipeline ROW
- Generating station site and associated temporary construction areas
- Two new transmission structure sites located outside of the generating station site
- Eleven pulling-tensioning sites/staging areas (each 50 feet by 100 feet) along the transmission line that would be reconducted
- Step-up substation site and underground interconnection corridor adjacent to the McNary Substation

Section III.I., Threatened and Endangered Species of this order provides more details about the WGS survey methodology.

Results

Vegetation communities and habitat types mapped in the previously surveyed area remain the same as reported in ASC Exhibit P.\(^{122}\) In support of this RFA, E & E biologists supplemented desktop review of the Oregon National Gap Analysis Program spatial land cover dataset with field surveys in order to map vegetation communities and habitat types within the survey area. As previously explained, the newly surveyed areas include each of the pulling-tensioning sites along the transmission line to be reconducted. Habitat types observed at the transmission line pulling-tensioning sites (the areas along the transmission line to be reconducted where ground disturbance would occur) include weedy grassland, agriculture, and developed land. While shrub-steppe habitat is present in the northern part of one of the pulling-tensioning sites, ground-disturbing activities would be located in weedy grasslands to the south to avoid the shrub-steppe habitat.\(^{123}\) No designated noxious weeds were observed in the pulling-tensioning sites.\(^{124}\) E & E concluded, and ODFW concurred, that habitat at the pulling-tensioning sites

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\(^{122}\) RFA Attachment 8, Section 2.1.
\(^{123}\) PERAMD1Doc20 ODFW Comment Letter and Follow up Email December 2018 and RFA Attachment 8, Table 3.
\(^{124}\) Designated noxious weeds are a group of weed species selected for priority prevention and control by the Oregon Department of Agriculture’s Noxious Weed Control Program. PERAMD1Doc21 ODA Noxious Weed Policy Classification System 2019.
would be appropriately categorized as Categories 5 and 6. Conditions H.1 and H.2 require pre-construction verification of the acres of impacted habitat by habitat category and subtype as well as mitigation in accordance with the final acreage determination; therefore, temporary disturbance impacts at the pulling-tensioning sites must be considered as part of the final acreage determination required by these conditions.

Existing Condition H.2 requires a Habitat Mitigation Plan “if determined necessary.” Mitigation for impacts to fish and wildlife habitat, including compensatory mitigation, is required by the Council’s standard and by ODFW Fish and Wildlife Habitat Mitigation Policy. Based on the ASC and this request for amendment, the proposed facility is anticipated to permanently impact approximately 19.03 acres of Category 5 habitat and 4.45 acres of Category 6 habitat, and to temporarily impact 2.03 acres of Category 3 habitat and 36.01 acres of Categories 5 and 6 habitat. Impacts to Category 6 do not require mitigation. Temporary impacts to grassland habitat also do not require compensatory mitigation, but impacts to some habitats with a slow recovery time (e.g., shrub-steppe with a sage or bitterbrush component, like the Category 3 habitat that would be temporarily impacted by construction of the natural gas pipeline) do require compensatory mitigation. Existing site certificate Condition H.2 requires that, based on the results of the pre-construction habitat survey, the certificate holder consult with ODFW and determine the final acreage of mitigation that is required. The condition further requires that if mitigation is determined necessary, a Habitat Mitigation Plan is developed and implemented.

However, based on the Department’s assessment as presented here, mitigation is expected to be required. Therefore, to remove the uncertainty associated with the way the existing condition is phrased, the Council amends existing site certificate Condition H.2 as follows:

**Amended Condition H.2:** Prior to commencement of construction, following completion of Condition PRE-FW-01 (Final Order Condition H.1), the certificate holder shall consult with the Oregon Department of Fish and Wildlife (ODFW) to determine the final acreage of habitat mitigation required. Mitigation shall be provided in accordance with the final acreage determinations provided in response to Condition PRE-FW-01 (Final Order Condition H.1) and consistent with a Habitat Mitigation Plan, if determined necessary, as approved by the department and ODFW.

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125 RFA Attachment 8, Table 3; and PERAMD1Doc30 ODFW Rimbach comment on habitat categorization 2019-06-25.

126 The pulling-tensioning activities would temporarily disturb Categories 5 and 6 habitat. Each pulling-tensioning site would be contained within the existing transmission ROW and would measure approximately 50 x 100 feet, for a total of 60,000 square feet (approximately 1.38 acres) of temporary disturbance. As described in the ASC, construction of other facility components would impact an additional 34.63 acres of Category 5 and 6 habitat. ASC Appendix P, p. P-19 and Table P-2; and RFA Attachment 8, Table 3.
(a) A final Habitat Mitigation Plan, if determined necessary, and ODFW’s concurrence of that plan shall be submitted to the department no less than 30 days prior to the beginning of construction.

(b) The final Habitat Mitigation Plan, if necessary, may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council. Such amendments may be made without amendment of the site certificate. The Council authorizes the department to agree to amendments to this plan. The department shall notify the Council of the Final Habitat Mitigation Plan and all amendments to the plan. The Council retains the authority to approve, reject or modify any amendments of this plan agreed to by the department.

[Final Order Condition H.2; AMD1]

The presence and character of wetlands and waters within the previously surveyed areas remains the same as reported in ASC Exhibit J.\textsuperscript{127} No wetlands or waterbodies are located within the newly surveyed pulling-tensioning sites, and the two waters located near pulling-tensioning sites would not be impacted by construction and operation of the facility (see Section III.Q.2, Removal-Fill, of this order).

The long-billed curlew is the only state sensitive species observed during the 2013 surveys conducted in support of the ASC.\textsuperscript{128} During the 2019 surveys conducted in support of this RFA, the biologists did not observe suitable habitat for special status plant species, the presence of special status plants themselves, evidence of WGS, or other special status wildlife during the field surveys.\textsuperscript{129} One active red-tailed hawk nest was reported in the same location (near the western edge of the generation site) identified during the 2013 surveys, and two adult red-tailed hawks were observed in the vicinity of the nest;\textsuperscript{130} however, red-tailed hawks are not sensitive or listed species. If facility construction activities would occur during the raptor breeding season, existing site certificate Condition H.8 requires the certificate holder to conduct pre-construction surveys for raptor nests and to restrict construction activities within specified distances of active raptor nests until the nests have failed or the chicks have fledged. Existing Condition H.11 requires the certificate holder to consult with ODFW to determine appropriate avoidance or minimization measures if active nests are located during pre-

\textsuperscript{127} RFA Attachment 8, Section 3.3.
\textsuperscript{128} ASC Exhibit P, Section P.6, p. P-16.
\textsuperscript{129} RFA Attachment 8, Section 3.0.
\textsuperscript{130} RFA Attachment 8, Section 3.4.2.
construction raptor surveys. Condition H.13 requires the certificate holder to clearly demarcate raptor nests during construction to increase visibility to construction crews.

The 2013 surveys conducted in support of the ASC did not detect WGS within the surveyed area, which included the locations for the generating station, 50-foot-wide gas pipeline ROW, and step-up substation and its associated underground transmission line. Neither WGS nor signs of them (e.g., burrows, scat, alarm calls) were detected during the 2019 surveys within suitable habitat in the site boundary or observed within 1,000 feet of proposed ground disturbance areas. Most of the available habitat in the site boundary appears to be of low value for WGS due to the types of vegetation cover present and proximity to human disturbances.\(^{131}\) E & E stated that the habitat and vegetation communities within 1,000 feet of the natural gas pipeline ROW have not changed since the 2013 surveys and are not suitable habitat for WGS. Three pulling-tensioning are located adjacent to potential habitat for WGS, and two of those sites have direct connectivity to large areas of shrub-steppe (potentially suitable habitat) on the Umatilla Army Depot.\(^{132}\) Amended Condition D.3 (see Section III.D. of this order) would require the certificate holder to restore soil and vegetation at the pulling-tensioning sites in accordance with the final Revegetation and Noxious Weed Control Plan.

Based upon the evidence provided, and subject to compliance with existing and amended conditions referenced above, the Council finds that the design, construction, and operation of the facility, taking into account mitigation and the requested extension of the construction deadlines, are consistent with the fish and wildlife habitat mitigation goals and standards of OAR 345-415-0025.

**Conclusions of Law**

Based on the foregoing findings of fact, and subject to compliance with the existing and amended site certificate conditions referenced above, the Council finds that the facility, with the requested extension of the construction deadlines, complies with the Council’s Fish and Wildlife Habitat standard.

### III.I. Threatened and Endangered Species: OAR 345-022-0070

*To issue a site certificate, the Council, after consultation with appropriate state agencies, must find that:*

\(^{131}\) RFA Attachment 8, Section 3.4.1.\(^{132}\) RFA Attachment 8, Section 3.4.1.
(1) For plant species that the Oregon Department of Agriculture has listed as threatened or endangered under ORS 564.105(2), the design, construction and operation of the proposed facility, taking into account mitigation:

(a) Are consistent with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3); or

(b) If the Oregon Department of Agriculture has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(2) For wildlife species that the Oregon Fish and Wildlife Commission has listed as threatened or endangered under ORS 496.172(2), the design, construction and operation of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

Findings of Fact

The Threatened and Endangered Species standard requires the Council to find that the design, construction, and operation of the proposed facility are not likely to cause a significant reduction in the likelihood of survival or recovery of a fish, wildlife, or plant species listed as threatened or endangered by ODFW or Oregon Department of Agriculture (ODA). For threatened and endangered plant species, the Council must also find that the proposed facility is consistent with an adopted protection and conservation program from ODA. Threatened and endangered species are those listed under ORS 564.105(2) for plant species and ORS 496.172(2) for fish and wildlife species. For the purposes of this standard, threatened and endangered species are those identified as such by either the ODA or the Oregon Fish and Wildlife Commission.133

The certificate holder provided information about threatened and endangered species in the original ASC Exhibit Q. The Council addressed the Threatened and Endangered Species standard in Section IV.I of the Final Order on the ASC and found that, subject to conditions I.1 through I.5 (as well as Fish and Wildlife Habitat conditions H.4 and H.8), the facility would comply with the standard. The conditions imposed under the Threatened and Endangered Species standard require the certificate holder to conduct pre-construction surveys (and to consult with the Department and ODFW about any necessary avoidance or impact minimization measures based

133 Although the Council’s standard does not address federally-listed threatened or endangered species, certificate holders must comply with all applicable federal laws, including laws protecting those species, independent of the site certificate.
on those survey results) for northern sagebrush lizard (where shrubby habitat may be impacted), bat roosts, and WGS. These conditions also require the certificate holder to minimize low-lying vegetation removal within streamside management zones and to conduct pre-construction surveys (and to consult with the Department and ODA about appropriate avoidance or impact minimization measures based on those survey results) for the Robinson’s onion and Laurence’s milkvetch. Fish and Wildlife Habitat conditions H.4 and H.8 require the certificate holder to prepare and implement monitoring plans and to restrict construction activities within specified buffers of raptor nests within the raptor breeding season if active nests are located during pre-construction raptor surveys.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include any changes to the facility design or layout that would create new or different impacts to threatened or endangered species. Additional surveys conducted as part of this RFA provide a greater level of detail than the ASC about threatened and endangered species presence at the pulling-tensioning sites along the transmission line to be reconducted, as on-the-ground field surveys were not previously conducted at these locations. Furthermore, because the 2012 WGS surveys were conducted more than three years ago and some areas were not surveyed to protocol, the certificate holder re-surveyed previously surveyed areas for WGS as part of this RFA. The certificate holder elected to re-survey previously surveyed areas for rare plants at the same time.

Desktop Analysis, Site Reconnaissance, and Rare Plants Field Surveys

As explained in Section 2.5.8 of the RFA, the certificate holder’s consultant, E & E, reviewed the most current threatened and endangered species lists maintained by ODFW and ODA to determine if any new species have been listed since those datasets were reviewed as part of the ASC. One additional state-listed plant species, the northern wormwood, occurs in Umatilla County. The certificate holder explains that the site boundary does not contain suitable habitat for this species – which is restricted to basalt, compacted cobble, and sand on the banks of the Columbia River – and that construction and operation of the facility would therefore not impact this species.

State-listed species with the potential to occur in the site boundary include Laurence’s

134 PERAMD1DOC20 ODFW Comment Letter and Follow up Email December 2018.
milkvetch (a plant species listed by the ODA as threatened) and WGS (listed by ODFW as endangered). Based upon the original desktop analysis and survey work conducted in support of the ASC, the certificate holder previously concluded that it did not anticipate any adverse impacts to listed species because of the lack of the species in the site boundary or the lack of impacts to the species’ habitat.\(^{135}\) As part of this RFA, the certificate holder conducted surveys for listed species.\(^{136}\)

Neither the 2013 surveys conducted in support of the ASC nor the 2019 surveys conducted in support of the RFA found any Laurence’s milkvetch plants or any suitable habitat for this species.\(^{137}\) Existing Condition 1.5 requires the certificate holder to conduct pre-construction surveys (and to consult with the Department and ODA about appropriate avoidance or impact minimization measures based on those survey results) for Laurence’s milkvetch.

**Washington Ground Squirrel Surveys**

ODFW submitted comments in December 2018 addressing the need for additional WGS surveys.\(^{138}\) ODFW stated that habitat conditions at and near the proposed locations of most facility components are highly isolated and fragmented by the Umatilla River and man-made features, such as several highways, two railroad grades, smaller paved roads, cement-lined irrigation ditches, livestock feedlots, and center-pivot irrigated agricultural fields. ODFW normally categorizes WGS-occupied habitat as Category 1 habitat and recommends no impact to this habitat in accordance with ODFW’s Fish and Wildlife Habitat Mitigation Policy. However, the agency explained that even if the surveys identified WGS presence at the locations of the step-up substation and underground transmission line, generation site, temporary construction area, new transmission structures, or the natural gas pipeline, any remaining habitat at these locations would be small and too isolated and fragmented to be sustainable WGS habitat over time. Individual WGS lack potential to immigrate into or emigrate out these isolated patches because of the identified habitat breaks (i.e., the Umatilla River and the man-made features listed above), rendering these sites permanently disconnected from a larger population. ODFW therefore concluded that these patches would not meet the ‘essential’ definition of Habitat

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\(^{135}\) Final Order on the ASC, Section IV.I, *Threatened and Endangered Species*, p. 154.

\(^{136}\) The certificate holder also conducted surveys for Robinson’s onion (listed by the U.S. Fish and Wildlife as a species of concern) and the Columbia cress (listed by the ODA as a candidate species); however, the Council’s Threatened and Endangered Species standard only pertains to state-listed threatened or endangered species. The biologists did not observe suitable habitat for or individuals of either of these species within the site boundary.

\(^{137}\) ASC Exhibit P, Section Q.3, p. Q-12 and RFA Attachment 8, Section 3.2.

\(^{138}\) PERAMD1Doc20 ODFW Comment Letter and Follow up Email December 2018.
Category 1 and should be categorized as Habitat Category 4.\textsuperscript{139}

Although ODFW would not consider these isolated and fragmented patches Category 1 habitat, Oregon state law and regulations (ORS 496.172; OAR 635-100-0125) prohibit take of state endangered species, including WGS.\textsuperscript{140} ODFW recommended that the certificate holder perform WGS surveys within the site boundary for the following facility components to evaluate the potential for WGS take: step-up substation and underground transmission line, generation site, and the new transmission structures. The agency also recommended that the certificate holder perform WGS surveys within the site boundary for the natural gas pipeline, but recommended that those surveys extend 1,000 feet from the pipeline ROW in suitable WGS habitat (and where there is no habitat break\textsuperscript{141}) to ensure survey coverage of several areas adjacent to the ROW. For areas outside of the ROW where private property access is denied, ODFW stated that a desktop analysis with an on-the-ground visual survey from the ROW would be appropriate.\textsuperscript{142}

In contrast with the other facility component locations, ODFW stated that if WGS colonies are located within the pulling-tensioning areas for the reconductored transmission line, the agency would consider those areas to be Category 1 habitat because there is existing connectivity with suitable WGS habitat.\textsuperscript{143}

ODFW recommended WGS surveys at and within a 1,000 foot buffer of the pulling-tensioning sites.\textsuperscript{144} E & E reported that it was unable to obtain landowner approval to access areas outside of the site boundary. The biologists therefore combined aerial imagery review with field observations to evaluate habitat within 1,000 feet of the pulling-tensioning sites.\textsuperscript{145}

The 2013 surveys conducted in support of the ASC did not detect WGS within the surveyed area, which included the locations for the generating station, 50-foot-wide gas pipeline ROW,

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{139} The Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0025) defines essential habitat as “Any habitat condition or set of habitat conditions which, if diminished in quality or quantity, would result in depletion of a fish or wildlife species.”
\item \textsuperscript{140} “Take” means to kill or obtain possession or control of any species on the state list; OAR 635-100-0001(14).
\item \textsuperscript{141} A habitat break is a barrier, such as a paved road, that a WGS would have substantial difficulty crossing.
\item \textsuperscript{142} PERAMD1Doc20 ODFW Comment Letter and Follow up Email December 2018.
\item \textsuperscript{143} The Department notes that suitable habitat within 1,500 meters of Category 1 WGS habitat is considered Category 2 habitat if there are no habitat breaks. Personal communication with Greg Rimbach, Umatilla District Wildlife Biologist, ODFW, on June 25, 2019.
\item \textsuperscript{144} PERAMD1Doc20 ODFW Comment Letter and Follow up Email December 2018.
\item \textsuperscript{145} RFA Attachment 8, Section 3.1.
\end{itemize}
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and step-up substation and its associated underground transmission line. Neither WGS nor signs of them (e.g., burrows, scat, alarm calls) were detected during the 2019 surveys within suitable habitat in the site boundary or observed within 1,000 feet of proposed ground disturbance areas. Most of the available habitat in the site boundary appears to be of low value for WGS due to the types of vegetation cover present and proximity to human disturbances.  

E & E stated that the habitat and vegetation communities within 1,000 feet of the natural gas pipeline ROW have not changed since the 2013 surveys and are not suitable habitat for WGS. Three pulling-tensioning sites are located adjacent to potential habitat for WGS, and two of those sites have direct connectivity to large areas of shrub-steppe (potentially suitable habitat) on the Umatilla Army Depot.  

Amended Condition D.3 (see Section III.D. of this order) requires the certificate holder to restore soil and vegetation at the pulling-tensioning sites to pre-construction condition or better.  

Existing Condition I.4 requires the certificate holder to conduct pre-construction surveys for WGS in any areas with suitable habitat. The Department considers the April and May 2019 WGS surveys conducted in support of this RFA to constitute the pre-construction WGS surveys if the certificate holder begins construction by the construction commencement deadline requested by the RFA. ODFW generally considers WGS surveys valid for three years, and the requested new construction commencement deadline (September 23, 2020) is less than three years from the date of the most recent WGS surveys.  

Based upon the results of the surveys and the other information in the record, and subject to compliance with the existing and amended conditions, the Council finds that the design, construction, and operation of the facility, with the requested extension of the construction deadlines, are not likely to cause a significant reduction in the likelihood of survival or recovery of threatened or endangered plant or wildlife species.  

**Conclusions of Law**  

Based on the foregoing findings of fact, and subject to compliance with the existing and amended site certificate conditions referenced above, the Council finds that the facility, with
the requested extension of the construction deadlines, complies with the Council’s Threatened and Endangered Species standard.

III.J. Scenic Resources: OAR 345-022-0080

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans, tribal land management plans and federal land management plans for any lands located within the analysis area described in the project order.

Findings of Fact

The Scenic Resources standard requires the Council to find that the facility would not cause a significant adverse impact to identified scenic resources and values. To be considered under the standard, scenic resources and values must be identified as significant or important in local land use plans, tribal land management plans, and/or federal land management plans.

The certificate holder evaluated the likelihood of significant adverse impacts to scenic resources and values from construction and operation of the facility in ASC Exhibit R. The Council addressed the Scenic Resources standard in Section IV.J. of the Final Order on the ASC and found that, subject to conditions J.1 through J.3, the facility would comply with the standard. These conditions require the certificate holder to paint or otherwise finish the facility in neutral colors with a low reflectivity and to design the new transmission line poles to be similar in height and appearance to the existing poles within the transmission line ROW. In addition, the conditions prohibit the certificate holder from using exterior nighttime lighting except for safety, security, repair, or emergency purposes.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. Two of the applicable land management plans in effect within the analysis area have been updated since the ASC was submitted to EFSC in October 2014 and since the site certificate was issued in September 2015; however, as the certificate holder explains in RFA Section 2.5.9, these updates do not add to or otherwise modify the scenic resources and values previously identified. While portions of the Morrow County Comprehensive Plan have been amended, the Natural Resource Element of the Plan (dated October 1, 2013), which addresses scenic resources, remains the same. The Umatilla County Comprehensive Plan was revised on June 7, 2017, but the portion of Chapter 8 (“Open Space,
Scenic and Historic Areas, and Natural Resources”) relevant to scenic resources has not changed. In addition, the request for amendment does not include changes to the facility design, layout, or emissions that would result in new or different visual impacts. Therefore, based upon compliance with existing site certificate conditions, the Council finds that the design, construction and operation of the facility, with the requested extension of the construction deadlines, would not result in a significant adverse impact to scenic resources and values identified as significant or important in local land use plans, tribal land management plans, and/or federal land management plans.

Conclusion of Law

Based on the foregoing findings of fact and conclusions of law, and subject to compliance with existing site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Council’s Scenic Resources standard.

III.K. Historic, Cultural, and Archaeological Resources: OAR 345-022-0090

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to:

(a) Historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places;

(b) For a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in ORS 358.905(1)(c); and

(c) For a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

* * *

Findings of Fact

Section (1) of the Historic, Cultural and Archaeological Resources standard generally requires the Council to find that the proposed amended facility is not likely to result in significant
adverse impacts to identified historic, cultural, or archaeological resources. Only the standards in section (1) apply to the facility. OAR 345-022-0090(2) and (3) do not apply to this request for amendment because the facility would not produce power from wind, solar or geothermal energy and the facility is not a special criteria facility as defined in OAR 345-015-0310.

The certificate holder provided information about historic, cultural and archaeological resources in ASC Exhibit S. The Council addressed the Historic, Cultural and Archaeological Resources standard in Section IV.K. of the Final Order on the ASC, and found that, subject to site certificate conditions K.1 through K.4, the facility would comply with the Historic, Cultural and Archaeological Resources standard.

On August 30, 2018, the Department received an email from the Confederated Tribes of the Warm Springs Indian Reservation requesting the status of the certificate holder’s compliance with the site certificate conditions the Council imposed under the state’s Historic, Cultural and Archaeological Resources Standard. The Department provided the requested information. The Confederated Tribes of the Warm Springs Indian Reservation responded with a request to be kept informed about the project, and provided no additional comments on the RFA.149

In a comment on the record of the draft proposed order public hearing, The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) requested that a cultural resource monitor be present during ground-disturbing activities, and explained why portions of the site boundary have a high potential for buried cultural resources: Tribal member oral histories on file with the CTUIR and a publication on the CTUIR’s traditional lands150 describe how the CTUIR used the area for fishing, camping, and gathering. The 1861 General Land Office maps show that a trail used by the CTUIR for hundreds of years bisects the site boundary, and tribal member oral histories describe that when necessary a deceased person would be buried along a travel route. In addition, the cultural resource surveys conducted in 2012 and 2013 in support of the ASC documented a precontact archaeological isolated find within the site boundary, and the CTUIR notes that an undocumented Indian burial was inadvertently encountered during shallow excavations in the area in 2008.151

151 PERAMD1Doc47 CTUIR Comments on Request Amendment 1 and Draft Proposed Order 2019-08-12. In addition to the comments received from the CTUIR on August 12, 2019, CTUIR staff provided additional justification on August 20, 2019 to support the CTUIR’s request for a cultural resources monitor. A written copy of the additional information was handed to Council members at the August 22, 2019 Council meeting.
Existing conditions imposed by Council under the Historic, Cultural and Archaeological Resources standard do not require that a cultural resources monitor be present during construction. Condition K.1 requires that a qualified archaeologist instruct construction personnel in the identification and avoidance of accidental damage to identified resources. If any archaeological or cultural resources are found during construction, Condition K.3 requires ground-disturbing activities to cease until a qualified archaeologist has evaluated the significance of the find and appropriate mitigation measures have been implemented.

Based upon the information provided by the CTUIR, the Council adopts the following condition to require that a cultural resources monitor be present during construction to monitor ground-disturbing activities:

**New Condition K.5:** A cultural resources monitor must be present to monitor ground-disturbing construction activities. The qualifications of the selected cultural resources monitor shall be reviewed and approved by the Department, in consultation with the CTUIR Cultural Resources Protection Program. Cultural monitors shall be prioritized for selection based on demonstrated experience with CTUIR tribal resources.

[AMD1 Condition K.5]

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The certificate holder states that no new historic, cultural, or archaeological resources have been recorded in the analysis area and therefore the nature and location of historic, cultural, and archaeological resources in the analysis area (as described in ASC Exhibit S) have not changed.\(^{152}\) In addition, the RFA does not include changes to the site boundary, facility design, facility layout, or other changes that could result in potential impacts to historic, cultural, or archaeological resources not previously evaluated by the Council. Furthermore, the RFA maintains that the measures the certificate holder committed to in ASC Exhibit S to avoid physical damage to the alignment, construction materials, and design of the five historic-period resources considered eligible for listing with the National Register of Historic Places remain the same.\(^{153}\) Therefore, based upon compliance with existing and new site certificate conditions, the Council finds that the design, construction and operation of the facility, with the requested extension of the construction deadline, would not result in a significant adverse impact to identified historic, cultural, or archaeological resources.

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\(^{152}\) RFA Section 2.5.10.

\(^{153}\) RFA Section 2.5.10 and ASC Exhibit S, Section S.5.3.
Based on the foregoing findings of fact and conclusions of law, and subject to compliance with existing and new site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Council’s Historic, Cultural and Archaeological Resources standard.

### III.L. Recreation: OAR 345-022-0100

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of a facility, taking into account mitigation, are not likely to result in a significant adverse impact to important recreational opportunities in the analysis area as described in the project order. The Council shall consider the following factors in judging the importance of a recreational opportunity:

(a) Any special designation or management of the location;
(b) The degree of demand;
(c) Outstanding or unusual qualities;
(d) Availability or rareness;
(e) Irreplaceability or irretrievability of the opportunity.

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### Findings of Fact

The Recreation standard requires the Council to find that the design, construction, and operation of a facility are not likely to result in significant adverse impacts to “important” recreational opportunities. Therefore, the Council’s Recreation standard applies to only those recreational opportunities that the Council finds “important” using the factors listed in the sub-paragraphs of section (1) of the standard.

The certificate holder provided information about important recreational opportunities in ASC Exhibit T. The Council addressed the Recreation standard in Section IV.L. of the Final Order on the ASC and found that the facility would comply with the standard. The Council did not apply any specific conditions related to the Recreation standard.

**154** The facility is not a special criteria facility under OAR 345-0015-0310; therefore, OAR 345-022-0100(2) is not applicable.
For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The geographic extent and location of the important recreational opportunities described in ASC Exhibit T remains the same. The request for amendment does not include changes to the site boundary, facility design, facility layout, or other changes that could reduce public access to recreational opportunities or increase noise or traffic resulting from facility construction or operation. Furthermore, the request for amendment does not include changes to the facility structures, layout, or emissions that would result in new or different visual impacts.

As such, the Council finds that the facility, with the requested extension of the construction deadlines, would not result in a significant adverse impact to any important recreational opportunity.

**Conclusions of Law**

Based on the foregoing findings of fact and conclusions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Council’s Recreation standard.

**III.M. Public Services: OAR 345-022-0110**

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to the ability of public and private providers within the analysis area described in the project order to provide: sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools.

* * *

The Council’s Public Services standard requires the Council to find that the facility is not likely to result in significant adverse impacts on the ability of public and private service providers to supply sewer and sewage treatment, water, stormwater drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools.

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155 RFA Section 2.5.11.
156 Sections (2) and (3) of the rule are not applicable because the facility is not a special criteria facility or a facility that would produce power from wind, solar, or geothermal energy.
Findings of Fact

The certificate holder addressed potential impacts to public services from construction and operation of the facility in ASC Exhibit U. The Council addressed the Public Services standard in Section IV.M. of the Final Order on the ASC and found that, subject to Conditions M.1 through M.8, the facility would comply with the standard. These conditions require the certificate holder to implement traffic safety measures; obtain all required transportation permits from Umatilla County; restore public roads to pre-construction conditions or better upon completion of construction; and to enter into a development agreement with Umatilla County to undertake roadway or access improvements (and to pay its proportionate share of the cost for those improvements). These conditions also require the certificate holder to submit Notice(s) of Proposed Construction or Alteration to the Federal Aviation Administration and the Oregon Department of Aviation prior to commencing construction; fence and secure the Station site; develop and implement a fire protection system; provide a site plan to the Hermiston Fire & Emergency Services District; and ensure that appropriate fire protection agency personnel have an up-to-date list of the names and telephone numbers of facility personnel available to respond on a 24-hour basis in case of an emergency at the facility site during facility operation.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include changes to the site boundary, facility design, facility layout, or other changes that could increase traffic or water use resulting from facility construction or operation. In addition, because the request for amendment does not include changes to the design of the facility, the certificate holder does not expect the generation, management, or disposal of solid waste, stormwater, or wastewater to change. Furthermore, the request for amendment does not propose to use different service providers from those identified in ASC Exhibit U.

The certificate holder provided an updated (May 30, 2018) letter from the Port of Umatilla (RFA Attachment 3) confirming that it continues to have the capacity and permits to supply process water to the Perennial Wind Chaser Station during construction and operation. As discussed in Section III.B., Organizational Expertise of this order, DEQ has renewed Lamb Weston’s WPCF
permit; therefore, the certificate holder continues to explore sending reclaimed water from the
facility to the HGP as makeup water for the HGP’s cooling tower.\(^{157}\)

Construction and operation of the facility, with the requested extension of the construction
deadlines, would result in the presence of temporary and permanent employees within the
analysis area; the increase in size of the local workforce could affect public and private
providers of housing, police and fire protection, health care, and schools. As described in the
RFA, however, the amendment would not change the previously estimated sizes of the
construction and operations workforces.\(^{158}\) In addition, the certificate holder asserts that, due
to an increase in the Umatilla County population of only 1.44 percent between 2014 and 2017,
demand for public services in the facility’s vicinity has not changed since the ASC was submitted
in 2014.\(^{159}\)

The Hermiston Police Department Communications Center previously managed 911 calls for
the City of Hermiston. The center closed in 2014 and this service is now provided by the
Umatilla County Public Safety Answering Point. The Hermiston Figure and Emergency Services
District acquired an additional medical unit (which provides emergency medical transportation)
since 2014.

As explained in ASC Exhibit U, the Hermiston Fire and Emergency Services District’s Assistant
Chief informed the certificate holder in 2013 that the facility would pose no significant impact
on the district’s ability to provide service within the district.\(^{160}\) In July 2016 the Hermiston Fire
and Emergency Services District merged with the Stanfield Fire District to create the Umatilla
Fire District 1. The new fire district includes all fire stations from the previous Stanfield Fire and
Hermiston Fire and Emergency Services districts, including the station (Station 23) located
approximately two miles from the facility.\(^{161}\) As part of the RFA, the certificate holder contacted

\(^{157}\) The HGP currently discharges its reclaimed water to Lamb Weston. Lamb Weston uses the reclaimed water for
wash down or irrigation purposes and operates under the WPCF permit. As described in ASC Exhibit U, if Lamb
Weston does not consent to receipt of the Perennial Wind Chaser Station’s reclaimed water (via the HGP), the
certificate holder would use a ZLD system, such that the only wastewaters produced during operation would be
sewage (treated and disposed of through an onsite septic system, as discussed in ASC Exhibit U, Section U.3.1) and
combustion turbine water wash wastes (which would be trucked offsite for processing and disposal).
\(^{158}\) RFA Section 2.5.12.
\(^{159}\) RFA Section 2.5.12.
\(^{160}\) ASC Exhibit U, Section U.4.5.
\(^{161}\) RFA Section 2.5.12 and Attachment 9.
Umatilla County Fire District 1, and Fire Marshal Scott Goff confirmed that the new district does not anticipate any change in its ability to provide services to the facility.\textsuperscript{162}

The greatest potential for school services to be impacted is during facility construction, when construction workers may relocate to the analysis area with children of school age.\textsuperscript{163} While enrollment at the Hermiston School District is nearing capacity, Interim Superintendent of Schools Tricia Mooney indicated on July 16, 2018 that she does not anticipate any adverse impact from an increase in student population associated with facility construction.\textsuperscript{164}

Based upon the preceding assessment and subject to compliance with existing site certificate conditions, the Council finds that construction and operation of the facility, with the requested extension of the construction deadlines, are not likely to result in significant adverse impact to the ability of public and private providers within the analysis area to provide sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools.

\textbf{Conclusions of Law}

Based on the foregoing findings and the evidence in the record, and subject to compliance with existing site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Council’s Public Services Standard.

\textbf{III.N. Waste Minimization: OAR 345-022-0120}

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that, to the extent reasonably practicable:

(a) The applicant’s solid waste and wastewater plans are likely to minimize generation of solid waste and wastewater in the construction and operation of the facility, and when solid waste or wastewater is generated, to result in recycling and reuse of such wastes;

\begin{flushright}
\textsuperscript{162} Attachment 9.
\textsuperscript{163} ASC Exhibit U, Section U.4.7.
\textsuperscript{164} RFA Section 2.5.12.
\end{flushright}
(b) The applicant’s plans to manage the accumulation, storage, disposal and transportation of waste generated by the construction and operation of the facility are likely to result in minimal adverse impact on surrounding and adjacent areas.

Findings of Fact

The Waste Minimization Standard requires the Council to find that the certificate holder would minimize the generation of solid waste and wastewater, and that the waste generated would be managed to result in minimal adverse impacts on surrounding and adjacent areas.

The certificate holder provided an inventory of materials that would be used during construction and operation of the facility in ASC Exhibit G, and described its plan to manage solid waste and wastewater in ASC Exhibit V. In Section IV.N.2 of the Final Order on the ASC, the Council found that, subject to site certificate conditions N.1 through N.6, the facility would comply with the Waste Minimization standard.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include changes to the design of the facility; therefore, the certificate holder does not expect the generation, management, or disposal of solid waste and wastewater to differ from the description in ASC Exhibit V. Based on this reasoning, the Council finds that the extension of the construction deadlines would not impact the certificate holder’s ability to minimize the generation of solid waste and wastewater, and that the waste generated would be managed to result in minimal adverse impacts on surrounding and adjacent areas.

Conclusions of Law

Based on the foregoing analysis and subject to existing site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Waste Minimization Standard.

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165 Sections (2) and (3) of the rule are not applicable because the facility is not a special criteria facility or a facility that would produce power from wind, solar, or geothermal energy.
166 RFA Section 2.5.13.
III.O. Division 23 Standards

The Division 23 standards apply only to “nongenerating facilities” as defined in ORS 469.503(2)(e)(K), except nongenerating facilities that are related or supporting facilities. The facility, with proposed changes, would not be a nongenerating facility as defined in statute and therefore Division 23 is inapplicable to the facility.

III.P. Division 24 Standards

The Council’s Division 24 standards include specific standards for siting facilities including wind, underground gas storage reservoirs, transmission lines, and facilities that emit carbon dioxide. The Division 24 standards applicable to the Perennial Wind Chaser Station are the Siting Standards for Transmission Lines (OAR 345-024-0090) and the Standards for Energy Facilities that Emit Carbon Dioxide (OAR 345-024-0500 through OAR 345-024-0720).


To issue a site certificate for a facility that includes any transmission line under Council jurisdiction, the Council must find that the applicant:

(1) Can design, construct and operate the proposed transmission line so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public;

(2) Can design, construct and operate the proposed transmission line so that induced currents resulting from the transmission line and related or supporting facilities will be as low as reasonably achievable.

Findings of Fact

The Siting Standards for Transmission Lines address issues associated with alternating current electric fields and induced currents generated by high-voltage transmission lines. OAR 345-024-0090(1) sets a limit for electric fields from transmission lines of not more than 9 kV per meter at one meter above the ground surface in areas that are accessible to the public. Section (2) requires that the certificate holder design, construct, and operate the line in a manner that reduces the risk posed by induced current.

The certificate holder provided information related to the Siting Standards for Transmission Lines in ASC Exhibit AA, including an assessment of the electric fields that would be generated by the reconducted transmission line after replacing the 115-kV conductor on the existing...
double circuit transmission line with a 230-kV conductor. Exhibit AA identified occupied structures within 200 feet on each side of the center line of the transmission line, and calculated the maximum strength of electric fields at these structures (ASC Exhibit AA, Table AA-1). The analysis showed that at every point within the ROW (including the ROW centerline and the edge of the ROW), as well as within 200 feet of the ROW centerline, the electric fields produced by the reconductored transmission line would remain well below the 9 kV per meter (at one meter above ground) limit set by OAR 345-024-0090(1).\footnote{The maximum electric field strength at one meter above ground would occur approximately 20 feet from the reconductored transmission line’s ROW centerline. At a value of 1.34 kV per meter, the maximum electric field strength produced by the transmission line would be well below the 9 kV per meter threshold established by OAR 345-024-0090(1). ASC Exhibit AA, Figure AA-4.} The Council addressed the Siting Standards for Transmission Lines in Section IV.O.1 of the Final Order on the ASC, and found that, subject to Condition O.1 requiring compliance with the National Electric Safety Code (NESC) and implementation of a program to reduce potential induced current impacts, the facility would comply with the Council’s Siting Standards for Transmission Lines.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include changes to the design or location of the Perennial Wind Chaser Station transmission line. However, the certificate holder identified one new residence within 200 feet of the transmission line which was not previously assessed in ASC Exhibit AA.\footnote{RFA Section 2.6.1.} Because ASC Exhibit AA demonstrated that the reconductored transmission line would comply with the electric fields limit set by OAR 345-024-0090(1) at any and every distance from the ROW centerline, the presence of the new occupied structure would not impact the ability of the facility to comply with the electric fields limit.

The Department notes that existing Condition O.1 requires the certificate holder to design, construct, and operate the transmission line in accordance with an outdated version of the NESC (the 1997 edition of the code).\footnote{Condition O.1 was imposed by the Council based on the site-specific condition at OAR 345-025-0010(4), which at the time of issuance of the site certificate provided reference to the 1997 edition of the NESC.} Therefore, designing, constructing, and operating the facility in compliance with the most up-to-date version of the NESC may create a compliance issue with existing Condition O.1. The Council amends existing Condition O.1 to align the condition with the most current version of the NESC:
Amended Condition O.1:

(a) The certificate holder shall design, construct and operate the transmission line in accordance with the requirements of the version of the National Electrical Safety Code that is most current at the time that final engineering of each facility component is completed (American National Standards Institute, Section C2, 1997 Edition); and

(b) The certificate holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line.

[Final Order Condition O.1; AMD1; Site Specific Condition 345-027-0023(4)]

Conclusions of Law

Based on the foregoing findings of fact and conclusions, and subject to compliance with the amended condition, the Council finds that the facility, with the requested extension of the construction deadlines, would continue to comply with the Council’s Siting Standards for Transmission Lines.

III.P.2. Standards for Energy Facilities that Emit Carbon Dioxide (OAR 345-024-0500 through OAR 345-024-0720)

345-024-0500

General

To issue a site certificate, the Council must find that the energy facility complies with any applicable carbon dioxide emissions standard adopted by the Council or enacted by statute. The Council shall adopt standards for fossil-fueled power plants and may adopt carbon dioxide emission standards for other energy facilities that emit carbon dioxide.

345-024-0580

Monetary Offset Rate

The monetary offset rate is $1.90 per ton of carbon dioxide emissions. After two years from October 23, 2017, the Council may by rule increase or decrease the monetary offset rate, subject to the requirements of ORS 469.503.

345-024-0590

Standard for Non-Base Load Power Plants

To issue a site certificate for a non-base load power plant, the Council must find that the net carbon dioxide emissions rate of the proposed facility does not exceed 0.614 pounds
of carbon dioxide per kilowatt-hour of net electric power output, with carbon dioxide emissions and net electric power output measured on a new and clean basis. For a base load gas plant designed with power augmentation technology as defined in OAR 345-001-0010, the Council shall apply this standard to the incremental carbon dioxide emissions from the designed operation of the power augmentation technology. The Council shall determine whether the carbon dioxide emissions standard is met as follows:

(1) The Council shall determine the gross carbon dioxide emissions that are reasonably likely to result from the operation of the proposed energy facility. The Council shall base such determination on the proposed design of the energy facility, the limitation on the hours of generation for each fuel type and the average temperature, barometric pressure and relative humidity at the site during the times of the year when the facility is intended to operate. For a base load gas plant designed with power augmentation technology, the Council shall base its determination of the incremental carbon dioxide emissions on the proposed design of the facility, the proposed limitation on the hours of generation using the power augmentation technology and the average temperature, barometric pressure and relative humidity at the site during the times of the year when the facility is intended to operate with power augmentation technology. The Council shall adopt site certificate conditions to ensure that the predicted carbon dioxide emissions are not exceeded on a new and clean basis; however, the Council may modify the parameters of the new and clean basis to accommodate average conditions at the times when the facility is intended to operate and technical limitations, including operational considerations, of a non-base load power plant or power augmentation technology or for other cause.

(2) For any remaining emissions reduction necessary to meet the applicable standard, the applicant may elect to use any of the means described in OAR 345-024-0600 or any combination thereof. The Council shall determine the amount of carbon dioxide or other greenhouse gas emissions reduction that is reasonably likely to result from the applicant's offsets and whether the resulting net carbon dioxide emissions meet the applicable carbon dioxide emissions standard. The amount of greenhouse gas emissions means the pounds of carbon dioxide and the carbon dioxide equivalent of other greenhouse gases. For methane, one pound of methane is equivalent to 25 pounds of carbon dioxide. For nitrous oxide, one pound of nitrous oxide is equivalent to 298 pounds of carbon dioxide.

(3) If the applicant elects to comply with the standard using the means described in OAR 345-024-0600(2), the Council shall determine the amount of greenhouse gas emissions reduction that is reasonably likely to result from each of the proposed offsets. In making this determination, the Council shall not allow credit for offsets that have already been allocated or awarded credit for greenhouse gas emissions reduction in another
regulatory setting. The fact that an applicant or other parties involved with an offset may derive benefits from the offset other than the reduction of greenhouse gas emissions is not, by itself, a basis for withholding credit for an offset. The Council shall base its determination of the amount of greenhouse gas emission reduction on the following criteria and as provided in OAR 345-024-0680:

(a) The degree of certainty that the predicted quantity of greenhouse gas emissions reduction will be achieved by the offset.

(b) The ability of the Council to determine the actual quantity of greenhouse gas emissions reduction resulting from the offset, taking into consideration any proposed measurement, monitoring and evaluation of mitigation measure performance.

(c) The extent to which the reduction of greenhouse gas emissions would occur in the absence of the offsets.

(4) Before beginning construction, the certificate holder shall notify the Department of Energy in writing of its final selection of an equipment vendor and shall submit a written design information report to the Department sufficient to verify the facility’s designed new and clean heat rate and its nominal electric generating capacity at average annual site conditions for each fuel type. For a base load gas plant designed with power augmentation technology, the certificate holder shall include in the report information sufficient to verify the facility’s designed new and clean heat rate, tested under parameters the Council orders pursuant to section (1), and the nominal electric generating capacity at average site conditions during the intended use for each fuel type from the operation of the proposed facility using the power augmentation technology. The certificate holder shall include the proposed limit on the annual average number of hours for each fuel used, if applicable. The certificate holder shall include the proposed total number of hours of operation for all fuels, subject to the limitation that the total annual average number of hours of operation per year is not more than 6,600 hours. In the site certificate, the Council may specify other information to be included in the report. The Department shall use the information the certificate holder provides in the report as the basis for calculating, according to the site certificate, the gross carbon dioxide emissions from the facility and the amount of greenhouse gas emissions reductions the certificate holder must provide under OAR 345-024-0600.

(5)(a) Every five years after commencing commercial operation, the certificate holder shall report to the Council the facility’s actual gross carbon dioxide emissions. The certificate holder shall calculate actual gross carbon dioxide emissions using the new and clean heat rate and the actual hours of operation on each fuel during the five-year period or shall report to the Council the actual measured or calculated carbon dioxide...
emissions as reported to either the Oregon Department of Environmental Quality or the U.S. Environmental Protection Agency pursuant to a mandatory carbon dioxide emissions reporting requirement.

(b) The certificate holder shall specify its election of method used to measure or calculate carbon dioxide emissions in the notification report described at section (4) of this rule. That election, once made, shall apply for each five year period unless the site certificate is amended to allow a different election. If the certificate holder calculates actual carbon dioxide emissions using the new and clean heat rate and the actual hours of operation, the certificate holder shall also report to the Council the facility’s actual annual hours of operation by fuel type. If the actual gross carbon dioxide emissions exceed the projected gross carbon dioxide emissions for the five-year period calculated under section (4), the certificate holder shall offset any excess emissions for that period and shall offset estimated future excess carbon dioxide emissions using the monetary path as described in OAR 345-024-0600(3) and (4) or as approved by the Council.

(6) For a base load gas plant designed with power augmentation technology, every five years after commencing commercial operation, the certificate holder shall report to the Council the facility’s actual hours of operation using the power augmentations technology for each fuel type. If the actual gross carbon dioxide emissions, calculated using the new and clean heat rate, tested under parameters the Council orders pursuant to section (1), and the actual hours of operation using the power augmentation technology on each fuel during the five-year period exceed the projected gross carbon dioxide emissions for the five-year period calculated under section (4), the certificate holder shall offset any excess emissions for that period and shall offset estimated future excess carbon dioxide emissions using the monetary path as described in OAR 345-024-0600(3) and (4) or as approved by the Council.

345-024-0600
Means of Compliance for Non-Base Load Power Plants
The applicant may elect to use any of the following means, or any combination thereof, to comply with the carbon dioxide emissions standard for non-base load power plants or for the incremental carbon dioxide emissions from the operation of a base load gas plant with power augmentation technology:

(1) Designing and operating the facility to produce electrical and thermal energy sequentially from the same fuel source and using the thermal energy to displace another source of carbon dioxide emissions from fossil fuels that would have otherwise continued to occur. The Council shall adopt site certificate conditions ensuring that the carbon dioxide emissions reduction will be achieved.
(2) Implementing offset projects directly or through a third party, pursuant to OAR 345-024-0680. The Council may adopt site certificate conditions ensuring that the proposed offset projects are implemented by the date specified in the site certificate, but shall not require that predicted levels of avoidance, displacement or sequestration of greenhouse gas emissions be achieved.

(3) Providing offset funds, directly or through a third party, in an amount deemed sufficient to produce the reduction in greenhouse gas emissions necessary to meet the applicable carbon dioxide emissions standard. The applicant or third party shall use the funds as specified in OAR 345-024-0710. The Council shall deem the payment of the monetary offset rate, pursuant to OAR 345-024-0580, to result in a reduction of one ton of carbon dioxide emissions. The Council shall determine the offset funds using the monetary offset rate and the level of emissions reduction required to meet the applicable standard. If the Council issues a site certificate based on this section, the Council may not adjust the amount of the offset funds based on the actual performance of offsets.

(4) Notwithstanding sections (1), (2) or (3), if the certificate holder exceeds the projected gross carbon dioxide emissions calculated under OAR 345-024-0590(4) during any five-year reporting period described in 345-024-0590(5) and (6), the certificate holder shall offset excess emissions for the specific reporting period according to subsection (a) and shall offset the estimated future excess emissions according to subsection (b). The certificate holder shall offset excess emissions using the monetary path as described in subsection (c) and OAR 345-024-0710 or as approved by the Council.

(a) In determining the excess carbon dioxide emissions that the certificate holder must offset for a five-year period, the Council shall credit the certificate holder with offsets equal to the difference between the carbon dioxide emissions allowed by the site certificate in previous periods and actual emissions, if actual emissions were lower than allowed. Once a certificate holder has used a credit, the certificate holder shall not use it again.

(b) The Council shall specify in the site certificate a methodology for estimating future excess carbon dioxide emissions. The Department of Energy shall calculate estimated future excess emissions. To estimate excess emissions for the remaining period of the deemed life of the facility, the Department shall use the annual average number of hours of operation during the five-year period in which the certificate holder exceeded the estimated gross carbon dioxide emissions described in OAR 345-024-0590(5) and the new and clean heat rate and capacity for the facility, adjusted for the average temperature, barometric pressure and relative humidity at the site during the times of the year when the facility is intended to operate. If the annual average hours exceed
6,600, the Department shall estimate emissions at 100 percent capacity for the
remaining period of a deemed 30-year life of the facility. At the request of the certificate
holder, the Council may, by amendment of the site certificate, use an alternative
methodology to estimate future excess carbon dioxide emissions.

(c) The certificate holder shall pay for the net excess carbon dioxide emissions calculated
pursuant to subsections (a) and (b) at the monetary path offset rate in real dollars for
the quarter and year in which the Council issued the final order that applied the carbon
dioxide standard. The Council shall specify in the site certificate the methodology for
calculating the real dollar value of the monetary offset rate. The Department shall
calculate the net excess carbon dioxide emissions and notify the certificate holder of the
amount of the monetary path payment required to offset them. The certificate holder
shall pay fully the required amount to the qualified organization within 60 days of
notification by the Department of the amount. The certificate holder shall not be eligible
for a refund of any monetary path payments due to the calculations in this rule.

(5) Any other means that the Council adopts by rule for demonstrating compliance with
the carbon dioxide emissions standard.

(6) If the Council or a court on judicial review concludes that the applicant has not
demonstrated compliance with the applicable carbon dioxide emissions standard under
sections (1), (2) or (5) of this rule, or any combination thereof, and the applicant agrees
to meet the requirements of sections (3) and (4) for any deficiency, the Council or a court
shall find compliance based on such agreement.

345-024-0610
Modification of the Standard for Non-Base Load Power Plants
The Council may by rule modify the carbon dioxide emissions standard for non-base load
power plants in OAR 345-024-0590 so that the standard remains equivalent to the
standard for the net carbon dioxide emissions rate of a base load gas plant, subject to
the principles described in OAR 345-024-0510.

345-024-0710
Monetary Path Payment Requirement
(1) If the applicant elects to meet the applicable carbon dioxide emissions standard in
whole or in part under OAR 345-024-0560(3), 345-024-0600(3) or 345-024-0630(2), (4)
and (5), the applicant shall provide a bond or letter of credit in a form reasonably
acceptable to the Council to ensure the payment of the offset funds and the additional
funds required under section (4) of this rule. The applicant shall provide such security by
the date specified in the site certificate. In the site certificate, the Council shall specify a
date no later than the commencement of construction of the facility for base load gas
plants and non-base load power plants. For nongenerating facilities, the Council shall specify a date no later than the commencement of construction of the facility for providing the initial bond or letter of credit, and the Council shall specify conditions for providing subsequent incremental payments to meeting the monetary path payment requirement. The certificate holder for a nongenerating facility must meet its incremental monetary path payment requirements before exhausting its offset credit account, as described in OAR 345-024-0630(4). In no case shall the applicant diminish the bond or letter of credit or receive a refund from a qualified organization based on the calculations of the facility’s emissions on a new and clean basis for a fossil-fueled power plant or any other measure for a nongenerating energy facility. A qualified organization shall not refund any offset funds to a certificate holder based on the operation or performance of a non-base load power plant during any five-year period reported under OAR 345-024-0590(5) or, for a nongenerating facility, on any offset credits the certificate holder provided under 345-024-0620(5).

(2) In the site certificate, the Council shall require the certificate holder to disburse the offset funds and other funds required as specified in sections (3) and (4), unless the Council finds that no qualified organization exists, in which case the Council shall require the certificate holder to disburse the offset funds as specified in 345-024-0720(2).

(3) When the certificate holder receives written notice from the qualified organization certifying that the qualified organization is contractually obligated to pay any funds to implement offsets using the offset funds, the certificate holder shall make the requested amount available to the qualified organization unless the total of the amount requested and any amounts previously requested exceeds the offset funds, in which case the certificate holder shall make available only the remaining amount of the offset funds. The qualified organization shall use at least 80 percent of the offset funds for contracts to implement offsets. The qualified organization shall assess offsets for their potential to qualify in, generate credits in or reduce obligations in other regulatory settings. The qualified organization may use up to 20 percent of the offset funds for monitoring, evaluation, administration and enforcement of contracts to implement offsets.

(4) At the request of the qualified organization and in addition to the offset funds, the certificate holder shall pay the qualified organization an amount equal to 10 percent of the first $500,000 of the offset funds and 4.286 percent of any offset funds in excess of $500,000. The certificate holder for a base load gas plant shall pay not less than $50,000, unless the Council specifies a lesser amount in the site certificate. In the site certificate, the Council may specify a minimum amount that other fossil-fueled power plants or nongenerating energy facilities must pay. This payment compensates the qualified organization for its costs of selecting offsets and contracting for the implementation of offsets.
(5) Notwithstanding any provision to the contrary, a certificate holder subject to this rule has no obligation with regard to offsets, the offset funds or the funds required by section (4) other than to make available to the qualified organization the total amount required under OAR 345-024-0560(3), 345-024-0600(3) and (4), 345-024-0630(2), (4) and (5), and section (4) of this rule. The Council shall not base a revocation of the site certificate or any other enforcement action with respect to the certificate holder on any nonperformance, negligence or misconduct by the qualified organization.

(6) For monetary path payments a certificate holder must make before beginning construction, the certificate holder shall make all offset fund payments and all payments required by section (4) to the qualifying organization in real dollars of the year in which the Council issues a final order applying the carbon dioxide emissions standard to the energy facility. In the site certificate, the Council shall specify an appropriate inflation index for calculating real dollars. For a non-base load power plant, if a certificate holder must make a payment as described in OAR 345-024-0600(4), the certificate holder shall make a payment that has the same present value per ton of carbon dioxide as the monetary path offset rate of the year in which the Council issued the final order applying the carbon dioxide standard. In the site certificate, the Council shall specify the methodology for calculating present value. If the certificate holder of a nongenerating facility must make payments as described in OAR 345-024-0630(4) and (5), the Council shall specify in the site certificate the method for calculating the rate for the dollar value per ton of carbon dioxide required according to subsection (a) or (b) below:

(a) Unless the applicant and the Council agree to the methodology in subsection (b), the certificate holder shall make payments that have the same present value per ton of carbon dioxide as the monetary path offset rate of the year in which the Council issued the final order applying the carbon dioxide standard. The Council shall set an appropriate discount rate for calculating the present value, using the cost of capital most recently approved by a state utility regulatory commission for that utility or a similar utility as a guide; or

(b) If the applicant requests and the Council agrees, the certificate holder shall make payments at the monetary path offset rate in effect on the date the certificate holder makes the payment.

345-024-0720
Qualified Organization
(1) If the applicant elects to meet the applicable carbon dioxide emissions standard in whole or in part under OAR 345-024-0560(3), 345-024-0600(3) and (4), or 345-024-0630(2), (4) and (5), the applicant shall identify the qualified organization. The applicant
may identify an organization that has applied for, but has not received, an exemption from federal income taxation, but the Council may not find that the organization is a qualified organization unless the organization is exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code as amended and in effect on September 18, 2015.

(2) If the Council finds there is no qualified organization, the certificate holder shall disburse the offset funds according to one or more contracts for implementation of offsets as determined by the following process:

(a) The Council shall establish criteria for selection of offsets, based on the reduction of net carbon dioxide emissions and the criteria set forth in OAR 345-024-0550(3) for base load plants, 345-024-0590(3) for non-base load power plants and 345-024-0620(3) for nongenerating facilities. The Council may consider the costs of particular types of offsets in relation to the expected benefits of such offsets. In establishing criteria, the Council shall not require the certificate holder to select particular offsets and shall allow the certificate holder a reasonable range of choices in selecting offsets.

(b) Based on the criteria established by the Council, the certificate holder shall select one or more offsets. The certificate holder shall give written notice of its selections to the Council and to any person requesting notice. For the purposes of this rule, the date of notice is the date the certificate holder places the notice in the United States mail, with first-class postage prepaid.

(c) On petition by the Department of Energy or by any person adversely affected or aggrieved by the certificate holder's selection of offsets, or on the Council's own motion, the Council may review the selection. The petition must be received by the Council within 30 days of the date of notice.

(d) The Council shall approve the certificate holder's selection unless it finds that the selection is not consistent with criteria established under subsection (a).

(e) The certificate holder shall execute one or more contracts to implement the selected offsets within 18 months after commencing construction of the facility unless the Council allows additional time based on a showing of good cause by the certificate holder. If a certificate holder would have made a payment to a qualified organization as described in OAR 345-024-0600(4) or 345-024-0630(4) or (5), the certificate holder shall instead execute one or more contracts to implement the selected offsets, by a method acceptable to the Council, within 18 months after reporting to the Council as described in 345-024-0590(5) or within 18 months after the Department notifies the certificate holder that the certificate holder must replenish the offset credit account as described in 345-
024-0630(4). The certificate holder shall, under such contracts, obligate the expenditure of at least 85 percent of the offset funds for the implementation of offsets. The certificate holder may spend no more than 15 percent of the offset funds on monitoring, evaluation and enforcement of such contracts.

(f) The certificate holder’s financial liability for implementation, monitoring, evaluation and enforcement of offsets under this subsection (2) is limited to the amount of any offset funds not already contractually obligated. The Council shall not base a revocation of the site certificate or any other enforcement action with respect to the certificate holder on any nonperformance, negligence or misconduct by the entity or entities implementing, monitoring or evaluating the selected offsets.

(3) Every qualified organization that has received funds under this rule shall, at five-year intervals beginning on the date of receipt of such funds, provide the Council with the information the Council requests about the qualified organization’s performance. The Council shall evaluate the information requested and, based on such information, shall make recommendations to the Legislative Assembly that the Council deems appropriate.

Findings of Fact

The certificate holder provided information about compliance with the Council’s Standards for Energy Facilities that Emit Carbon Dioxide (hereafter, “Carbon Dioxide Standard”) in ASC Exhibit Y. As explained in that exhibit, the power plant would be classified as a “non-base load power plant” as defined in OAR 345-001-0010(40) because it is a fossil-fueled generating facility that is limited by the site certificate to an average number of hours per year of not more than 6,600 hours. To issue a site certificate for a non-base load power plant, the Council must find that the net carbon dioxide emissions rate of the facility does not exceed 0.614 pounds of carbon dioxide per kilowatt-hour (lb. CO\textsubscript{2}/kWh) of net electric power output, with CO\textsubscript{2} emissions and net electric power output measured on a new and clean basis. Energy facilities subject to the Carbon Dioxide standard may emit CO\textsubscript{2} at a net rate up to 0.614 lb. CO\textsubscript{2}/kWh without needing to offset those CO\textsubscript{2} emissions, and any emissions above the net rate of 0.614 lb. CO\textsubscript{2}/kWh must be offset via one of the compliance pathway options outlined in the standard. The certificate holder elected to comply with the Carbon Dioxide standard by providing offset funds to a qualified organization as allowed by OAR 345-024-0600(3) and in compliance with the monetary path payment requirement of OAR 345-024-0710 to offset the facility’s excess CO\textsubscript{2} emissions.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy
requirements of the standard. As part of its RFA, the certificate holder does not propose to change the qualified organization previously approved by Council (the Climate Trust), nor does the certificate holder propose facility design changes that would impact the type or amount of CO₂ emissions that would be emitted from the facility. The RFA does, however, assume fewer annual hours (3,000 instead of the 4,400 hours assumed in ASC Exhibit Y) of power plant operations for the purposes of calculating excess tons of CO₂ expected to result from operation of the facility.

As the Council previously found in Section IV.S.1. of the Final Order on the ASC, the estimates of CO₂ emission calculations for the facility do not necessarily reflect the actual emissions, offsets, or monetary path payments to be required. OAR 345-024-0590(4) allows the certificate holder flexibility in its choice of equipment vendor and facility design, within parameters allowed pursuant to OAR 345-027-0350. Pursuant to OAR 345-024-0590(4), before beginning construction of the facility, the certificate holder must notify the Department in writing of its final selection of an equipment vendor and must submit a written design information report to the Department sufficient to verify the facility’s new and clean heat rate and its nominal electric generating capacity at average annual site conditions. The Department must thereafter use this information as the basis for calculating the gross CO₂ emissions from the facility and the amount of greenhouse gas emissions reduction the certificate holder must provide under OAR 345-024-0600. Existing site certificate Condition S.1 includes the notification requirements of OAR 345-024-0590(4), including the requirement that the certificate holder provide the Department with the proposed total number of hours of operation, subject to the limitation that the total annual average number of hours of operation per year is not more than 6,600 hours.

On the record of the draft proposed order public hearing, many commenters expressed concern about the climate impacts of fossil fuel infrastructure and hydraulic fracturing. Commenters additionally pointed to the requirement that the Council consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction commencement or completion deadlines. The commenters argue that changes in fact or law that the Council must consider include Oregon’s evolving policies with respect to climate change as well as scientific literature published since the site certificate was executed that “demonstrate the cradle-to-grave climate change impacts of fracked gas.” Based upon the language of OAR 345-027-0375(2)(b), changes in fact or law must be considered in the context of the facility’s compliance with laws and standards applicable to the Council’s review. The one Council standard directly related to climate change is the Carbon Standard. Upstream carbon emissions, such as methane released during the production and transportation of natural gas, are not within the scope of the Council’s Carbon Standard.

RFA Attachment 11.
Despite the reduced operational hours estimate, the monetary path payment estimated in this RFA ($16.36 million without a ZLD system and $16.55 million with a ZLD system) exceeds the monetary path payment estimated in ASC Exhibit Y ($13.83 without a ZLD system and $14.02 with a ZLD system) due to recent Council rulemakings. Since the time the Council evaluated the facility in its Final Order in the ASC in 2015, the Council has modified the Carbon Dioxide Standard. At its September 21-22, 2017 meeting and its June 29, 2018 meeting, the Council approved amended language for portions of the Carbon Dioxide Standard (specifically, language in OARs 345-024-0550, -0570, -0580, -0590, and -0620). The changes relevant to the Perennial Wind Chaser Station include:

- The Council updated the monetary offset rate from $1.27 to $1.90 per ton of CO₂.
- The Council reset the benchmark heat rate from 6,955 Btu (British thermal units) per kWh higher heating value (adjusted to standardized conditions) to 6,321 Btu per kWh higher heating value (adjusted to standardized conditions).\(^{172}\)
- The Council reset the net CO₂ emissions rate threshold for both base load and non-base load power plants from 0.675 lb. CO₂/kWh of net electric power output to 0.614 lb. CO₂/kWh of net electric power output. The net CO₂ emissions rate for both base load and non-base load power plants is based on the benchmark heat rate established at OAR 345-024-0570 and is determined by converting the amount of natural gas fuel combusted per kWh to the amount of CO₂ released per kWh.

These rulemakings affect both the total amount of excess CO₂ emissions from the facility and the amount of monetary path payment required for the Perennial Wind Chaser Station, as discussed below.

**CO₂ Emissions**

The certificate holder provided CO₂ emissions estimates under two operational scenarios. The following operational scenarios have not changed since the time of original EFSC review and approval of the site certificate:\(^{173}\)

1) Wastewater from the facility would be sent to the HGP as makeup water for HGP’s cooling tower, and then discharged as reclaimed water to Lamb Weston. This scenario is dependent upon Lamb Weston’s ability to consent to receipt of the reclaimed water (see Section III.B., Organizational Expertise of this order). Under this scenario, the

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\(^{172}\) A heat rate is a measure of how efficient a thermal power plant is. It considers how much fuel energy, measured in Btus, is used to produce 1 kilowatt-hour of electricity.

\(^{173}\) While these operational scenarios have not changed, as previously discussed the RFA assumes fewer annual hours (3,000 instead of the 4,400 hours assumed in ASC Exhibit Y) of power plant operations for the purposes of calculating excess tons of CO₂ expected to result from operation of the facility.
Perennial Wind Chaser Station’s electrical output would be approximately 415.3 MW (with the actual output dependent upon the technology selected).

2) If Lamb Weston is not able to accept reclaimed water from the HGP that has come from the Perennial Wind Chaser Station, the certificate holder proposes to install a Zero Liquid Discharge (ZLD) system. Under this scenario, Perennial Wind Chaser Station’s net electrical output would be approximately 411.9 MW (with the actual output dependent upon the technology selected).

Table CD-1 summarizes the Perennial Wind Chaser Station’s CO₂ emissions under each of these two scenarios.

**Table CD-1: Carbon Dioxide Emissions Calculations and Monetary Path Requirement**

<table>
<thead>
<tr>
<th></th>
<th>415 MW of Combustion Turbines</th>
<th>411.9 MW of Combustion Turbines (ZLD System Option)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. CO₂ Standard</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CO₂ Standard (lbs CO₂/kWh)</td>
<td>0.614</td>
<td>0.614</td>
</tr>
<tr>
<td><strong>B. Parameters for Non-Base Load Gas Plant</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Power Output (kW)</td>
<td>415,312</td>
<td>411,882</td>
</tr>
<tr>
<td>New and Clean Gross Heat Rate (Btu/kWh) HHV</td>
<td>8,781</td>
<td>8,781</td>
</tr>
<tr>
<td>Annual Hours of Operation</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td><strong>C. Parameters for Power Augmentation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Power Output (kW)</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>New and Clean Gross Heat Rate (Btu/kWh) HHV</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Annual Hours of Operation</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td><strong>D. Calculations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Power Output (kW)</td>
<td>415,312</td>
<td>411,882</td>
</tr>
<tr>
<td>Annual Hours of Operation</td>
<td>3,000</td>
<td>3,000</td>
</tr>
<tr>
<td>Percent Time on Non-Base Load</td>
<td>34.2%</td>
<td>34.2%</td>
</tr>
<tr>
<td>Net Annual Generation (million kWh/yr)</td>
<td>1,245.9</td>
<td>1235.6</td>
</tr>
<tr>
<td>Deemed Life of Plant (years) by Statute or Rule</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Total Gross Plant Output (million kWh for 30 years)</td>
<td>38,334</td>
<td>38,334</td>
</tr>
<tr>
<td>Total Net Plant Output (million kWh for 30 years)</td>
<td>37,378</td>
<td>37,069</td>
</tr>
<tr>
<td>Gross Heat Rate (Btu/kWh) HHV</td>
<td>8,781</td>
<td>8,781</td>
</tr>
<tr>
<td>CO₂ Emissions Rate (lbs CO₂/Btu)</td>
<td>0.00011715</td>
<td>0.00011715</td>
</tr>
<tr>
<td>Total Gross CO₂ Emissions (million lbs for 30 years)</td>
<td>39,434</td>
<td>39,434</td>
</tr>
</tbody>
</table>

**E. Total Operations**
Combined Net Output (million kWh for 30 years) 37,378
Combined CO₂ Emissions (million lbs for 30 years) 39,434
Net CO₂ Emissions Rate (lbs CO₂/kWh) 1.055
CO₂ Standard (lbs CO₂/kWh) 0.614
Excess CO₂ Emissions Rate (lbs CO₂/kWh) 0.441
Excess Tons CO₂ (million tons over 30 years) 8.24

F. Monetary Path

<table>
<thead>
<tr>
<th>Offset Fund Rate ($/ton CO₂)</th>
<th>$1.90</th>
<th>$1.90</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offset Funds Required ($ million)</td>
<td>$15.66</td>
<td>$15.85</td>
</tr>
<tr>
<td>Contracting and Selection Funds ($ million)</td>
<td>$0.70</td>
<td>$0.71</td>
</tr>
<tr>
<td>Monetary Path Requirement ($ million)</td>
<td>$16.36</td>
<td>$16.55</td>
</tr>
</tbody>
</table>

Key: Btu/kWh = British thermal units per kilowatt hour; CO₂ carbon dioxide; HHV = higher heating value; kW = kilowatt; kWh/yr; kilowatts-hours per year; lbs = pounds; lbs CO₂/kWh = pounds of carbon dioxide per kilowatt hour; NA = not applicable

According to RFA Attachment 11, the gross CO₂ emissions over a 30 year operational period, based upon average site conditions176 and with the facility operating for 3,000 hours per year, were estimated to be approximately 39,434 million pounds of CO₂ with or without a ZLD system. The net CO₂ emissions rate (lbs CO₂/kwh) was estimated to be 1.055 lbs CO₂/kwh without a ZLD system and 1.064 lbs CO₂/kwh with a ZLD system. As previously stated, energy facilities subject to the Carbon Dioxide standard may emit CO₂ at a net rate up to 0.614 lb. CO₂/kWh without needing to offset those CO₂ emissions. Therefore, the excess CO₂ emissions rate for the facility would be 0.441 lbs CO₂/kWh without a ZLD system and 0.450 lbs CO₂/kWh with a ZLD system. The total excess CO₂ emissions for 30 years, at average site conditions and operating at 3,000 hours per year, are estimated to be approximately 8.24 million tons of CO₂ without a ZLD system and 8.34 million tons of CO₂ with a ZLD system. The certificate holder is responsible for offsetting the facility’s excess CO₂ emissions.

174 To arrive at offset funds required, the certificate holder multiplied the excess tons of CO₂ for the facility by the offset fund rate ($1.90 per ton of CO₂).
175 Selection and contracting funds are determined by applying the formula in OAR 345-024-0710(4).
176 The RFA uses the same annual average site conditions for temperature, barometric pressure, and relative humidity as ASC Exhibit Y.
Monetary Path Payment

The certificate holder elected to comply with the Carbon Dioxide Standard by providing offset funds and funds for the cost of selecting and contracting for offsets to a qualified organization (in this case, the Climate Trust) as allowed by OAR 345-024-0600(3) and in compliance with the monetary path payment requirement of OAR 345-024-0710 to offset the facility’s excess CO₂ emissions. OAR 345-024-0710(4) requires that, at the request of the qualified organization and in addition to the offset funds, the certificate holder also provide the qualified organization with funds for the cost of selecting and contracting for offsets.

The combination of offset funds and contracting and selection funds constitutes the monetary path payment requirement. Using the parameters in the RFA, the table above provides the excess tons of CO₂ expected to result from operation of the facility multiplied by the offset fund rate of $1.90 per ton of CO₂, which would result in a monetary path payment requirement of $16.36 million without a ZLD system and $16.55 million with a ZLD system. Contracting and selection funds represent $0.70 million and $0.71 million of those amounts, respectively.

The Council adopted conditions in Section IV.S.1. of the Final Order on the ASC for the purposes of compliance with the requirements in OAR 345-024-0590 through 345-024-0710 and to provide the mechanism for calculating the excess CO₂ emissions and the actual monetary path payment. Based upon the Council’s September 2017 decision to amend the Carbon Dioxide Standard to increase the monetary offset rate from $1.27 to $1.90 per ton of CO₂, the Council amends site certificate Conditions S.2, S.10, and S.11 to align with the current standard:

Amended Condition S.2: For the purposes of this site certificate, “monetary path payment requirement” means the amount of offset funds determined pursuant to OAR 345-024-0590 and -600 and the amount of the selection and contracting funds that the certificate holder must disburse to the Climate Trust, as the qualified organization, pursuant to OAR 345-024-0710 and the site certificate. The certificate holder shall calculate the monetary path payment using an offset fund rate of $1.27 $1.90 per ton of carbon dioxide in 2015 2019 dollars as follows:

(c) The certificate holder shall calculate the 2015 2019 dollars using the index described in subsection (c) below.

(d) The certificate holder shall increase the amount of the bond or letter of credit described in Condition S.6 by the percentage increase in the index. The

177 The Council has previously found that the Climate Trust is a “qualified organization.” Section IV.S.1. of the Final Order on the ASC.
certificate holder shall index the funds from the date of the Council’s approval of the site certificate to the date of disbursement of funds to The Climate Trust.

(e) The calculation of 2015–2019 dollars shall be made using the same index described in Condition G.4. The amount of the bond or letter of credit shall increase annually by the percentage increase in the Index and shall be pro-rated within the year to the date of disbursement to The Climate Trust from the date of Council approval of the site certificate. If at any time the Index is no longer published, the Council shall select a comparable calculation of 2015–2019 dollars without an amendment of the site certificate.

[Final Order Condition S.2; AMD1]

Amended Condition S.10: Based on the data from the Year One Tests described in Condition S.8, or actual measured emissions described in Condition S.9, the certificate holder shall calculate an adjusted monetary path payment. The certificate holder shall submit its calculations to the department for verification. If the adjusted amount exceeds the amount of the bond or letter of credit provided according to Condition S.7 before beginning construction, the certificate holder shall fully disburse the excess amount directly to The Climate Trust within 30 days of the department’s verification of the calculations.

a. The certificate holder shall include the appropriate calculations of the adjusted monetary path payment with its reports of the results of the Year One Tests required under Condition S.8 or actual measured emissions required under Condition S.9.

b. For calculating the adjusted monetary path payment, the certificate holder shall use an offset fund rate of $1.27–$1.90 per ton of carbon dioxide (in 2015–2019 dollars) and shall calculate contracting and selecting funds based on 10 percent of the first $500,000 in offset funds and 4.286 percent of any offset funds in excess of $500,000 (in 2015–2019 dollars).

c. In no case shall the certificate holder diminish the value of the bond or letter of credit it provided before beginning construction or receive a refund from The Climate Trust based on the calculations made using the results of the Year One Test required under Condition S.8 or actual measured emissions required under Condition S.9.

[Final Order Condition S.10; AMD1]

Amended Condition S.11: Every 5 years after commencing commercial operation of the facility (5-year reporting period), the certificate holder shall report to the Council the information required by either subsection (a) or (b), below. The certificate holder shall
submit five-year reports to the Council within 30 days of the anniversary date of
beginning commercial operation of the facility.

   a. If the certificate holder has elected to calculate any excess emissions using
      annual average hours of operation and new and clean heat rates, the certificate
      holder shall report the annual average hours of operation of each generating
      unit within the facility during that five-year reporting period. The certificate
      holder shall use the Year One Capacity and Year One Heat Rate that it reports for
      the corresponding generating units pursuant to Condition S.8 to calculate
      whether it owes supplemental monetary path payments.

   b. If the certificate holder has elected to calculate any excess emissions using actual
      or measured carbon dioxide emissions reported to either the Oregon
      Department of Environmental Quality or the U.S. Environmental Protection
      Agency pursuant to a mandatory carbon dioxide reporting requirement, the
      certificate holder shall submit to the Council the carbon dioxide reporting data
      and net kWh generation for that five-year reporting period and shall use that
      data to determine whether it owes supplemental monetary path payments.

   c. If the department determines that the facility exceeds the projected net total
      carbon dioxide emissions calculated pursuant to Condition S.3 and either
      Condition S.8 or S.9, prorated for five years, during any five-year reporting
      period, the certificate holder shall offset excess emissions for the specific
      reporting period according to subsection (c)(1) and shall offset the estimated
      future excess emissions according to subsection (c)(2). The certificate holder
      shall offset excess emissions using the monetary path described under Condition
      S.2. The certificate holder shall disburse funds to The Climate Trust within 30
days after notification by the department of the amount that the certificate
holder owes.

1. In determining the excess carbon dioxide emissions that the certificate
   holder must offset for a five-year period, the department shall apply OAR
   345-024-0600(4)(a), unless the certificate holder has elected under OAR 345-
   024-0590(5) to utilize actual or measured carbon dioxide emissions as
   reported to either the Oregon Department of Environmental Quality or the
   U.S. Environmental Protection Agency pursuant to a mandatory carbon
   dioxide reporting requirement. The certificate holder shall pay for the excess
   emissions at $1.27 $1.90 per ton of carbon dioxide emissions (in 2015 2019
   dollars). The department shall notify the certificate holder and The Climate
   Trust of the amount of the payment required, using the monetary path, to
   offset excess emissions.

2. The department shall calculate estimated future excess emissions and notify
   the certificate holder of the amount of payment required, using the
   monetary path, to offset them. To estimate excess emissions for the
   remaining period of the deemed 30-year life of the facility, the department
shall use the parameters specified in OAR 345-024-0600(4)(b). The certificate holder shall pay for the estimated excess emissions at $1.27 $1.90 per ton of carbon dioxide (in 2015 2019 dollars). The department shall notify the certificate holder of the amount of payment required, using the monetary path, to offset future excess emissions.

[Final Order Condition S.11; AMD1]

In addition, based upon the Council’s June 2018 decision to amend the Carbon Dioxide Standard to reset the net CO₂ emissions rate threshold for both base load and non-base load power plants from 0.675 lb. CO₂/kWh of net electric power output to 0.614 lb. CO₂/kWh of net electric power output, the Council amends site certificate Condition S.4 to align with the current standard:

Amended Condition S.4: The certificate holder shall submit all monetary path payment requirement calculations to the department for verification in a timely manner before submitting a bond or letter of credit for Council approval, before entering into a Memorandum of Understanding with The Climate Trust as required by Condition S.5, and before making disbursement to The Climate Trust. The net carbon dioxide emissions rate of the facility shall not exceed 0.675 0.614 pounds of carbon dioxide per kilowatt-hour of net electric power output measured on a new and clean basis, as the department may modify such basis pursuant to Condition S.8(c).

[Final Order Condition S.4; AMD1]

Subject to compliance with existing and amended site certificate conditions, Council finds that the construction and operation of the facility would continue to meet the standards and means of compliance for non-base load power plants required in OAR 345-024-0590 and OAR 345-024-0600, and the monetary path payment requirements of OAR 345-024-0710.

Conclusions of Law
Based on the foregoing findings of fact and conclusions of law, and subject to compliance with the existing and amended site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would satisfy the Council’s Carbon Dioxide Standard.

III.Q. Other Applicable Regulatory Requirements Under Council Jurisdiction

Under ORS 469.503(3) and under the Council’s General Standard of Review (OAR 345-022-0000), the Council must determine whether the facility complies with “all other Oregon statutes
III.1. Noise Control Regulations: OAR 340-035-0035

(1) Standards and Regulations:

(b) New Noise Sources:

(A) New Sources Located on Previously Used Sites. No person owning or controlling a new industrial or commercial noise source located on a previously used industrial or commercial site shall cause or permit the operation of that noise source if the statistical noise levels generated by that new source and measured at an appropriate measurement point, specified in subsection (3)(b) of this rule, exceed the levels specified in Table 8, except as otherwise provided in these rules. For noise levels generated by a wind energy facility including wind turbines of any size and any associated equipment or machinery, subparagraph (1)(b)(B)(iii) applies.

(B) New Sources Located on Previously Unused Site:

(i) No person owning or controlling a new industrial or commercial noise source located on a previously unused industrial or commercial site shall cause or permit the operation of that noise source if the noise levels generated or indirectly caused by that noise source increase the ambient statistical noise levels, L10 or L50, by more than 10 dBA in any one hour, or exceed the levels specified in Table 8, as measured at an appropriate measurement point, as specified in subsection (3)(b) of this rule, except as specified in subparagraph (1)(b)(B)(iii).

(ii) The ambient statistical noise level of a new industrial or commercial noise source on a previously unused industrial or commercial site shall include all noises generated or indirectly caused by or attributable to that source including all of its related activities. Sources exempted from the requirements of section (1) of this rule, which are identified in subsections (5)(b) - (f), (j), and (k) of this rule, shall not be excluded from this ambient measurement.

***

Findings of Fact

The noise control regulations at OAR 340-035-0035 have been adopted by Council as the
compliance requirements for EFSC-jurisdiction energy facilities.

The certificate holder provided an assessment of compliance with the noise control regulations in ASC Exhibit X. The Council addressed the noise control regulations in Section IV.P. of the Final Order on the ASC, and found that, subject to site certificate conditions P.1 through P.4, the facility would comply with the noise control regulations. These conditions require the certificate holder to conduct additional noise modelling prior to commencing construction; monitor and record the actual statistical noise levels during facility operation if so directed by the Department; maintain a complaint response system and notify the Department if a complaint about facility noise is received; and implement measures to reduce construction noise impacts at nearby residences.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The RFA requests to extend the construction commencement and completion deadlines; the certificate holder does not request to change the facility design or layout or to otherwise modify the facility in a way that could affect the Council’s previous findings under the noise control regulations. However, the certificate holder identified new noise sensitive receptors within one mile of the site boundary.\(^{178}\)

OAR 340-035-0035(5)(g) specifically exempts noise caused by construction activities from the noise control regulations in OAR Chapter 340. The noise control regulations set noise limits for operation of new industrial or commercial noise sources based upon whether those sources would be developed on a previously used or previously unused site.\(^{179}\) As explained in the Section IV.P. of the Final Order on the ASC, the power plant site and step-up substation site qualify as “previously unused” sites and are therefore subject to OAR 340-035-0035(1)(b)(B). In contrast, because the related transmission line is a proposed reconductoring of an existing line and the ROW currently contains 230/115-kV transmission infrastructure, it would be considered a previously used industrial or commercial site and subject to OAR 340-035-0035(1)(b)(A).

As part of the RFA, the certificate holder compared 2018 Google Earth aerial imagery and parcel data to the 2013 Google Earth aerial imagery and parcel data originally used to identify noise sensitive receptors in ASC Exhibit X. Twenty-five new noise sensitive receptors, all of which are residences, are located within one mile of the site boundary. As shown in Figures 1 and 2 of RFA

\(^{178}\) RFA Section 2.3.6 and Attachment 4.

\(^{179}\) A “previously unused industrial or commercial site” is defined in OAR 340-035-0015(47) as property which has not been used by any industrial or commercial noise source during the 20 years immediately preceding commencement of construction of a new industrial or commercial source on that property.
Attachment 4, these new noise sensitive receptors are located within 1 mile of the site boundary of the step-up substation, northern portion of the reconducted transmission line, or both. No new noise sensitive receptors would be located within one mile of the Station.

The closest new noise sensitive receptors to the transmission line are two residences that would both be located at a distance of approximately 0.2 miles from the reconducted transmission line. These residences are located on the east side of Powerline Road and the transmission line ROW is located to the west of Powerline Road. As previously discussed, the applicable noise control regulations for the transmission line that would be reconducted are found at OAR 340-035-0035(1)(b)(A), which establishes operational noise limits for new industrial and commercial noise sources, as specified in Table 8 of the regulations. Based on Table 8, the noise radiating from or attributable to operation of the reconducted transmission line must not exceed a maximum hourly L_{50} noise level of 50 dBA at any noise sensitive receptor. As discussed in Section IV.P. of the Final Order on the ASC, the maximum transmission line ROW audible noise level (at 200 feet from the ROW centerline) was 39.3 dBA and would therefore comply with the limits established in Table 8 under OAR 340-035-0035(1)(b)(A). All new noise sensitive receptors are located at a greater distance from the transmission line ROW and would therefore experience lower noise levels; therefore, the Council finds that the presence of the new noise sensitive receptors does not change the Council’s previous finding that operation of the reconducted transmission line would comply with the noise control regulations at OAR 340-035-0035(1)(b)(A).

The closest new noise sensitive receptor to the step-up substation is located at a distance of 0.42 miles from the step-up substation site. As previously discussed, the step-up substation site qualifies as “previously unused” sites and is therefore subject to OAR 340-035-0035(1)(b)(B). Under OAR 340-035-0035(1)(b)(B), new sources on previously unused sites shall not increase ambient statistical noise levels (L_{10} or L_{50}) by more than 10 dBA in any single hour or exceed the levels specified in Table 8. As described in ASC Exhibit X, the model-predicted sound level (resulting from the operation of the step-up substation) at a noise-sensitive property located 958 feet (approximately 0.18 miles) to the east of the step-up substation would be 38.3 dBA, which is below the thresholds established in Table 8. Operation of the step-up substation would increase ambient statistical noise levels at the closest noise sensitive receptor by approximately 2.3 dBA, which is below the threshold established by OAR 340-035-0035(1)(b)(B) of 10 dBA in any single hour. All new noise sensitive receptors are located at a greater distance (approximately 0.42 miles or more) from the step-up substation and would therefore comply with the noise control regulations.

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180 As explained in Section IV.P. of the Final Order on the ASC, the reconducted transmission line would operate on a 24-hour basis, so the noise generated by the facility must not exceed the more restrictive maximum permissible hourly statistical noise level for the nighttime hours shown in Table 8 of the noise control regulations.

181 ASC Exhibit X, Section X.3.3.2 and X.4.2.2.
experience lower noise levels; therefore, the Council finds that the presence of the new noise sensitive receptors does not change the Council’s previous finding that operation of the step-up substation would comply with the noise control regulations at OAR 340-035-0035(1)(b)(B).

**Conclusions of Law**

Based on the foregoing findings of fact and conclusions of law, and subject to compliance with existing site certificate conditions, the Council finds that the facility, with the requested extension of the construction deadlines, would comply with the Noise Control Regulations in OAR 340-035-0035.

**III.Q.2. Removal-Fill**

The Oregon Removal-Fill Law (ORS 196.795 through 196.990) and Department of State Lands (DSL) regulations (OAR 141-085-0500 through 141-085-0785) require a removal-fill permit if 50 cubic yards or more of material is removed, filled, or altered within any “waters of the state.”1182 The Council, in consultation with DSL, must determine whether a removal-fill permit is needed and if so, whether a removal-fill permit should be issued. The analysis area for wetlands and other waters of the state is the area within the site boundary.

**Findings of Fact**

The certificate holder identified and described waters of the state within the analysis area in ASC Exhibit J. The Council addressed the Removal-Fill Law in Section IV.Q. of the Final Order on the ASC and found that a state removal-fill permit is not required because there are no wetlands in the analysis area and the waterbodies within the analysis area are not jurisdictional.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The request for amendment does not include any changes to the facility design or layout that would create new or different impacts to waters of the state, and does not otherwise propose any activities that would require a removal-fill permit. Additional desktop analysis and field surveys conducted as part of this RFA provide a greater level of detail than the ASC about waters of the state near the pulling-tensioning sites along the transmission line to be reconductored, as on-the-ground field surveys were not previously conducted at these locations. For those portions of the analysis area where the certificate holder team

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1182 ORS 196.800(15) defines “Waters of this state.” The term includes wetlands and certain other waterbodies.
previously (in 2013) mapped wetlands and waterbodies, the certificate holder conducted on-
site verification to determine if the waters of the state described in ASC Exhibit J have
appreciably changed.\textsuperscript{183}

As part of this RFA, the certificate holder reviewed desktop wetlands and soils data (National
Wetlands Inventory, National Hydrography Dataset, and the Soil Survey Geographic Database)
as well as aerial imagery. To confirm the results of the desktop analysis, E & E biologists
conducted on-site reconnaissance on June 11 and 12, 2018. In addition, on April 22-23 and May
10, 2019, the biologists surveyed the pulling-tensioning sites for waters of the state and
conducted on-site verification of previously mapped wetlands and waters within the remainder
of the site boundary.

The presence and character of wetlands and waters within the previously surveyed areas
remains the same as reported in ASC Exhibit J. No wetlands or waterbodies are located within
the newly surveyed pulling-tensioning sites, and the two waters (a man-made agricultural pond
and a man-made irrigation canal) located near pulling-tensioning sites would not be impacted
by construction and operation of the facility. The certificate holder explains that pulling-
tensioning activities would not impact the canal because the canal and the closest pulling
tensioning site are separated by a 35-foot-wide gravel access road. In addition, the facility
would not impact the agricultural pond, which would be separated from the closest pulling-
tensioning site by a 25-foot-wide gravel road and a levee.\textsuperscript{184}

Based upon the information in the record, the Council finds that the facility, with the requested
extension of the construction deadlines, maintains compliance with the Removal-Fill Law and
the certificate holder is not currently required to obtain a removal-fill permit.

\textbf{Conclusions of Law}

Based on the foregoing findings of fact, the Council finds that the facility, with the requested
extension of the construction deadlines, does not need a removal-fill permit.

\textbf{III. Q.3. Water Rights}

Under ORS Chapters 537 and 540 and OAR Chapter 690, the Oregon Water Resources
Department (OWRD) administers water rights for appropriation and use of the water resources
of the state. Under OAR 345-022-0000(1)(b), the Council must determine whether the facility
would comply with the statutes and administrative rules identified in the project order. The

\textsuperscript{183} RFA Attachment 8, Section 2.3.
\textsuperscript{184} RFA Attachment 8, Section 3.3.
Department identifies OAR 690, Divisions 310 and 380 (Water Resources Department permitting requirements) as the administrative rules governing use of water resources and water rights as applicable to the facility. The Department notes that OAR 345-021-0010(1)(o) applies to the proposed amendment. OAR 345-021-0010(1)(o)(F) requires that if a facility needs a groundwater permit, surface water permit, or water right transfer, that a decision on authorizing such a permit rests with the Council.

Findings of Fact

OAR 690 establishes the procedures and standards which shall be applied by the OWRD in the evaluation of applications for a permit to appropriate surface water, ground water, to construct a reservoir and store water, to use reserved water, or to use water stored in a reservoir.

The certificate holder provided information about anticipated water use during construction and operation of the facility in ASC Exhibit O, and explained that the certificate holder was not requesting a groundwater permit, a surface water permit, or a water rights transfer during the construction and operation of the facility. As explained in that exhibit, potable water would be obtained from an onsite well, and all non-potable water for construction and operation of the facility would be obtained from the Port of Umatilla. ASC Attachment O-1 contains an April 30, 2013 letter from the Port of Umatilla stating that it had the capacity and permits to supply process water to the Perennial Wind Chaser Station during construction and operation.

The Council found in Section IV.R.1 of the Final Order on the ASC that the facility would comply with the Ground Water Act of 1955 and Water Resources Department administrative rules. The Council imposed Conditions R.1 and R.2 in response to comments from the City of Hermiston and the Port of Umatilla (co-owners of the Regional Water System) and a subsequent certificate holder commitment. Condition R.1 requires the certificate holder to enter into an agreement with the owners of the Regional Water System that ensures completion of the water system improvements necessary to provide water to the Perennial Wind Chaser Station. Condition R.2 limits the amount of water the certificate holder would obtain from the Port of Umatilla to no more than 2,000 gallons per minute and to amounts found to be within the scope of the water rights held by the Port of Umatilla.

For amendments requesting to extend construction deadlines, the Department and Council evaluate whether there have been “changes in fact or law” since the site certificate was issued to determine whether, based on changes in fact or law, the facility would continue to satisfy requirements of the standard. The certificate holder does not request any changes to the facility layout, design, or site boundary, nor does the certificate holder request a water permit. Water usage and water loss estimates for construction and operation of the facility remain approximately the same as the estimates provided in ASC Exhibit O, and the certificate holder
does not propose to change the sources of the facility’s water supply. The certificate holder attached an updated (May 30, 2018) letter from the Port of Umatilla as Attachment 3 to the RFA. The letter contains the same information previously evaluated by the Council; therefore, the circumstances supporting the Council’s previous findings have not changed. As such, the Council finds that the certificate holder can continue to provide adequate water for construction and operation of the facility and does not need a groundwater permit, surface water permit, or water right transfer. If such a permit is required by the certificate holder at a later time, a site certificate amendment would be required to review and consider such a permit application.

Conclusions of Law

Based on the foregoing findings of fact, the Council concludes that the facility, with the requested extension of the construction deadlines, does not require a groundwater permit, surface water permit, or water right transfer.

185 RFA Section 2.3.5.
IV. GENERAL CONCLUSIONS AND FINAL ORDER

Based upon the conditions of compliance and conclusions presented in this order, the Council makes the following findings:

1. The facility (with the requested extension of the construction deadlines) included in Request for Amendment 1 complies with the requirements of the Oregon Energy Facility Siting Statutes, ORS 469.300 to 469.520.

2. The facility (with the requested extension of the construction deadlines) included in Request for Amendment 1 complies with the standards adopted by the Council pursuant to ORS 469.501.

3. The facility (with the requested extension of the construction deadlines) included in Request for Amendment 1 complies with all other Oregon statutes and administrative rules identified in the project order as applicable to the issuance of a site certificate for the facility.

Accordingly, the Council finds that the facility (with the requested extension of the construction deadlines) included in Request for Amendment 1 of the Perennial Wind Chaser Station site certificate complies with the General Standard of Review (OAR 345-022-0000). The Council finds, based on a preponderance of the evidence on the record, that the site certificate may be amended as requested. The Council therefore approves Amendment 1 of the Perennial Wind Chaser Station site certificate.

Issued this 22nd day of November, 2019

The OREGON ENERGY FACILITY SITING COUNCIL

By: Hanley Jenkins, Chair

Attachments:
Attachment A: First Amended Site Certificate
Attachment B: Reviewing Agency Comments on preliminary Request for Amendment
Attachment C: Draft Proposed Order Comments and Index
Attachment D: Zoning Figures
Notice of the Right to Appeal

The right to judicial review of this final order approving an amendment to the site certificate is governed by ORS 469.403 and OAR 345-027-0371(12). Pursuant to ORS 469.403(3), the Oregon Supreme Court has jurisdiction for review of the Council’s approval of an application for an amended site certificate. To appeal you must file a petition for judicial review with the Supreme Court within 60 days from the day this final order approving an amendment to the site certificate was served.

If this order was e-mailed or mailed to you, the date of service is the date it was e-mailed or mailed, not the date you received it. The date of service for any persons to whom this final order was not e-mailed or mailed is the date it was posted to the Oregon Department of Energy Siting webpage. If you do not file a petition for judicial review within the applicable time period noted above, you lose your right to appeal.
Attachment A: Amended Site Certificate
ENERGY FACILITY SITING COUNCIL
OF THE
STATE OF OREGON

First Amended Site Certificate for the
Perennial Wind Chaser Station

ISSUANCE DATES

Site Certificate September 18, 2015
First Amended Site Certificate November 22, 2019
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Appendix 2 Restoration Monitoring Plan
Appendix 3 Biological Monitoring Plan

Acronyms and Abbreviations
ASC Application for Site Certificate
Council Oregon Energy Facility Siting Council
CTG Combustion Turbine Generator
Department Oregon Department of Energy
DOGAMI Oregon Department of Geology and Mineral Industries
DPO Draft Proposed Order
ESCP Erosion and Sediment Control Plan
MOU Memorandum of Understanding
NPDES National Pollutant Discharge Elimination System
NRHP National Register of Historic Places
O&M Operations and Maintenance
OAR Oregon Administrative Rule
ODFW Oregon Department of Fish and Wildlife
ORS Oregon Revised Statute
RFA Request for Amendment
WGS Washington Ground Squirrels
1.0 Introduction and Site Certification

This site certificate is a binding agreement between the State of Oregon (State), acting through the Energy Facility Siting Council (Council), and Perennial-WindChaser, LLC (certificate holder). As authorized under Oregon Revised Statue (ORS) Chapter 469, the Council issues this site certificate authorizing certificate holder to construct, operate and retire the Perennial Wind Chaser Station (facility) at the below described site in Umatilla County, Oregon, subject to the conditions set forth herein.

Both the State and certificate holder must abide by local ordinances, state law and the rules of the Council in effect on the date this site certificate is executed. However, upon a clear showing of a significant threat to public health, safety, or the environment that requires application of later-adopted laws or rules, the Council may require compliance with such later-adopted laws or rules (ORS 469.401(2)).

Subject to the conditions herein, this site certificate binds the State and all counties, cities and political subdivisions in Oregon as to the approval of the site and the construction, operation, and retirement of the facility to matters that are addressed in and governed by this site certificate (ORS 469.401(3)). This site certificate does not address, and is not binding with respect to, matters that are not included in and governed by this site certificate, and such matters include, but are not limited to: employee health and safety; building code compliance; wage and hour or other labor regulations; local government fees and charges; other design or operational issues that do not relate to siting the facility (ORS 469.401(4)); and permits issued under statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council (ORS 469.503(3)).

Each affected state agency, county, city, and political subdivision in Oregon with authority to issue a permit, license, or other approval addressed in or governed by this site certificate, shall upon submission of the proper application and payment of the proper fees, but without hearings or other proceedings, issue such permit, license or other approval subject only to conditions set forth in this site certificate. In addition, each state agency or local government agency that issues a permit, license or other approval for this facility shall continue to exercise enforcement authority over such permit, license or other approval (ORS 469.401(3)). For those permits, licenses, or other approvals addressed in and governed by this site certificate, the certificate holder shall comply with applicable state and federal laws adopted in the future to the extent that such compliance is required under the respective state agency statutes and rules. (ORS 469.401(2)).

The certificate holder must construct, operate and retire the facility in accordance with all applicable rules as provided for in Oregon Administrative Rule (OAR) Chapter 345, Division 26. After issuance of this site certificate, the Council shall have continuing authority over the site and may inspect, or direct the Oregon Department of Energy (department) to inspect, or request another state agency or local government to inspect, the site at any time in order to ensure that the facility is being operated consistently with the terms and conditions of this site certificate ([ORS 469.430]).

The obligation of the certificate holder to report information to the department or the Council under the conditions listed in this site certificate is subject to the provisions of ORS 192.502 et seq. and ORS 469.560. To the extent permitted by law, the department and the Council will not publicly disclose information that may be exempt from public disclosure if the certificate holder has clearly labeled such
information and stated the basis for the exemption at the time of submitting the information to the department or the Council. If the Council or the department receives a request for the disclosure of the information, the Council or the department, as appropriate, will make a reasonable attempt to notify the certificate holder and will refer the matter to the Attorney General for a determination of whether the exemption is applicable, pursuant to ORS 192.450.

The Council recognizes that many specific tasks related to the design, construction, operation and retirement of the facility will be undertaken by the certificate holder’s agents or contractors. Nevertheless, the certificate holder is responsible for ensuring compliance with all provisions of the site certificate.

The definitions in ORS 469.300 and OAR 345-001-0010 apply to the terms used in this site certificate, except where otherwise stated, or where the context clearly indicates otherwise. The findings of fact, reasoning, and conclusions of law underlying the terms and conditions of this site certificate are set forth in the Council’s Final Order in the Matter of the Application for a Site Certificate for the Perennial Wind Chaser Station (Final Order on the ASC) issued on September 18, 2015 and the Council’s Final Order in the Matter of Request for Amendment 1 to the Perennial Wind Chaser Station Site Certificate (Final Order on Amendment 1) issued on November 22, 2019, and incorporated herein by this reference. In interpreting this site certificate, any ambiguity is to be clarified by reference to the following, in order of priority: the record of the proceedings that led to (1) this amended Site Certificate, (2) the Final Order on Amendment 1, and (3) the Final Order on the ASC.

The duration of this site certificate shall be the life of the facility, subject to termination pursuant to OAR 345-027-0110 or the rules in effect on the date that termination is sought, or revocation under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. The Council shall not change the conditions of this site certificate except as provided for in OAR Chapter 345, Division 27.

2.0 Facility Location

The Perennial Wind Chaser Station and related and supporting facilities are located in Umatilla County, Oregon. The site boundary, as defined in OAR 345-001-0010, encompasses 60 acres and includes the perimeter of the Station, its related and supporting facilities, rights of way of the lateral natural gas pipeline and transmission line, and all temporary staging areas. The energy facility site is located in the Northwest Quarter of Section 30, Township 4 North, Range 28 East, and Willamette Meridian. The energy facility is located approximately 5 miles southwest of Hermiston, Oregon, adjacent to the existing Hermiston Generating Plant. The facility’s supporting transmission line and natural gas pipeline lateral are both located in Umatilla County, with the transmission line extending north to the facility’s step-up substation that is located adjacent to Bonneville Power Administration’s McNary Substation, and the natural gas pipeline lateral, extending south of the Station 4.63 miles.

3.0 Facility Description

3.1 Energy Facility

The energy facility is a natural gas-fueled simple-cycle power generating plant, producing up to 415 megawatts (MW) of electric power. The energy facility is a non-base load plant, limited to an average
number of hours of operation per year of not more than 6,600 hours. The energy facility includes up to four generating units, each consisting of one GE LMS100 (or equivalent) combustion turbine, intercooler heat exchanger, electrical generator, selective catalytic reduction unit, catalytic oxidation unit, and stack. Each generating unit is connected to a common cooling tower. The energy facility burns only natural gas, with the natural gas combusted in the combustion turbine generator, then expanded to drive the turbine generator, producing electric power. Each combustion turbine generator consists of a stationary combustion turbine-generator and associated auxiliary equipment and systems, which include: evaporative coolers, inlet air filters, nitrogen oxide control water injection system, gas turbine enclosure, gas turbine compartment ventilation system, fuel gas conditioning system, synthetic lubrication oil system, mineral lubrication oil system, automatic water wash system, fire detection and protection system, intercooler system, hydraulic starting system, and vibration monitoring system.

The energy facility is accessed from Westland Road via Interstate Highway 82 or 84. A paved loop road, approximately 24 feet wide, provides for normal truck and operator vehicle traffic and connects to Westland Road. The loop road is 3,000 feet in length.

The facility also includes the following related and supporting facilities. Exhibit B of the ASC includes additional information regarding facility components.

**Natural-gas Pipeline Lateral**

The energy facility receives natural gas from the natural gas pipeline lateral that extends south from the energy facility approximately 4.63 miles. The pipeline lateral is located within an established 50-foot natural gas right of way (ROW).

**Transmission Line**

Power generated at the energy facility is transmitted to the Bonneville Power Administration’s McNary Substation, utilizing primarily preexisting transmission infrastructure that runs from Hermiston to McNary. A new 230-kV line replaces the 115-kV line on the preexisting infrastructure, plus an additional six poles connect the energy facility to the preexisting infrastructure. Four new poles run from the onsite switchyard in the southwest corner of the site to the northwestern corner of the site. From the northwest corner, the transmission line crosses Westland Road to a new pole on the western side. This fifth pole connects the energy facility to the preexisting infrastructure. The certificate holder may also replace the first connecting pole of the existing infrastructure, for a total of six new poles.

**500-kV Step-up Substation**

A 500-kV step-up substation steps up the voltage of the energy facility’s 230-kV line to 500-kV in order to tie in to the open bay at the McNary Substation. The 500-kV transformer yard is open-air, of alternating current, and on a leveled and graveled area, approximately 3 acres in size and surrounded by a security fence. An underground line connects the 500-kV step-up substation to the McNary Substation tie-in location. The underground line is 477 feet in length and installed in a concrete-encased duct bank approximately 2 feet wide by 2 feet high, with approximately 3 feet of cover.
Zero Liquid Discharge System (Alternative Scenario)

Lamb Weston’s Water Pollution Control Facilities Permit allows Lamb Weston’s facility to manage and dispose of the Hermiston Generating Project’s (HGP) waste water, among other wastewaters, by land application. It is the certificate holder’s preference to send the energy facility’s reclaimed water to HGP, which would then be delivered to Lamb Weston. As of the issue date of the first amended site certificate, Lamb Weston had not yet indicated that it would accept reclaimed water from the HGP that was provided by the Perennial Wind Chaser Station. If Lamb Weston is not able to accept reclaimed water from the HGP that has come from the Perennial Wind Chaser Station, the certificate holder will install a zero liquid discharge system (ZLD). If necessary, the ZLD system will consist of a clarifier, a high efficiency reverse osmosis system and a crystallizer. The system will be sized to accept an approximate 140 gallons per minute of blowdown from the cooling tower and miscellaneous plant wastewaters. A 200,000 gallon tank will be installed to handle potential fluctuations in the operation of the ZLD system. Effluent form the ZLD system would be returned to the cooling tower basin as makeup water, and the solids would be transported offsite for disposal in a landfill.

Utility Lines and Interconnecting Water Pipelines

Two telecommunication lines connect the energy facility telephone and data highway system into the City of Hermiston system. An interconnecting water pipeline connects the energy facility to the Port of Umatilla water system. The pipeline is located below grade with a trench under the railroad tracks and is approximately 208 feet. Additionally, as discussed above, should HGP, and in turn Lamb Weston, accept the certificate holder’s reclaimed wastewater, an additional wastewater pipeline will connect the energy facility to the HGP for purposes of delivering the facility’s reclaimed water to HGP.

Temporary Construction Areas

Additional areas, approximately 5.11 acres, are included for five construction offices, construction parking, construction laydown and the temporary storage of soil displaced during the construction process.

Buildings

A single pre-engineered building serves as a control room and administration building and also houses the water treatment equipment. Additionally, separate enclosures house the chemical feed equipment, electrical equipment, and alternative zero liquid discharge system, should this system be necessary.
### 4.0 Site Certificate Conditions

#### 4.1 General Conditions: Design, Construction and Operations (GEN)

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>General Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARD: GENERAL STANDARD OF REVIEW (GS) (OAR 345-022-0000)</strong></td>
<td></td>
</tr>
<tr>
<td>GEN-GS-01</td>
<td>The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate.</td>
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<tr>
<td>[Final Order Condition A.5; Mandatory Condition 345-025-0006(4)]</td>
<td></td>
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<tr>
<td>GEN-GS-02</td>
<td>The certificate holder shall begin construction of the facility by September 23, 2020.</td>
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<tr>
<td>[Final Order Condition A.1; AMD1; Mandatory Condition 345-025-0006(4)]</td>
<td></td>
</tr>
<tr>
<td>GEN-GS-03</td>
<td>The certificate holder shall complete construction of the facility by September 23, 2023.</td>
</tr>
<tr>
<td>[Final Order Condition A.2; AMD1; Mandatory Condition 345-025-0006(4)]</td>
<td></td>
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</tbody>
</table>
| GEN-GS-04 | The certificate holder shall design, construct, operate, and retire the facility:  
(a) Substantially as described in the site certificate  
(b) In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the site certificate is issued; and  
(c) In compliance with all applicable permit requirements of other state agencies |
| [Final Order Condition A.4; Mandatory Condition 345-025-0006(3)] |
| GEN-GS-05 | Before any transfer of ownership of the facility or ownership of the site certificate holder, the certificate holder shall inform the department of the proposed new owners. The requirements of OAR 345-027-0400 [previously OAR 345-027-0100] apply to any transfer of ownership that requires a transfer of the site certificate. |
| [Final Order Condition A.9; Mandatory Condition 345-025-0006(15)] |
| GEN-GS-06 | Any matter of non-compliance under the site certificate is the responsibility of the certificate holder. Any notice of violation issued under the site certificate shall be levied on the certificate holder. |
| [Final Order Condition B.4] |
| GEN-GS-07 | Except as necessary for the initial survey or as otherwise allowed for wind energy facilities, transmission lines or pipelines under this section, the certificate holder shall not begin construction, as defined in OAR 345-001-0010, or create a clearing on any part of the site until the certificate holder has construction rights on all parts of the site. For the purpose of this rule, “construction rights” means the legal right to engage in construction activities. For wind energy facilities, transmission lines or pipelines, if the certificate holder does not have construction rights on all parts of the site, the certificate holder may nevertheless begin construction, as defined in OAR 345-001-0010, or create a clearing on a part of the site if the certificate holder has construction rights on that part of the site and the certificate holder would construct and operate part of the facility on that part of the site even if a change in the planned
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<tr>
<th>Condition Number</th>
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<td>route of a transmission line or pipeline occurs during the certificate holder’s negotiations to acquire construction rights on another part of the site.</td>
</tr>
<tr>
<td>[Final Order Condition A.6; Mandatory Condition 345-025-0006(5)]</td>
<td></td>
</tr>
<tr>
<td>GEN-GS-08</td>
<td>If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder shall, as soon as possible, submit a written report to the department describing the impact on the facility and any affected site certificate conditions.</td>
</tr>
<tr>
<td>[Final Order Condition A.7; Mandatory Condition 345-025-0006(6)]</td>
<td></td>
</tr>
<tr>
<td>GEN-GS-09</td>
<td>(a) The certificate holder shall design, construct and operate the lateral natural gas pipeline in accordance with the requirements of the U.S. Department of Transportation as set forth in Title 49 Code of Federal Regulations, Part 192, in effect as of the date of this rule; and (b) The certificate holder shall develop and implement a program using the best available practicable technology to monitor the proposed lateral natural gas pipeline to ensure protection of public health and safety.</td>
</tr>
<tr>
<td>[Final Order Condition A.11; Site Specific Condition 345-025-0010(3)]</td>
<td></td>
</tr>
<tr>
<td><strong>STANDARD: ORGANIZATIONAL EXPERTISE (OE) (OAR 345-022-0010)</strong></td>
<td></td>
</tr>
<tr>
<td>GEN-OE-01</td>
<td>The certificate holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder.</td>
</tr>
<tr>
<td>[Final Order Condition B.5; Mandatory Condition 345-025-0006(7)]</td>
<td></td>
</tr>
<tr>
<td>GEN-OE-02</td>
<td>The certificate holder shall obtain all necessary federal, state and local permits or approvals required for construction, operation and retirement of the facility or ensure that its contractors obtain the necessary federal, state and local permits or approvals.</td>
</tr>
<tr>
<td>[Final Order Condition B.6]</td>
<td></td>
</tr>
<tr>
<td><strong>STANDARD: STRUCTURAL (SS) (OAR 345-022-0020)</strong></td>
<td></td>
</tr>
<tr>
<td>GEN-SS-01</td>
<td>The certificate holder shall design, engineer, and construct the facility in accordance with the versions of the Oregon Structural Special Code, International Building Code, and local building codes in effect at the time of construction.</td>
</tr>
<tr>
<td>[Final Order Condition C.3; AMD1]</td>
<td></td>
</tr>
<tr>
<td>GEN-SS-02</td>
<td>The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this rule, “seismic hazard” includes ground shaking, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction.</td>
</tr>
<tr>
<td>[Final Order Condition C.5; AMD1; Mandatory Condition 345-025-0006(12)]</td>
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<tr>
<td>Condition Number</td>
<td>General Conditions</td>
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<tr>
<td>GEN-SS-03</td>
<td>The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions.</td>
</tr>
<tr>
<td></td>
<td>[Final Order Condition C.6; AMD1; Mandatory Condition 345-025-0006(13)]</td>
</tr>
<tr>
<td>GEN-SS-04</td>
<td>The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site. After the Department receives notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions.</td>
</tr>
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<td></td>
<td>[Final Order Condition C.7; AMD1; Mandatory Condition 345-025-0006(14)]</td>
</tr>
<tr>
<td><strong>STANDARD: SOIL PROTECTION (SP) (OAR 345-022-0022)</strong></td>
<td></td>
</tr>
<tr>
<td>GEN-SP-01</td>
<td>No less than 45 days prior to construction, unless otherwise agreed to by the Department, the certificate holder shall submit to the Department a final Revegetation and Noxious Weed Control Plan. The Department will review the plan in consultation with ODFW and the Umatilla County Weed Control Board. The plan must be approved by the Department prior to construction. As part of finalizing the plan, the certificate holder must update Table 1 of the draft plan (related to temporary and permanent impacts to habitat) based upon the pre-construction habitat assessment required by Condition H.1. In addition to the temporary ground disturbance areas described on page 3 of the draft plan, the final plan must consider temporary impacts at the pulling-tensioning sites, and the certificate holder must restore the soil and vegetation in these areas in accordance with the final plan, as approved by the Department. To control the introduction and spread of noxious weeds, the certificate holder must implement the requirements of the approved Revegetation and Noxious Weed Control Plan during all phases of construction and operation of the facility.</td>
</tr>
<tr>
<td></td>
<td>[Final Order Condition D.3; AMD1]</td>
</tr>
<tr>
<td>GEN-SP-02</td>
<td>If herbicides are determined necessary, the certificate holder shall contract with a licensed contractor to prescribe and apply the proper treatments. Additionally, the certificate holder shall coordinate with each individual landowner prior to the application of specific herbicides. The certificate holder shall submit to the department evidence of consultation with the landowners prior to application of the herbicides and evidence of a contract with a licensed contractor.</td>
</tr>
<tr>
<td></td>
<td>[Final Order Condition D.4]</td>
</tr>
<tr>
<td>GEN-SP-03</td>
<td>If a reportable release of hazardous material occurs during construction or operation of the facility, the certificate holder shall notify the department within 72 hours of the occurrence, clean up the release, and dispose of any contaminated soil or other materials according to applicable regulations. The certificate holder shall make spill control and containment kits readily available in areas containing fuel oil, lubricating oil, hydraulic oil, and chemicals, as well as chemical unloading areas. The spill kits shall be equipped with sorbent pads, diatomaceous earth, shovels and appropriate hand tools, curtain...</td>
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<tr>
<td>Condition Number</td>
<td>General Conditions</td>
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<td>booms if working near open water, personal protection equipment, and temporary waste disposal containers.</td>
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<td>[Final Order Condition D.8]</td>
</tr>
</tbody>
</table>

**STANDARD: LAND USE (LU) (OAR 345-022-0030)**

| GEN-LU-01 | The certificate holder shall design and construct all facility structures and buildings in compliance with the setback requirements of Umatilla County Development Ordinance Section 152.063(B), (C), (E) in effect as of April 03, 2014. |
|           | [Final Order Condition E.2] |

**STANDARD: FISH AND WILDLIFE (FW) (OAR 345-022-0060)**

| GEN-FW-01 | The certificate holder shall design, construct, maintain and operate the reconducted transmission line following the current Avian Power Line Interaction Committee guidelines to minimize risk of avian mortality. |
|           | [Final Order Condition H.6] |
| GEN-FW-02 | The certificate holder shall restrict vehicular travel along the transmission line and pipeline to the right of way (ROW) and other established areas within the construction, access or maintenance easements. Additionally, the certificate holder shall impose speed limits during construction for access roads to reduce dust emissions, maintains safety and protect wildlife. |
|           | [Final Order Condition H.7] |

**STANDARD: SCENIC RESOURCES (SR) (OAR 345-022-0080)**

| GEN-SR-01 | The certificate holder shall paint or otherwise finish the facility structures in neutral colors with a low reflectivity finish to provide visual integration with the surrounding landscape. |
|           | [Final Order Condition J.1] |
| GEN-SR-02 | For the new poles required for the transmission infrastructure, the certificate holder shall use poles similar in height and appearance to the existing poles within the transmission line right-of-way. |
|           | [Final Order Condition J.3] |

**STANDARD: PUBLIC SERVICES (PS) (OAR 345-022-0110)**

| GEN-PS-01 | The site certificate holder shall fence the Station site and include a monitored gated entrance, security lighting and a closed circuit television camera shall be installed. |
|           | [Final Order Condition M.6] |
| GEN-PS-02 | Prior to beginning operation of the facility, the certificate holder shall provide a site plan to the Hermiston Fire & Emergency Services District. The certificate holder shall indicate the actual location of all facility structures on the site plan. During operation, the certificate holder shall ensure that appropriate fire protection agency personnel have an up-to-date list of the names and telephone |

Perennial Wind Chaser Station
First Amended Site Certificate – November 2019
### General Conditions

<table>
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<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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<tbody>
<tr>
<td>Condition</td>
<td>General Conditions</td>
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</tbody>
</table>

numbers of facility personnel available to respond on a 24-hour basis in case of an emergency on the facility site.

[Final Order Condition M.8]

### STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) (OAR 345-024-0090)

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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<tbody>
<tr>
<td>GEN-TL-01</td>
<td>(a) The certificate holder shall design, construct and operate the transmission line in accordance with the requirements of the version of the National Electrical Safety Code that is most current at the time that final engineering of each facility component is completed; and (b) The certificate holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line.</td>
</tr>
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</table>

[Final Order Condition O.1; AMD1; Site Specific Condition 345-025-0010(4)]

### STANDARD: GROUNDWATER (GW) (OAR 345-022-0000)

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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</thead>
<tbody>
<tr>
<td>GEN-GW-01</td>
<td>During construction and operation of the facility, the certificate holder shall limit use of water obtained from the Port of Umatilla to no more than 2,000 gallons per minute and to amounts found to be within the scope of the water rights held by the Port.</td>
</tr>
</tbody>
</table>

[Final Order Condition R.2]

### 4.2 Pre-construction Conditions (PRE)

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<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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<tr>
<td>Condition</td>
<td>General Standard of Review (GS) (OAR 345-022-0000)</td>
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</table>

At least 90 days prior to beginning construction (unless otherwise agreed to by the Department), the certificate holder shall submit to the Department a compliance plan documenting and demonstrating actions completed or to be completed to satisfy the requirements of all terms and conditions of the amended site certificate and applicable statutes and rules. The plan shall be provided to the Department for review and compliance determination for each requirement. The Department may request additional information or evaluation deemed necessary to demonstrate compliance.

[AMD1 Condition A.12]

### STANDARD: ORGANIZATIONAL EXPERTISE (OE) (OAR 345-022-0010)

<table>
<thead>
<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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</thead>
<tbody>
<tr>
<td>PRE-OE-01</td>
<td>Before beginning construction, the certificate holder shall provide the department with the identity and qualifications of the design, engineering and construction contractor(s) for the facility. The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities. The certificate holder shall report to the department any change in contractors during the design and construction of the facility.</td>
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<tr>
<td>Condition Number</td>
<td>Pre-construction Condition</td>
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<tr>
<td>PRE-OE-02</td>
<td>The certificate holder must notify the department before conducting any work on the site that does not qualify as surveying, exploration, or other activities to define or characterize the site. The notice must include a description of the work and evidence that its value is less than $250,000 or evidence that the applicant has satisfied all conditions that are required prior to beginning construction.</td>
</tr>
<tr>
<td>PRE-OE-03</td>
<td>Before beginning construction, the certificate holder shall provide confirmation in writing to the department that the third parties have obtained all necessary permits or approvals and shall provide to the department proof of agreements between the certificate holder and the third parties regarding access to the resources or services secured by the permits or approvals.</td>
</tr>
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</table>

**STANDARD: STRUCTURAL STANDARD (SS) (OAR 345-022-0020)**

<table>
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<tr>
<th>Condition Number</th>
<th>Pre-construction Condition</th>
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<tr>
<td>PRE-SS-01</td>
<td>Prior to beginning construction, the certificate holder shall complete additional geotechnical investigations, including field explorations and laboratory testing. The field explorations shall include additional borings for the final locations of the turbine/generators, access bridge, step-up substation, transmission towers and the buried transmission cable. Further, the site certificate holder shall perform a shear wave velocity measurement at the station and step-up substation sites.</td>
</tr>
</tbody>
</table>
| PRE-SS-02        | Prior to beginning construction, the certificate holder shall complete the following additional engineering evaluations:  
(a) Refining the seismic hazard evaluations and develop code-based ground motion design parameters for the step-up substation;  
(b) Performing site-specific ground motion study following the guidance in ASCE 7-16, Chapter 21 for the Station. This study shall capture long-period amplification of large and distant subduction zone events;  
(c) Estimating soil bearing capacity and settlement for the transformer foundation, transmission tower foundation, and other geotechnical evaluations based upon the final design layout and design loads;  
(d) Developing geotechnical recommendations for trench excavation, shoring, and backfill of the buried transmission cable, as well as trenchless excavation techniques, if necessary to pass below existing railroad tracks;  
(e) Completing a final geotechnical design report. |
| PRE-SS-03        | Prior to beginning construction, the certificate holder shall submit a written plan, subject to approval by the department, for implementing soil improvement techniques identified in the geotechnical evaluation. |
| PRE-SS-04        | Prior to construction, the certificate holder shall prepare an Emergency Response Plan. The certificate holder shall submit the plan no less than 30 days prior to beginning construction to the Department for review and approval by the Department, in consultation with the Department of Geology and Mineral |
**Condition Number** | **Pre-construction Condition**
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Industries. The plan shall describe the procedures the certificate holder would take to recover facility operations after major disasters. The plan shall be maintained onsite and implemented throughout the operational life of the facility.

[AMD 1 Condition C.8]

**STANDARD: SOIL PROTECTION (SP) (OAR 345-022-0022)**

| PRE-SP-01 | The certificate holder shall develop and implement a Hazardous Materials Management and Monitoring Plan (the Plan), which shall include and maintain a Materials Safety Data sheet for all hazardous chemicals stored onsite. The Plan shall contain best management practices and hazardous waste training for construction and operation personnel. The certificate holder shall submit a copy of this plan to the department for review and approval prior to the commencement of construction of the facility.

[Final Order Condition D.6]

**STANDARD: LAND USE (LU) (OAR 345-022-0030)**

| PRE-LU-01 | Prior to beginning construction, the certificate holder shall obtain all required land use approvals from Umatilla county as listed in the letter from the Umatilla County Board of Commissioners dated May 14, 2015, and shall submit all associated applications and pay all associated application fees.

[Final Order Condition E.5]

**STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) (OAR 345-022-0050)**

| PRE-RT-01 | Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council, 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. The certificate holder shall maintain a bond or letter of credit in effect at all times until the facility has been retired. The Council may specify different amounts for the bond or letter of credit during construction and during operation of the facility.

[Final Order Condition G.3] [Mandatory Condition 345-025-0006(8)]

| PRE-RT-02 | Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council a bond or letter of credit naming the State of Oregon, acting by and through the Council, as beneficiary or payee. The initial bond or letter of credit amount for the facility is $8.197 million, without a zero liquid discharge system or $8.213 million with a zero liquid discharge system, depending upon the final design configuration, to be adjusted to the date of issuance, and adjusted on an annual basis thereafter, as described in sub-paragraph (b) of this condition:

(a) The certificate holder may adjust the amount of the initial bond or letter of credit based on the final design configuration of the facility. However, any revision to the restoration costs must be adjusted to the date of issuance as described in (b) and would need to be reviewed and approved by the Council through a site certificate amendment.

(b) The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation:

1. Adjust the amount of the bond or letter of credit (expressed in second quarter 2018 dollars) to present value, using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services’ “Oregon Economic and Revenue Forecast” or by any successor agency and using the second quarter 2018 index value
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<td>and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the index is no longer published, the Council shall select a comparable calculation to adjust second quarter 2018 dollars to present value.</td>
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<tr>
<td></td>
<td>ii. Round the result total to the nearest $1,000 to determine the financial assurance amount. (a) The certificate holder shall use an issuer of the bond or letter of credit approved by the Council (b) The certificate holder shall use a form of bond or letter of credit approved by the Council. The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under OAR 345-026-0080. The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site.</td>
</tr>
</tbody>
</table>

**STANDARD: FISH AND WILDLIFE (FW) (OAR 345-022-0060)**

**PRE-FW-01** Before beginning construction, the certificate holder shall provide the department and Oregon Department of Fish and Wildlife (ODFW) a detailed map of the facility site showing all project components, and a table showing the acres of temporary habitat impacted by habitat category and subtype, and the acres of permanent habitat impacted by habitat category and subtype. The maps of the facility site shall indicate the habitat categories of all areas that will be affected during construction. In classifying the affected habitat into habitat categories, the certificate holder shall consult with ODFW. The certificate holder shall not begin ground disturbance in an affected area until the habitat assessment has been approved by the department, in consultation with ODFW. The certificate holder shall not construct any facility components within areas of Category 1 habitat and shall avoid temporary disturbance of Category 1 habitat.

[Final Order Condition H.1]

**PRE-FW-02** Prior to commencement of construction, following completion of Condition PRE-FW-01 (Final Order Condition H.1), the certificate holder shall consult with the Oregon Department of Fish and Wildlife (ODFW) to determine the final acreage of habitat mitigation required. Mitigation shall be provided in accordance with the final acreage determinations provided in response to Condition PRE-FW-01 (Final Order Condition H.1) and consistent with a Habitat Mitigation Plan, as approved by the department and ODFW.

(a) A final Habitat Mitigation Plan and ODFW’s concurrence of that plan shall be submitted to the department no less than 30 days prior to the beginning of construction.

(b) The final Habitat Mitigation Plan may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council. Such amendments may be made without amendment of the site certificate. The Council authorizes the department to agree to amendments to this plan. The department shall notify the Council of the Final Habitat Mitigation Plan and all amendments to the plan. The Council retains the authority to approve, reject or modify any amendments of this plan agreed to by the department.

[Final Order Condition H.2; AMD1]

**PRE-FW-03** Before beginning construction, the certificate holder shall prepare a final Project Restoration Monitoring Plan and Project Biological Monitoring Plan in consultation with the department and Oregon Department of Fish and Wildlife (ODFW).
### Condition Number | Pre-construction Condition
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<th>Condition Number</th>
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<tr>
<td>(a) The final plans and ODFW’s concurrence must be submitted to the department no less than 30 days prior to the beginning of construction. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility, as applicable. (b) The plans may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council. Such amendments may be made without amendment to the site certificate. The Council authorizes the department to agree to amendments of this plan; however, the Council retains the authority to approve, reject or modify any amendment of this plan agreed to by the department.</td>
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</table>

[Final Order Condition H.4] |

<table>
<thead>
<tr>
<th>PRE-FW-04</th>
<th>Prior to commencing construction, all project personnel shall attend an environmental training session conducted by the certificate holder. The training shall include, but not be limited to, the following topics: identification of approved project boundaries and access roads; identification of sensitive wetland and waterbody resources; identification of special status-plant and wildlife species; techniques regarding avoidance and minimization measures the certificate holder will implement; the role of the onsite biologist; the notification process to be followed if new sensitive resources are identified.</th>
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<tr>
<td>[Final Order Condition H.5]</td>
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<tr>
<th>PRE-FW-05</th>
<th>The certificate holder shall provide the department and the Oregon Department of Fish and Wildlife (ODFW) with a written summary of all results of biological preconstruction surveys, including nest surveys, within 10 days of survey completion.</th>
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<tr>
<td>[Final Order Condition H.12]</td>
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<tr>
<th>PRE-FW-06</th>
<th>If construction is to occur during important times (breeding season for Ferruginous Hawks and other raptors or migration for all native non-raptors), or at close distances to environmentally sensitive areas (nests of the above), prior to any construction activities, the certificate holder must consult with Oregon Department of Fish and Wildlife (ODFW) to determine appropriate measures to take and guidance on seasonal and/or spatial restrictions to avoid or minimize impact.</th>
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<tr>
<td>[Final Order Condition H.11]</td>
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**STANDARD: THREATENED AND ENDANGERED SPECIES (TE) (OAR 345-022-0070)**

<table>
<thead>
<tr>
<th>PRE-TE-01</th>
<th>The certificate holder shall establish streamside management zones within 50 feet of both sides of intermittent and perennial streams and along margins of bodies of open water where removal of low-lying vegetation is minimized.</th>
</tr>
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<tr>
<td>[Final Order Condition I.1]</td>
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</table>

<p>| PRE-TE-02 | Prior to beginning construction, the site certificate holder shall survey for northern sagebrush lizard in areas of sagebrush and other shrubby habitat to be impacted by ground disturbing activities. If northern sagebrush lizards are discovered, the site certificate holder shall contact and consult Oregon Department of Fish and Wildlife (ODFW) and the department to determine appropriate measures to avoid or minimize adverse effects, including spatial restrictions. Construction activities shall be restricted until consultation with ODFW has occurred. |</p>
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<th>Condition Number</th>
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<tr>
<td>[Final Order Condition I.2]</td>
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</table>

**PRE-TE-03**

Prior to beginning construction, the site certificate holder shall examine any structures within the construction corridor for bat roosts. If any bat roosts are discovered, construction shall be restricted and the site certificate holder shall consult with Oregon Department of Fish and Wildlife and the department to determine appropriate measures to avoid and/or minimize adverse effects.

[Final Order Condition I.3]

**PRE-TE-04**

Prior to beginning construction, the site certificate holder shall conduct pre-construction surveys for Washington Ground Squirrels (WGS) in any areas with suitable habitat, using a qualified professional biologist that has experience in detection of WGS. The certificate holder shall provide written reports of the surveys to the department and the Oregon Department of Fish and Wildlife (ODFW). If any project components that require ground disturbance are located within 1,000 feet of potential WGS habitat (excluding tilled agricultural land or developed areas as it is not suitable for WGS foraging or burrowing), the site certificate holder shall conduct transect surveys to determine if squirrels are present. If WGS are present within the 1,000 foot-buffer, the certificate holder shall identify the boundaries of the Category 1 WGS habitat in the report to the department and ODFW and construction shall be restricted until appropriate measures are determined, which shall include but not be limited to WGS habitat marking with high visibility flagging or markers.

[Final Order Condition I.4]

**PRE-TE-05**

The site certificate holder shall conduct pre-construction surveys for Robinson’s onion and Laurence’s milkvetch prior to conducting any ground-disturbing activities in areas with suitable habitat. If any plants are discovered, the site certificate holder shall consult with the Oregon Department of Agriculture and the department for guidance on appropriate measures to avoid or minimize adverse effects.

[Final Order Condition I.5]

**STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) (OAR 345-022-0090)**

**PRE-HC-01**

Prior to construction, the certificate holder shall contact and coordinate with each owner/operator of the identified NRHP eligible historic period resources to obtain any necessary easements or approvals. The certificate holder shall ensure that a qualified archaeologist, as defined in OAR 736-051-0070, instructs construction personnel in the identification and avoidance of accidental damage to identified resources. Records of such training shall be maintained at the administration/control building and made available to authorized representatives of the department upon request.

[Final Order Condition K.1]

**PRE-HC-02**

Before beginning construction, the certificate holder shall provide to the department a map showing the final design locations of all components of the facility, the areas that would be temporarily disturbed during construction and the areas that were surveyed in 2013.

[Final Order Condition K.2]

**PRE-HC-03**

The certificate holder must employ qualified personnel to conduct field investigations of the section of the project’s natural gas pipeline right of way not previously surveyed, prior to construction in that area. The
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<th>Condition Number</th>
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<td>certificate holder shall provide a written report of the field investigation to the department and Oregon State Historic Preservation Office (SHPO). If potentially significant historic, cultural or archaeological sites are found during the field investigations, the certificate holder must instruct all construction personnel to avoid the identified sites and must implement appropriate measures to protect the site, including the measures described in Condition CON-HC-01 (Final Order Condition K.3).</td>
</tr>
</tbody>
</table>

**STANDARD: PUBLIC SERVICES (PS) (OAR 345-022-0110)**

| PRE-PS-01 | Before beginning construction of any new road approaches or utility crossings, the certificate holder shall obtain all required permits from Umatilla County. |
|          | [Final Order Condition M.2] |
| PRE-PS-02 | Prior to beginning construction, the certificate holder shall enter into a development agreement with Umatilla County to provide roadway and access improvements recommended by the Umatilla County Public Works Director in conjunction with construction and operation of the energy facility and to pay the certificate holder’s proportionate share of Umatilla County’s costs of implementing measures to address fogging and icing on County roads potentially impacted by the operation of the energy facility. |
|          | [Final Order Condition M.4] |
| PRE-PS-03 | Before beginning construction, the certificate holder shall submit Notice(s) of Proposed Construction or Alteration to the Federal Aviation Administration and the Oregon Department of Aviation. The certificate holder shall promptly notify the department of the responses from the FAA and the Oregon Department of Aviation. |
|          | [Final Order Condition M.5] |
| PRE-PS-04 | Prior to beginning construction, the certificate holder shall develop and implement a fire protection system, which shall include a fire water system, portable fire extinguishers, a smoke detection system and a carbon dioxide extinguishing system provided with the combustion turbine generators (CTG). |
|          | [Final Order Condition M.7] |

**STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)**

| PRE-NC-01 | Prior to beginning construction of the facility, the certificate holder shall re-run the noise model using the noise characteristics of the equipment that has been selected to ensure compliance with the noise regulations. |
|           | [Final Order Condition P.1] |

**STANDARD: GROUNDWATER (GW) (OAR 345-022-0000)**

<p>| PRE-GW-01 | The certificate holder shall enter into a contract with the owners of the Regional Water System to ensure completion of system improvements needed in order to provide water to the facility. |
|           | [Final Order Condition R.1] |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>STANDARD: ENERGY FACILITIES THAT EMIT CARBON DIOXIDE (CD) (OAR 345-024-0500)</strong></td>
<td>Before beginning construction, the certificate holder shall notify the department in writing of its final selection of an equipment vendor and shall submit a written design information report to the department sufficient to verify the facility’s designed new and clean heat rate and its nominal electric generating capacity at average annual site conditions. The certificate holder shall include the proposed total number of hours of operation, subject to the limitation that the total annual average number of hours of operation per year is not more than 6,600 hours. At the time the certificate holder submits the information required by this condition, the certificate holder shall also specify its election of the method used to measure or calculate carbon dioxide emissions. The election shall apply for the initial reporting required pursuant to Condition OP-CD-01 (Final Order Condition S.8) or Condition OP-CD-02 (Final Order Condition S.9), as applicable, and to each reporting period required pursuant to Condition OP-CD-03 (Final Order Condition S.10).</td>
</tr>
<tr>
<td>PRE-CD-01</td>
<td>For the purposes of this site certificate, “monetary path payment requirement” means the amount of offset funds determined pursuant to OAR 345-024-0590 and -600 and the amount of the selection and contracting funds that the certificate holder must disburse to the Climate Trust, as the qualified organization, pursuant to OAR 345-024-0710 and the site certificate. The certificate holder shall calculate the monetary path payment using an offset fund rate of $1.90 per ton of carbon dioxide in 2019 dollars as follows:</td>
</tr>
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<td>(a) The certificate holder shall calculate the 2019 dollars using the index described in subsection (c) below.</td>
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<td>(b) The certificate holder shall increase the amount of the bond or letter of credit described in Condition PRE-CD-06 (Final Order Condition S.6) by the percentage increase in the index. The certificate holder shall index the funds from the date of the Council’s approval of the site certificate to the date of disbursement of funds to The Climate Trust.</td>
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</tr>
<tr>
<td>(c) The calculation of 2019 dollars shall be made using the same index described in Condition PRE-RT-02 (Final Order Condition G.4). The amount of the bond or letter of credit shall increase annually by the percentage increase in the Index and shall be pro-rated within the year to the date of disbursement to The Climate Trust from the date of Council approval of the site certificate. If at any time the Index is no longer published, the Council shall select a comparable calculation of 2019 dollars without an amendment of the site certificate.</td>
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<tr>
<td>[Final Order Condition S.2; AMD1]</td>
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<tr>
<td>PRE-CD-02</td>
<td>To calculate the initial monetary path payment requirement, the certificate holder shall use the contracted design parameters for capacities and heat rates submitted under Condition PRE-CD-01 (Final Order Condition S.1).</td>
</tr>
<tr>
<td>[Final Order Condition S.3]</td>
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<tr>
<td>PRE-CD-03</td>
<td>The certificate holder shall submit all monetary path payment requirement calculations to the department for verification in a timely manner before submitting a bond or letter of credit for Council approval, before entering into a Memorandum of Understanding with The Climate Trust as required by Condition PRE-CD-05 (Final Order Condition S.5), and before making disbursement to The Climate Trust. The net carbon dioxide emissions rate of the facility shall not exceed 0.614 pounds of carbon dioxide per kilowatt-hour of</td>
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<td>Condition Number</td>
<td>Pre-construction Condition</td>
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<td>net electric power output measured on a new and clean basis, as the department may modify such basis pursuant to Condition OPR-CD-01(c). (Final Order Condition S.8(c)).</td>
</tr>
<tr>
<td>[Final Order Condition S.4; AMD1]</td>
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</table>
| PRE-CD-05        | Before beginning construction of the facility, the certificate holder must enter into a Memorandum of Understanding (MOU) with The Climate Trust that establishes the disbursement mechanism to transfer selection and contracting funds and offset funds to The Climate Trust.  
(a) The MOU must be substantially in the form of Appendix E to the Final Order on the Application.  
At the request of the certificate holder, the Council may approve a different form of a bond or letter of credit and concurrent MOU without an amendment of the site certificate.  
(b) Either the certificate holder or The Climate Trust may submit to the Council for the Council’s resolution any dispute between the certificate holder and The Climate Trust concerning the terms of the bond or letter of credit, the MOU or any other issues related to the monetary path payment requirement. The Council’s decision shall be binding on all parties. |
| [Final Order Condition S.5] |
| PRE-CD-06        | Before beginning construction of the facility, the certificate holder shall submit to the Climate Trust a bond or letter of credit in the amount of the offset funds of the monetary path payment requirement as determined under Condition PRE-CD-02 (Final Order Condition S.2).  
(a) The certificate holder shall use a form of bond or letter of credit that is substantially in the form of Attachment B to the MOU described in Condition PRE-CD-05 (Final Order Condition S.5). At the request of the certificate holder, the Council may approve a different form of a bond or letter of credit without an amendment of the site certificate.  
(b) The certificate holder shall use an issuer of the bond or letter of credit approved by the Council  
(c) The certificate holder shall maintain the bond or letter of credit in effect until the certificate holder has disbursed the full amount of the offset funds to The Climate Trust. The certificate holder may reduce the amount of the bond or letter of credit commensurate with payments it makes to The Climate Trust. The bond or letter of credit must not be subject to revocation before disbursement of the full amount of the offset funds. |
| [Final Order Condition S.6] |
| PRE-CD-07        | The certificate holder shall disburse to The Climate Trust offset funds and selection and contracting funds when requested by The Climate Trust in accordance with Conditions OPR-CD-02 and OPR-CD-03 (Final Order Conditions S.9 and S.10) and the following requirements:  
(a) The certificate holder shall disburse selection and contracting funds to The Climate Trust before beginning construction and as appropriate when additional offset funds are required under Conditions OPR-CD-02 and OPR-CD-03 (Final Order Conditions S.9 and S.10)  
(b) Upon notice pursuant to subsection (c), The Climate Trust may request from the issuer of the bond or letter of credit the full amount of all offset funds available or it may request partial payment of offset funds at its sole discretion. Notwithstanding the specific amount of any contract to implement an offset project, The Climate Trust may request up to the full amount of offset funds the certificate holder is required to provide to meet the monetary path payment requirement.  
(c) The Climate Trust may request disbursement of offset funds pursuant to paragraph (b) by providing notice to the issuer of the bond or letter of credit that The Climate Trust has executed a
<table>
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<tr>
<th>Condition Number</th>
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<tr>
<td><strong>STANDARD: GENERAL STANDARD OF REVIEW (GS) (OAR 345-022-0000)</strong></td>
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<tr>
<td>CON-GS-01</td>
<td>Upon completion of construction, the certificate holder shall restore vegetation to the extent practicable and shall landscape all areas disturbed by construction in a manner compatible with the surroundings and proposed use. Upon completion of construction, the certificate holder shall remove all temporary structures not required for facility operation and dispose of all timber, brush, refuse and flammable or combustible material resulting from clearing of land and construction of the facility.</td>
</tr>
<tr>
<td>[Final Order Condition A.8] [Mandatory Condition 345-025-0006(11)]</td>
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<tr>
<td><strong>STANDARD: ORGANIZATIONAL EXPERTISE (OE) (OAR 345-022-0010)</strong></td>
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<tr>
<td>CON-OE-01</td>
<td>The certificate holder shall contractually require all construction contractors and subcontractors involved in the construction of the facility to comply with all applicable laws and regulations and with the terms and conditions of the site certificate. Such contractual provisions shall not relieve the certificate holder of responsibility under the site certificate.</td>
</tr>
<tr>
<td>[Final Order Condition B.3]</td>
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<tr>
<td><strong>STANDARD: SOIL PROTECTION (SP) (OAR 345-022-0022)</strong></td>
<td></td>
</tr>
<tr>
<td>CON-SP-01</td>
<td>The certificate holder shall conduct all construction work in compliance with an Erosion and Sediment Control Plan (ESCP) satisfactory to the Oregon Department of Environmental Quality and as required under the National Pollutant Discharge Elimination Systems (NPDES) #1200-C Construction Stormwater Discharge General Permit. The certificate holder shall include in the ESCP any measures necessary to meet local erosion and sediment control requirements or stormwater management requirements.</td>
</tr>
<tr>
<td>[Final Order Condition D.1]</td>
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<tr>
<td>CON-SP-02</td>
<td>During construction, the certificate holder must implement best management practices to control dust generated by construction activities, such as applying water to roads and disturbed soil areas.</td>
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<td>[Final Order Condition D.2]</td>
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<td>Condition Number</td>
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<tr>
<td>CON-SP-03</td>
<td>During construction, the certificate holder shall limit truck traffic to improved road surfaces. Within 60 days of completing construction, the applicant shall mitigate any areas of soil compaction by measures to include scarification and reseeding.</td>
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<td>[Final Order Condition D.5]</td>
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</table>
| CON-SP-04        | During construction of the facility, the certificate holder must complete the following monitoring to ensure that there are no significant potential adverse impacts to soils:  
(a) During construction, the certificate holder shall monitor disturbed area erosion and sediment control measures at the active construction areas on a weekly basis and every two weeks on inactive areas. Inspection of both active and inactive areas must occur at least daily during periods when 0.5 inches or more rain has fallen in a 24-hour period.  
(b) The certificate holder must remove trapped sediment when storage capacity has been reduced by 50 percent. Sediments shall be placed in an upland area certified by a qualified wetlands specialist.  
(c) If the erosion and sediment control measures are deemed ineffective, different strategies and/or measures shall be implemented, maintained and monitored after consultation with the department.  
(d) After completing construction in an area, the certificate holder must monitor the area until soils are stabilized and evaluate whether construction-related impacts to soils are being adequately addressed by the mitigation procedures described in the Erosion and Sediment Control Plan and the Revegetation and Noxious Weed Control Plan. As necessary, the certificate holder must implement follow-up restoration measures such as scarification and reseeding to address those remaining impacts. |
|                  | [Final Order Condition D.9] |
| CON-SP-05        | Prior to operation, the certificate holder shall develop a Spill Prevention Control and Countermeasure Plan for implementation during the facility's operation. The certificate holder shall submit a copy of this plan to the department prior to commencement of operation of the Station. |
|                  | [Final Order Condition D.7] |
| **STANDARD: LAND USE (LU) (OAR 345-022-0030)** | |
| CON-LU-01        | The certificate holder shall consult with the Oregon Department of Fish and Wildlife and the local Soil and Water Conservation District for any minor drainage improvements necessary to ensure effective drainage on surrounding agricultural lands. |
|                  | [Final Order Condition E.3] |
| **STANDARD: FISH AND WILDLIFE HABITAT (FW) (OAR 345-022-0060)** | |
| CON-FW-01        | The certificate holder shall restore all areas temporarily impacted due to construction to pre-construction condition or better after construction has been completed. |
|                  | [Final Order Condition H.3] |
| CON-FW-02        | During all years in which construction occurs, if construction related activities occur during the raptor breeding season (February 1 through August 31), the certificate holder must conduct pre-construction surveys within 0.5 miles of all proposed project features for Ferruginous Hawk nests, and within 0.25
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<td>miles for all other raptor species nests, including burrowing owl burrows. If active nests are located, the certificate holder shall notify the department and the Oregon Department of Fish and Wildlife (ODFW), and construction-related activities must be restricted within 0.5 miles of Ferruginous Hawk nests and 0.25 miles of all other raptor nests until the nests have failed or chicks have fledged. A biologist shall monitor the status of the active nests daily during nearby active construction and document potential adverse interactions with the project.</td>
</tr>
<tr>
<td>CON-FW-03</td>
<td>During all years in which construction occurs, if construction-related activities occur during the migratory bird breeding season (March 15 through April 15), pre-construction surveys must be conducted within 20 feet of all proposed project features for nests of all native, non-raptor species. Pre-construction nest surveys for non-raptors shall be valid for only two weeks. If active nests are located, the certificate holder must notify the department and consult with Oregon Department of Fish and Wildlife (ODFW) to determine appropriate avoidance and/or mitigation measures necessary. A biologist must monitor the status of active nests daily during nearby active construction and document potential adverse interactions with the project.</td>
</tr>
<tr>
<td>CON-FW-04</td>
<td>If a California myotis roost is observed during other biological surveys, the certificate holder must notify the department and consult with Oregon Department of Fish and Wildlife (ODFW) to determine any appropriate avoidance or mitigation measures necessary.</td>
</tr>
<tr>
<td>CON-FW-05</td>
<td>The certificate holder shall clearly demarcate boundaries of environmentally sensitive areas (nests referred to in Condition PRE-FW-06 (Final Order Condition H.11)) during construction to increase visibility to construction crews.</td>
</tr>
</tbody>
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**STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) (OAR 345-022-0090)**

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<tr>
<th>Condition Number</th>
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<tbody>
<tr>
<td>CON-HC-01</td>
<td>The certificate holder shall cease all ground disturbing activities in the immediate area if any archaeological or cultural resources are found during construction of the facility. The certificate holder shall flag or mark the area and shall notify the department and the Oregon State Historic Preservation Office (SHPO) of the find. A qualified archaeologist shall evaluate the significance of the find. If SHPO determines that the resource is significant, the certificate holder shall make recommendations to the Council for mitigation, including avoidance, field documentation, and data recovery, in consultation with the department, SHPO, interested tribes and other impacted parties. The certificate holder shall not restart work in the affected area until the certificate holder has demonstrated to the Council that it has complied with the archaeological resource protection regulations.</td>
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</table>
| CON-HC-02        | A cultural resources monitor must be present to monitor ground-disturbing construction activities. The qualifications of the selected cultural resources monitor shall be reviewed and approved by the
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<td>Department, in consultation with the CTUIR Cultural Resources Protection Program. Cultural monitors shall be prioritized for selection based on demonstrated experience with CTUIR tribal resources.</td>
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<td>[AMD1 Condition K.5]</td>
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**STANDARD: PUBLIC SERVICES (PS) (OAR 345-022-0110)**

| CON-PS-01 | During construction of the facility, the certificate holder shall implement the following measures:  
(a) The certificate holder shall mount a right-turn prohibition sign with a supplemental “TRUCKS” rider plaque facing the westbound (driveway) approach;  
(b) The certificate holder shall mount a left-turn prohibition sign with a supplemental “TRUCKS” rider plaque facing the southbound (Westland Road) approach;  
(c) Prior to truck delivery of any oversize loads, a formal routing and delivery plan shall be developed by the certificate holder in conjunction with the department, in consultation with the Oregon Department of Transportation and Umatilla County; and  
(d) The certificate holder shall locate and maintain landscaping, and signing around aboveground utilities so that adequate sight distance is maintained. |
| [Final Order Condition M.1] |

| CON-PS-02 | Upon completion of construction, the certificate holder shall restore public roads to pre-construction conditions or better to the satisfaction of the Umatilla County Public Works Department. |
| [Final Order Condition M.3] |

**STANDARD: WASTE MINIMIZATION (WM) (OAR 345-022-0120)**

| CON-WM-01 | The certificate holder shall implement a waste management plan during construction that includes but is not limited to the following measures:  
(a) Recycling steel, other metal scrap; and paper and cardboard waste;  
(b) Recycling wood waste to the maximum extent possible;  
(c) Collecting nonrecyclable waste for transport to a permitted solid waste disposal facility by a licensed waste hauler; and  
(d) Segregating all hazardous waste such as used oil, oily rags and oil-absorbent materials, mercury-containing lights and lead-acid and nickel-cadmium batteries for recycling or disposal by a licensed firm qualified in the proper recycling or disposal of hazardous waste. |
| [Final Order Condition N.1] |

| CON-WM-02 | The certificate holder shall provide portable toilets for on-site sewage handling during construction and shall ensure that they are pumped and cleaned regularly by a licensed contractor who is qualified to pump and clean portable toilet facilities. |
| [Final Order Condition N.3] |

**STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)**

| CON-NC-01 | To reduce construction noise impacts at nearby residences, the certificate holder shall:  
(a) Confine the noisiest operation of heavy construction equipment to the daylight hours to the extent practicable; |
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<td>(b) Require contractors to install and maintain exhaust mufflers on all combustion engine-powered equipment; and (c) Establish a complaint response system at the construction manager’s office to address noise complaints. Records of noise complaints during construction must be made available to authorized representatives of the Department of Energy upon request.</td>
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[Final Order Condition P.4]

### 4.4 Operational Conditions (OPR)

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<thead>
<tr>
<th>Condition Number</th>
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<tbody>
<tr>
<td><strong>STANDARD: GENERAL STANDARD OF REVIEW (GS) (OAR 345-022-0000)</strong></td>
<td>The certificate holder shall submit a legal description of the site to the Oregon Department of Energy within 90 days after beginning operation of the facility. The legal description required by this rule means a description of metes and bounds or a description of the site by reference to a map and geographic data that clearly and specifically identify the outer boundaries that contain all parts of the facility.</td>
</tr>
<tr>
<td>OPR-GS-01</td>
<td>[Final Order Condition A.3; Mandatory Condition 345-025-0006(2)]</td>
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<tr>
<td>OPR-GS-02</td>
<td>The certificate holder shall submit to the department copies of all incident reports involving the pipeline required under 49 CFR § 191.15.</td>
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<tr>
<td>OPR-GS-02</td>
<td>[Final Order Condition A.10; Site Specific Condition 345-025-0010(2)]</td>
</tr>
</tbody>
</table>

<p>| <strong>STANDARD: LAND USE (LU) (OAR 345-022-0030)</strong> | The certificate holder shall utilize fire retardant treated or non-combustible materials for all structures and fencing at the facility. In addition, the site shall be maintained clear of combustible materials within 20 feet of structures, except as necessary for Station operation. The certificate holder shall ensure that trees and other vegetation do not grow to become a fire hazard. |
| OPR-LU-01 | [Final Order Condition E.1] |
| OPR-LU-02 | To reduce the visual impacts of the facility, the certificate holder shall: (a) Not allow any advertising to be used on any part of the facility; (b) Use only those signs required for facility safety, required by law or otherwise required by this site certificate, except that the certificate holder may erect directional signage for deliveries and site circulation; (c) Design signs in accordance with Umatilla County design requirements for signs as described in UCDC Section 152.545; and (d) Maintain any signs allowed under this condition in good repair. |
| OPR-LU-02 | [Final Order Condition E.4] |</p>
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</table>
| **STANDARD: SCENIC RESOURCES (SR) (OAR 345-022-0080)** | The certificate holder shall not use exterior nighttime lighting except:  
(1) The minimum exhaust stack lighting required or recommended by the Federal Aviation Administration;  
(2) Safety and security lighting at the Station and step-up substation, provided that such lighting is shielded or downward directed to reduce offsite glare; and  
(3) Minimum lighting necessary for repairs or emergencies. |
| OPR-SR-01 |  |
| **STANDARD: WASTE MINIMIZATION (WM) (OAR 345-022-0120)** | The site certificate holder shall implement a waste management plan during operation that includes but is not limited to the following measures:  
(a) Training employees to minimize and recycle solid waste;  
(b) Recycling paper products, metals, glass, and plastics;  
(c) Recycling used oil and hydraulic fluid;  
(d) Collecting nonrecyclable waste for transport to a permitted solid waste disposal facility by a licensed waste hauler; and  
(e) Segregating all hazardous waste such as used oil, oily rags and oil absorbent materials, mercury-containing lights and lead-acid and nickel-cadmium batteries for recycling or disposal by a licensed firm qualified in the proper recycling or disposal of hazardous waste. |
<p>| OPR-WM-01 |  |
| <strong>STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)</strong> | The certificate holder shall use hazardous materials in a manner that protects public health, safety and the environment and shall comply with all applicable local, state, and federal environmental laws and regulations. |
| OPR-WM-02 |  |
| <strong>STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)</strong> | The certificate holder shall collect all hazardous solid waste, including oily waste, used filters, and oily rags or absorbents in sealable drums. The certificate holder shall collect used oils, solvents, and cleaning materials in tanks or barrels supplied by material vendors. |
| OPR-WM-03 |  |
| <strong>STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)</strong> | The certificate holder shall store hazardous chemicals in aboveground containers or tanks located within secondary containment areas. Other chemicals and lubricants needed for facility maintenance and operation shall be stored in the facility buildings. |
| OPR-WM-04 |  |
| <strong>STANDARD: NOISE CONTROL REGULATION (NC) (OAR 345-035-0035)</strong> | Upon written notification from the department, the certificate holder shall monitor and record the actual statistical noise levels during operations to verify that the certificate holder is operating the facility in compliance with the noise control regulations. The monitoring plan must be reviewed and approved by |</p>
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<td>the department prior to implementation. The cost of such monitoring, if required, will be borne by the certificate holder.</td>
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<td>[Final Order Condition P.2]</td>
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<tr>
<td>OPR-NC-02</td>
<td>During operation, the certificate holder shall maintain a complaint response system to address noise complaints. The certificate holder shall notify the department within 15 days of receiving a complaint about noise from the facility. The notification should include the date the complaint was received, the nature of the complaint, the complainant’s contact information, the location of the affected property, and any actions taken, or planned to be taken, by the certificate holder to address the complaint.</td>
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<td></td>
<td>[Final Order Condition P.3]</td>
</tr>
<tr>
<td><strong>STANDARD: ENERGY FACILITIES THAT EMIT CARBON DIOXIDE (CD) (OAR 345-024-0500)</strong></td>
<td>Except as provided in Condition OPR-CD-01 (Final Order Condition S.9), within the first 12 months of commercial operation of the facility, the certificate holder shall conduct a 100-hour test (Year One Test). Tests performed for purposes of the certificate holder’s commercial acceptance of the facility may suffice to satisfy this condition in lieu of testing after beginning commercial operation.</td>
</tr>
<tr>
<td>OPR-CD-01</td>
<td>(a) The certificate holder shall conduct the Year One Test to determine the actual heat rate (Year One Heat Rate) and the net electric power output (Year One Capacity) on a new and clean basis, without degradation, for each generating unit, with the results adjusted for the average annual site condition for temperature, barometric pressure, relative humidity, and operating hours per year. The certificate holder shall use a rate of 117 pounds of carbon dioxide per million Btu of natural gas fuel.</td>
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<td>(b) The certificate holder shall notify the department at least 60 days before conducting the tests required in subsection (a) unless the certificate holder and the department have mutually agreed that less notice will suffice.</td>
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<td>(c) Before conducting the tests required in subsection (a), the certificate holder shall, in a timely manner, provide to the department for its approval a copy of the protocol for conducting the tests. The department may approve modified parameters for testing on a new and clean basis pursuant to OAR 345-024-0590(1) without a site certificate amendment. The certificate holder shall not conduct the tests required in subsections (a) until the department has approved the testing protocols.</td>
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<td>(d) Within 60 days after completing the Year One Tests, the certificate holder shall provide to the Council reports of the results of the Year One Tests.</td>
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<td></td>
<td>[Final Order Condition S.8]</td>
</tr>
<tr>
<td>OPR-CD-02</td>
<td>If the certificate holder has elected to calculate excess carbon dioxide emissions based on direct measurements then the Year One Test described in Condition OPR-CD-01 (Final Order Condition S.8) is not required.</td>
</tr>
<tr>
<td></td>
<td>(a) If the Year One Test is not performed, the certificate holder must report carbon dioxide emissions using actual measured emissions as reported to the Department of Environmental Quality or the U.S. Environmental Protection Agency for all subsequent five year periods over the life of the facility and may not change its election to report based on new and clean heat rate in any subsequent five year period.</td>
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<td>(b) If the Year One Test is not performed pursuant to Condition OPR-CD-01 (Final Order Condition S.8), then the certificate holder shall report the facility’s net kWh generation and actual measured carbon dioxide emissions for the 12 month period following start of commercial operation. The</td>
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Condition Number | Operational Conditions
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 | certificate holder shall report the net kWh generation and actual carbon dioxide emissions for this period to the department within two months of the end of the first 12 month period. The certificate holder shall use the net kWh generation and measured carbon dioxide emissions to perform the calculations to determine if a supplemental monetary path payment is needed as set forth in Condition OPR-CD-03 (Final Order Condition S.10). The certificate holder shall submit these calculations to the department for verification.

[Final Order Condition S.9]

Based on the data from the Year One Tests described in Condition OPR-CD-01 (Final Order Condition S.8), or actual measured emissions described in Condition OPR-CD-02 (Final Order Condition S.9), the certificate holder shall calculate an adjusted monetary path payment. The certificate holder shall submit its calculations to the department for verification. If the adjusted amount exceeds the amount of the bond or letter of credit provided according to Condition PRE-CD-07 (Final Order Condition S.7) before beginning construction, the certificate holder shall fully disburse the excess amount directly to The Climate Trust within 30 days of the department’s verification of the calculations.

(a) The certificate holder shall include the appropriate calculations of the adjusted monetary path payment with its reports of the results of the Year One Tests required under Condition OPR-CD-01 (Final Order Condition S.8) or actual measured emissions required under Condition OPR-CD-02 (Final Order Condition S.9).

(b) For calculating the adjusted monetary path payment, the certificate holder shall use an offset fund rate of $1.90 per ton of carbon dioxide (in 2019 dollars) and shall calculate contracting and selecting funds based on 10 percent of the first $500,000 in offset funds and 4.286 percent of any offset funds in excess of $500,000 (in 2019 dollars).

(c) In no case shall the certificate holder diminish the value of the bond or letter of credit it provided before beginning construction or receive a refund from The Climate Trust based on the calculations made using the results of the Year One Test required under Condition OPR-CD-01 (Final Order Condition S.8) or actual measured emissions required under Condition OPR-CD-01 (Final Order Condition S.9).

[Final Order Condition S.10; AMD1]

Every 5 years after commencing commercial operation of the facility (5-year reporting period), the certificate holder shall report to the Council the information required by either subsection (a) or (b), below. The certificate holder shall submit five-year reports to the Council within 30 days of the anniversary date of beginning commercial operation of the facility.

(a) If the certificate holder has elected to calculate any excess emissions using annual average hours of operation and new and clean heat rates, the certificate holder shall report the annual average hours of operation of each generating unit within the facility during that five-year reporting period. The certificate holder shall use the Year One Capacity and Year One Heat Rate that it reports for the corresponding generating units pursuant to Condition OPR-CD-01 (Final Order Condition S.8) to calculate whether it owes supplemental monetary path payments.

(b) If the certificate holder has elected to calculate any excess emissions using actual or measured carbon dioxide emissions reported to either the Oregon Department of Environmental Quality or the U.S. Environmental Protection Agency pursuant to a mandatory carbon dioxide reporting requirement, the certificate holder shall submit to the Council the carbon dioxide reporting data and
<table>
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<th>Condition Number</th>
<th>Operational Conditions</th>
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<td>net kWh generation for that five-year reporting period and shall use that data to determine whether it owes supplemental monetary path payments.</td>
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<td>(c) If the department determines that the facility exceeds the projected net total carbon dioxide emissions calculated pursuant to Condition PRE-CD-03 (Final Order Condition S.3) and either Condition OPR-CD-01 (Final Order Condition S.8) or Condition OPR-CD-02 (Final Order Condition S.9), prorated for five years, during any five-year reporting period, the certificate holder shall offset excess emissions for the specific reporting period according to subsection (c)(1) and shall offset the estimated future excess emissions according to subsection (c)(2). The certificate holder shall offset excess emissions using the monetary path described under Condition PRE-CD-02 (Final Order Condition S.2). The certificate holder shall disburse funds to The Climate Trust within 30 days after notification by the department of the amount that the certificate holder owes.</td>
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<td>(1) In determining the excess carbon dioxide emissions that the certificate holder must offset for a five-year period, the department shall apply OAR 345-024-0600(4)(a), unless the certificate holder has elected under OAR 345-024-0590(5) to utilize actual or measured carbon dioxide emissions as reported to either the Oregon Department of Environmental Quality or the U.S. Environmental Protection Agency pursuant to a mandatory carbon dioxide reporting requirement. The certificate holder shall pay for the excess emissions at $1.90 per ton of carbon dioxide emissions (in 2019 dollars). The department shall notify the certificate holder and The Climate Trust of the amount of the payment required, using the monetary path, to offset excess emissions.</td>
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<td>(2) The department shall calculate estimated future excess emissions and notify the certificate holder of the amount of payment required, using the monetary path, to offset them. To estimate excess emissions for the remaining period of the deemed 30-year life of the facility, the department shall use the parameters specified in OAR 345-024-0600(4)(b). The certificate holder shall pay for the estimated excess emissions at $1.90 per ton of carbon dioxide (in 2019 dollars). The department shall notify the certificate holder of the amount of payment required, using the monetary path, to offset future excess emissions.</td>
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<tr>
<td>OPR-CD-05</td>
<td>After the certificate holder has complied with the conditions relating to the carbon dioxide standard before beginning construction, incremental increases in capacity and heat rate that otherwise fall within the limits specified in OAR 345-027-0353(1) [previously OAR 345-027-0050(2)] do not require an amendment of the site certificate if the certificate holder complies substantially with Conditions PRE-CD-01; PRE-CD-02; PRE-CD-03; PRE-CD-04; PRE-CD-05; PRE-CD-06; PRE-CD-07; OPR-CD-01; OPR-CD-02; OPR-CD-03; OPR-CD-04. (Final Order Conditions S.1 through S.11), except as modified below, and if:</td>
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<td>(a) The department or the Council determines, as described in OAR 345-027-0357(2) [previously OAR 345-027-0050(5)], that the proposed change in the facility does not otherwise require an amendment; and</td>
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<td>(b) The certificate holder complies with the appropriate carbon dioxide emissions standard and monetary offset rate in effect at the time the department or the Council makes its determination under this condition.</td>
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### 4.5 Facility Retirement Conditions (RET)

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<th>Condition Number</th>
<th>Facility Retirement Conditions</th>
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<tr>
<td><strong>STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) (OAR 345-022-0050)</strong></td>
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<td>RET-RT-01</td>
<td>The certificate holder shall retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110. The certificate holder shall pay the actual cost to restore the site to a useful, non-hazardous condition at the time of retirement, notwithstanding the Council’s approval in the site certificate of an estimated amount required to restore the site.</td>
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<tr>
<td>RET-RT-02</td>
<td>If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the department within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the department to prepare a proposed final retirement plan for the Council’s approval. Upon the Council’s approval of the final retirement plan, the Council may draw on the bond or letter of credit described in OAR 345-025-0006(8) [previously OAR 345-027-0020(8)], and Condition PRE-RT-02 (Final Order Condition G.4), to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any additional cost necessary to restore the site to a useful, non-hazardous condition. After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan.</td>
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</table>

[Final Order Condition G.1; Mandatory Condition 345-025-0006(9)]

[Final Order Condition G.2; Mandatory Condition 345-025-0006(16)]

### 5.0 Successors and Assigns

To transfer this site certificate or any portion thereof or to assign or dispose of it in any other manner, directly or indirectly, the certificate holder shall comply with OAR 345-027-0400 [previously OAR 345-027-0100].

### 6.0 Severability and Construction

If any provision of this agreement and certificate is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and conditions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the agreement and certificate did not contain the particular provision held to be invalid.
7.0 Execution

This site certificate may be executed in counterparts and will become effective upon signature by the Chair of the Energy Facility Siting Council and the authorized representative of the certificate holder.

IN WITNESS THEREOF, this site certificate has been executed by the State of Oregon, acting by and through the Energy Facility Siting Council, and by Perennial-WindChaser, LLC.

ENERGY FACILITY SITING COUNCIL
By: __________________________
Hanley Jenkins II, Chair
Oregon Energy Facility Siting Council
Date: Nov. 22, 2019

PERENNIAL-WINDCHASER, LLC
By: __________________________
Hisashi Hasegawa, President
Perennial Power Holdings, Inc.
Date: __________________________
Attachment B: Reviewing Agency Comments on preliminary Request for Amendment
Hi Katie,

Thank you very much for your prompt response, it is very much appreciated. Please keep us in the loop on this Project.

I hope you have a great long weekend!

Cheers and Best Regards,

Christian

Christian Nauer, MS
Archaeologist
Confederated Tribes of the Warm Springs Reservation of Oregon
Branch of Natural Resources

christian.nauer@ctwsbnr.org
Office 541.553.2026
Cell 541.460.8448

*The Confederated Tribes of the Warm Springs Reservation of Oregon have reserved treaty rights in Ceded Lands, as well as Usual and Accustomed and Aboriginal Areas, as set forth through the Treaty with the Middle Tribes of Oregon, June 25, 1855.

*Please know that review by the Tribal Historic Preservation Office does not constitute Government-to-Government consultation. Please ensure that appropriate Government-to-Government consultation is made with the Confederated Tribes of the Warm Springs Tribal Council.

On Aug 31, 2018, at 10:19 AM, CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:

Hi Christian,

Thank you for your comment. I checked with our compliance officer, Duane Kilsdonk, and he said he hasn’t received any information from the certificate holder yet about Conditions K.1 through K.4. However, because construction has not yet begun, and they are asking to delay the construction start
date, this is not surprising. Three of the conditions are pre-construction requirements and one condition applies during construction.

The first major compliance document we would receive is the construction progress report, which is due six months after construction begins (and every six months thereafter during construction of the facility). That report would contain a compliance report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. With the exception of Condition K.2, which requires that they provide us documentation prior to beginning construction, we wouldn't expect to receive information about these conditions until we receive the first construction report.

At this point the project moving forward is dependent upon Council approval of their request for amendment to extend the construction deadlines. ODOE is currently assisting the Council in review of that request, and evaluating whether there have been any changes in rules, statutes, or circumstances since the date the current Perennial Wind Chaser Station site certificate was executed (September 23, 2015) that would impact previous Council findings from the Final Order.

If there is any additional information or clarification I can provide, please do not hesitate to ask.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy
O: (503) 373-0076
C: (503) 302-0267

From: Christian Nauer [mailto:christian.nauer@ctwsbnr.org]
Sent: Thursday, August 30, 2018 10:24 AM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Cc: Robert Brunoe <robert.brunoe@ctwsbnr.org>
Subject: Re: Perennial Wind Chaser Station site certificate: Request for amendment

Dear Katie,

Thank you for the opportunity to comment on the Perennial Wind Chaser Station (Umatilla County) site certificate: Request for amendment.

As the technical reviewer for NHPA Section 106 and other cultural resource issues for the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), the CTWSRO Tribal Historic Preservation Office (THPO) has concerns with potential effects to historic properties within the Project Area of Potential Effects (APE). The APE is within the areas of concern for the CTWSRO.

We would like to humbly request additional information about the status of the Project with regard to the protection of historic properties. At this point, have the Project proponents met (or are they on schedule to meet) the conditions (K1-K4) set forth on pp. 163-166 of the Final Order on Site Certificate?

Thanks again for your consideration,

Best Regards,

Christian
On Aug 27, 2018, at 11:14 AM, CLIFFORD Katie * ODOE
<Katie.Clifford@oregon.gov> wrote:

On August 2, 2018 the Oregon Department of Energy received a preliminary Request for Amendment (pRFA) #1 to the Perennial Wind Chaser Station site certificate. The Perennial Wind Chaser Station is an approved, but not yet constructed, natural gas facility comprised of up to four turbines with a maximum capacity of 415 megawatts. The facility would be built near Hermiston in Umatilla County. In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021. The pRFA requests to extend each of these construction deadlines.

OAR 345-027-0085 contains rules specific to a request for amendment to extend construction deadlines. The requirements of section (5) apply to the Perennial Wind Chaser Station because the facility is not yet in construction, but has been approved for construction in the site certificate prior to October 24, 2017. If a request for amendment for a deadline extension made under this section is granted, the Energy Facility Siting Council shall specify new deadlines for beginning or completing construction that are not more than two years from the deadlines in effect before the Council grants the amendment.

The pRFA is available on our website at the following link: https://www.oregon.gov/energy/facilities-safety/facilities/Pages/PER.aspx

This email primarily serves to inform your Government of the pRFA. If your Government is aware of any applicable changes in rules, statutes, or circumstances since the date the current Perennial Wind Chaser Station site certificate was executed (September 23, 2015), or if you have any questions or concerns, please contact us for further discussion. We may also contact your Government directly with questions as we review the pRFA. After issuance of the draft proposed order, the Department shall notify your
Government and shall solicit comments on the request for amendment and the draft proposed order.

If you have any questions or comments, please let me know.

Katie

Katie Clifford
Senior Siting Analyst
Energy Facility Siting Division
Oregon Department of Energy
katie.clifford@oregon.gov
(o) 503.373.0076
(m) 503.302.0267
Thank you, Bob. Yes, that makes sense to me. I appreciate you giving this such a thorough look. I will let the certificate holder know, and we will reflect this information in the Draft Proposed Order.

Like for other EFSC projects, the County’s time working on this is cost-reimbursable through our interagency agreement.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy
(503) 302-0267

Hi Katie - After further review it does not appear that the Depot zoning would apply to the transmission line. I zoomed in on the google imagery to see the transmission line that would be reconducted. It is located entirely on the eastern side of the gravel road. The Ordinance did not include a legal description of the rezoned portion, but I feel safe saying that we would not have extend the depot zoning to the east side of the road. It is likely that it actually follows the centerline of the road. Therefore, I would say the applicant does not need to address the zoning criteria for the two Depot zones. They should be covered by the EFU zoning.

Does this make sense?

On Mon, Dec 3, 2018 at 9:52 AM CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:

Thanks Bob. That area near I-84 and I-82 does not appear to overlap with the facility, so it’s possible these zone changes do not apply. I’ve attached the relevant portion of the zoning maps provided by the certificate holder, which pairs with my questions in the email below about where the zone change ends. It might be easiest to sort this out over the phone, so I can give you call.

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267
From: Robert Waldher [mailto:robert.waldher@umatillacounty.net]
Sent: Monday, December 3, 2018 9:32 AM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Subject: Re: Perennial Wind Chaser Station site certificate: Request for amendment

Only in one very small area near I-84 and I-82. See the zoning map here:

http://www.co.umtilla.or.us/planning/GIS%20maps/WestCounty_Zoning.pdf

On Mon, Dec 3, 2018 at 9:29 AM CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:

Thank you very much, Bob. Based on the letter, I assume the zone changes do, in fact, extend a bit to the east of I-82 and County Road 1204.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

From: Robert Waldher [mailto:robert.waldher@umatillacounty.net]
Sent: Thursday, November 29, 2018 3:52 PM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Subject: Re: Perennial Wind Chaser Station site certificate: Request for amendment

Katie - Please see the attached letter from the Board. Please let me know if you have additional questions. Thanks!

Bob

On Tue, Nov 20, 2018 at 12:25 PM CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:
Thanks Bob. Hope you have a great Thanksgiving as well!

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

From: Robert Waldher [mailto:robert.waldher@umatillacounty.net]
Sent: Monday, November 19, 2018 2:49 PM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Subject: Re: Perennial Wind Chaser Station site certificate: Request for amendment

Hi Katie - Our Board meets again on the 28th due to the Thanksgiving holiday. I will work on getting a signed letter then and send it your way.

Have a great Thanksgiving!

Bob

On Tue, Nov 6, 2018 at 3:08 PM CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:

Hi Bob,

We previously discussed the relevant applicable substantive criteria to the existing transmission line that would be reconducted, based on Ordinance No. 2014-06, which rezoned the Umatilla Military Depot. As we discussed, the certificate holder indicated that a portion of the transmission line that would be reconducted now follows the eastern edge of areas re-zoned from EFU to Umatilla Depot Refuge (UDR) and Depot Industrial (DI).
After looking closely at aerial imagery of the area, however, I am seeking confirmation that the existing transmission line does, in fact, cross UDR and DI zoned land. Please find attached the relevant portion of the zoning maps provided by the certificate holder. My questions are:

1. The southern portion of the existing line is located on the east side of Interstate 82. Does the DI zone extend to the east side of I-82, or is the zoning EFU at that point?

2. Where the transmission line first crosses to the west of the interstate as it heads north, there is a transmission structure located between County Road 1204 and the interstate. Does the DI zone extend east of County Road 1204, or is the zoning EFU at that point?

3. The existing transmission line heads north and appears to be located at the boundary between the UDR and EFU zones. There, the transmission line is located to the east of County Road 1204. Does the UDR zone extend east of County Road 1204, or is the zoning EFU at that point?

I appreciate all of the help you’ve provided as we try to make sure we have the accurate list of applicable Umatilla County requirements.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

From: CLIFFORD Katie * ODOE
Sent: Friday, October 26, 2018 2:58 PM
To: 'Robert Waldher' <robert.waldher@umatillacounty.net>
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment

Great; thank you, Bob. That answers my questions. I appreciate your guidance on the County’s requirements.
This doesn’t affect our previous discussions because we assumed this for the purposes of our correspondence, but I wanted to let you know that the certificate holder confirmed with UEC that the ROW for the transmission line to be reconducted would **not** need to be expanded:

*We contacted UEC and they stated: “The transmission line was designed for double circuit 230kV and the easement widths would have been acquired for that. No additional ROW will need to be acquired to convert the 115kV to 230kV.”*

Would it be possible to provide a letter within the next month or so from the Board of Commissioners confirming what we discussed about the applicable substantive criteria? That is, that the criteria listed below for the UDR and DI zones should now be added to the list of applicable substantive criteria the County originally provided in the attached letter (which we received on the original application)?

Alternatively, if the Board is willing to provide a letter (similar to the attached letter) authorizing the County Planning Director to act on behalf of the Board of Commissioners for the purposes of this review, that would also work well.

Hope you have a good weekend!

Katie

---

**Katie Clifford**
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

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**From:** Robert Waldher [mailto:robert.waldher@umatillacounty.net]
**Sent:** Friday, October 26, 2018 10:09 AM
**To:** CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
**Subject:** Re: Perennial Wind Chaser Station site certificate: Request for amendment

Hi Katie -
I reviewed your October 12th email and agree with your summary of our conversation. I also concur with you regarding Item #3. It does not appear that the rezone included the right-of-way of Cottonwood Bend. I also reviewed the criteria that the certificate holder addressed for the Depot Industrial and Refuge. It appears adequate and I do not believe there are other sections that need to be addressed. Hope this helps...Please let me know if you have additional questions. Thanks!

Bob

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On Tue, Oct 23, 2018 at 3:35 PM CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov> wrote:

Hi Bob,

Based on reviewing the certificate holder’s revised Land Use assessment, I have another question I am hoping you would help me with.

The applicable zoning within the county has changed since April 3, 2014 and affects a portion of the reconducted transmission line. On July 2, 2014, the County Board of Commissioners adopted Ordinance No. 2014-06, which rezoned the Umatilla Military Depot. A portion of the transmission line that would be reconducted now follows the eastern edge of areas re-zoned from EFU to Umatilla Depot Refuge (UDR) and Depot Industrial (DI).

Due to the zoning change, the certificate holder provided an evaluation under the following additional criteria:

**UDR**
- UCDC § 152.537
- UCDC § 152.538

**DI zone (The transmission corridor is within Subarea 1 of the DI zone)**
- UCDC § 152.238
- UCDC § 152.239
- UCDC § 152.241
Are there any criteria besides the ones listed above that apply to the reconducted transmission line due to the zone change? I see that the UCDC contains a few additional criteria under the UDR and DI zones that the certificate holder did not discuss – presumably they believe those criteria would not apply.

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

Hi Bob,

Thank you for our conversation on Tuesday and the helpful information you provided. I’ve written down my understanding of what we discussed – would you let me know if you agree or if the notes should be modified to more accurately capture the conversation? We discussed four main topics:

1) You indicated that the Umatilla County Comprehensive Plan Policies applicable to the facility remain the same – meaning, no policies that may have been added to the comprehensive plan (if any) since April 3, 2014 (the date we received the preliminary application) would apply to the facility.

2) You stated that the City of Umatilla adopted the 1972 Umatilla County Zoning Ordinance for the urban growth area (UGA), so the County’s zoning ordinance remains applicable to the portion of the facility that would be located within the UGA. You recommended checking with the City to ensure that
they haven’t made any changes to requirements within the UGA from what the County zoning ordinance requires. The City, instead of the County, now processes permits within the UGA.

3) We discussed the re-zoning of the property (for the data center) to the south of the energy facility site from EFU to LI/LU. You indicated that it appeared that the natural gas line would remain on EFU land. The certificate holder provided the zoning map overlaid with the facility components yesterday, which I’ve attached to this email. The certificate holder now states that, “the pipeline will be located in the right-of-way of Cottonwood Bend Road (where the existing Cascade Natural Gas lateral to the Hermiston Generating Plant is located). The road right-of-way was not part of the rezoning from EFU to LI/LU.” Does the County agree that the right-of-way of Cottonwood Bend Road was not part of the rezoning from EFU to LI/LU?

4) I am waiting to receive confirmation from the certificate holder that the right-of-way for the reconducted transmission line would not be expanded as part of increasing the voltage of the conductor on the UEC side of the structures from 115 kV to 230 kV. You confirmed that, assuming the ROW would not be expanded, the reconducted transmission line is a use permitted outright under UCDC 152.056(J) (“Maintenance or minor betterment of existing transmission lines and facilities of utility companies and agencies”) and therefore the portions of the reconducted line that are located on EFU land would not also need to be evaluated under revised UCDC 152.617(II)(7), which mirrors the ORS 215.274 requirements for “an associated transmission line…necessary for public service.”

Please let me know your thoughts on my question under point #3, and if you agree with the summary of our discussion contained in this email. We may request a formal letter from the County regarding the applicable substantive criteria after we get a bit farther into the revised application materials we received yesterday.

Thanks again for your help! Hope you have a good conference this coming week.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267
Hi Bob,

We are reviewing Perennial-WindChaser LLC’s request for amendment to the Perennial Wind Chaser Station site certificate. As you are aware, the request is to extend the construction deadlines. We are trying to determine if any applicable substantive criteria have changed since the original (preliminary application for site certificate) Exhibit K was received on April 3, 2014.

Last week we sent the certificate holder requests for additional information (RAIs). I’ve attached the RAIs related to land use (as well as the GIS shapefile for the facility, in case that’s useful). The first RAI recommends that the certificate holder contact Umatilla County to determine whether or not any new goals and/or policies that may have been added to the Umatilla County Comprehensive Plan since April 3, 2014 apply to the facility. As you can see from the second RAI and the below email thread with Tamra Mabbott, we’re also trying to determine if the portion of the facility within the urban growth area that was previously assessed against the county’s zoning should now be evaluated in light of the City of Umatilla’s zoning.

In an area outside of the UGA where county zoning applies, it appears there may have been a zone change that could apply to the natural gas line. In the third RAI we ask them to provide an analysis of the impact of that zone change.

Certainly, if you have any thoughts at this time on these three items, we would be interested in hearing them. Otherwise, we expect the certificate holder to reach out to you and for them to provide additional information in their request for amendment. We do have one question right now, though. The transmission line would include up to six new transmission poles. The remainder of the transmission line would consist of replacing (reconductoring) almost 12 miles of UEC’s 115-kV line on existing structures with a new 230-kV single circuit transmission line. In their request for amendment, the certificate holder evaluated the new transmission poles only (and not also the portion of the line that would be reconductored) under the UCDC 152.617(II)(7) analysis, because they state that UCDC 152.056(J) permits the reconductored portion of the line outright. Do you agree that this is the appropriate way to break out the analysis?

Katie
Thank you very much, Tamra. Great to hear that you are already familiar with the project. I’ve added both you and Brandon Seitz to the distribution list.

Your preliminary comment about the City’s authority within the UGA is helpful. Both the original Application for Site Certificate Exhibit K (from 2014) and the current preliminary Request for Amendment (on page 19) state that areas within the UGA of the City of Umatilla are subject to the 1972 Umatilla County Zoning Ordinance. We would be interested in learning if the applicable substantive criteria for that portion of the facility should now instead come from the City of Umatilla Zoning Ordinance. The zones the developer indicated apply to the portions of the facility within the UGA and the City boundaries are:

- Transmission Line
  - County
    - EFU
    - LI (Light Industrial)
    - RTC (Rural Tourist Commercial)
  - Urban Growth Area
    - F-1 (Exclusive Farm Use Zone)
    - F-2 (General Rural Zone)
    - M-2 (Heavy Industrial Zone)
    - R-1 (Agricultural Residential Zone)
For ease of reference, please find attached figures extracted from the original Exhibit K. We are requesting that the certificate holder revise their Zoning Classification map for clarity, as it is challenging for us to tell by looking at their maps what zoning designations apply. In case it is helpful, I’ve attached the project shapefiles to this email. Please also find attached descriptions of the facility components that would be located within the City boundaries (a portion of the transmission line) and the UGA (the step-up substation and the underground line).

I hope this information is helpful. Please let me know if there is any additional information I can provide that would be helpful.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy

O: (503) 373-0076
C: (503) 302-0267

From: Tamra Mabbott [mailto: Tamra@umatilla-city.org]
Sent: Tuesday, August 28, 2018 1:43 PM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Cc: Brandon Seitz <Brandon@umatilla-city.org>; Carla McLane <cmclane@co.morrow.or.us>
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment
Hello Katie – thank you, and thank you to Carla as well. I am familiar with the project since I reviewed the project when I was Planning Director at Umatilla County. However, I am not as familiar with the components that will be located within Umatilla urban growth area. Would you be able to provide a map or description of that part of the project?

Also, if you add city to the list myself and Brandon Seitz, City Planner, we can provide an agency response to the request for an amendment. City of Umatilla has authority to process land use permits for lands outside city limits but inside UGA. That agreement with County was adopted about 1.5 years so that aspect of the local permitting has changed since the original Perennial Wind Chaser project was reviewed.

Please send the information to city and we will return comments.

Thank you again.

Cordially, Tamra

From: CLIFFORD Katie * ODOE [mailto:Katie.Clifford@oregon.gov]
Sent: Tuesday, August 28, 2018 10:33 AM
To: Tamra Mabbott <Tamra@umatilla-city.org>
Subject: FW: Perennial Wind Chaser Station site certificate: Request for amendment

Hi Tamra,

Carla McLane kindly pointed out that we needed to update the information for the City of Umatilla in the Perennial Wind Chaser Station contact list. This previously approved, but not yet constructed, facility would have an interconnection transmission line that would cross the City of Umatilla en route to the McNary Substation. The facility’s step-up substation and the underground line would be located entirely within unincorporated Umatilla County, within the City of Umatilla’s Urban Growth Area, but outside the city limits. The power plant itself and the natural gas pipeline would be located entirely in unincorporated Umatilla County. We are currently evaluating the certificate holder’s request for a site certificate amendment to extend the construction deadlines (an extension of up to two years is permitted for this particular request). It’s possible we may have some questions for the City of Umatilla as we perform the review, particularly if it appears that any land use changes have occurred since the project was originally approved, but in any case we welcome any comments the city may have.
From: CLIFFORD Katie * ODOE
Sent: Monday, August 27, 2018 9:50 AM
To: 'robert.waldher@umatillacounty.net' <robert.waldher@umatillacounty.net>; 'cmclane@co.morrow.or.us' <cmclane@co.morrow.or.us>; 'manager@ci.irrigon.or.us' <manager@ci.irrigon.or.us>; 'kpettigrew@cityofboardman.com' <kpettigrew@cityofboardman.com>; 'russell@umatilla-city.org' <russell@umatilla-city.org>; 'ecpl@centurytel.net' <ecpl@centurytel.net>; 'bsmith@hermiston.or.us' <bsmith@hermiston.or.us>; 'citymanager@cityofstanfield.com' <citymanager@cityofstanfield.com>; BLEAKNEY Leann <bleakney@nw council.org>; 'Kristen.SHEERAN@oregon.gov' <Kristen.SHEERAN@oregon.gov>; CANE Jason <jason.cane@state.or.us>; MILLS David <david.mills@state.or.us>; JOHNSON Jim <jjohnson@oda.state.or.us>; 'jeff.caines@aviation.state.or.us' <jeff.caines@aviation.state.or.us>; 'svelund.greg@deq.state.or.us' <svelund.greg@deq.state.or.us>; RIMBACH Gregory P <Gregory.P.Rimbach@state.or.us>; REIF Sarah J <Sarah.J.Reif@state.or.us>; 'Jtokarczyk@odf.state.or.us' <Jtokarczyk@odf.state.or.us>; 'yumei.wang@oregon.gov' <yumei.wang@oregon.gov>; EDELMAN Scott <scott.edelman@state.or.us>; JININGS Jon <jon.jinings@state.or.us>; MURPHY Tim <timothy.murphy@state.or.us>; 'bethany.harrington@dsl.state.or.us'; BROWN Lauren <Lauren.BROWN@state.or.us>; 'Thomas.Lapp@odot.state.or.us' <Thomas.Lapp@odot.state.or.us>; BEALS Alice * OPRD <Alice.Beals@oregon.gov>; MULDOON Matt <matt.muldoon@state.or.us>; 'LGKOHO@puc.state.or.us' <LGKOHO@puc.state.or.us>; CLEARANCE ORSHPO * OPRD <ORSHPO.Clearance@oregon.gov>; SAUTER Jerry K <Jerry.K.SAUTER@state.or.us>; 'jrmiller@bpa.gov' <jrmiller@bpa.gov>; 'Paul.S.Shampine@usace.army.mil' <Paul.S.Shampine@usace.army.mil>
Cc: 'Rowe Patrick G' <Patrick.G.ROWE@state.or.us>
Subject: Perennial Wind Chaser Station site certificate: Request for amendment

This email serves to inform your agency that on August 2, 2018 the Oregon Department of Energy received a preliminary Request for Amendment (pRFA) #1 to the Perennial Wind Chaser Station site certificate. The Perennial Wind Chaser Station is an approved, but not yet constructed, natural gas facility comprised of up to four turbines with a maximum capacity of 415 megawatts. In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021. The pRFA requests to extend each of these construction deadlines.
OAR 345-027-0085 contains rules specific to a request for amendment to extend construction deadlines. The requirements of section (5) apply to the Perennial Wind Chaser Station because the facility is not yet in construction, but has been approved for construction in the site certificate prior to October 24, 2017. If a request for amendment for a deadline extension made under this section is granted, the Energy Facility Siting Council shall specify new deadlines for beginning or completing construction that are not more than two years from the deadlines in effect before the Council grants the amendment.

The pRFA is available on our website at the following link:  https://www.oregon.gov/energy/facilities-safety/facilities/Pages/PER.aspx

This email primarily serves to inform your agency of the pRFA. If your agency is aware of any applicable changes in rules, statutes, or circumstances since the date the current Perennial Wind Chaser Station site certificate was executed (September 23, 2015), or if you have any questions or concerns, please contact us for further discussion. We may also contact your agency directly with questions as we review the pRFA. After issuance of the draft proposed order, the Department shall notify your agency and shall solicit comments on the request for amendment and the draft proposed order.

If you have any questions or comments, please let me know.

Katie

Katie Clifford
Senior Siting Analyst
Energy Facility Siting Division
Oregon Department of Energy
katie.clifford@oregon.gov
(o) 503.373.0076
(m) 503.302.0267
Bob Waldher, RLA

Director

Umatilla County Department of Land Use Planning

216 SE 4th ST | Pendleton, OR 97801

Phone: 541-278-6251 | Fax: 541-278-5480

http://www.umatillacounty.net/planning - Visit our website for copies of planning documents, permit applications and other helpful information.

Please Be Aware - Documents such as emails, letters, maps, reports, etc. sent from or received by the Umatilla County Department of Land Use Planning are subject to Oregon Public Records law and are NOT CONFIDENTIAL. All such documents are available to the public upon request; costs for copies may be collected. This includes materials that may contain sensitive data or other information, and Umatilla County will not be held liable for its distribution.

--

Bob Waldher, RLA

Director

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Bob Waldher, RLA

Director
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Hello Katie – Yes.
Let us know if you need more.
Cordially, Tamra

---

Hi Tamra,

Thank you for looking into this. That’s correct – the certificate holder would be replacing the existing conductor with a higher voltage conductor, but would use existing poles (no pole replacement). The existing transmission line that would be reconducted also passes through the R1 (Residential, single family) and R2 (Residential, multi-family) zones. Would the conductor replacement be permitted outright in those zones as well?

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy
O: (503) 373-0076
C: (503) 302-0267

---

Hello Katie – Brandon and I looked at this and as long as you are just replacing on existing poles you do not need a permit.

Cordially, Tamra

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From: Tamra Mabbott [mailto: Tamra@umatilla-city.org]
Sent: Friday, November 9, 2018 1:49 PM
To: CLIFFORD Katie * ODOE <Katie.Crifford@oregon.gov>
Cc: Brandon Seitz <Brandon@umatilla-city.org>
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment

---

From: CLIFFORD Katie * ODOE [mailto: Katie.Crifford@oregon.gov]
Sent: Monday, November 05, 2018 10:07 AM
To: Tamra Mabbott <Tamra@umatilla-city.org>
Cc: Brandon Seitz <Brandon@umatilla-city.org>
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment
Hi Tamra,

Do the property development standards under Section 10-4C-7 of the City Code apply to reconductoring an existing transmission line? The certificate holder for the Perennial Wind Chaser Station would remove the conductor (wire) from one side of an existing UEC transmission line and replace that conductor with a higher voltage conductor. One of the existing transmission poles is located in the Neighborhood Commercial zone, so we are trying to determine if the certificate holder needs to evaluate compliance with the property development standards for uses in the NC zone if the use involves reconductoring an existing transmission pole.

The certificate holder’s current response to that requirement is:

*The re-conducted transmission line, however, will simply replace an existing 115 kV line with a 230 kV line on existing poles. There will be no new structures and no new “on the ground” impacts. Therefore, the property development standards do not apply.*

Katie

Katie Clifford  
Senior Siting Analyst  
Oregon Department of Energy  
O: (503) 373-0076  
C: (503) 302-0267

From: CLIFFORD Katie * ODOE  
Sent: Tuesday, August 28, 2018 4:08 PM  
To: 'Tamra Mabbott' <Tamra@umatilla-city.org>  
Cc: Brandon Seitz <Brandon@umatilla-city.org>; Carla McLane <cmclane@co.morrow.or.us>  
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment

Thank you very much, Tamra. Great to hear that you are already familiar with the project. I’ve added both you and Brandon Seitz to the distribution list.

Your preliminary comment about the City’s authority within the UGA is helpful. Both the original Application for Site Certificate Exhibit K (from 2014) and the current preliminary Request for Amendment (on page 19) state that areas within the UGA of the City of Umatilla are subject to the 1972 Umatilla County Zoning Ordinance. We would be interested in learning if the applicable substantive criteria for that portion of the facility should now instead come from the City of Umatilla Zoning Ordinance. The zones the developer indicated apply to the portions of the facility within the UGA and the City boundaries are:

- Transmission Line
  - County
    - EFU
    - LI (Light Industrial)
    - RTC (Rural Tourist Commercial)
  - Urban Growth Area
    - F-1 (Exclusive Farm Use Zone)
    - F-2 (General Rural Zone)
    - M-2 (Heavy Industrial Zone)
    - R-1 (Agricultural Residential Zone)
  - City
    - NC (Neighborhood Commercial)
For ease of reference, please find attached figures extracted from the original Exhibit K. We are requesting that the certificate holder revise their Zoning Classification map for clarity, as it is challenging for us to tell by looking at their maps what zoning designations apply. In case it is helpful, I’ve attached the project shapefiles to this email. Please also find attached descriptions of the facility components that would be located within the City boundaries (a portion of the transmission line) and the UGA (the step-up substation and the underground line).

I hope this information is helpful. Please let me know if there is any additional information I can provide that would be helpful.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy
O: (503) 373-0076
C: (503) 302-0267

From: Tamra Mabbott [mailto: Tamra@umatilla-city.org]
Sent: Tuesday, August 28, 2018 1:43 PM
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>
Cc: Brandon Seitz <Brandon@umatilla-city.org>; Carla McLane <cmclane@co.morrow.or.us>
Subject: RE: Perennial Wind Chaser Station site certificate: Request for amendment

Hello Katie – thank you, and thank you to Carla as well. I am familiar with the project since I reviewed the project when I was Planning Director at Umatilla County. However, I am not as familiar with the components that will be located within Umatilla urban growth area. Would you be able to provide a map or description of that part of the project?

Also, if you add city to the list myself and Brandon Seitz, City Planner, we can provide an agency response to the request for an amendment. City of Umatilla has authority to process land use permits for lands outside city limits but inside UGA. That agreement with County was adopted about 1.5 years so that aspect of the local permitting has changed since the original Perennial Wind Chaser project was reviewed.

Please send the information to city and we will return comments.
Thank you again.
Cordially, Tamra

From: CLIFFORD Katie * ODOE [mailto:Katie.Clifford@oregon.gov]
Sent: Tuesday, August 28, 2018 10:33 AM
To: Tamra Mabbott <Tamra@umatilla-city.org>
Subject: FW: Perennial Wind Chaser Station site certificate: Request for amendment

Hi Tamra,

Carla McLane kindly pointed out that we needed to update the information for the City of Umatilla in the Perennial Wind Chaser Station contact list. This previously approved, but not yet constructed, facility would have an
interconnection transmission line that would cross the City of Umatilla en route to the McNary Substation. The facility’s step-up substation and the underground line would be located entirely within unincorporated Umatilla County, within the City of Umatilla’s Urban Growth Area, but outside the city limits. The power plant itself and the natural gas pipeline would be located entirely in unincorporated Umatilla County. We are currently evaluating the certificate holder’s request for a site certificate amendment to extend the construction deadlines (an extension of up to two years is permitted for this particular request). It’s possible we may have some questions for the City of Umatilla as we perform the review, particularly if it appears that any land use changes have occurred since the project was originally approved, but in any case we welcome any comments the city may have.

Katie

Katie Clifford
Senior Siting Analyst
Oregon Department of Energy
O: (503) 373-0076
C: (503) 302-0267

This email serves to inform your agency that on August 2, 2018 the Oregon Department of Energy received a preliminary Request for Amendment (pRFA) #1 to the Perennial Wind Chaser Station site certificate. The Perennial Wind Chaser Station is an approved, but not yet constructed, natural gas facility comprised of up to four turbines with a maximum capacity of 415 megawatts. In accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021. The pRFA requests to extend each of these construction deadlines.

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beginning or completing construction that are not more than two years from the deadlines in effect before the Council grants the amendment.

The pRFA is available on our website at the following link: https://www.oregon.gov/energy/facilities-safety/facilities/Pages/PER.aspx

This email primarily serves to inform your agency of the pRFA. If your agency is aware of any applicable changes in rules, statutes, or circumstances since the date the current Perennial Wind Chaser Station site certificate was executed (September 23, 2015), or if you have any questions or concerns, please contact us for further discussion. We may also contact your agency directly with questions as we review the pRFA. After issuance of the draft proposed order, the Department shall notify your agency and shall solicit comments on the request for amendment and the draft proposed order.

If you have any questions or comments, please let me know.

Katie

Katie Clifford
Senior Siting Analyst
Energy Facility Siting Division
Oregon Department of Energy
katie.clifford@oregon.gov
(o) 503.373.0076
(m) 503.302.0267
December 6, 2018

Katie Clifford  
Senior Siting Analyst  
Oregon Dept. of Energy  
550 Capitol St. NE  
Salem OR, 97301

Re: Perennial Wind Chaser Station

Dear Katie:

Thank you for contacting the Oregon Department of Fish and Wildlife (ODFW) and providing us the opportunity to comment and make recommendations on the Perennial Wind Chaser Station (PWCS). It is ODFW’s understanding that the Oregon Department of Energy (ODOE) has received a preliminary Request for Amendment (pRFA) #1 to the PWCS site certificate for a yet not constructed natural gas facility comprised of up to four turbines with a maximum capacity of 415 megawatts. Also, that in accordance with the existing site certificate, construction must begin three years after the effective date of the site certificate (that is, before September 23, 2018) and construction must be completed by September 23, 2021 and that the pRFA requests to extend each of these construction deadlines.

The proposed location for the PWCS and its components fall within historic habitat for Washington ground squirrels (WGS). Current habitat conditions in most of the proposed facility components (the transmission line corridor being the one exception) are highly isolated and fragmented by a number of man-made features. The presence of two railroad grades, several state and federal highways, smaller paved roads, center-pivot irrigated agricultural fields, cement-lined irrigation ditches, livestock feedlots, and the Umatilla River renders the small remaining patches of habitat in a very isolated and fragmented condition. When ODFW evaluates Habitat Categories according to its Fish and Wildlife Habitat Mitigation Policy (OAR
436-615), normally WGS occupied habitat would be considered Category 1 and ODFW would recommend no impact. However, in this particular case, ODFW believes the small patches of remaining habitat within portions of the site boundaries are too isolated, and fragmented to be sustainable as WGS habitat over time. Individual WGS lack potential to immigrate into or emigrate out of these isolated patches because of the barriers described above, rendering these sites permanently disconnected from a larger population, and therefore these patches would not meet the ‘essential’ definition of Habitat Category 1. For this reason, ODFW will not be considering WGS occupied patches for PWCS as Category 1 within the McNary step-up substation, the area of new power poles, and the power plant.

However, because WGS are an Oregon State Endangered Species (ORS 496.172; OAR 635-100-0125), the applicant cannot take any individual WGS (“take” means to kill or obtain possession or control of any species on the state list; OAR 635-100-0001(14)). To address the potential for take of a state-listed species, ODFW recommends that surveys be performed during the appropriate season, which is February 15-May 30, prior to any ground disturbance or construction activities (see below for more detail on survey recommendations). In the event WGS are detected, ODFW recommends the applicant work with ODOE and ODFW to develop the appropriate response that may include development of an Incidental Take Permit (OAR 635-100-0170) and associated mitigation measures.

On October 11, 2018 ODFW conducted an on-site field evaluation of all project components relating to PWCS, which included the McNary step-up sub-station, portions of the transmission line corridor, area of new power poles connecting the existing transmission line to the PWCS power plant, the proposed power plant location, and a limited area of the gas interconnection line. After careful evaluation of all 5 of these project areas, even though fragmented and isolated, ODFW found some potential for WGS presence. Therefore ODFW recommends WGS surveys of the project sites and would include a 1,000 foot buffer at the transmission line pulling/tensioning sites where there is no habitat breaks. Also there are many habitat breaks along the gas interconnection line but several small areas would still need to be surveyed that are adjacent to the easement. ODFW recommends the 5 facility components be surveyed for WGS in the following manner:

**McNary step-up sub-station and underground transmission line:** This area was surveyed for WGS in August of 2013 with no evidence of WGS found. Since this survey was conducted well outside of the established protocol for WGS, it is ODFW’s recommendation that a WGS survey be conducted within the project site only.

**Transmission line corridor:** Since approximately 12, 50’x100’ line pulling/tensioning areas will need to be established, ODFW recommends that these “yet to be identified areas” would need to be surveyed with an additional 1,000 foot buffer in suitable WGS habitat and where there is no habitat break during the appropriate WGS survey window. In the event WGS colonies are found, this is the one area of the project where ODFW would consider those areas to be Category 1 habitat because there is existing connectivity with suitable WGS habitat. In this event, ODFW would recommend avoidance through the use of existing power poles for the new transmission line (as proposed by the applicant) and through appropriate siting of tensioning/pulling sites outside of occupied WGS colonies.
New power poles connecting the existing transmission line corridor to the PWCS power plant: To our knowledge, this area has not been surveyed within the last 3 years. It is ODFW’s recommended that a WGS be conducted in the project site only.

PWCS power plant: Due to this area being surveyed longer than 3 years ago, it is ODFW’s recommends that a new WGS survey be conducted in the project site only.

Gas interconnection line: Due to this area being surveyed longer than 3 years ago, ODFW recommends a WGS survey along the 50 foot gas pipeline easement with an additional 1,000 foot buffer of the easement in suitable WGS habitat and where there is no habitat break. If access is denied due to private property issues, a desk top analysis with an on the ground visual survey from the 50 foot easement would be appropriate.

Again, ODFW appreciates the opportunity to make comments and recommendations on the PWCS pRFA #1 and look forward to working with you and others in the future on this project. If I can be of any further assistance, please feel free to contact me by phone (541-276-2344) or by email (gregory.p.rimbach@state.or.us).

Sincerely,

[Signature]

Greg Rimbach
Umatilla Dist. Wildlife Biologist
Oregon Department of Fish and Wildlife

c: Sarah Reif, ODFW
Katie:

This is a response to the questions you had regarding the PWCS project. In my letter to you dated December 6, 2018, I wrote that “Current habitat conditions in most of the proposed facility components (the transmission line corridor being the one exception) are highly isolated and fragmented by a number of man-made features. The presence of two railroad grades, several state and federal highways, smaller paved roads, center-pivot irrigated agricultural fields, cement-lined irrigation ditches, livestock feedlots, and the Umatilla River renders the small remaining patches of habitat in a very isolated and fragmented condition. When ODFW evaluates Habitat Categories according to its Fish and Wildlife Habitat Mitigation Policy (OAR 436-615), normally WGS occupied habitat would be considered Category 1 and ODFW would recommend no impact. However, in this particular case, ODFW believes the small patches of remaining habitat within portions of the site boundaries are too isolated, and fragmented to be sustainable as WGS habitat over time. Individual WGS lack potential to immigrate into or emigrate out of these isolated patches because of the barriers described above, rendering these sites permanently disconnected from a larger population, and therefore these patches would not meet the ‘essential’ definition of Habitat Category 1”. I would like to emphasize and reiterate that ODFW is considering the McNary step-up, area of new power poles, temporary laydown area, power station, and natural gas pipeline as the highly isolated and fragmented areas (not the transmission line) and if WGS are identified in these areas, they would be considered Category 4. Since these areas do not meet the “essential” definition in Category 1-3, it is reasonable to consider these areas as Cat 4. If no WGS are detected in these areas, Category 5 may be appropriate.

If you have any questions, please feel free to contact me.

Thanks Katie.

Greg Rimbach  
Umatilla District Wildlife Biologist  
Oregon Department of Fish & Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801  
gregory.p.rimbach@state.or.us  
541.276.2344
We really appreciate all the thought that you, Sarah, and others at ODFW have put into ODFW’s response. We have a few questions:

- The letter states, “For this reason, ODFW will not be considering WGS occupied patches for PWCS as Category 1 within the McNary step-up substation, the area of new power poles, and the power plant.” If the surveys identify WGS-occupied patches within those areas, what category of habitat might ODFW consider those patches?
- If the surveys identify WGS-occupied patches within the natural gas pipeline survey area, what category of habitat might ODFW consider those patches?
- Would ODFW have the same recommendations for the temporary laydown area as for the power plant site?

Katie

Katie Clifford  
Senior Siting Analyst  
Oregon Department of Energy  
(503) 302-0267

---

From: Gregory Rimbach  
Sent: Thursday, December 6, 2018 1:52 PM  
To: CLIFFORD Katie * ODOE <Katie.Clifford@oregon.gov>  
Cc: REIF Sarah J <Sarah.J.Reif@state.or.us>  
Subject: RE: PWC

Katie:

Here is ODFW’s comment and recommendation letter for Perennial Wind Chaser Station’s pRFA #1. I certainly appreciate all the information that you and your team have provided ODFW in order for us to generate this letter. If you have any questions, please don’t hesitate to contact me.

Greg Rimbach  
Umatilla District Wildlife Biologist  
Oregon Department of Fish & Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801  
gregory.p.rimbach@state.or.us  
541.276.2344
Just reviewing some things and noticed that you had a question about cat types associated with the pulling/tensioning areas. Yes, they all look to be appropriately classified as to the habitat category. Will call you in about 10 minutes.

Greg Rimbach  
Umatilla District Wildlife Biologist  
Oregon Department of Fish & Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801  
gregory.p.rimbach@state.or.us  
541.276.2344

Hi Greg,

It looks like there are three existing conditions relevant to raptor nests:

**Condition H.8:** During all years in which construction occurs, if construction related activities occur during the raptor breeding season (February 1 through August 31), the certificate holder must conduct pre-construction surveys within 0.5 miles of all proposed project features for Ferruginous Hawk nests, and within 0.25 miles for all other raptor species nests, including burrowing owl burrows. If active nests are located, the certificate holder shall notify the department and the Oregon Department of Fish and Wildlife (ODFW), and construction-related activities must be restricted within 0.5 miles of Ferruginous Hawk nests and 0.25 miles of all other raptor nests until the nests have failed or chicks have fledged. A biologist shall monitor the status of the active nests daily during nearby active construction and document potential adverse interactions with the project.

**Condition H.11:** If construction is to occur during important times (breeding season for Ferruginous Hawks and other raptors or migration for all native non-raptors), or at close distances to environmentally sensitive areas (nests of the above), prior to any construction activities, the certificate holder must consult with Oregon Department of Fish and Wildlife (ODFW) to determine appropriate measures to take and guidance on seasonal and/or spatial restrictions to avoid or minimize impact.

**Condition H.13:** The certificate holder shall clearly demarcate boundaries of environmentally sensitive areas (nests referred to in Condition H.11) during construction to increase visibility to construction crews.
Here is a bit more information from the Final Order on the ASC about the pulling-tensioning activities: “As explained in the ASC, major equipment required for reconductoring may include reel stands, tensioner, puller reel winder, pilot line winder, splicing cart and pulling vehicle.” As part of the original application, E & E prepared a Revegetation and Noxious Weed Control Plan. It appears, however, that this plan did not account for temporary disturbance at the pulling-tensioning sites (the list of components associated with temporary disturbance does not include the pulling-tensioning sites). Part of their plan states, “Areas of temporary disturbance will be restored to original grade and soil condition as soon as possible after the final construction ground disturbance and will generally be re-contoured and de-compacted, if necessary. These areas will then be evaluated to determine whether reseeding or other revegetation techniques are required to return the area to preconstruction vegetation conditions. Re-seeding may not be necessary or appropriate in some areas, including places where vegetation has been flattened but not crushed and those where little or no vegetation was present prior to construction.”

We talked about this on the phone, but just to confirm for the record: Do the habitat categories assigned by E & E biologists to the pulling/tensioning sites appear reasonable to you?

Katie Clifford  
Senior Siting Analyst  
Oregon Department of Energy  
Desk: 503-373-0076  
Mobile: 503-302-0267

From: Gregory Rimbach  
Sent: Tuesday, June 18, 2019 2:15 PM  
To: CLIFFORD Katie * ODOE  
Subject: RE: Revised Biological Resources Report

Talk to you then!

Greg Rimbach  
Umatilla District Wildlife Biologist  
Oregon Department of Fish & Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801  
gregory.p.rimbach@state.or.us  
541.276.2344

From: CLIFFORD Katie * ODOE  
Sent: Tuesday, June 18, 2019 2:14 PM  
To: RIMBACH Gregory P  
Subject: RE: Revised Biological Resources Report

That sounds great, thanks!

Katie Clifford  
Senior Siting Analyst  
Oregon Department of Energy  
Desk: 503-373-0076
Can I call you at 3p today?

Greg Rimbach  
Umatilla District Wildlife Biologist  
Oregon Department of Fish & Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801  
gregory.p.rimbach@state.or.us  
541.276.2344

Hi Greg,

I’m going through their revised report now. Would you have time to touch base today sometime after 11 am? Hope your Salem trip went well.

Katie Clifford  
Senior Siting Analyst  
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Revisions include a table showing habitat type at the pulling/tensioning sites and observed ground squirrel habitat within 1,000 feet of the pulling/tensioning sites, revised text to clarify the habitat, and two figures showing the habitat adjacent to the natural gas pipeline right of way.

Jim Thornton, Project Director  
Ecology and Environment, Inc.  
720 3rd Avenue, Suite 1700, Seattle, WA 98104  
t: (206) 624-9537 ext. 4615 | m: 503-866-2807
Hi Katie,

Good question. That sounds like a reasonable approach to me. I checked case law on this issue but was unable to find anything. I’m copying Jon in case he’s dealt with this before.

Have a great weekend!

Tim Murphy
Farm and Forest Lands Specialist | Community Services Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Direct: 503-934-0048 | Main: 503-373-0050
timothy.murphy@state.or.us | www.oregon.gov/LCD

Hi Tim,

Good connecting with you at the Tribal Cultural Items Training! You’re right – it has been a long time since I sent a question your way, but it turns out that we do have a question about the definition of arable land.

We are reviewing the Perennial Wind Chaser Station Request for Amendment #1 to the Perennial Wind Chaser Station site certificate. The Perennial Wind Chaser Station is an approved, but not yet constructed, natural gas facility, and the certificate holder is requesting a 2-year extension to the construction deadlines. Their request includes an evaluation under Umatilla County Development Code (UCDC) § 152.617(II)(7)(B), which is based on ORS 215.274. The certificate holder notes that there does not appear to be a definition of “arable land” with respect to siting transmission lines on agricultural land, so they applied the definition of arable land with respect to siting wind power generation facilities on agricultural land.

All three new transmission line structures that would be located on land zoned EFU would also be located on arable land. Neither the UCDC, nor the statute on which UCDC § 152.617(II)(7)(B) is based (ORS 215.274), define “arable land.” In addition, the Land Conservation and Development (LCDC) rules pertaining to agricultural land define “arable land” with respect to siting wind power and photovoltaic solar power generation facilities on agricultural land, but do not define “arable land” with respect to siting transmission lines on agricultural land. In the absence of a definition for “arable land” with respect to siting transmission lines on agricultural land, the certificate holder’s analysis applies the definition of “arable land” with respect to siting wind power generation.
facilities on agricultural land: “lands that are cultivated or suitable for cultivation, including high-value farmland soils described at ORS 195.300(10).” ASC Exhibit I, Figure I-1l, shows that the entire power plant site consists of “Quincy loamy fine sand, gravelly substratum, 0 to 5 percent slopes.” The certificate holder explains that this soil type is a Class IV soil if irrigated, and Class IV soils are suitable for cultivation and therefore meet the definition at OAR 660-033-0130(37)(b) of arable land.

1 OAR 660-033-0130(37)(b) defines “arable lands” for the purposes of siting wind energy generation facilities and OAR 660-033-0130(38)(a) defines “arable land” for the purposes of siting photovoltaic solar energy generation facilities.

Does this approach sound reasonable to you?

Hope you enjoyed the long weekend.

Katie

Katie Clifford
Senior Siting Analyst
Energy Facility Siting Division
Oregon Department of Energy
Desk: 503.373.0076
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1 OAR 660-033-0130(37)(b) defines “arable lands” for the purposes of siting wind energy generation facilities and OAR 660-033-0130(38)(a) defines “arable land” for the purposes of siting photovoltaic solar energy generation facilities.
Attachment C: Draft Proposed Order Comments and Index
<table>
<thead>
<tr>
<th>Issue Raised</th>
<th>DPO Section/Applicable Rule or Standard</th>
<th>Type of Change</th>
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<td>Request for a cultural resources monitor</td>
<td>III.K. Historic, Cultural, and Archaeological Resources</td>
<td>Recommended new condition; substantive</td>
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<td>General statements of support or opposition, and general appeals to the Governor and the Council to approve or deny the facility</td>
<td>Does not pertain to applicable laws or Council standards</td>
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<td>Impacts to property values</td>
<td>Does not pertain to applicable laws or Council standards</td>
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<td>Appropriateness of facility name</td>
<td>Does not pertain to applicable laws or Council standards</td>
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<td>References to other facilities</td>
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<td>Section II.D. Applicable Division 27 Rule Requirements</td>
<td>Clarification/non-substantive</td>
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<td>Environmental and health impacts of hydraulic fracturing</td>
<td>I.B. Description of the Approved Facility; III.P.2. Standards for Energy Facilities that Emit Carbon Dioxide</td>
<td>Clarification/non-substantive</td>
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<td>Climate impacts of fossil fuel infrastructure and hydraulic fracturing</td>
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<td>Consistency with state policy and actions by the Governor’s Office</td>
<td>III. Review of the Requested Amendment</td>
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<td>III.F. Protected Areas</td>
<td>Recommended changes to findings; substantive</td>
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<td>III.B. Organizational Expertise</td>
<td>Recommended changes to findings; substantive</td>
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<td>III.A. General Standard of Review</td>
<td>Clarification/non-substantive</td>
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<td>Potential for the facility to be left on the landscape</td>
<td>III.G. Retirement and Financial Assurance</td>
<td>Clarification/non-substantive</td>
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Comments Received on the Record of the Public Hearing

The following two pages contain links to the comments received on the record of the public hearing on the Draft Proposed Order on Request for Amendment 1 to the Perennial Wind Chaser Station site certificate. Click on a link to go to the page where that comment appears.
1. Certificate Holder 2019-08-22
2. Columbia Riverkeeper et al. 2019-08-22
3. Columbia Riverkeeper members_supporters 2019-08-22
4. CTUIR 2019-08-12
5. Friends of the Columbia Gorge et al. 2019-08-08
6. Power Past Fracked Gas Coalition et al. 2019-08-16
7. Alan Amoth 2019-08-21
8. Alex Prentiss 2019-08-21
9. Alexander Miller 2019-08-21
10. Andreas Kyriacou 2019-08-21
11. Bernadette Rodgers 2019-08-14
12. Bonnie McKinlay 2019-08-22
13. Brock Roberts 2019-08-14
14. Carla Wise 2019-08-14
15. Chris Baker 2019-08-15
16. Chris Baker 2019-08-21
17. Connie Coleman 2019-08-20
18. Crystal Tolmie 2019-08-21
19. Daivati Bharadvaj 2019-08-21
20. Daniel Frye 2019-08-21
21. Daryl Grenz 2019-08-20
22. Dave King 2019-08-21
23. David Westerlund 2019-08-14
24. Donna Steadman 2019-08-21
25. Edward Cleary 2019-08-21
26. Emilie Marlinghaus 2019-08-21
27. Frank Payne 2019-08-22
28. Frederick Tolmie 2019-08-21
29. George Milne 2019-08-21
30. Irene Gilbert 2019-08-08
31. Jackie Nigh 2019-08-21
32. James Lanz 2019-08-20
33. Janet Kavanagh 2019-08-21
34. Janet Trygstad 2019-08-21
35. Jenny Holmes 2019-08-21
36. Julie Chapman 2019-08-22
37. Julie DeSmith 2019-08-21
38. Karen Stark 2019-08-21
39. Kenneth Fine 2019-08-21
40. Lara Gardner 2019-08-22
41. Leigh Hood 2019-08-14
42. Linda Browning 2019-08-14
43. Maija Schaefer 2019-08-21
44. Mary Daily 2019-08-14
45. Maxine Sheets-Johnstone 2019-08-20
46. Michael Dianich 2019-08-21
47. Michael Wilson 2019-08-20
48. Mimi Maduro 2019-08-22
49. Patricia Rau 2019-08-21
50. Patrick Mulcahey 2019-08-20
51. Robbie Moller 2019-08-21
52. Samuel Urko 2019-08-21
53. Sheila Baraga 2019-08-21
54. Sissy Aron 2019-08-21
55. Stephanie E. 2019-08-21
56. Tom McCue 2019-08-21
57. William Prothero 2019-08-20
58. Duplicate Compiled Comments
August 22, 2019

Via E-mail and Hand Delivery

Mr. Barry Beyeler
Chair, Energy Facility Siting Council
c/o Oregon Department of Energy
550 Capitol Street NE
Salem, Oregon 97301

RE: Perennial Wind Chaser Station, Request for Amendment No. 1

Dear Chairman Beyeler and Members of the Council:

This firm represents Perennial-WindChaser LLC (“Perennial”), the holder of the Site Certificate for the Perennial Wind Chaser Station, dated September 18, 2015. I am writing in support of Perennial’s Request for Amendment No. 1 and in response to the letter of August 16, 2019 from multiple environmental groups led by the “Power Past Fracked Gas Coalition,” (the “August 16 Letter”) and similar submittals in this proceeding.

Background

In Request for Amendment No. 1, Perennial seeks to extend by two years both the deadline to begin construction of the Wind Chaser Station and the deadline to complete construction. No other changes to the project as previously approved by the Council are proposed.

Appendix F to the Council’s Final Order of September 18, 2015 summarized the eight public comments received prior to the close of the public hearing on the Draft Proposed Order for the Wind Chaser Station. That summary is attached as Exhibit 1. The public hearing was held in Hermiston on May 14, 2015. Not one of the groups now aligned against Perennial’s Request for Amendment commented on the Draft Proposed Order on Perennial’s Application for Site Certificate. No one raised any concerns with respect to natural gas as a fuel. No one requested a contested case on the Proposed Order. The approval of a Site Certificate for the Wind Chaser Station was relatively non-controversial.

Pursuant to OAR 345-027-0075(2)(b), the focus of the Council’s review of Perennial’s Request for Amendment is on the Wind Chaser Station’s compliance with the laws and Council standards applicable to issuance of the Site Certificate:
For a request for amendment to extend the deadlines for beginning or completing construction, after considering any changes in facts or law since the date the current site certificate was executed, the facility complies with all laws and Council standards applicable to an original site certificate application.

Those opposing the Request of Amendment, however, do not identify a single applicable law or substantive standard of the Council with which the Request for Amendment, or the Wind Chaser Station, fails to comply. Rather, they have attempted to stitch together an argument based on the Oregon Supreme Court’s recent decision in *Friends of the Columbia Gorge v. Energy Facility Siting Council*, coupled with issues that do not implicate Council standards.

**Argument**

I. **Perennial did not file its Request for Amendment under “invalid” rules.**

Perennial filed its Request for Amendment under the Council’s Division 27 rules in effect at the time; there was no alternative process available. The Request for Amendment was timely under those rules.

On August 1, 2019 – nearly a year after Perennial submitted its “Preliminary Request for Amendment” and more than three weeks after the Draft Proposed Order and Notice of Public Hearing were issued – the Oregon Supreme Court issued its decision, holding that the Council’s October 2017 rulemaking was invalid.

Pursuant to Oregon Rules of Appellate Procedure (ORAP) 14.05(2)(b), in cases involving judicial review of administrative agency proceedings, the decision doesn’t take effect until “the date that the Administrator sends a copy of the appellate judgment to the administrative agency.” Under ORAP 14.05(3)(b), “the Administrator will not issue the appellate judgment for a period of 21 days after the order or decision to allow time for a petition for reconsideration under ORAP 9.25 or a petition for attorney fees or submission of a statement of costs and disbursements under ORAP 13.05 and ORAP 13.10.” Thus, the *soonest* the Supreme Court’s decision could take effect would be August 22, *if* the appellate judgment is sent by the Administrator on that date. If the petitioners before the Oregon Supreme Court seek attorneys’ fees or costs, the issuance of the appellate judgment would be delayed until the petition for fees and costs is resolved.

In other words, at no point up to and including today has it been the case that Perennial was proceeding under invalid rules or that the Site Certificate has expired.
II. **Perennial’s Preliminary Request for Amendment explained the need for the extension of construction deadlines.**

Pursuant to OAR 345-027-0085(1), a preliminary request for amendment seeking to extend deadlines for beginning or completing construction “must include an explanation of the need for an extension.” Perennial included such an explanation, as opponents concede. On June 21, 2019, the Department of Energy determined the Request for Amendment to be complete.

Opponents assert that Perennial’s explanation – that it has not yet been able to obtain a power purchase agreement -- was inadequate. They do not explain, however, how that explanation is relevant to action by the Council. The findings required to approve a request to extend construction deadlines are described in OAR 345-027-0075(2)(b):

> For a request for amendment to extend the deadlines for beginning or completing construction, after considering any changes in facts or law since the date the current site certificate was executed, the facility complies with all laws and Council standards applicable to an original site certificate application.

In summary, the Department determined Perennial’s explanation of the need for an extension to be sufficient for a complete application. Nothing in the Council’s standard for approval of the Request for Amendment, however, requires a determination of the adequacy of that explanation.

III. **The Wind Chaser Station will comply with applicable laws and Council standards.**

As explained above, OAR 345-027-0075(2)(b) requires that the certificate holder address and the Council consider “any changes in facts or law since the date the current site certificate was executed ....” That inquiry has limits: it is circumscribed by the ultimate objective of determining whether “the facility complies with all laws and Council standards applicable to an original site certificate application.” In other words, changes in facts and law must be relevant to approval standards for the facility.

The August 16 Letter identifies no changes in law. The opponents, however, assert that there are new studies – none cited – regarding the “risks of fracked gas,” in particular with respect to climate change. They also claim that they have learned, in an unrelated proceeding, about the potential that “Perennial will contribute smog-forming pollution to an already impacted airshed.” August 16 Letter at 2. Finally, they use the Request for Amendment itself as basis to plead that the Council should not “authorize a gas-powered plant that is not needed or
w a n t e d.” August 16 Letter at 2. These purported changes in facts do not undermine the conclusion of the Draft Proposed Order that the Wind Chaser Station complies with applicable laws and Council standards.

a. Clean Air Act issues are not under the Council’s jurisdiction.

Pursuant to ORS 469.503(3), the Council’s jurisdiction does not extend to determining compliance with “those statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the council ....”

The Council has previously made it clear that it will not encroach on the delegated authority of the Oregon Department of Environmental Quality with respect to the federal Clean Air Act. For example, in its Final Order on the Application for Site Certificate for the Coyote Springs Cogeneration Project, Sept. 16, 1994, the Council stated:

We conclude that the following programs are exempt from EFSC jurisdiction because they are federally delegated programs:

(1) the Air Contaminant Discharge Permit program administered by DEQ, which includes the federally delegated new source review requirements of the Clean Air Act and the Prevention of Significant Deterioration (PSD) program.

Final Order, Sept. 16, 1994 at. 77. The Council reiterated this conclusion when, in 2013, it amended the site certificate for the Coyote Springs facility to remove conditions related to nitrogen oxides (NOx), a pollutant regulated under the Title V permit issued to the facility by DEQ. See Final Order on Amendment #10 for the Coyote Springs Cogeneration Project, May 3, 2013, at 26-27 (“the administration of the Clean Air Act was federally-delegated to ODEQ, and as a federally-delegated permit, the Council does not have jurisdiction”).

Potentially “smog-forming” pollutants are addressed under the Air Contaminant Discharge Permit for the Wind Chaser Station. Absent some link to a Council standard, opponents’ concern is not within the Council’s jurisdiction.

b. Applicable statutes and rules do not require a demonstration of a “need” for the proposed facility.

ORS 469.501 requires that the Council “adopt standards for the siting, construction, operation and retirement of facilities.” It also includes a non-exclusive list of subjects the Council may address in its standards.
There is no statutory requirement that the Council evaluate the need for a proposed generating facility. The only mention of “need” in the current statute concerns “nongenerating facilities as defined in ORS 469.503.” ORS 469.501(1)(L) (emphasis added). The Council’s rules also do not require any demonstration of “need” for a generating facility. Some history may help illustrate why.

Prior to 1997, ORS 469.501(1)(L) included a “need” standard applicable to generating facilities. That “need standard” required a demonstration of:

The need for the proposed facility, consistent with the state energy policy set forth in ORS 469.010 and 469.310. In adopting the need standard, the council shall consider all of the costs of the emission from energy facilities of gases that contribute to global warming.

ORS 469.501(2) (1995) provided:

(2) The council may adopt exemptions, except for coal or nuclear power plants, from any need standard adopted under subsection (1)(L) of this section if the exemption is consistent with the state's energy policy set forth in ORS 469.010 and 469.310. In addition to any other exemption the council has adopted by rule prior to July 5, 1995, up to 500 megawatts of natural gas fired facilities shall be exempt from any need standard if the applications for such facilities are deemed complete on or before July 1, 1997.

That “500-megawatt exemption” led to a proceeding sometimes called the “best of batch” contested case, or more colloquially, the “500 MW Beauty Contest.” Three proposed baseload natural-gas fired combustion turbine power projects competed for the exemption in a proceeding that evaluated the impacts of the projects on land, water, and air (including climate).

In the 1997 legislative session, the “need standard” for generating facilities was eliminated, along with the requirement that in adopting a “need standard,” the Council must “consider all of the costs of the emission from energy facilities of gases that contribute to global warming.” 1997 Or. Laws, chapter 428, § 3. The result was the current version of ORS 469.501(1)(L), pursuant to which the “need” standard applies only to nongenerating facilities.

Opponents’ contention that the Council should deny the Request for Amendment based on some assessment of “market demand” for the proposed facility seeks to resurrect a “need” standard for generating facilities. The legislature buried that requirement over two decades ago. There is no legal basis for applying it now.
c. The Wind Chaser Station will comply with the Carbon Dioxide Emissions Standard.

The same 1997 legislation that eliminated the “need” standard for generating facilities also enacted the carbon dioxide emission standard. 1997 Or. Laws, chapter 428, § 3. The prior requirement that the Council “consider all of the costs of the emission from energy facilities of gases that contribute to global warming” was replaced with a clear, objective carbon dioxide emissions standard set forth in ORS 469.503(2) and implemented by the Council through its rules, OAR 345-024-0500 through OAR 345-024-0720.

As discussed in the Draft Proposed Order at 81-97, the Wind Chaser Station would comply with the Council’s standard for carbon dioxide emissions from a non-base load power plant, provided that the Council adopts amended site certificate conditions to reflect the current monetary offset rate ($1.90 per ton of carbon dioxide emissions) in 2019 dollars.

Opponents do not mention the Council’s carbon dioxide emissions standards or the proposed findings and conditions of the Draft Proposed Order. Those standards, however, are the means selected by the legislature and implemented by the Council for addressing concerns with respect to climate change in the issuance and amendment of site certificates for power plants such as the Wind Chaser Station. As reflected in the Draft Proposed Order, the Wind Chaser Station will comply with those standards.

IV. The Governor has no role in the review of Perennial’s Request for Amendment.

Opponents call on “the Governor and EFSC” to deny Perennial’s Request for Amendment. August 16 Letter at 2. All current members of the Council were appointed or reappointed by Governor Brown. By statute, however, the decision whether to approve an amendment to a site certificate rests solely with the Council. ORS 469.405(1).
Conclusion

The August 16 Letter, and similar submittals by email, raise no issues undermining the proposed findings of fact and conclusions of law in the Draft Proposed Order.

Sincerely,

[Signature]

Richard H. Allan
Attorney at Law
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<th>DateOfDoc</th>
<th>From: Last Name</th>
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<td>5/7/2015</td>
<td>Smith</td>
<td>Byron</td>
<td>City of Hermiston &amp; Port of Umatilla</td>
<td>Written</td>
<td>Facility's use and reliance upon Port of Umatilla water right and the necessary infrastructure upgrades in order to provide water to the facility</td>
<td>Section IV.B.: Organizational Expertise and Section IV.R.: Ground Water</td>
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<td>Harrison</td>
<td>Glenn</td>
<td>N/A</td>
<td>Written</td>
<td>Facility's impact on oregon trails</td>
<td>Section IV.F.: Protected Areas and Section IV.L.: Recreation Standard</td>
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<td>5/14/2015</td>
<td>Murdock</td>
<td>George</td>
<td>Umatilla County Board of Commissioners</td>
<td>Written</td>
<td>Requested that each specific land use permit to be issued be identified within a condition; requested the applicant enter into a development agreement with the County to address road improvements, including icing and fogging as a result of facility operation; requested clarification of the Council's enforcement of the noise standard</td>
<td>Section IV.E.: Land Use; Section IV.M.: Public Services; and Section IV.P.: Noise</td>
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<td>Pedro</td>
<td>Lawrence</td>
<td>N/A</td>
<td>Oral</td>
<td>Impact of reconducted transmission line on agriculture pivots</td>
<td>Section IV.O.: Siting Standards for Transmission Lines</td>
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<td>Echeverria</td>
<td>Dixie</td>
<td>ELH, LLC</td>
<td>Oral</td>
<td>Placement of proposed natural gas line and potential icing of roadways associated with the facility's plume during operation</td>
<td>Section II.B; Section IV.M.: Public Services</td>
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<td>5/14/2015</td>
<td>Little</td>
<td>Chuck</td>
<td>Pendleton Building Construction Trades Council</td>
<td>Oral</td>
<td>In support of the facility</td>
<td>General Support for the Facility, not addressed in the Proposed Order</td>
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<td>Gilbert</td>
<td>Irene</td>
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<td>Impact of the facility's plume on military airspace and drones</td>
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<td>5/14/2015</td>
<td>Mabbott</td>
<td>Tamra</td>
<td>On behalf of Umatilla County Board of Commissioners</td>
<td>Oral</td>
<td>Summarized County's submitted written comments (above)</td>
<td>Section IV.E.: Land Use; Section IV.M.: Public Services; and Section IV.P.: Noise</td>
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</table>
Ms. Clifford,

Please accept the attached comments on the Perennial Wind Chaser Station Complete Request for Amendment 1, submitted on behalf of Columbia Riverkeeper, Friends of the Columbia Gorge, Sierra Club, Northwest Environmental Defense Center, and Oregon Wild.

Thank you,

--
Erin Saylor | Staff Attorney | Columbia Riverkeeper | 1125 SE Madison St., Suite 103A, Portland, OR 97214 | 541.399.4775

*River Currents 2019 Issue 2 Newsletter—Read it Now*

The Playbook Issue: How Columbia Riverkeeper is tackling corporate polluters, staving off fossil fuel giants, and inspiring people to fight for clean water.
August 22, 2019

Katie Clifford, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE, 1st Floor
Salem, OR 97301

Submitted via email to: PER.Comments@Oregon.gov

Re: Perennial Wind Chaser Station — Request for Amendment 1

Dear Ms. Clifford:

Please accept these comments from Columbia Riverkeeper, Sierra Club, Friends of the Columbia Gorge, Northwest Environmental Defense Center, and Oregon Wild. On behalf of our tens of thousands of members and supporters, we urge the Oregon Department of Energy’s Energy Facility Siting Council (EFSC) to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (“Perennial”) site certificate for a proposed gas-fired power plant. In the five years since Perennial applied for a site certificate from EFSC, the environmental impacts of fracked gas have become increasingly apparent. To combat climate change, we need to rapidly phase out all fossil fuel infrastructure, not construct new gas-fired power plants like Perennial.

1) The site certificate for this project is expired, void, and cannot be amended.

As an initial matter, the site certificate for this project is expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the
deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules.¹ Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.”² Because the RFA was expressly submitted under invalid rules, it cannot be processed by ODOE and cannot be approved by EFSC.³ Moreover, because the site certificate already expired on September 24, 2018 (one day after the construction start deadline), it is void and cannot be amended. Nor does the Council have authority to adopt any future new rules that might authorize the processing of any amendments to the Perennial certificate, which, again, is expired and void. The requested amendment can neither be processed nor approved. If Perennial wants to move forward, it must submit a new site certificate application.

Perennial could have avoided this result by timely submitting an alternate, contingent application for an amendment to the site certificate under the rules that were in effect prior to October 2017 (which rules are still in effect and valid today) and asking ODOE and EFSC not to process that alternate application unless and until the challenged (October 2017) rules were deemed invalid. In the alternative, Perennial could have commenced construction at any point over the past several years, which likely would have mooted the issue of whether the construction commencement deadline should be extended. By failing to pursue either approach, Perennial is responsible for allowing the site certificate to expire.

Requesters respectfully request a confirmation that (1) the Perennial site certificate has expired and is void because construction was not commenced prior to the September 23, 2018 deadline, (2) the RFA was submitted pursuant to invalid rules, and for these reasons, (3) the RFA will not be processed any further and/or will be rejected or denied.

2) Perennial’s application is incomplete because the record indicates that its DEQ air permit is expired.

EFSC’s rules require applicants for site certificates to demonstrate that they have obtained or will obtain all permits needed for construction and operation of proposed energy facilities. With respect to federally delegated permit applications, applicants must submit “evidence that the responsible agency has received a permit application and the estimated date

¹ See RFA at § 1.
when the responsible agency will complete its review and issue a permit decision.” In its completed RFA, dated June 26, 2019, Perennial notes that “[t]he Air Contaminant Discharge Permit and Prevention of Significant Deterioration Permit (Air Permit) were initially issued on January 26, 2016. An application to extend the construction start date was submitted on April 5, 2017. Oregon Department of Environmental Quality (DEQ) approved the extension on May 17, 2017. The Air Permit now has a required start date of January 26, 2019. The DEQ may grant an additional 18 month extension for good cause.” But when Perennial made this statement, the Air Permit had apparently already expired. Perennial failed to disclose this fact, and failed to explain whether an 18-month extension was ever sought or approved by DEQ. Columbia Riverkeeper has confirmed with DEQ that Perennial did, in fact, apply for an 18-month extension, but as far as the record shows, the Air Permit has expired. At a minimum, Perennial’s application is incomplete and should never have been deemed complete by EFSC, and Perennial’s failure to address this issue should result in denial of the RFA.

3) **Fracked gas is no longer considered a climate-friendly energy alternative**

When evaluating a request to extend construction deadlines under its invalid rules, EFSC must consider “any changes in facts or law since the date the current site certificate was executed.” ODOE interprets this rule as requiring the review of any change to facility design, the existing environment, or changes in law since the current site certificate was issued. Since Perennial’s current site certificate was initially approved in 2015, multiple studies have demonstrated the cradle-to-grave climate change and air pollution impacts of fracked gas. For example, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Additionally, Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life.” Fracked gas infrastructure, like Perennial’s 415-megawatt gas-powered facility, threatens the health of our communities and our climate.

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4 OAR 345-021-0010(1)(e)(D).
5 RFA at 5.
8 https://www.oregon.gov/gov/policy/Pages/energy_climatechange.aspx
Specifically, the Council should consider and require accounting for the significant methane releases that would be connected to the Perennial project. The Council must “determine the gross carbon dioxide emissions that are reasonably likely to result from the operation of the proposed energy facility.” The term “carbon dioxide emissions” means either carbon dioxide itself or the “carbon dioxide equivalent of other greenhouse gases,” and the rules expressly consider methane as equivalent to 25 pounds of carbon dioxide. In fact, EPA estimates methane to be 28 to 36 times more potent than carbon dioxide over 100 years. Methane leaks are “reasonably likely to result from the operation” of Perennial. Many researchers have calculated the national average gas leakage rate with a central estimate of about three percent of total production. Additionally, a new study, which utilized special flying lab-planes to collect data, found that natural gas power plants release 21 to 120 times more methane than what has been suggested in the EPA’s Greenhouse Reporting Program data. This fly-over data collection method allowed the scientists to measure not only the regular emissions that came out of the plant’s smokestacks, but also spilled methane that later rises to the atmosphere. The Council must account for the methane emissions that will result from Perennial before issuing a site certificate, including methane leaks associated with the production, processing, storage, transmission, distribution, and use of the fracked gas.

Furthermore, recent experience with the Carty Generating Station has shown that gas-fired power plants have the potential to emit far greater levels of volatile organic compounds (VOCs) than energy companies such as Perennial have led permitting authorities and the public to believe. Perennial estimates 500 startups and shutdowns every year. Pollution levels are much higher during startup and shutdown events because carbon monoxide and volatile organic compounds increase during partial load operations, and because pollution control devices like selective catalytic reduction controls cannot operate until the temperature reaches a certain threshold. Perennial’s DEQ Air Permit (if it is still in effect) allows it to emit pollution beyond

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9 See OAR 345-024-0500–OAR 345-024-0720.
10 OAR 345-024-0590(1)(emphasis added).
11 Id.
13 See note 2.
15 Standard Air Contaminant Discharge Permit, Permit No. 30-0039-ST-01, Section 3.9 (Jan. 26, 2016).
normal levels during startup and shutdown events, and fails to impose any limits on the amount of emissions during these events.\textsuperscript{17}

Approving Perennial’s RFA would contradict Oregon’s goals to reduce greenhouse gas emissions. Oregon is one of twenty-four states that have signed the U.S. Climate Alliance, pledging to reduce greenhouse gas emissions consistent with the goals of the Paris Agreement. By joining the Alliance, Governor Brown committed to “implement policies that advance the goals of the Paris Agreement, aiming to reduce greenhouse gas emissions by at least 26–28 percent below 2005 levels by 2025” and to “accelerate new and existing policies to reduce carbon pollution and promote clean energy deployment at the state and federal level.”\textsuperscript{18} We must move rapidly away from fossil fuel infrastructure and toward renewable energy alternatives. Approving Perennial’s RFA would be a step backwards.

At the time Perennial received its initial site certificate, so called “natural gas” was still considered a “bridge fuel” between coal and cleaner energy alternatives. In the intervening years, it has become abundantly clear that switching from coal to fracked gas is almost a wash from a climate perspective; the health of our planet demands investment in cleaner alternatives now.\textsuperscript{19} The construction of a new fracked gas-fired power plant would lock the state into decades of dependence on fossil fuel that would impede the development of cleaner, safer alternatives. We no longer have the luxury of a “bridge”; the time to move away from fracked gas is now.\textsuperscript{20}

4) Perennial failed to adequately explain why it needs extensions of the construction deadlines.

Perennial’s purported explanation why it needs an extension of the construction deadlines for this project is legally inadequate. To the extent that EFSC’s invalid rules can be applied here, those rules require Perennial to explain the need for an extension.\textsuperscript{21} Implicit in that rule is a requirement that the applicant’s explanation must be compelling. For example, an “explanation” that a project’s backers were in jail for fraud or negligently missed the deadline to apply for an RFA would neither satisfy OAR 345-027-0085, nor entitle the applicant to an extension. Perennial merely claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” However, Perennial failed to explain what, if any, steps it took to attempt to obtain a power purchase agreement. More importantly, Perennial failed to explain why its inability to find customers

\textsuperscript{17} See Permit No. 30-0039-ST-01 at 3.3, 3.4, 3.5, 3.6 (excluding startup and shutdown periods from nitrogen oxide, carbon monoxide, and volatile organic compound limits); see also Permit No. 30-0039-ST-01 at 3.9 (limiting the time and frequency of startup and shutdown periods but not the emissions levels).
\textsuperscript{18} See https://www.usclimatealliance.org/alliance-principles
\textsuperscript{20} See The Guardian, World has no capacity to absorb new fossil fuel plants, warns IEA (November 12, 2018).
\textsuperscript{21} See OAR 345-027-0085 (2018).
warrants reviving the void site certificate and keeping it alive even further by granting a construction time extension. Perennial has failed to proffer an explanation sufficient to justify an extension.

In addition, under the invalid rules, EFSC has authority to approve an extension for up to two years. In other words, EFSC could approve an extension, but for a period of less than two years. Perennial’s RFA fails to demonstrate why it needs full two-year extensions of both the construction start deadline and the construction completion deadline, and why extensions of less than two years for either of these deadlines would not be sufficient.

Such an explanation is especially necessary given that Perennial itself has admitted that the construction deadline in its DEQ Air Permit cannot be extended more than 18 months past Jan. 26, 2019. The regulations governing DEQ’s approval of the Air Permit are clear that if construction does not begin within 54 months of the initial permit issuance, the permit is void and the permittee must apply for a new permit. The initial Air Permit was issued on Jan. 26, 2016; since the regulations require construction to begin within fifty-four months, the current Air Permit may not be extended beyond July 26, 2020. Since Perennial’s Air Permit requires construction to begin, at the absolute latest, by July 26, 2020, there is no reason for EFSC to extend the construction start deadline in the site certificate beyond that date.

Perennial’s attempted explanation of the need for construction extensions, in addition to being legally insufficient, admits a lack of market demand for energy from this project. Perennial’s application states that “[t]here have been tremendous changes in the energy market and in pending federal regulations covering the energy sector since the issuance of the Site Certificate. Perennial is optimistic that as soon as future energy planning becomes stable, the need for the Facility will become apparent to the marketplace.” Perennial made no effort to explain the source of its optimism that the market will somehow swing in its favor, particularly when state energy policy is clearly moving in the opposite direction, away from fossil fuel infrastructure. There is simply no room in Oregon for a new fracked gas-fired power plant; EFSC should not continue to allow this zombie project to linger any longer, given the absolute lack of need for the project.

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22 OAR 345-027-0085(5)(d) (2018)
23 RFA at 5.
24 OAR 340-224-0030(5)(c) ([e]xcept as provided in subsection (i), the permit will be terminated 54 months after it was initially issued if construction does not commence during that 54 month period. If the owner or operator wants approval to construct beyond the termination of the permit, the owner or operator must submit an application for a new Major NSR or Type A State NSR permit).
For these reasons, Perennial’s RFA should be denied. Thank you for considering this comment.

Sincerely,

Erin Saylor, Staff Attorney
Columbia Riverkeeper
1125 SE Madison St., Suite 103A
Portland, OR 97214
erin@columbiariverkeeper.org
(503) 399-4775

Nathan Baker, Senior Staff Attorney
Friends of the Columbia Gorge
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Northwest Environmental Defense Center
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(503) 768-6726

Doug Heiken, Conservation and Restoration Coordinator
Oregon Wild
PO Box 11648
Eugene, OR 97440
dh@oregonwild.org
541.344.067
Dear Ms. Clifford and Oregon Energy Facility Siting Council:

Please see the attached comments of Columbia Riverkeeper members and supporters who urge Oregon EFSC to reject the Request for Amendment to Perennial Wind Chaser’s site certificate. Over 1,200 people support and submit the following comment below, and many added their own distinct comments (which are included in the attached table to ease your review).

Thank you for considering these comments,

Dan Serres
Conservation Director,
Columbia Riverkeeper

Dear Oregon Energy Facility Siting Council:

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat climate change we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

I urge EFSC to deny Perennial’s RFA because:

1. The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.
2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure, like Perennial’s 415 megawatt gas-powered facility, still threatens the health of our communities and our climate.
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EFSC should deny Perennial’s RFA.

Thank you for considering this comment.

--
Dan Serres | Conservation Director
Columbia Riverkeeper | 1125 SE Madison Suite 103A Portland 97214
503.890.2441 | dan@columbiariverkeeper.org

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Thank you for considering this comment.
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<td>OR</td>
<td>NO FRACKED GAS IN OREGON. PERIOD!</td>
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<td>9</td>
<td>Steven</td>
<td>Vogel</td>
<td><a href="mailto:steven.j.vogel@earthlink.net">steven.j.vogel@earthlink.net</a></td>
<td>Falls Church</td>
<td>VA</td>
<td>I personally know three private-property owners whose drinking-water wells have been permanently polluted with toxic fracking chemicals from nearby fracking wells that destroyed the local aquifers. Two live in northeastern Utah and one lives in northeastern Pennsylvania. It would be a real shame for Oregon to allow a power plant to burn such ill-gotten fossil fuel.</td>
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<tr>
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<td>Kathryn</td>
<td>Ellis</td>
<td><a href="mailto:daybreak.tech@gmail.com">daybreak.tech@gmail.com</a></td>
<td>Otis Orchards</td>
<td>WA</td>
<td>Protect our Water, our Land &amp; our People! No fracked gas or oil.</td>
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<td>Tabitha</td>
<td>Thomasson</td>
<td><a href="mailto:tabithathomasson@windstream.net">tabithathomasson@windstream.net</a></td>
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Only to reiterate that Oregon has no need to promote any project that develops new infrastructure that requires fossil fuels. I can appreciate that we need to wean ourselves from existing dependence on fossil fuels, but it pure folly to develop NEW power plants that depend on it (not to mention the environmental cost of fracking, itself). Let's focus on NEW and RENEWABLE and SUSTAINABLE environmentally supportive sources of energy..... Leave fossil fuels behind.
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I'm already worried enough about what I'll do when the BIG ONE hits here. I don't need fracking coming in and making man-made earthquakes. Much less all the horrible water pollution that comes along with this completely destructive means of energy production. Don't the salmon have enough to deal with? No thanks, keep your fracking out of Oregon.

Dear Governor Brown, We urge you to be a climate warrior and stop development of new fossil fuels extraction and transport. We are in a climate crisis and must take action. Best wishes, Mike and Vana O'Brien

I used to live in Oregon. I care deeply.

KEEP IT IN THE GROUND! For our children. PLEASE!
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The IPCC and also the US national climate agency have both reported that we only have another decade to make major changes before climate chaos becomes unstoppable. We can’t expect the Trump administration to make any decisions that would lead in the right direction. It is up to the States, counties and cities to take action. It would be irresponsible for Oregon to fail to do so.

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Fracking is causing huge environmental issues, both air and ground pollution that can not be undone easily, in fact, the ground is permanently destroyed. We the People need a clean(er) environment and so do the plants and animals.... Please do not give the Hermiston oil/gas polluter a license to ruin the land, the water and the atmosphere. Thank you for thinking and doing something positive about our future on Planet E.

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<td>Rebecca</td>
<td><a href="mailto:sevenswans7@gmail.com">sevenswans7@gmail.com</a></td>
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<td><a href="mailto:tmalven@yahoo.com">tmalven@yahoo.com</a></td>
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<td>Fracked gas pollutes water and air!!!! HELL NO!!!!!!!!</td>
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<td>This is a non-starter. We need to kickstart the just transition immediately; no new fossil fuel infrastructure! We are in the midst of an emergency, we must behave accordingly.</td>
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The fracking process is bad for the earth. Let's do the right thing and stop it now.

Every aspect of fracking harms the environment: methane release, aquifer contamination, silicon mining, wastewater filled with radioactive elements and undisclosed toxic chemicals... There is nothing 'natural' about natural gas. Just Say No.
The human race is presently doing all it can to slow global warming. One of the way that humans are effecting it is the constant and committed use of Fossil Fuel. We need to get seriously about our efforts to stop the use of Fossil Fuel in this country any way we can. It's like a diet that we say we are going to start but because of lack of commitment we never reach our goals. The same is happening with us, humans, to reach our goals we can not be tempted by financial gain, since with fossil fuel it's a lost in the end. We need long term planning not to be caught with a mess that will fall on the state of Oregon, and its residence. Please say NO, to power plants that work with fossil fuel. The term Natural Gas, refers to gas that is obtained via Fracking which is not anything Natural at all. Thank YOU FOR YOUR TIME.

Regards Jorge Tamargo
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Fracking is very damaging. No plant that does it should ever be allowed.

Oregon doesn't need a fracked gas-fired power plant. Period.

This is not the way forward. Please take a stand with me and oppose any fracked gas plans. Let's try to change our course and make a better world for our children and grandchildren.
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<td>Jill Taylor</td>
<td><a href="mailto:jillyjtaylor@me.com">jillyjtaylor@me.com</a></td>
<td>West Linn</td>
<td>OR</td>
<td>let's go with clean, green energy, so that the people, and all Earth's children, may live.</td>
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<tr>
<td>119</td>
<td>Jennifer Moore</td>
<td><a href="mailto:windypine69@gmail.com">windypine69@gmail.com</a></td>
<td>La Grande</td>
<td>OR</td>
<td>Building more plants requiring more fracked gas affects the health of my community where some of that gas will come from. It interferes with our attempts to limit and ultimately eliminate fracking here. And it threatens the health of our planet.</td>
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<td>Katherine Silva</td>
<td><a href="mailto:keathsilva@gmail.com">keathsilva@gmail.com</a></td>
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<td>Gary Hull</td>
<td><a href="mailto:realcheap60@yahoo.com">realcheap60@yahoo.com</a></td>
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<td>George Latta, M.D., MBA</td>
<td><a href="mailto:ghlatta3@comcast.net">ghlatta3@comcast.net</a></td>
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<td><a href="mailto:dkrocks1@aol.com">dkrocks1@aol.com</a></td>
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<td>No fracking...no pollution!!!</td>
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<td><a href="mailto:vtyankee@charter.net">vtyankee@charter.net</a></td>
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It's true; there are no jobs on a dead planet!
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<td>Natalie</td>
<td><a href="mailto:nattim7072@gmail.com">nattim7072@gmail.com</a></td>
<td>North Bend OR</td>
<td>Dear Governor Brown and EFSC, A fracked gas power plant would be incredibly detrimental to the state of Oregon and its residents. You claim to be concerned for the environment. I ask you to show your concern by denying this project.</td>
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<tr>
<td>138</td>
<td>Brian</td>
<td><a href="mailto:sumatopoppih@gmail.com">sumatopoppih@gmail.com</a></td>
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<td></td>
<td>Cody Taylor</td>
<td><a href="mailto:codyetaylor@hotmail.com">codyetaylor@hotmail.com</a></td>
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<td>The proposal of a new fracked gas power plant on the Columbia river seem ludicrous to me. The air quality in the gorge is already poor and choked with pollution. The same goes for the water flowing in the Columbia river– one of the most polluted in the US. Adding pressure such as this is just unthinkable. In addition, I grew up climbing and skiing on Mt. Hood and throughout the cascades. For 30 years I've watched the glaciers melt and retreat far faster than anyone expected. Hundreds of feet of thickness and miles of lineal retreat. The volcanoes will soon be big piles of volcanic dirt. Our valley is completely reliant on glacial melt to get our agriculture through the summer and fall. At this rate the irrigation will be turned off in our lifetimes. Let's find a different way forward, and move away from this type of infrastructure.</td>
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<td></td>
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<td>We all now know the effects of fracking on ground water.....and other environmental dangers. Who needs that?</td>
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<td>Roy</td>
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As we experience and learn more about climate change, it becomes evermore important that our actions will not have long-term detrimental effects. Please deny Perennial's RFA.

We need to decrease, not to increase, our emission of carbon. Climate change is real, threatening us and our descendants.

NO! NO! NO! NO! NO! NO! NO! Ten thousand times, NO!

Fracked gas is just as bad as Coal. Wake up people, we have simply got to stop using fossil fuel to save our world.

We can no longer afford our dangerous dependence on fossil fuels--ecologically, economically, or technologically. Please help us transition to renewables NOW! Thank you!
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<td><a href="mailto:meryle.korn@gmail.com">meryle.korn@gmail.com</a></td>
<td>Bellingham</td>
<td>WA</td>
<td>As a native Oregonian currently living in Washington State, I have not forgotten my concerns for Oregon, the Pacific Coast, all of America, or our only planet. Fracked gas and LNG facilities threaten the future of all the places I love. Do not permit ANY fracked gas or LNG infrastructure to be built in Oregon! Thank you!</td>
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<td>Heidi</td>
<td><a href="mailto:perry.heidi@gmail.com">perry.heidi@gmail.com</a></td>
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No fracking in Oregon. I don't care what side of the aisle you sit on, this is not a liberal vs. conservative issue. This is a safety and health issue that affects ALL Oregonians. You want poisoned waterways and earthquakes and dozens upon dozens of chemicals in our farmlands and food supply? It is a deal with the devil. You are elected to protect the people and the land of this state. Please look in your child's eyes before you make a decision that would ruin this state. How would your son or daughter feel, knowing their parent did this to them and to their water and their planet? The answer to that question is precisely the responsibility you hold in your hands.
I urge EFSC to deny Perennial's RFA because: The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules. The rules provide that EFSC must consider any changes in facts or law since the date the current site certificate was executed, its evaluation of a request to extend the construction deadlines. EFSC rules require that a preliminary RFA include an explanation of the need for an extension. Perennial claims it has been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date. Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. EFSC should deny Perennial's RFA.

Thank you for considering this comment. Sincerely, Patricia Perron

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<td>Ann Bronson</td>
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<td>Phil Hanson</td>
<td><a href="mailto:phanson@spiretech.com">phanson@spiretech.com</a></td>
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<td>Charlotte Pirch</td>
<td><a href="mailto:dpirch@socal.rr.com">dpirch@socal.rr.com</a></td>
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<td>Martha Clemons</td>
<td><a href="mailto:clemm12@comcast.net">clemm12@comcast.net</a></td>
<td>Corvallis, OR</td>
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Fracking adds a potent greenhouse gas, methane, to the atmosphere. Increasing evidence points to natural gas as a serious contributor to the disruption in the climate. See below. This recent increase in methane is massive, Howarth said. It’s globally significant. It contributed to some of the increase in global warming we’ve seen and shale gas is a major player.


It’s also financially risky. Consider the $23 billion writedown GE announced in October [as] demand for gas turbines collapsed ...as clean energy became more affordable.


No fracking way!
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<td><a href="mailto:sean@cearley.com">sean@cearley.com</a></td>
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<td><a href="mailto:balance210@aol.com">balance210@aol.com</a></td>
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<td>NY</td>
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<td>306</td>
<td>Karen and Edward Osgood</td>
<td><a href="mailto:karenedo@yahoo.com">karenedo@yahoo.com</a></td>
<td>Citrus Heights</td>
<td>CA</td>
<td>Kate Brown cannot have it BOTH WAYS by taxing the HELL OUT OF CONSUMERS to heat their homes and drive. However, she wants to BUILD the pipeline and now build a fracked gas facility? WHAT THE HECK? SHE IS DESTROYING OUR STATE! SHE CANNOT DO THIS. I am OUTRAGED at her behavior by allowing these projects to continue, yet tax the hell out of the people they serve. SHE WINS money from BOTH SIDES. I already signed the petition to recall her, as I NEVER WILL VOTE DEMOCRAT AGAIN. Not while I watch her FICKLE decisions which benefit HER and ILLEGAL residents ONLY~</td>
</tr>
<tr>
<td>307</td>
<td>Liz Dunlap</td>
<td><a href="mailto:bettyloodunlap@gmail.com">bettyloodunlap@gmail.com</a></td>
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<td>OR</td>
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<td>Thomas Thrall</td>
<td><a href="mailto:tom_thrall@hotmail.com">tom_thrall@hotmail.com</a></td>
<td>Forest Grove</td>
<td>OR</td>
<td>Please do NOT allow fracking in Oregon. We are better than buying into fracking. Not only is it a bad environmental practice, we must wean off fossil fuels. Thank you!</td>
</tr>
<tr>
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<td>CR Hutchison</td>
<td><a href="mailto:crhutch@onlinenw.com">crhutch@onlinenw.com</a></td>
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<td><a href="mailto:teddsdead@gmail.com">teddsdead@gmail.com</a></td>
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Given the most recent news that irreversible damage to our climate is as near as 11 years away, it is simply insane to permit this very dirty fossil fuel infrastructure to be built in Oregon. PLEASE do not allow this! The jobs this facility may provide will be pretty damn meaningless with a climate completely out of control. We need to be far more creative and proactive in creating energy and providing jobs. Please look to the future, which is upon our doorstep right now. DO NOT ALLOW THIS FRACKED GAS POWER PLANT TO BE BUILT!!
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<td><a href="mailto:byrnejim7@gmail.com">byrnejim7@gmail.com</a></td>
<td>Ridgefield</td>
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<td>Air does not respect state borders. We need to protect the planet and our grandchildren NOW.</td>
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we cannot continue to build out Natural Gas infrastructure particularly because Fracking for natural gas is so destructive both in its extraction, with irreparable effects on our water supply, and the unregulated flaring of NG with associated methane emissions. The usage of Natural Gas as base load has validity in the short term however it is not a long term strategy with Climate Change our most challenging and imminent threat. Battery technology is quickly advancing to allowable more use of renewable energy in base load capacity. If we are to use Natural Gas then mandate that the 22% Renewable Natural Gas cited by NWNG as possible in Oregon be developed before any new NG infrastructure is permitted. These are crucial decisions that will effect us all into the future, we need to make wise and careful choices here.

Fracking should have no place in our future. Solar power should be our goal. No more fossil fuels.
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Dear Governor Brown and the Oregon Energy Facility Siting Council:

I urge you and EFSC to deny Perennial's RFA because:

1. The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.
2. The rules provide that EFSC must consider any changes in facts or law since the date the current site certificate was executed in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial's proposal demonstrate the climate change impacts of fracked gas. Methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. EFSC should deny Perennial's RFA.

Thank you for considering this comment. Sincerely, Emilia Novo
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<td><a href="mailto:jp21florida@gmail.com">jp21florida@gmail.com</a></td>
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<td>340</td>
<td>Pamela Smith</td>
<td><a href="mailto:pamelasmith1974@yahoo.com">pamelasmith1974@yahoo.com</a></td>
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<td>341</td>
<td>Steve V.</td>
<td><a href="mailto:sevols.ear@gmail.com">sevols.ear@gmail.com</a></td>
<td>Port Angeles</td>
<td>WA</td>
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<td>Shawn Ritterbush</td>
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<td>Dianne Applegate</td>
<td><a href="mailto:drapplegate@comcast.net">drapplegate@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>346</td>
<td>Janet Kirkland</td>
<td><a href="mailto:jbkirkland@comcast.net">jbkirkland@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>347</td>
<td>Joseph Stenger</td>
<td><a href="mailto:joseph.stenger@gmail.com">joseph.stenger@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>348</td>
<td>kristy overton</td>
<td><a href="mailto:qristyoverton@gmail.com">qristyoverton@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>349</td>
<td>Diane Pugh</td>
<td><a href="mailto:pepe.arty@yahoo.com">pepe.arty@yahoo.com</a></td>
<td>Newport</td>
<td>OR</td>
</tr>
<tr>
<td>350</td>
<td>Jude Green</td>
<td><a href="mailto:greencardz@comcast.net">greencardz@comcast.net</a></td>
<td>Bellingham</td>
<td>WA</td>
</tr>
<tr>
<td>351</td>
<td>Patricia Browning Browning</td>
<td><a href="mailto:pattibrowning444@gmail.com">pattibrowning444@gmail.com</a></td>
<td>Ashland</td>
<td>OR</td>
</tr>
<tr>
<td>352</td>
<td>Robinson Kurth</td>
<td><a href="mailto:robikelly@earthlink.net">robikelly@earthlink.net</a></td>
<td>Tualatin</td>
<td>OR</td>
</tr>
<tr>
<td>353</td>
<td>Ann Turner, MD</td>
<td><a href="mailto:annturnerpdx106@gmail.com">annturnerpdx106@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
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<td>Nancy White</td>
<td><a href="mailto:nancypendletonwhite@comcast.net">nancypendletonwhite@comcast.net</a></td>
<td>Spokane Valley</td>
<td>WA</td>
</tr>
<tr>
<td>355</td>
<td>Kristin Normansen</td>
<td><a href="mailto:devriesdesign@gmail.com">devriesdesign@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>356</td>
<td>Adina Parsley</td>
<td><a href="mailto:dickandpat3@gmail.com">dickandpat3@gmail.com</a></td>
<td>Stanwood</td>
<td>WA</td>
</tr>
<tr>
<td>357</td>
<td>Stephen Durbin</td>
<td><a href="mailto:kilo34@cablespeed.com">kilo34@cablespeed.com</a></td>
<td>Coupeville</td>
<td>WA</td>
</tr>
<tr>
<td>358</td>
<td>Kenneth Gibb</td>
<td><a href="mailto:kengibb@gmail.com">kengibb@gmail.com</a></td>
<td>Zephyr Cove</td>
<td>NV</td>
</tr>
<tr>
<td>359</td>
<td>Kimberly Wiley</td>
<td><a href="mailto:kwiley16@hotmail.com">kwiley16@hotmail.com</a></td>
<td>Rochester</td>
<td>NY</td>
</tr>
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<td>Wendy Tsien</td>
<td><a href="mailto:wglobetsien@gmail.com">wglobetsien@gmail.com</a></td>
<td>Eugene</td>
<td>OR</td>
</tr>
<tr>
<td>361</td>
<td>Victoria Miller</td>
<td><a href="mailto:vemiller0426@gmail.com">vemiller0426@gmail.com</a></td>
<td>Encino</td>
<td>CA</td>
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<tr>
<td>362</td>
<td>M. Stein</td>
<td><a href="mailto:mnungstein@yahoo.com">mnungstein@yahoo.com</a></td>
<td>Cottonwood</td>
<td>AZ</td>
</tr>
<tr>
<td>363</td>
<td>Shauna Sparlin</td>
<td><a href="mailto:shauna.k.sparlin@gmail.com">shauna.k.sparlin@gmail.com</a></td>
<td>Wichita</td>
<td>KS</td>
</tr>
<tr>
<td>364</td>
<td>Nora Polk</td>
<td><a href="mailto:nora.mattek@gmail.com">nora.mattek@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>365</td>
<td>George Barton</td>
<td><a href="mailto:bartongeo@gmail.com">bartongeo@gmail.com</a></td>
<td>Oregon City</td>
<td>OR</td>
</tr>
<tr>
<td>366</td>
<td>CL Riley</td>
<td><a href="mailto:carol@carolriley.com">carol@carolriley.com</a></td>
<td>Warrenton</td>
<td>OR</td>
</tr>
<tr>
<td>367</td>
<td>Thomas Windberg</td>
<td><a href="mailto:tjwindberg@hotmail.com">tjwindberg@hotmail.com</a></td>
<td>Austin</td>
<td>TX</td>
</tr>
<tr>
<td>368</td>
<td>Pablo Bobe</td>
<td><a href="mailto:pablomartinbobe@hotmail.com">pablomartinbobe@hotmail.com</a></td>
<td>New York</td>
<td>NY</td>
</tr>
<tr>
<td>369</td>
<td>Paul Halliday</td>
<td><a href="mailto:phalliday@charter.net">phalliday@charter.net</a></td>
<td>The Dalles</td>
<td>OR</td>
</tr>
<tr>
<td>370</td>
<td>John Nikkel</td>
<td><a href="mailto:jonnikl@gmail.com">jonnikl@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>371</td>
<td>Andrew Wadsworth</td>
<td><a href="mailto:andywadsworth23@hotmail.com">andywadsworth23@hotmail.com</a></td>
<td>Reading</td>
<td>PA</td>
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<tr>
<td>372</td>
<td>Zechariah Heck</td>
<td><a href="mailto:zheck24@gmail.com">zheck24@gmail.com</a></td>
<td>Bend</td>
<td>OR</td>
</tr>
<tr>
<td>373</td>
<td>Lenore Reeves</td>
<td><a href="mailto:lerves@gmail.com">lerves@gmail.com</a></td>
<td>Mokena</td>
<td>IL</td>
</tr>
</tbody>
</table>

It's hard for me to believe -- though this happens often -- that anyone can think their financial gain will be of use to them in our rapidly deteriorating land, and that their own lives and health will not be just as adversely affected as everyone else's. It's a mystery.

<table>
<thead>
<tr>
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<th>Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
</tr>
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<tr>
<td>374</td>
<td>Judith Arcana</td>
<td><a href="mailto:ja@juditharcana.com">ja@juditharcana.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>375</td>
<td>Cynthia Enlow</td>
<td><a href="mailto:hienlow@msn.com">hienlow@msn.com</a></td>
<td>Albany</td>
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<tr>
<td>376</td>
<td>Linda Humphrey</td>
<td><a href="mailto:sunbirdlinda@wavecable.com">sunbirdlinda@wavecable.com</a></td>
<td>Grapeview</td>
<td>WA</td>
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<tr>
<td>377</td>
<td>Ande Kobek</td>
<td><a href="mailto:andekobek1960@gmail.com">andekobek1960@gmail.com</a></td>
<td>Olympia</td>
<td>WA</td>
</tr>
<tr>
<td>378</td>
<td>Lisa Frech</td>
<td><a href="mailto:ljfrech@juno.com">ljfrech@juno.com</a></td>
<td>Hillsboro</td>
<td>OR</td>
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The time is now to do what is right.

If Oregon can't hold a line that protects its citizens from harm, then shame on us. We're better than this. Shut it down!
<table>
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<td>Lyndee</td>
<td>Cunningham <a href="mailto:lyndee2@gmail.com">lyndee2@gmail.com</a></td>
<td>Camas</td>
<td>WA</td>
<td>Fracking is not the way or the future nor healthy for this earth and its inhabitants.</td>
</tr>
<tr>
<td>380</td>
<td>Tamara</td>
<td>Wecker <a href="mailto:teekay177@gmail.com">teekay177@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>381</td>
<td>Stashia</td>
<td>Cabral <a href="mailto:stashia@hotmail.com">stashia@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>382</td>
<td>Harry</td>
<td>Wohlsein <a href="mailto:harryjwjr@gmail.com">harryjwjr@gmail.com</a></td>
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<td>OR</td>
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</tr>
<tr>
<td>383</td>
<td>Gerald</td>
<td>Walsh <a href="mailto:laxbears@comcast.net">laxbears@comcast.net</a></td>
<td>Brewster</td>
<td>NY</td>
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<tr>
<td>384</td>
<td>Marcia</td>
<td>Hoodwin <a href="mailto:marcia@accentsaway.com">marcia@accentsaway.com</a></td>
<td>Sarasota</td>
<td>FL</td>
<td></td>
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<tr>
<td>385</td>
<td>Erin</td>
<td>Galey <a href="mailto:erin.galey@gmail.com">erin.galey@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<td>386</td>
<td>Lorraine</td>
<td>Brabham <a href="mailto:tweety336@gmail.com">tweety336@gmail.com</a></td>
<td>Hoboken</td>
<td>NJ</td>
<td></td>
</tr>
<tr>
<td>387</td>
<td>Craig</td>
<td>Mackie <a href="mailto:beachbum@nehalemtel.net">beachbum@nehalemtel.net</a></td>
<td>Nehalem</td>
<td>OR</td>
<td>No fracked gas in OREGON!!!!!!!!!!!!!!!!!!!!!!!!!!!!</td>
</tr>
<tr>
<td>388</td>
<td>Jai</td>
<td>Boreen <a href="mailto:jailoon@gmail.com">jailoon@gmail.com</a></td>
<td>Friday Harbor</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>389</td>
<td>Kelly</td>
<td>O'Hanley <a href="mailto:kohanley@gmail.com">kohanley@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please act on the behalf of future generations. Keep fossil fuels in the ground. Phase to renewables as soon as possible.</td>
</tr>
<tr>
<td>390</td>
<td>David</td>
<td>Arntson <a href="mailto:dchristiemusic@hotmail.com">dchristiemusic@hotmail.com</a></td>
<td>Bothell</td>
<td>WA</td>
<td>Are you going to be one the list of those who destroyed human civilization?</td>
</tr>
<tr>
<td>391</td>
<td>Ben</td>
<td>Martin <a href="mailto:bendicoot@yahoo.com">bendicoot@yahoo.com</a></td>
<td>Wallingford</td>
<td>CT</td>
<td></td>
</tr>
<tr>
<td>392</td>
<td>Joyce</td>
<td>Sherman <a href="mailto:joycesherman481@gmail.com">joycesherman481@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>It is time to attempt to save the Earth...not add to its' destruction.</td>
</tr>
<tr>
<td>393</td>
<td>Melinda</td>
<td>Parke <a href="mailto:melindap317@hotmail.com">melindap317@hotmail.com</a></td>
<td>Seattle</td>
<td>WA</td>
<td>Fracking is nothing but bad news for every body.</td>
</tr>
<tr>
<td>394</td>
<td>Mike</td>
<td>Brinkley <a href="mailto:mbrinkle@comcast.net">mbrinkle@comcast.net</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
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<tr>
<td>395</td>
<td>Linda</td>
<td>Bescript <a href="mailto:sadie8882@gmail.com">sadie8882@gmail.com</a></td>
<td>Langhorne</td>
<td>PA</td>
<td></td>
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<tr>
<td>396</td>
<td>Darcy</td>
<td>Reeves <a href="mailto:reevesda@ohsu.edu">reevesda@ohsu.edu</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td></td>
<td>Name</td>
<td>Location</td>
<td>Email</td>
<td>Technology</td>
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<tr>
<td>397</td>
<td>Theresa</td>
<td>Nuccio</td>
<td><a href="mailto:tnfireweed@yahoo.com">tnfireweed@yahoo.com</a></td>
<td>Seattle</td>
<td>Stop attempting to turn Oregon and the entire Northwest region into the 'new rust belt' for the U.S. These technologies are obsolete and must be replaced with renewable infrastructure and urgently needed research and development.</td>
</tr>
<tr>
<td>398</td>
<td>Laura</td>
<td>Long</td>
<td><a href="mailto:lauralynn7@gmail.com">lauralynn7@gmail.com</a></td>
<td>Chicago</td>
<td>Water pollution, earthquakes and methane emissions? No thanks!</td>
</tr>
<tr>
<td>399</td>
<td>Jk</td>
<td>Deller</td>
<td><a href="mailto:jkdeller@gmail.com">jkdeller@gmail.com</a></td>
<td>Bellevue</td>
<td></td>
</tr>
<tr>
<td>400</td>
<td>Rowan</td>
<td>Everard</td>
<td><a href="mailto:wax.delerium@gmail.com">wax.delerium@gmail.com</a></td>
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<tr>
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<td>Karen</td>
<td>Paule</td>
<td><a href="mailto:kapaule@hotmail.com">kapaule@hotmail.com</a></td>
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<tr>
<td>402</td>
<td>Carol</td>
<td>Jurczewski</td>
<td><a href="mailto:cjurczewski@sbcglobal.net">cjurczewski@sbcglobal.net</a></td>
<td>Riverside</td>
<td>There needs to be a more sustainable answer to energy production than environmentally damaging fracking!</td>
</tr>
<tr>
<td>403</td>
<td>Mack</td>
<td>Hunter</td>
<td><a href="mailto:mr.hunter.no39@hotmail.com">mr.hunter.no39@hotmail.com</a></td>
<td>Astoria</td>
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<tr>
<td>404</td>
<td>Bob</td>
<td>Hannigan</td>
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<td>Corvallis</td>
<td></td>
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<td>Lorraine</td>
<td>Hartmann</td>
<td><a href="mailto:lorrainehartmann@comcast.net">lorrainehartmann@comcast.net</a></td>
<td>Seattle</td>
<td></td>
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</tr>
<tr>
<td>406</td>
<td>J. Chodorow</td>
<td><a href="mailto:loujoan@mac.com">loujoan@mac.com</a></td>
<td>Fairfax</td>
<td>CA</td>
<td>To combat climate change we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. I'm among those who write to tell Governor Brown and the Energy Facility Siting Council (EFSC) to reject the so-called Perennial Wind Chaser facility (aka fracked gas power plant) proposed near Hermiston, Oregon. Do everything possible to protect the still beautiful, yet increasingly vulnerable planet we share.</td>
</tr>
<tr>
<td>407</td>
<td>Tamara Mathews</td>
<td><a href="mailto:tamimathews@gmail.com">tamimathews@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>solar and wind energy no more fossil fuels.</td>
</tr>
<tr>
<td>408</td>
<td>Eva Kronen</td>
<td><a href="mailto:evachava@hotmail.com">evachava@hotmail.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td>It is time we stop taking oil and it's cousins out of the ground, from the earth and oceans. It's time to focus on hard changes in how we deliver basic necessities using renewable resources that minimize greenhouse gases. It's time to start truly being conservative of our precious resources.</td>
</tr>
<tr>
<td>409</td>
<td>Ronlyn Schwartz</td>
<td><a href="mailto:ronlyn53@earthlink.net">ronlyn53@earthlink.net</a></td>
<td>Langley</td>
<td>WA</td>
<td>Fracked gas ruins our unfixable water tables.</td>
</tr>
<tr>
<td>410</td>
<td>Hal White</td>
<td><a href="mailto:czhal@yahoo.com">czhal@yahoo.com</a></td>
<td>Lakewood</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>411</td>
<td>Pat Pearson</td>
<td><a href="mailto:pearsonpat@me.com">pearsonpat@me.com</a></td>
<td>Port Ludlow</td>
<td>WA</td>
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<tr>
<td>412</td>
<td>Douglas Peterson</td>
<td><a href="mailto:hdtvwiz@gmail.com">hdtvwiz@gmail.com</a></td>
<td>Medford</td>
<td>OR</td>
<td>Natural gas continues our dependence on fossil fuels. Fracking is a foul practice that wastes water, and sends poisonous chemicals deep underground. We must do better than this to preserve our future.</td>
</tr>
<tr>
<td>413</td>
<td>Ann Watters RPE,BCP</td>
<td><a href="mailto:twofivestars@comcast.net">twofivestars@comcast.net</a></td>
<td>Salem</td>
<td>OR</td>
<td>This would not be a good idea for Oregon.</td>
</tr>
<tr>
<td>414</td>
<td>Glenn Hufnagel</td>
<td><a href="mailto:gphufnagel@hotmail.com">gphufnagel@hotmail.com</a></td>
<td>Buffalo</td>
<td>NY</td>
<td></td>
</tr>
<tr>
<td>415</td>
<td>Miriam Perez</td>
<td><a href="mailto:miriamperez55@gmail.com">miriamperez55@gmail.com</a></td>
<td>Salinas</td>
<td>CA</td>
<td>Thank you for caring and for all that you do to protect our environment.</td>
</tr>
<tr>
<td>416</td>
<td>Ian Shelley</td>
<td><a href="mailto:ianjs@comcast.net">ianjs@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>417</td>
<td>Jenny Kastner</td>
<td><a href="mailto:jennynews@aol.com">jennynews@aol.com</a></td>
<td>Cambridge</td>
<td>MA</td>
<td>Unfortunately, your decisions affect all of us. Fracked gas is in no way 'safe,' and you know it. Renewable energy is now cheaper than destructive forms. Use it!</td>
</tr>
<tr>
<td>418</td>
<td>Janet H. <a href="mailto:oregonsoma@peak.org">oregonsoma@peak.org</a></td>
<td></td>
<td>North Bend</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>419</td>
<td>Jill James</td>
<td><a href="mailto:jillpdx747@gmail.com">jillpdx747@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Once again, NO to FRACKED GAS! Period.</td>
</tr>
<tr>
<td>420</td>
<td>Sylvia Black</td>
<td><a href="mailto:yobuddy@comcast.net">yobuddy@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>421</td>
<td>Ellen Atkinson</td>
<td><a href="mailto:jeanne184490@gmail.com">jeanne184490@gmail.com</a></td>
<td>Charlotte Court House</td>
<td>VA</td>
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<td>422</td>
<td>barbara colleran</td>
<td><a href="mailto:bacolleren123@comcast.net">bacolleren123@comcast.net</a></td>
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<td>425</td>
<td>Carol</td>
<td>Gerl</td>
<td><a href="mailto:plumeria56@charter.net">plumeria56@charter.net</a></td>
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<td>Joan</td>
<td>Smith</td>
<td><a href="mailto:joanesq93@gmail.com">joanesq93@gmail.com</a></td>
<td>Greenbrae</td>
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<td>Allen</td>
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<td>Keys</td>
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<td>Harold</td>
<td><a href="mailto:watsonh1956@gmail.com">watsonh1956@gmail.com</a></td>
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<tr>
<td>437</td>
<td>David</td>
<td><a href="mailto:david@hedges.name">david@hedges.name</a></td>
<td>West Linn</td>
<td>OR</td>
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</table>

- Fracking is a hugely inefficient business model and a process that poisons our waters and our soils forever. We are dependent on our world. Why would we want to kill ourselves and all in it? Let's us stop for a bit and think of the consequences of our actions.

- Read up on fracking. Governor. You too, Oregon Energy Facility Siting Council. Fracking poisons the environment, and it poisons people. Do the right thing...
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<td>Le Vee</td>
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<td>bob</td>
<td>e devereux</td>
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<td>444</td>
<td>Brian</td>
<td>Yanke</td>
<td><a href="mailto:muzic2umann@yahoo.com">muzic2umann@yahoo.com</a></td>
<td>Madison WI</td>
</tr>
<tr>
<td>445</td>
<td>June</td>
<td>Elliott-Cattell</td>
<td><a href="mailto:cattellmail@hotmail.com">cattellmail@hotmail.com</a></td>
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I am an Olympia, Washington resident but was raised on and continue to own/operate ranch/farmland in Klickitat and Clark Counties located in the Columbia River Gorge. With the continuing reduction/elimination of federal Environmental Protection Agency rules/regulations pertaining to accessing/siting/processing/storing and transporting of carbon-based energy producing resources, it is incumbent on all western state governments/residents to assiduously do all in our power to protect our environment to every extent possible. I ask that all affected governmental entities deny the Perenial Wind Chaser's proposed gas-fired power plant cite certification. Thank you for the opportunity to comment. Ilene Le Vee Olympia, WA
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<td><a href="mailto:rebelfarms@peak.org">rebelfarms@peak.org</a></td>
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<td><a href="mailto:wozniak.steve@rocketmail.com">wozniak.steve@rocketmail.com</a></td>
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<td><a href="mailto:jennifer.smoose@gmail.com">jennifer.smoose@gmail.com</a></td>
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<td>Phyllis Cordero</td>
<td><a href="mailto:pandabearcordero@yahoo.com">pandabearcordero@yahoo.com</a></td>
<td>Beaverton</td>
<td>OR</td>
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</table>

**446 Dana Allen**

NO LNG power plants! This is moving in the WRONG direction to mitigate climate chaos. Just STOP!

**447 Miranda Lovelong**

Let's invest in clean technology in Oregon.

**448 Katherine Jesch**

Oregon is already suffering impacts from a changing climate. Additional methane emissions from this proposal would make our situation even worse. Oregon cannot afford this proposed plant. The permit extension must be denied.

**449 Emily Boliver**

As a mother and grandmother, I believe it is our duty to protect and preserve the environment and our precious natural resources for all future generations. 'But man is a part of nature, and his war against nature is inevitably a war against himself.' ~Rachel Carson
<table>
<thead>
<tr>
<th>460</th>
<th>Keith</th>
<th>D,ÄôAlessandro</th>
<th><a href="mailto:keith_dalessandro@outlook.com">keith_dalessandro@outlook.com</a></th>
<th>Canton</th>
<th>MI</th>
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<td>Keefe</td>
<td><a href="mailto:georgewanc@gmail.com">georgewanc@gmail.com</a></td>
<td>Edmonds</td>
<td>WA</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>I respectfully urge you to protect the health of our children and our environment. Please heed the warnings of climate science.</td>
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<tr>
<td>462</td>
<td>Aubrey</td>
<td>Pullman</td>
<td><a href="mailto:aubrey@rendermack.com">aubrey@rendermack.com</a></td>
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<td>WA</td>
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<tr>
<td></td>
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<td></td>
<td>I was born in Hood River and have lived in the PNW most of my life. I strongly oppose any new fossil fuel infrastructure or the expansion of existing infrastructure. Fossil fuels are a dead end for our communities and our environment.</td>
<td></td>
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<tr>
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<td>Carl</td>
<td>Domeiny</td>
<td><a href="mailto:carldomeiny1943@gmail.com">carldomeiny1943@gmail.com</a></td>
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<td>OR</td>
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<td></td>
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<td>Keep Saying no. We can do it.</td>
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<td>fay</td>
<td>forman</td>
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<td>baud</td>
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<td>Malden on Hudson</td>
<td>NY</td>
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<td>Any short term gains for a few are out-weighed by long term harm to us all.</td>
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<td>Atkins</td>
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<td>Just say NO to fracked gas.</td>
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<td>Linda</td>
<td><a href="mailto:ruralrunner62@yahoo.com">ruralrunner62@yahoo.com</a></td>
<td>Marysville</td>
<td>WA</td>
<td>The country needs to move away from fossil fuels to clean energy. Fracked gas is definitely going the wrong way.</td>
</tr>
<tr>
<td>479</td>
<td>Genevieve</td>
<td><a href="mailto:genevieve@other98.com">genevieve@other98.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Dear Governor Brown and the Oregon Energy Facility Siting Council, I urge you to reject the application for this fracked gas power plant as it takes the state in exactly the wrong direction. It will increase dangerous methane greenhouse gas releases to our atmosphere and will exacerbate the existing Climate Crisis that we are in. We Oregonians need and deserve responsible green energy sources for all of our future energy development plans. The peer reviewed science tells us we have just a few years to aggressively reduce greenhouse gas releases to the atmosphere to mitigate the worst of the Climate Crisis disaster we will otherwise face. Please do the right thing and deny this irresponsible application.</td>
</tr>
<tr>
<td>480</td>
<td>Sarah</td>
<td><a href="mailto:sprowell@ix.netcom.com">sprowell@ix.netcom.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<td></td>
<td>Name</td>
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<td><a href="mailto:lupe.yanez49@gmail.com">lupe.yanez49@gmail.com</a></td>
<td>El Paso</td>
<td>TX</td>
<td>STOP the damn fracking of every kind!!!!!! Enough is enough, you are abusing our only home, our only God given home and we are not taking care of our beautiful home. The only ones that protect the planet are all animals!!! We should all learn from them, simply because they are not evil, greedy monsters!!!!</td>
</tr>
<tr>
<td>482</td>
<td>Axel Vogt</td>
<td><a href="mailto:vogt@ub.uni-freiburg.de">vogt@ub.uni-freiburg.de</a></td>
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<td><a href="mailto:roosemariekozdron@mac.com">roosemariekozdron@mac.com</a></td>
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<tr>
<td>484</td>
<td>Tim Murphy</td>
<td><a href="mailto:tim@murphylawfirm.biz">tim@murphylawfirm.biz</a></td>
<td>Portland</td>
<td>OR</td>
<td>We don't want fracked gas in our state because it is polluting, among other matters. New fracked gas infrastructure is irresponsible and imposes burdens on Oregonians in violation of our rights and desires. NO NEW FRACKED GAS.</td>
</tr>
<tr>
<td>485</td>
<td>Angeline Johnson</td>
<td><a href="mailto:joanel@umich.edu">joanel@umich.edu</a></td>
<td>Seattle</td>
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<td></td>
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<td>Stevenson</td>
<td>WA</td>
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'Perennial Wind Chaser' is a poetic name to make us all think this has something to do with clean energy. BS! This is a fracked gas powered plant by any other name and has no place in Oregon. Fracking is ruining aquifers and poisoning people across this country and needs to stop. No expensive public relations firm can clean up the reality of fracking. This request needs to be rejected. That's why I voted for a Liberal Democratic Governor and that's what I expect from my vote.
The health of climates, earth, human beings depend upon our abilities as stewards to readily and earnestly examine our collective 'needs'. What I'm saying is it is time to set aside the capitalistic approaches providing unhealthy results for our human betterment. Attend to gaining others' appeals for consideration of the larger picture and collaborating with those receiving the brunt of negligence in concern for our present and future life on earth.
<table>
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<tr>
<th>492</th>
<th>Lynn Stiglich</th>
<th><a href="mailto:lstiglich@comcast.net">lstiglich@comcast.net</a></th>
<th>Vancouver, WA</th>
</tr>
</thead>
</table>

Having gone through the lengthy process that led to the rejection of the proposed Tesoro-Savage fracked gas refinery in Vancouver, WA - many facts about the transport, detrimental health concerns, and negative environmental impact came to light. ALL of these concerns come to light when evaluating this project. Oregon and the Pacific Northwest are in solidarity with regard to the dangers and downsides of fracked gas and oil related projects. Do not allow a for-profit oil company to despoil the beauty and health of this unique area of the country. The importance of changing our use of fossil fuels has never been greater. Please think of our Earth and its inhabitants and stand against this project. Thank you for that.
administration saying one thing, then lie and do the opposite, especially concerning the environment. An example of this is Alaska and their concern over mining copper and gold, which will devastate the Salmon Industry up there. The same holds true for 'fracking.' This industry has a devastating affect on the environment. The air, aquifers and the land. Not only that, geological issues enter the picture. While still living in Ohio when this type of gas mining started, not long after, farmers and people who lived in the rural areas could not drink or cook with their well water. It was too volatile, in other words it could ignite and or poison them if they drank it. Then the seismic issues, 3.0-3.5 tremors. THIS NEEDS YOUR ATTENTION!!! We need you to be more out spoken and more visible. Especially concerning environmental laws in place being violated by these corporations. PLEASE GIVE THIS
<table>
<thead>
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<th>Email</th>
<th>City</th>
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<tr>
<td>Ari</td>
<td><a href="mailto:ari.divine@gmail.com">ari.divine@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Invest in green energy in Oregon. Let us lead in the economy to come. Do the right thing and don't be part of the genocide</td>
</tr>
<tr>
<td>ArdisAnn</td>
<td><a href="mailto:zalive@hughes.net">zalive@hughes.net</a></td>
<td>Bandon</td>
<td>OR</td>
<td>TIME'S UP on DIRTY ENERGY!</td>
</tr>
<tr>
<td>EDWARD KOLBE</td>
<td><a href="mailto:erkolbe1@gmail.com">erkolbe1@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Helen</td>
<td><a href="mailto:hastuehler@gmail.com">hastuehler@gmail.com</a></td>
<td>Reno</td>
<td>NV</td>
<td></td>
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<tr>
<td>Valentine</td>
<td><a href="mailto:valentineleo9@gmail.com">valentineleo9@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>We will hold you accountable, trust me.</td>
</tr>
<tr>
<td>Joan</td>
<td><a href="mailto:giovannacole@gmail.com">giovannacole@gmail.com</a></td>
<td>Port Townsend</td>
<td>WA</td>
<td></td>
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<tr>
<td>Mark</td>
<td><a href="mailto:rebeccagroovypeace@gmail.com">rebeccagroovypeace@gmail.com</a></td>
<td>Rockport</td>
<td>WA</td>
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<tr>
<td>Alicia</td>
<td><a href="mailto:liangaf@gmail.com">liangaf@gmail.com</a></td>
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<td>OR</td>
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<tr>
<td>Larry</td>
<td><a href="mailto:lcweymouth@peak.org">lcweymouth@peak.org</a></td>
<td>Corvallis</td>
<td>OR</td>
<td></td>
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<tr>
<td>AuTumn</td>
<td><a href="mailto:davidson.autumn@gmail.com">davidson.autumn@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Oregon does not need another polluting power plant. The state should be investing in clean, not dirty energy</td>
</tr>
<tr>
<td>Dena</td>
<td><a href="mailto:denaturm62@gmail.com">denaturm62@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Keep it in the ground in order that your grandchildren and mine have a livable planet.</td>
</tr>
<tr>
<td>Kathryn</td>
<td><a href="mailto:csund5@msn.com">csund5@msn.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>No more fossil fuel infrastructure. We need clean, renewable energy NOW.</td>
</tr>
<tr>
<td>Randall</td>
<td><a href="mailto:lawrkw@comcast.net">lawrkw@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>Todd</td>
<td><a href="mailto:tbradyclark@yahoo.com">tbradyclark@yahoo.com</a></td>
<td>Indianapolis</td>
<td>IN</td>
<td></td>
</tr>
<tr>
<td>Steven</td>
<td><a href="mailto:sbruckner615@gmail.com">sbruckner615@gmail.com</a></td>
<td>Portland</td>
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<td>Yola Hesser</td>
<td><a href="mailto:geoyo@oregonfast.net">geoyo@oregonfast.net</a></td>
<td>Florence</td>
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</tr>
<tr>
<td>511</td>
<td>Eldon Haines</td>
<td><a href="mailto:rain.cat@comcast.net">rain.cat@comcast.net</a></td>
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<tr>
<td>512</td>
<td>John AND Jean Fleming</td>
<td><a href="mailto:johnandjeanfleming@msn.com">johnandjeanfleming@msn.com</a></td>
<td>Lakeville</td>
<td>MN</td>
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<td>513</td>
<td>Dirk Rogers</td>
<td><a href="mailto:1dog2dogs3dogs@gmail.com">1dog2dogs3dogs@gmail.com</a></td>
<td>Wichita Falls</td>
<td>TX</td>
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<td><a href="mailto:richburford@comcast.net">richburford@comcast.net</a></td>
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<td>Sally Gillette</td>
<td><a href="mailto:salarlene@comcast.net">salarlene@comcast.net</a></td>
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<tr>
<td>516</td>
<td>Sherry Perkins</td>
<td><a href="mailto:perksher@gmail.com">perksher@gmail.com</a></td>
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<td>Elizabeth Johnson</td>
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<td>Sue Van Loon</td>
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<td>519</td>
<td>Ed Lee</td>
<td><a href="mailto:edlee69@hotmail.com">edlee69@hotmail.com</a></td>
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<tr>
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<td>Kimberly Maun</td>
<td><a href="mailto:kmaun976@gmail.com">kmaun976@gmail.com</a></td>
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<td>Nancy OBERSCHMIDT</td>
<td><a href="mailto:nancyoberschmidt@gmail.com">nancyoberschmidt@gmail.com</a></td>
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<td>Nancy Loeb</td>
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<td>Amy Hansen</td>
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<td>Susan Donohoe</td>
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<td>Barry LeBeau</td>
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<td>Natalie Van Leekwijk</td>
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<td>Brian Ainsley</td>
<td><a href="mailto:brian.ainsley@gmail.com">brian.ainsley@gmail.com</a></td>
<td>Altamonte Springs</td>
<td>FL</td>
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<td><a href="mailto:richmo41@gmail.com">richmo41@gmail.com</a></td>
<td>Gresham</td>
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<td>Sally Stevens</td>
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<td>533</td>
<td>William Crawford</td>
<td><a href="mailto:bill.crawford.95442@gmail.com">bill.crawford.95442@gmail.com</a></td>
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<td>534</td>
<td>Mark Wheeler</td>
<td><a href="mailto:mark@rootsrealty.com">mark@rootsrealty.com</a></td>
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<td>MARCELLA CRANE</td>
<td><a href="mailto:mouseychic@gmail.com">mouseychic@gmail.com</a></td>
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<td>Hood</td>
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<td>Judy</td>
<td>Shively</td>
<td><a href="mailto:jashively01@gmail.com">jashively01@gmail.com</a></td>
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<td>Carol</td>
<td>Becker</td>
<td><a href="mailto:carolfirstmd@gmail.com">carolfirstmd@gmail.com</a></td>
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<tr>
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<td>Steven</td>
<td>Woolpert</td>
<td><a href="mailto:stevenwoolpert@gmail.com">stevenwoolpert@gmail.com</a></td>
<td>Lyle</td>
</tr>
</tbody>
</table>

Circumstances in the nearby Arctic, driven by fracked gas pollution: Temperatures are spiking due to loss of reflective sea ice, which melts more sea ice. Ocean food web is disintegrating due to inability of plankton and krill to thrive in warmer water. Permafrost is venting methane which warms the Arctic and releases more methane. Extensive Alaskan and Siberian forest fires are releasing black carbon which settles on ice and accelerates melting. FYI None of these interrelated Arctic runaway hazards are even reported yet by the IPCC. There has never been a greater justification for revolting against unresponsive Oregon carbon policies than now.
Fracked gas is destroying water tables and leaking out of pipelines all over America. No new fossil fuel infrastructure can be allowed if we want to stop the sever weather patterns that are costing billions of dollars in devastation.
Fracking is antithetical to clean water, clean air, maintaining the water table, safe crops, good health and a future for our country. Fracking involves injecting a cocktail of toxic chemicals into the ground that find their way into our water table, our food and the air we breathe. Those exposed to these chemicals suffer further because Big Oil outright REFUSES to tell us and our doctors WHAT they put in their cocktail. 'Proprietary trade secrets' is NOT an excuse to go on poisoning our land, our water, our people. Scientists and physicians have long said that there is no way for fracking to be done safely. Fracking has indisputably been linked to increased seismic activity. Fracking infrastructure is associated with spills of the chemicals used and ruptures in the pipeline transporting it. Will the companies make the land whole? Doubt it. Carbon-based energy companies like to declare bankruptcy and flee or demand public dollars clean up their private
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<td>550</td>
<td>Kelly</td>
<td><a href="mailto:kellyjensvold@gmail.com">kellyjensvold@gmail.com</a></td>
<td>Beaverton</td>
<td>OR</td>
</tr>
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<td>551</td>
<td>Randall</td>
<td><a href="mailto:randallkoch1@me.com">randallkoch1@me.com</a></td>
<td>Neskowin</td>
<td>OR</td>
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<tr>
<td>552</td>
<td>ken</td>
<td><a href="mailto:ecocosm@icloud.com">ecocosm@icloud.com</a></td>
<td>Jupiter</td>
<td>FL</td>
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<td>553</td>
<td>Ellen</td>
<td><a href="mailto:yarnell3439@comcast.net">yarnell3439@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
</tbody>
</table>

Methane. Fracked gas. Natural gas. no matter what you call it, it is a grossly green-washed, under-acknowledged, potent and volatile greenhouse gas and fossil fuel that plays a large part in global warming. Methane is not a bridge to a clean future, it’s determined charge towards climate breakdown. It is not a cleaner fossil fuel. That statement is simply unfounded. Methane is way more potent than carbon dioxide, and as a result, methane facilities have been considered many times more potent at contributing to climate change as other fossil fuel burning plants. Even with explosions aside, when you consider the consequences of emissions, resource consumption and impact on the health of the local communities, the dangers and risks fossil fuels poses are not just a possibility, but a certainty. Compared to renewable energy, the risk versus gains don’t make sense. Fossil Fuels are like a broken cistern. It doesn’t hold water.
<table>
<thead>
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<th>Name</th>
<th>Last Name</th>
<th>Email Address</th>
<th>City</th>
<th>State</th>
<th>Message</th>
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</thead>
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<tr>
<td>Jeanne</td>
<td>Raymond</td>
<td><a href="mailto:raymondj@peak.org">raymondj@peak.org</a></td>
<td>Corvallis</td>
<td>OR</td>
<td>No pollution causing, CO2 producing, fracking in Oregon.</td>
</tr>
<tr>
<td>Brent</td>
<td>Maynard</td>
<td><a href="mailto:brent.maynard@yahoo.com">brent.maynard@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please deny Perennial's RFA. We do NOT want Fracked Gas in our community. It's dangerous and it's devastating for the environment.</td>
</tr>
<tr>
<td>Jean</td>
<td>Butcher</td>
<td><a href="mailto:jeanb7719@gmail.com">jeanb7719@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please deny Perennial's RFA. We do NOT want Fracked Gas in our community. It's dangerous and it's devastating for the environment.</td>
</tr>
<tr>
<td>Jessica</td>
<td>Kelley</td>
<td><a href="mailto:burtjessica@gmail.com">burtjessica@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please deny Perennial's RFA. We do NOT want Fracked Gas in our community. It's dangerous and it's devastating for the environment.</td>
</tr>
<tr>
<td>Jeff</td>
<td>Kulp</td>
<td><a href="mailto:jskulp1@gmail.com">jskulp1@gmail.com</a></td>
<td>Raleigh</td>
<td>NC</td>
<td>CLIMATE CHANGE IS HERE AND NOW. STOP BURNING FOSSIL FUELS.</td>
</tr>
<tr>
<td>hillary</td>
<td>bryan</td>
<td><a href="mailto:hillarypdxmarketing@gmail.com">hillarypdxmarketing@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>CLIMATE CHANGE IS HERE AND NOW. STOP BURNING FOSSIL FUELS.</td>
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<tr>
<td>Tracy</td>
<td>Ouellette</td>
<td><a href="mailto:tracyjouellette@gmail.com">tracyjouellette@gmail.com</a></td>
<td>Bow</td>
<td>WA</td>
<td>Please, let's get ahead of things and stop ruining our planet! We know the damage that fracking causes. Governor Brown, please be a brave leader!</td>
</tr>
<tr>
<td>Deborah</td>
<td>Brown</td>
<td><a href="mailto:debarino07@gmail.com">debarino07@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>The atmosphere is currently at 415 ppm of carbon pollution. This is too high for human survival. We will soon hit tipping points for earth systems feedback loops we cannot control. The ice sheets are melting, the Oceans are acidifying. For the sake of all life, deny the Perennial certificate! Deb McGee</td>
</tr>
<tr>
<td>Debra</td>
<td>McGee</td>
<td><a href="mailto:zap_oregon@msn.com">zap_oregon@msn.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td>The atmosphere is currently at 415 ppm of carbon pollution. This is too high for human survival. We will soon hit tipping points for earth systems feedback loops we cannot control. The ice sheets are melting, the Oceans are acidifying. For the sake of all life, deny the Perennial certificate! Deb McGee</td>
</tr>
<tr>
<td>Noreen</td>
<td>Arnold</td>
<td><a href="mailto:noreenarnold7755@gmail.com">noreenarnold7755@gmail.com</a></td>
<td>Oakland</td>
<td>OR</td>
<td>The atmosphere is currently at 415 ppm of carbon pollution. This is too high for human survival. We will soon hit tipping points for earth systems feedback loops we cannot control. The ice sheets are melting, the Oceans are acidifying. For the sake of all life, deny the Perennial certificate! Deb McGee</td>
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<td>Geraci</td>
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<td><a href="mailto:tah@embarqmail.com">tah@embarqmail.com</a></td>
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<td>OR</td>
</tr>
<tr>
<td>573</td>
<td>Mark</td>
<td>Koritz</td>
<td><a href="mailto:mkoritz2002@yahoo.com">mkoritz2002@yahoo.com</a></td>
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<tr>
<td>574</td>
<td>Dorothy</td>
<td>Maxwell</td>
<td><a href="mailto:dorop2@gmail.com">dorop2@gmail.com</a></td>
<td>Blauvelt</td>
<td>NY</td>
</tr>
<tr>
<td>575</td>
<td>Genevieve</td>
<td>Weber</td>
<td><a href="mailto:genevivelweber@gmail.com">genevivelweber@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>576</td>
<td>Philip</td>
<td>Ratcliff</td>
<td><a href="mailto:skazz999w@hotmail.com">skazz999w@hotmail.com</a></td>
<td>Salem</td>
<td>OR</td>
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<tr>
<td>577</td>
<td>William</td>
<td>Hoffer</td>
<td><a href="mailto:sunengser@gmail.com">sunengser@gmail.com</a></td>
<td>White Salmon</td>
<td>WA</td>
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<tr>
<td>578</td>
<td>John</td>
<td>Steppert</td>
<td><a href="mailto:steppjs@comcast.net">steppjs@comcast.net</a></td>
<td>Longview</td>
<td>WA</td>
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<tr>
<td>579</td>
<td>Doris</td>
<td>Potter</td>
<td><a href="mailto:dorispotter99@gmail.com">dorispotter99@gmail.com</a></td>
<td>Saint-Laurent</td>
<td>QC</td>
</tr>
</tbody>
</table>

Fracking involves injecting water, sand, and chemicals at high pressure, deep underground, to release methane and oil. Fracking pollutes ground water, creates seismic instability, and releases greenhouse gas into the atmosphere.
<table>
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<tr>
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<th>Name</th>
<th>Email</th>
<th>Location</th>
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<td>580</td>
<td>Diane</td>
<td>Rose</td>
<td><a href="mailto:ddrose@earthlink.net">ddrose@earthlink.net</a></td>
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<td>Masuda</td>
<td><a href="mailto:sunsetcat17@hotmail.com">sunsetcat17@hotmail.com</a></td>
<td>Chicago</td>
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<tr>
<td>582</td>
<td>Juan</td>
<td>Calvillo</td>
<td><a href="mailto:juan@dancingredband.com">juan@dancingredband.com</a></td>
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<td>583</td>
<td>Rick</td>
<td>Nunno</td>
<td><a href="mailto:ricknunno@gmail.com">ricknunno@gmail.com</a></td>
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<td>OR</td>
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<td>584</td>
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<td>Canarsky</td>
<td><a href="mailto:canarskyyomo@gmail.com">canarskyyomo@gmail.com</a></td>
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<tr>
<td>585</td>
<td>Michelle</td>
<td>Mayfield</td>
<td><a href="mailto:mmayfield@gorge.net">mmayfield@gorge.net</a></td>
<td>White Salmon</td>
<td>WA</td>
</tr>
<tr>
<td>586</td>
<td>Kelsey</td>
<td>Anderson</td>
<td><a href="mailto:kelsey.arai@gmail.com">kelsey.arai@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>587</td>
<td>Karlyn</td>
<td>Gedrose</td>
<td><a href="mailto:gedrosek@gmail.com">gedrosek@gmail.com</a></td>
<td>Rainier</td>
<td>OR</td>
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<tr>
<td>588</td>
<td>J C</td>
<td>Bettencourt</td>
<td><a href="mailto:jacourt@yahoo.com">jacourt@yahoo.com</a></td>
<td>Salem</td>
<td>OR</td>
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<tr>
<td>589</td>
<td>Anita</td>
<td>Melbo</td>
<td><a href="mailto:anime2or@hotmail.com">anime2or@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>590</td>
<td>Russell</td>
<td>Novkov</td>
<td><a href="mailto:rnovkov@gmail.com">rnovkov@gmail.com</a></td>
<td>Madison</td>
<td>WI</td>
</tr>
<tr>
<td>591</td>
<td>Rev. Gordon</td>
<td>Hills</td>
<td><a href="mailto:revgordonhills@yahoo.com">revgordonhills@yahoo.com</a></td>
<td>Palmerton</td>
<td>PA</td>
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<tr>
<td>592</td>
<td>Jay</td>
<td>Humphrey</td>
<td><a href="mailto:blue1jay@yahoo.com">blue1jay@yahoo.com</a></td>
<td>Estacada</td>
<td>OR</td>
</tr>
<tr>
<td>593</td>
<td>Brooke</td>
<td>Siskey</td>
<td><a href="mailto:bsiskey@hotmail.com">bsiskey@hotmail.com</a></td>
<td>Washougal</td>
<td>WA</td>
</tr>
<tr>
<td>594</td>
<td>Dustin</td>
<td>Kearns</td>
<td><a href="mailto:kearnsmdustin@gmail.com">kearnsmdustin@gmail.com</a></td>
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<tr>
<td>595</td>
<td>Anne</td>
<td>Elkins</td>
<td><a href="mailto:rustyanne1@yahoo.com">rustyanne1@yahoo.com</a></td>
<td>Anacortes</td>
<td>WA</td>
</tr>
<tr>
<td>596</td>
<td>Quyen</td>
<td>Le</td>
<td><a href="mailto:eskimoquyen@mac.com">eskimoquyen@mac.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>597</td>
<td>Dennis</td>
<td>Ledden</td>
<td><a href="mailto:lcs5779@gmail.com">lcs5779@gmail.com</a></td>
<td>Fiddletown</td>
<td>CA</td>
</tr>
<tr>
<td>598</td>
<td>Kathy</td>
<td>e</td>
<td><a href="mailto:26kate9@gmail.com">26kate9@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>599</td>
<td>Michael</td>
<td>Burmester</td>
<td><a href="mailto:mike.burmester625@gmail.com">mike.burmester625@gmail.com</a></td>
<td>Happy Valley</td>
<td>OR</td>
</tr>
<tr>
<td>600</td>
<td>Kristine</td>
<td>Karnezis</td>
<td><a href="mailto:kckarnezis@msn.com">kckarnezis@msn.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
</tbody>
</table>

Twelve years to get things straight, not further twist them.

Don't enable more fossil fuel production. We must continue the shift to clean energy sources. Allowing fracked gas into our state is not the way.

Fracked gas is a needlessly dangerous way to get fuel. Let's not reward frackers with a plant to burn their ill-gotten fuel!
<table>
<thead>
<tr>
<th>ID</th>
<th>Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Email Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>601</td>
<td>Sharon Miller</td>
<td><a href="mailto:smilertoo@aol.com">smilertoo@aol.com</a></td>
<td>Vancouver</td>
<td>WA</td>
<td>Fracking is an environmental disaster in and of itself -- and we need to get away from ALL fossil fuels NOW. Any new fracked gas infrastructure therefore must be rejected, and not allowed to start.</td>
</tr>
<tr>
<td>602</td>
<td>Isadora Roth</td>
<td><a href="mailto:isadroth@gmail.com">isadroth@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>With all of the sustainable energy projects increasing, the old polluting technology has no place in our state.</td>
</tr>
<tr>
<td>603</td>
<td>Louise Quigley</td>
<td><a href="mailto:chuckgyver@aceweb.com">chuckgyver@aceweb.com</a></td>
<td>Braintree</td>
<td>MA</td>
<td>To be honest, I don't even understand why things like this are even an issue anymore.</td>
</tr>
<tr>
<td>604</td>
<td>Sabolch Horvat</td>
<td><a href="mailto:sabolch.horvat@gmail.com">sabolch.horvat@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>The voters don't want more carbon intensive energy infrastructure. Block it. That's why voters vote for Democrats. What is the point of voting for Democrats if they won't block this kind of harmful, climate changing energy production?</td>
</tr>
<tr>
<td>605</td>
<td>Beth Levin</td>
<td><a href="mailto:bethagl@yahoo.com">bethagl@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>606</td>
<td>Pamela Mattson McDonald</td>
<td><a href="mailto:matmcd2002@gmail.com">matmcd2002@gmail.com</a></td>
<td>Astoria</td>
<td>OR</td>
<td></td>
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<tr>
<td>607</td>
<td>Mirco Dinelli</td>
<td><a href="mailto:mircodinelli@yahoo.com">mircodinelli@yahoo.com</a></td>
<td>Talent</td>
<td>OR</td>
<td></td>
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<tr>
<td>608</td>
<td>Arrin Schoedinger</td>
<td><a href="mailto:ahs73@icloud.com">ahs73@icloud.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>609</td>
<td>Richard Johnson</td>
<td><a href="mailto:jazzpacnw@yahoo.com">jazzpacnw@yahoo.com</a></td>
<td>Bellingham</td>
<td>WA</td>
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<td>justine cooper</td>
<td><a href="mailto:justinenm@yahoo.com">justinenm@yahoo.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
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<tr>
<td>611</td>
<td>Deborah Crohn</td>
<td><a href="mailto:dddddd98104@yahoo.com">dddddd98104@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
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<td>p bryer</td>
<td><a href="mailto:pbryer@hotmail.com">pbryer@hotmail.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
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<tr>
<td>613</td>
<td>Wendy Bowman</td>
<td><a href="mailto:wbowman17@msn.com">wbowman17@msn.com</a></td>
<td>Lacey</td>
<td>WA</td>
<td></td>
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<tr>
<td>614</td>
<td>Richard Stern</td>
<td><a href="mailto:rsisyh@yahoo.com">rsisyh@yahoo.com</a></td>
<td>New York</td>
<td>NY</td>
<td></td>
</tr>
<tr>
<td>615</td>
<td>Ann Marie Colucci</td>
<td><a href="mailto:annmarie@bendpatrick.com">annmarie@bendpatrick.com</a></td>
<td>Portland OR</td>
<td>Please allow Salmon thru Hells Canyon Dams. No Dirt in air, water or Mother Earth. Member of Sho Ban Nation, Tom</td>
<td></td>
</tr>
<tr>
<td>616</td>
<td>Thomas Lewis</td>
<td><a href="mailto:gamodato@aol.com">gamodato@aol.com</a></td>
<td>Portland OR</td>
<td>Aside from the fact that the proposed power plant wants to use fossil fuels, they want exceptional treatment by using invalid rules. The continued focus on fossil fuel is backward thinking and dangerous to the world.</td>
<td></td>
</tr>
<tr>
<td>617</td>
<td>Barbara KrupnikGoldman</td>
<td><a href="mailto:bkgold2@gmail.com">bkgold2@gmail.com</a></td>
<td>Portland OR</td>
<td>Soon we will be using free energy from the vacuum and other such proven technologies, which will make all this obsolete by the time it is built...we will be able to phase out oil, gas &amp; other forms of energy, and all will be clean free &amp; we will finally get to use TESLA, Tom Bearden, John Bedini’s proven inventions, plus newer ones not yet as proven</td>
<td></td>
</tr>
<tr>
<td>618</td>
<td>Frances J Kievet</td>
<td><a href="mailto:fjkievet@comcast.net">fjkievet@comcast.net</a></td>
<td>Portland OR</td>
<td></td>
<td></td>
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<tr>
<td>619</td>
<td>Bruce Cox</td>
<td><a href="mailto:bchapul@gmail.com">bchapul@gmail.com</a></td>
<td>Brevard NC</td>
<td></td>
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| 620 | Eva Coombs | zeloda.media4z@hushmail.com | Camano Island WA | }

<p>| 621 | Ruth Harmon | <a href="mailto:tashamail@comcast.net">tashamail@comcast.net</a> | Happy Valley OR | |
| 622 | Deborah Gardner | <a href="mailto:upgradient451@gmail.com">upgradient451@gmail.com</a> | Snoqualmie WA | |
| 623 | Katie Obriot | <a href="mailto:katieobriot@gmail.com">katieobriot@gmail.com</a> | Portland OR | |
| 624 | Tim Fleischer | <a href="mailto:timfle@netzero.com">timfle@netzero.com</a> | Louisville KY | |
| 625 | Michael Heumann | <a href="mailto:heumanncycle@gmail.com">heumanncycle@gmail.com</a> | Portland OR | |
| 626 | Marge Dakouzlian | <a href="mailto:footstepsinthesand@hotmail.com">footstepsinthesand@hotmail.com</a> | Staten Island NY | |</p>
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<td>627</td>
<td>Pam</td>
<td>Larsen <a href="mailto:mesatopmama@mindspring.com">mesatopmama@mindspring.com</a></td>
<td>Hood River</td>
<td>OR</td>
<td>Fracked gas produces terrible health effects for humans and adds hugely to the problems of greenhouse gases for the planet as a whole. This gas-powered plant is not needed or wanted.</td>
</tr>
<tr>
<td>628</td>
<td>Toni</td>
<td>Mills <a href="mailto:toniann1966@gmail.com">toniann1966@gmail.com</a></td>
<td>Seattle</td>
<td>WA</td>
<td>I am hoping you will be the strong leader that future generations needed. Please do the right thing.</td>
</tr>
<tr>
<td>629</td>
<td>Usha</td>
<td>Honeyman <a href="mailto:usha.honeyman@gmail.com">usha.honeyman@gmail.com</a></td>
<td>Corvallis</td>
<td>OR</td>
<td>Stop, now</td>
</tr>
<tr>
<td>630</td>
<td>Alice</td>
<td>trexler <a href="mailto:trexleralice@yahoo.com">trexleralice@yahoo.com</a></td>
<td>Arlington</td>
<td>MA</td>
<td>We need clean energy not fracking!</td>
</tr>
<tr>
<td>631</td>
<td>Pamela</td>
<td>Yates <a href="mailto:yates890@comcast.net">yates890@comcast.net</a></td>
<td>Gresham</td>
<td>OR</td>
<td>We should be working to save our planet, not destroy it!</td>
</tr>
<tr>
<td>632</td>
<td>Nancy</td>
<td>James <a href="mailto:swmbkrunnrj@comcast.net">swmbkrunnrj@comcast.net</a></td>
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<td>SC</td>
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<td>OR</td>
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<td>OR</td>
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<td>Mary</td>
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<td>Dallas</td>
<td>TX</td>
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<tr>
<td>639</td>
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<td>lienhard <a href="mailto:lienjud@aol.com">lienjud@aol.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>640</td>
<td>Dave</td>
<td>Potts <a href="mailto:dav1189pot2@gmail.com">dav1189pot2@gmail.com</a></td>
<td>Cornelius</td>
<td>OR</td>
<td></td>
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<tr>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>641</td>
<td>Paula</td>
<td><a href="mailto:paulaymorgan@gmail.com">paulaymorgan@gmail.com</a></td>
<td>Winter Springs</td>
<td>FL</td>
<td>I am fed up! I feel Americans in general are fed up too. Does anyone in government understand we are facing a climate challenge we have never faced before? Does it make sense to keep fracking anything and everything? Doing this would harm water, land and so much more. And why? This type of energy is not going to sustain the future. We need new approaches but those may not payoff the big corporations. PLEASE ... JUST SAY NO!!!!!!! Thank you</td>
</tr>
<tr>
<td>642</td>
<td>Kristeen</td>
<td><a href="mailto:1kristeendavis@gmail.com">1kristeendavis@gmail.com</a></td>
<td>Salem</td>
<td>OR</td>
<td>This expresses my feelings exactly!</td>
</tr>
<tr>
<td>643</td>
<td>David</td>
<td><a href="mailto:david@riverbird.com">david@riverbird.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td>No new infrastructure should be for fossil fuels - all new development must be sustainable, like solar, thermal, &amp; wind. Climate change it going to end us if we don't slow it down.</td>
</tr>
<tr>
<td>644</td>
<td>Marceline</td>
<td><a href="mailto:marcelineg@gmail.com">marcelineg@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Stop the madness.</td>
</tr>
<tr>
<td>Name</td>
<td>Email</td>
<td>Location</td>
<td>Message</td>
<td></td>
<td></td>
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<tr>
<td>---------------------</td>
<td>------------------------------</td>
<td>------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anne-Marie Claire</td>
<td><a href="mailto:amclaire_2000@yahoo.com">amclaire_2000@yahoo.com</a></td>
<td>Portland OR</td>
<td>Fracking natural gas is contributing to our overall climate warming by releasing more carbon into our atmosphere. We must not support this industry in any way. Thank you.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daniel Jaffee</td>
<td><a href="mailto:dsjaffee@gmail.com">dsjaffee@gmail.com</a></td>
<td>Portland OR</td>
<td>This is absolute craziness to continue doing the same thing we have been and expect different results! We need to plan to work toward renewable energy with all our efforts directed at maintaining and nurturing the earth that feeds, shelters and clothes us!!</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barbara and George Rofkar</td>
<td><a href="mailto:rofkarb@openaccess.org">rofkarb@openaccess.org</a></td>
<td>Bellingham WA</td>
<td>We must invest in green energy and energy efficiencies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brenda Morrison</td>
<td><a href="mailto:lashlaruex2@yahoo.com">lashlaruex2@yahoo.com</a></td>
<td>Portland OR</td>
<td>We need to use renewable energy not fossil fuels---for the sake of the planet.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jewel Hall</td>
<td><a href="mailto:chickiebird08@yahoo.com">chickiebird08@yahoo.com</a></td>
<td>Eugene OR</td>
<td>Fracking is dirty business.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lucy Corbett</td>
<td><a href="mailto:lucy_corbett@yahoo.com">lucy_corbett@yahoo.com</a></td>
<td>Portland OR</td>
<td>We must not support this industry in any way. Thank you.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jessica Czereszka</td>
<td><a href="mailto:jessicalin11@outlook.com">jessicalin11@outlook.com</a></td>
<td>Hillsboro OR</td>
<td></td>
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<tr>
<td>Joe Giordano</td>
<td><a href="mailto:columbiariverkeeper@thegiordanos.org">columbiariverkeeper@thegiordanos.org</a></td>
<td>Hood River OR</td>
<td>We need to use renewable energy not fossil fuels---for the sake of the planet.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beatriz Sunderland</td>
<td><a href="mailto:beasund@hotmail.com">beasund@hotmail.com</a></td>
<td>Portland OR</td>
<td>We must invest in green energy and energy efficiencies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thomasin Kellermann</td>
<td><a href="mailto:kthomasin2@aol.com">kthomasin2@aol.com</a></td>
<td>Cumberland RI</td>
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<tr>
<td>Jo Hebberger</td>
<td><a href="mailto:jhebberger@yahoo.com">jhebberger@yahoo.com</a></td>
<td>Des Moines IA</td>
<td></td>
<td></td>
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<tr>
<td>Richard Bergner</td>
<td><a href="mailto:fidalgowildlifehabitat@gmail.com">fidalgowildlifehabitat@gmail.com</a></td>
<td>Anacortes WA</td>
<td>Fracking is dirty business.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elke Hoppenbrouwer</td>
<td><a href="mailto:ohoppenbrouwers@comcast.net">ohoppenbrouwers@comcast.net</a></td>
<td>East Haven CT</td>
<td></td>
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<tr>
<td>663</td>
<td>Erin Marshall</td>
<td><a href="mailto:erin@kismet-design.com">erin@kismet-design.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Oregon and the nation should be investing in CLEAN ENERGY NOT fracking, drilling, mining or all the other ANTIQUE methods of extraction which is KILLING THE PLANET!</td>
</tr>
<tr>
<td>664</td>
<td>Jean Bryant</td>
<td><a href="mailto:skinnybuttjean@gmail.com">skinnybuttjean@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>665</td>
<td>benjamin gipson</td>
<td><a href="mailto:just.like.zhei@gmail.com">just.like.zhei@gmail.com</a></td>
<td>Portland</td>
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<tr>
<td>666</td>
<td>Dr. Ralph Hollingsworth</td>
<td><a href="mailto:retir047@me.com">retir047@me.com</a></td>
<td>Eugene</td>
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<td>667</td>
<td>Carla Morin</td>
<td><a href="mailto:cfapjm@aol.com">cfapjm@aol.com</a></td>
<td>Peoria</td>
<td>AZ</td>
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<td>668</td>
<td>joan viers</td>
<td><a href="mailto:joan@wbcable.net">joan@wbcable.net</a></td>
<td>Hubbard</td>
<td>OR</td>
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<tr>
<td>669</td>
<td>Joseph Start</td>
<td><a href="mailto:rockstart@frontier.com">rockstart@frontier.com</a></td>
<td>Silverton</td>
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<tr>
<td>670</td>
<td>William Bennett</td>
<td><a href="mailto:w.l.bennett.ii@gmail.com">w.l.bennett.ii@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>No new fossil fuels in our state!</td>
</tr>
<tr>
<td>671</td>
<td>jules moritz</td>
<td><a href="mailto:mazda63@comcast.net">mazda63@comcast.net</a></td>
<td>Corvallis</td>
<td>OR</td>
<td></td>
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<tr>
<td></td>
<td>Patricia</td>
<td>Janesh</td>
<td><a href="mailto:psyckdoc908@gmail.com">psyckdoc908@gmail.com</a></td>
<td>Portland</td>
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<tr>
<td>673</td>
<td>John</td>
<td>Comella</td>
<td><a href="mailto:john.comella1@gmail.com">john.comella1@gmail.com</a></td>
<td>Philadelphia</td>
<td>PA</td>
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<td>674</td>
<td>John</td>
<td>Nettleton</td>
<td><a href="mailto:jpn5710@yahoo.com">jpn5710@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>675</td>
<td>Lynne</td>
<td>Campbell</td>
<td><a href="mailto:lynnecamp@earthlink.net">lynnecamp@earthlink.net</a></td>
<td>Sagle</td>
<td>ID</td>
</tr>
<tr>
<td>676</td>
<td>Jenet</td>
<td>Johnsen</td>
<td><a href="mailto:jenetjohnsen@gmail.com">jenetjohnsen@gmail.com</a></td>
<td>Ashland</td>
<td>OR</td>
</tr>
</tbody>
</table>

The result of installing and running this fracked gas station would be to dump methane into the Oregon atmosphere. Methane is more toxic and less identifiable than some other fossil fuel infrastructure building and operation. Therefore, this proposed station would be MORE dangerous and MORE toxic than usual. Please prevent Oregon from being destroyed by these toxic, unreliable and earth/air contaminating fossil fuel extraction facilities. Please prevent the ruination and destruction of life, earth and air in OREGON. Do not allow the building and operation of this facility Perrenial proposes to put in our State.

Natural gas would be fine IF it WERE NOT almost 100% MORE effective as a GREENHOUSE GAS. So methane is making climate change WORSE and we only have 1 DECADE to stop it before it RUNS AWAY irreversibly. So, NO MORE FRACKED GAS PLANTS.
<table>
<thead>
<tr>
<th></th>
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<th>Email</th>
<th>District</th>
<th>State</th>
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</tr>
</thead>
<tbody>
<tr>
<td>677</td>
<td>Jeffrey Watson</td>
<td><a href="mailto:evr_green@msn.com">evr_green@msn.com</a></td>
<td>Issaquah</td>
<td>WA</td>
<td>We are in a climate crisis. It is way beyond 'warming'. This is not needed and it is definitely not wanted.</td>
</tr>
<tr>
<td>678</td>
<td>Bruce Cratty</td>
<td><a href="mailto:brucecratty@gmail.com">brucecratty@gmail.com</a></td>
<td>Akron</td>
<td>OH</td>
<td></td>
</tr>
<tr>
<td>679</td>
<td>Sandi Cornez</td>
<td><a href="mailto:sandicornez@gmail.com">sandicornez@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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</tr>
<tr>
<td>680</td>
<td>Tracy Ellison</td>
<td><a href="mailto:tellison44@gmail.com">tellison44@gmail.com</a></td>
<td>Columbus Junction</td>
<td>IA</td>
<td></td>
</tr>
<tr>
<td>681</td>
<td>Linda Bolduan</td>
<td><a href="mailto:lindabolduan@comcast.net">lindabolduan@comcast.net</a></td>
<td>Lake Oswego</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>682</td>
<td>Patricia Blackwell-Marchant</td>
<td><a href="mailto:patmarchant@comcast.net">patmarchant@comcast.net</a></td>
<td>Castro Valley</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>683</td>
<td>Helen Jones</td>
<td><a href="mailto:shej@mind.net">shej@mind.net</a></td>
<td>Ashland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>684</td>
<td>John Springer</td>
<td><a href="mailto:john100@sprallio.com">john100@sprallio.com</a></td>
<td>Camano Island</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>685</td>
<td>David Hermanns</td>
<td><a href="mailto:dhermann@earthlink.net">dhermann@earthlink.net</a></td>
<td>Portland</td>
<td>OR</td>
<td>We need courageous leaders to walk away from the fossil fuel industry to save our planet.</td>
</tr>
<tr>
<td>686</td>
<td>Judy Arielle</td>
<td><a href="mailto:judyarielle@gmail.com">judyarielle@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>We need to put the health of the planet and our children and their children as the PRIORITY, not the profits of industry.</td>
</tr>
<tr>
<td>687</td>
<td>Jean &amp; John Culp</td>
<td><a href="mailto:jazcfhc@gmail.com">jazcfhc@gmail.com</a></td>
<td>Bandon</td>
<td>OR</td>
<td>Fracked gas is a dirty fossil fuel that contributes to global warming. We don't want it in our state and we will act to stop it. Think about my grandson and all the other children growing up--they need a future and they don't need fossil fuels!</td>
</tr>
<tr>
<td>688</td>
<td>Teresa Mcfarland</td>
<td><a href="mailto:terefar@mykolab.com">terefar@mykolab.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>689</td>
<td>James Bates</td>
<td><a href="mailto:james.bates3@comcast.net">james.bates3@comcast.net</a></td>
<td>Seattle</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>690</td>
<td>Claudia Devinney</td>
<td><a href="mailto:tippynine@yahoo.com">tippynine@yahoo.com</a></td>
<td>Perry</td>
<td>NY</td>
<td>toxins are killing our planet</td>
</tr>
<tr>
<td>691</td>
<td>Christopher Kralik</td>
<td><a href="mailto:misterkite@comcast.net">misterkite@comcast.net</a></td>
<td>Camas</td>
<td>WA</td>
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<tr>
<td>692</td>
<td>Cynthia Taylor</td>
<td><a href="mailto:cetaylor66@hotmail.com">cetaylor66@hotmail.com</a></td>
<td>Ashland</td>
<td>OR</td>
<td>Please, please, please don't approve this! DISASTER that should NEVER be an energy source in the Great State of Oregon. From beginning to end it is the cause of environmental, human and especially wildlife sickness. If the state of Oregon were to go ahead with allowing fracking within our state then I would have to say that the elected officials who support fracking as an energy source are negligent in their duties. Fracking as we know is the cause for the destruction of clean water resources - pumping toxic chemicals into streams, rivers and aquifers. Fracking uses value water sources needed for growing horticultural crops and for providing hydration for wildlife and agriculture. But the greatest concern for this Oregonian is the fact that fracking disturbs the earth's crust and causes EARTHQUAKES! Please do everything in your power to not only oppose and prevent short term fracking proposals but all future proposals.</td>
</tr>
<tr>
<td>693</td>
<td>Diane Craig</td>
<td><a href="mailto:creativekiwi@comcast.net">creativekiwi@comcast.net</a></td>
<td>Beaverton</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>694</td>
<td>JANE MARA</td>
<td><a href="mailto:jemara3@yahoo.com">jemara3@yahoo.com</a></td>
<td>Talent</td>
<td>OR</td>
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<td>695</td>
<td>Peter Sergienko</td>
<td><a href="mailto:petersergienko@gmail.com">petersergienko@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<td>696</td>
<td>Robert and Dolores Scheelen</td>
<td><a href="mailto:scheelen@earthlink.net">scheelen@earthlink.net</a></td>
<td>Medford</td>
<td>OR</td>
<td></td>
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<td>697</td>
<td>Willem Adriaen van Rees</td>
<td><a href="mailto:willemvanrees1996@gmail.com">willemvanrees1996@gmail.com</a></td>
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<tr>
<td>698</td>
<td>Cathy Davis</td>
<td><a href="mailto:cathynelsondavis@gmail.com">cathynelsondavis@gmail.com</a></td>
<td>Senatobia</td>
<td>MS</td>
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<td>699</td>
<td>Jay Roelof</td>
<td><a href="mailto:jtroelof@outlook.com">jtroelof@outlook.com</a></td>
<td>Lincoln City</td>
<td>OR</td>
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<td>Betty Abadia</td>
<td><a href="mailto:amarone3@gmail.com">amarone3@gmail.com</a></td>
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<tr>
<td>701</td>
<td>Lori Kunkel</td>
<td><a href="mailto:kunkelpdx@comcast.net">kunkelpdx@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
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</table>

Methane leaks from fracked-gas production are greatly accelerating climate change. We need to aggressively move away from fossil fuel consumption and toward renewable sources of energy. Despite this, energy companies are looking to develop new fracked gas-fired power plants in our region. Building additional fracked gas infrastructure would only entrench our region in fossil fuel use for decades to come.
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<th>Location</th>
<th>Notes</th>
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<tbody>
<tr>
<td>702</td>
<td>William</td>
<td><a href="mailto:williamschoene@gmail.com">williamschoene@gmail.com</a></td>
<td>Santa Monica, CA</td>
<td>Every new source of fossil fuel developed now and every newly-constructed facility of fossil-fuel infrastructure are more nails in the coffin of humanity's future on earth. The amount of of carbon-dioxide already in our atmosphere -- 415 PPM -- is already enough to cause extreme weather events all over the earth: floods, wildfires, droughts, heat waves and superstorms. This is the 'new normal' for earth's climate; it won't ever get any better, but it will get a lot worse, eventually unliveably worse. Every day we are still pouring millions of tons of CO2 into the atmosphere. We obviously cannot stop this overnight, but we must phase out fossil fuels as rapidly as we can and do everything else we can to remove CO2, such as planting billions more trees wherever they can survive.</td>
</tr>
<tr>
<td>703</td>
<td>Susan</td>
<td><a href="mailto:forbux@hotmail.com">forbux@hotmail.com</a></td>
<td>Albany, OR</td>
<td>Think of all that sunshine out there, and the steady winds blowing down the Gorge. Why burn fossil fuels when they need to stay buried?</td>
</tr>
<tr>
<td>704</td>
<td>Dean</td>
<td><a href="mailto:muchcatfur@comcast.net">muchcatfur@comcast.net</a></td>
<td>Beaverton, OR</td>
<td>Please do not support any additional fossil fuel infrastructure. That way lies madness.</td>
</tr>
<tr>
<td>705</td>
<td>Ann</td>
<td><a href="mailto:annlittlewood3@gmail.com">annlittlewood3@gmail.com</a></td>
<td>Portland, OR</td>
<td></td>
</tr>
<tr>
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<tr>
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<td>Aloysius Wald</td>
<td><a href="mailto:ajwaldtwo@yahoo.com">ajwaldtwo@yahoo.com</a></td>
<td>Columbus</td>
<td>OH</td>
</tr>
<tr>
<td>707</td>
<td>Sarah Thomas</td>
<td><a href="mailto:sarahthomas@gmail.com">sarahthomas@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>708</td>
<td>Mary Duvall</td>
<td><a href="mailto:mudpuddle@hughes.net">mudpuddle@hughes.net</a></td>
<td>Clatskanie</td>
<td>OR</td>
</tr>
<tr>
<td>709</td>
<td>Diane Kent</td>
<td><a href="mailto:jdkent@aol.com">jdkent@aol.com</a></td>
<td>Phoenix</td>
<td>AZ</td>
</tr>
</tbody>
</table>

Don't you get it yet? Alaska on fire, Europe on fire, glaciers gone in Switzerland, arctic ice GONE, Doug Fir plantations dying, Salmon on the edge of extinction, 99% of scientists agree we are killing the planet....What part of we are killing every life form on the planet do you not get? Some where some time some politicians have to lead...so far it ain't Oregon....We are still letting the corporations wag our forestry into plantations that have no resistance, we are still letting corporations try to site dirty oil and gas exploiting activities along our best but sadly abused rivers....California is miles ahead of Oregon, Washington too...when is Oregon going to wake up and join the other western states in resistance to death by fossil fuels.??????????????????????????????
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<td>710</td>
<td>Rick Brodner</td>
<td><a href="mailto:rbrodner@gmail.com">rbrodner@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>711</td>
<td>Linda A. Heath</td>
<td><a href="mailto:heathster52@gmail.com">heathster52@gmail.com</a></td>
<td>Grafton</td>
<td>OH</td>
</tr>
<tr>
<td>712</td>
<td>Kevin Chiu</td>
<td><a href="mailto:kevinchiupetit@gmail.com">kevinchiupetit@gmail.com</a></td>
<td>Seattle</td>
<td>WA</td>
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<td>713</td>
<td>Janet Wynne</td>
<td><a href="mailto:jmarwy@msn.com">jmarwy@msn.com</a></td>
<td>Bellingham</td>
<td>WA</td>
</tr>
<tr>
<td>714</td>
<td>Dana Sewall</td>
<td><a href="mailto:dlsewall@comcast.net">dlsewall@comcast.net</a></td>
<td>Gresham</td>
<td>OR</td>
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We cannot encourage any more fossil fuel development in our state - approving this facility sends the wrong message about our priorities. Deny this RFA, and focus on sustainable energy infrastructure for our state.

I am currently in my mid 20s, and I have many friends around that age. I have cousins who are in elementary school, and several of my friends have kids of their own. Climate change is already wreaking havoc on our world, and we will undoubtedly live to see its calamitous, irreversible impacts, rising temperatures and sea levels, the agricultural and economic destruction they will cause, and the societal breakdowns that will inevitably follow, should they go unmitigated. I do not want myself, my friends, my family, or anyone else to suffer. We cannot ignore what the vast majority of scientists have been warning us about for years any longer.
<table>
<thead>
<tr>
<th>Name</th>
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<th>City</th>
<th>State</th>
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<tbody>
<tr>
<td>Matthew</td>
<td><a href="mailto:aquarover@hotmail.com">aquarover@hotmail.com</a></td>
<td>Cambridge</td>
<td>MA</td>
</tr>
<tr>
<td>Carol</td>
<td><a href="mailto:cbosworth@cmug.com">cbosworth@cmug.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>David</td>
<td><a href="mailto:encanto@ochcom.org">encanto@ochcom.org</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Jackie</td>
<td><a href="mailto:jlwmcole@comcast.net">jlwmcole@comcast.net</a></td>
<td>Woodinville</td>
<td>WA</td>
</tr>
<tr>
<td>Stephen</td>
<td><a href="mailto:stephen.wolfe@uit.no">stephen.wolfe@uit.no</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Beth</td>
<td><a href="mailto:levin.beth@gmail.com">levin.beth@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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</tbody>
</table>

We have scientific data and long standing evidence of the damage that will be caused by allowing such an action to occur. One of the key roles of government is to preserve public safety. Willfully ignoring clear evidence of an impending catastrophe is a dereliction of duty. Scientists have worked for decades to assemble an incontrovertible body of evidence related to our changing climate, and ignoring that information is insidious. Future generations' resources, health and prosperity is dependent on us acting immediately, significantly and broadly.

Fracking is a dangerous activity for people, fellow beings and overall planetary health. Do not allow its tentacles into a state that has largely resisted its presence.

This has to be stopped since the company has no buyer, and fracking is very dangerous polluting work and should not be shipped anywhere.

Thanks, Stephen F. Wolfe
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
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<tbody>
<tr>
<td>721</td>
<td>Susan</td>
<td><a href="mailto:lelierre88@gmail.com">lelierre88@gmail.com</a></td>
<td>Lake Oswego</td>
<td>OR</td>
<td>If we value the quality of our drinking water, we DON'T want any fracking going on anywhere near this pristine terrain we live in and cherish.</td>
</tr>
<tr>
<td>722</td>
<td>Maureen</td>
<td><a href="mailto:renieb@gmail.com">renieb@gmail.com</a></td>
<td>Salem</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>723</td>
<td>Kent</td>
<td><a href="mailto:kent@fossilcartel.com">kent@fossilcartel.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>724</td>
<td>Emily</td>
<td><a href="mailto:efrank26@comcast.net">efrank26@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>725</td>
<td>Kathie E</td>
<td><a href="mailto:ktakush@yahoo.com">ktakush@yahoo.com</a></td>
<td>Reading</td>
<td>PA</td>
<td></td>
</tr>
<tr>
<td>726</td>
<td>Steve</td>
<td>steve.ro <a href="mailto:bey@gmail.com">bey@gmail.com</a></td>
<td>Berkeley</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>727</td>
<td>Lynn</td>
<td><a href="mailto:shoemakl@uww.edu">shoemakl@uww.edu</a></td>
<td>Whitewater</td>
<td>WI</td>
<td></td>
</tr>
<tr>
<td>728</td>
<td>John</td>
<td><a href="mailto:johnpaulbremer@gmail.com">johnpaulbremer@gmail.com</a></td>
<td>Bellingham</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>729</td>
<td>Cristy</td>
<td><a href="mailto:doglady8@gmail.com">doglady8@gmail.com</a></td>
<td>Oregon City</td>
<td>OR</td>
<td></td>
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<tr>
<td>730</td>
<td>JANET</td>
<td><a href="mailto:janetheinle@yahoo.com">janetheinle@yahoo.com</a></td>
<td>Santa Monica</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>731</td>
<td>Priscilla</td>
<td><a href="mailto:priscillamartinez486@yahoo.com">priscillamartinez486@yahoo.com</a></td>
<td>Bothell</td>
<td>WA</td>
<td>We need to take better care of what is left of our environment, our wildlife, and our marine life.</td>
</tr>
<tr>
<td>732</td>
<td>Annalee</td>
<td><a href="mailto:alord@ymail.com">alord@ymail.com</a></td>
<td>Vancouver</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>733</td>
<td>Heidi</td>
<td><a href="mailto:capa_7@yahoo.com">capa_7@yahoo.com</a></td>
<td>Beaverton</td>
<td>OR</td>
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<td>734</td>
<td>Susan Haywood</td>
<td><a href="mailto:susansaphone2@yahoo.com">susansaphone2@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>735</td>
<td>Maggie Knapp</td>
<td><a href="mailto:knappmaggie@gmail.com">knappmaggie@gmail.com</a></td>
<td>Berkeley</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>736</td>
<td>Teresa Van Haalen</td>
<td><a href="mailto:tvanhaal@icloud.com">tvanhaal@icloud.com</a></td>
<td>Spokane Valley</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>737</td>
<td>Holly Marczak</td>
<td><a href="mailto:hollylee57@yahoo.com">hollylee57@yahoo.com</a></td>
<td>Ledyard</td>
<td>CT</td>
<td></td>
</tr>
<tr>
<td>738</td>
<td>Robin Miller</td>
<td><a href="mailto:robin4miller@icloud.com">robin4miller@icloud.com</a></td>
<td>Bend</td>
<td>OR</td>
<td></td>
</tr>
</tbody>
</table>

Not only are there the methane flares which make fracked gas a very dirty form of energy, fracked gas has polluted numerous waterways and ground water. Allowing our water supplies to be polluted by fracking is foolish to the point of global suicide. Fracking is also associated with earthquakes. The damage it causes is not tallied when the expense of this energy form is calculated. The producers of fracked gas to not bear the burden of this cost. We the taxpayers are left holding the bill. Whether fracked gas is being transported by rail or pipeline, the risks to surrounding communities, to water supplies, to the air we breathe, and to the soil needed to grow food are too costly. This compounds the risk to the entire planet that the development of this fuel source causes. Climate catastrophe is in our future if we do not leave this very dirty form of fossil fuels in the ground.
<table>
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<th>Email</th>
<th>Location</th>
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</tr>
</thead>
<tbody>
<tr>
<td>739</td>
<td>Joan</td>
<td><a href="mailto:sydjoans@gmail.com">sydjoans@gmail.com</a></td>
<td>Columbia City</td>
<td>OR</td>
<td>I do not support any new projects related to fossil fuels. I reject the Request for Amendment (RFA) to Perennial Wind Chaser,Äös (Perennial) site certificate for a proposed gas-fired power plant. Fossil fuels are dirty and dangerous to surrounding communities and harm our fragile environment. Stop this project.</td>
</tr>
<tr>
<td>740</td>
<td>Charles</td>
<td><a href="mailto:charlesntownsend@gmail.com">charlesntownsend@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>No fracked gas power plants. This is 180 degrees away from the direction that we know we need to be headed if we're going to deal with climate change. Fracked gas is harmful to our planet. Fracked gas is harmful to the ground water sources. Fracked gas is the cause of increased seismic activity. Fracked gas is dangerous to the communities that live along the transportation corridors. Just say 'No, hell no!' to fracked gas.</td>
</tr>
<tr>
<td>741</td>
<td>Liz</td>
<td><a href="mailto:elizat8@pobox.com">elizat8@pobox.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>742</td>
<td>Charissa</td>
<td><a href="mailto:charissaniles@me.com">charissaniles@me.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>ID</td>
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</tr>
<tr>
<td>743</td>
<td>Sandra</td>
<td><a href="mailto:armstrong.sandy@gmail.com">armstrong.sandy@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please don't permit any fracked gas plant into Oregon. There is enough fossil fuel pollution in the air now. My great grandchildren deserve a better future than that. We still don't know how dangerous fracking is, but I believe it's very dangerous.</td>
</tr>
<tr>
<td>744</td>
<td>Cynthia</td>
<td><a href="mailto:marrs_cynthia@yahoo.com">marrs_cynthia@yahoo.com</a></td>
<td>Junction City</td>
<td>OR</td>
<td>This is a terrible idea moving in the wrong direction of energy resources. Please do not support it.</td>
</tr>
<tr>
<td>745</td>
<td>Charlotte</td>
<td><a href="mailto:mocam37@gmail.com">mocam37@gmail.com</a></td>
<td>Navarre</td>
<td>FL</td>
<td>This is a terrible idea moving in the wrong direction of energy resources. Please do not support it.</td>
</tr>
<tr>
<td>746</td>
<td>Mike</td>
<td><a href="mailto:mickconlan@hotmail.com">mickconlan@hotmail.com</a></td>
<td>Redmond</td>
<td>WA</td>
<td>This is a terrible idea moving in the wrong direction of energy resources. Please do not support it.</td>
</tr>
<tr>
<td>747</td>
<td>Jennifer</td>
<td><a href="mailto:spiralight8@gmail.com">spiralight8@gmail.com</a></td>
<td>Joshua Tree</td>
<td>CA</td>
<td>As a grandmother, I do everything I can to protect the health and environment in Oregon, so they can live here as well as I have. Please, consider the future as well as the present in thinking about fracked gas infrastructure in our state.</td>
</tr>
<tr>
<td>748</td>
<td>BEPPIE</td>
<td><a href="mailto:beppie@hawaii.edu">beppie@hawaii.edu</a></td>
<td>Portland</td>
<td>OR</td>
<td>My wife and I see coal as a dying industry. We strongly believe it to everyone's advantage to invest in clean, renewable energy sources.</td>
</tr>
<tr>
<td>749</td>
<td>Lehman</td>
<td><a href="mailto:tripsguy@aol.com">tripsguy@aol.com</a></td>
<td>Vancouver</td>
<td>WA</td>
<td>My wife and I see coal as a dying industry. We strongly believe it to everyone's advantage to invest in clean, renewable energy sources.</td>
</tr>
<tr>
<td>750</td>
<td>Annie</td>
<td><a href="mailto:anniedc53@gmail.com">anniedc53@gmail.com</a></td>
<td>Saint Helens</td>
<td>OR</td>
<td>My wife and I see coal as a dying industry. We strongly believe it to everyone's advantage to invest in clean, renewable energy sources.</td>
</tr>
<tr>
<td>751</td>
<td>James</td>
<td><a href="mailto:jiroane@yahoo.com">jiroane@yahoo.com</a></td>
<td>Renton</td>
<td>WA</td>
<td>My wife and I see coal as a dying industry. We strongly believe it to everyone's advantage to invest in clean, renewable energy sources.</td>
</tr>
<tr>
<td></td>
<td>Name</td>
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<tr>
<td>752</td>
<td>Diane Colcord</td>
<td><a href="mailto:ceciletc2003@yahoo.com">ceciletc2003@yahoo.com</a></td>
<td>Tillamook</td>
<td>OR</td>
<td>Please REJECT this request for amendment. We do not need fracking in our state. We do not need to add to the climate chaos situation. Please do not act like the Federal Government.</td>
</tr>
<tr>
<td>753</td>
<td>Jaime Ramirez</td>
<td><a href="mailto:yunohuayam@yahoo.com">yunohuayam@yahoo.com</a></td>
<td>Corvallis</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>754</td>
<td>Sam Hackney</td>
<td><a href="mailto:samonwry@gmail.com">samonwry@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>755</td>
<td>Margaret</td>
<td><a href="mailto:dragonheartfarm@hotmail.com">dragonheartfarm@hotmail.com</a></td>
<td>Cannon Beach</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>756</td>
<td>Rebecca Clark</td>
<td><a href="mailto:bjclark@siderial.com">bjclark@siderial.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>757</td>
<td>Susan Atwood</td>
<td><a href="mailto:rnc112124@gmail.com">rnc112124@gmail.com</a></td>
<td>Vancouver</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>758</td>
<td>Ellen Halbert</td>
<td><a href="mailto:ellenhalbeet@hotmail.com">ellenhalbeet@hotmail.com</a></td>
<td>Drayden</td>
<td>MD</td>
<td></td>
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<tr>
<td>759</td>
<td>Jonathan Gottlieb</td>
<td><a href="mailto:jhgottlieb@gmail.com">jhgottlieb@gmail.com</a></td>
<td>Natick</td>
<td>MA</td>
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<td>760</td>
<td>Bea Ogden</td>
<td><a href="mailto:bea.ogden@outlook.com">bea.ogden@outlook.com</a></td>
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<tr>
<td>761</td>
<td>Nancy Robinson</td>
<td><a href="mailto:robinson@peak.org">robinson@peak.org</a></td>
<td>Corvallis</td>
<td>OR</td>
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<tr>
<td>762</td>
<td>Adonai Booth</td>
<td><a href="mailto:sirdavidbooth@yahoo.com">sirdavidbooth@yahoo.com</a></td>
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<td>763</td>
<td>Stephanie Bourdelle</td>
<td><a href="mailto:stephanieb638@aol.com">stephanieb638@aol.com</a></td>
<td>Sheffield</td>
<td>VT</td>
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<td>764</td>
<td>Wallace Limura</td>
<td><a href="mailto:wiimura@gmail.com">wiimura@gmail.com</a></td>
<td>Cupertino</td>
<td>CA</td>
<td></td>
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<tr>
<td>765</td>
<td>Donald Lahti</td>
<td><a href="mailto:dm2lahti@hotmail.com">dm2lahti@hotmail.com</a></td>
<td>Allyn</td>
<td>WA</td>
<td>GO GREEN NOW.</td>
</tr>
<tr>
<td>766</td>
<td>Robert Oberdorfer</td>
<td><a href="mailto:roboberdorfer@gmail.com">roboberdorfer@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>767</td>
<td>Tami Lukachy</td>
<td><a href="mailto:tlukachy@yahoo.com">tlukachy@yahoo.com</a></td>
<td>Henderson</td>
<td>NV</td>
<td>You must stop destroying our planet! This is it, then there is nothing! Stop selling out for cash! No more fracking!</td>
</tr>
<tr>
<td>768</td>
<td>Mary Davis</td>
<td><a href="mailto:cysliders@aol.com">cysliders@aol.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<td>770</td>
<td>mr.g.</td>
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<td>Marshall</td>
<td>Sanders</td>
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<td>Oppenhuizen</td>
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</tr>
<tr>
<td>776</td>
<td>Paul</td>
<td>Blackburn</td>
<td><a href="mailto:paulrblackburn@msn.com">paulrblackburn@msn.com</a></td>
<td></td>
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<td>Ponti</td>
<td><a href="mailto:emiliaroseponti@gmail.com">emiliaroseponti@gmail.com</a></td>
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<tr>
<td>778</td>
<td>Lorraine</td>
<td>Hersey</td>
<td><a href="mailto:lorraineh47@msn.com">lorraineh47@msn.com</a></td>
<td></td>
<td>OR</td>
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<tr>
<td>779</td>
<td>Diana</td>
<td>Talcott</td>
<td><a href="mailto:diana.talcott@gmail.com">diana.talcott@gmail.com</a></td>
<td></td>
<td>OR</td>
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<tr>
<td>780</td>
<td>Pam</td>
<td>Chestnut</td>
<td><a href="mailto:plc19@peak.org">plc19@peak.org</a></td>
<td></td>
<td>OR</td>
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<tr>
<td>781</td>
<td>Hugh</td>
<td>Cochran</td>
<td><a href="mailto:hughc1937@gmail.com">hughc1937@gmail.com</a></td>
<td></td>
<td>OR</td>
</tr>
<tr>
<td>782</td>
<td>Debra</td>
<td>Slater</td>
<td><a href="mailto:dslater@west-connect.com">dslater@west-connect.com</a></td>
<td></td>
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</table>

- We don’t want centrally controlled carbon and nuke energy that the 1% controls to their profit. We want decentralized, localized rooftop solar subsidized by taxation of corporations and the 1%.
- There does not appear to be a real need for this facility as they cannot find any customers.
- Let’s be leaders and get rid of any possibility of fracked gas in our lovely state. We want clean water and land for our children and grandchildren.
- We cannot support fracking. We cannot build new fossil fuel infrastructure in this climate emergency. Please stop this madness!
- Please, no….thank you.
<table>
<thead>
<tr>
<th>Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Message</th>
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<tbody>
<tr>
<td>Tracy</td>
<td><a href="mailto:tracyandknut@comcast.net">tracyandknut@comcast.net</a></td>
<td>Shoreline</td>
<td>WA</td>
<td>Let's use tax payer dollars to support sustainable infrastructure and long term jobs which will not damage our ecosystems costing us more money in the long term.</td>
</tr>
<tr>
<td>Name</td>
<td>City</td>
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<tr>
<td>Jean Naples</td>
<td>Suffern</td>
<td><a href="mailto:jeannaples7@gmail.com">jeannaples7@gmail.com</a></td>
<td>NY</td>
<td></td>
</tr>
<tr>
<td>Dolly and Roy</td>
<td>Tacoma</td>
<td><a href="mailto:royanddolly@gmail.com">royanddolly@gmail.com</a></td>
<td>WA</td>
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</table>

I am writing as a New York physician and public health advocate who very much supported the decision in New York to not allow environmental and public health hydraulic fracturing to occur in our state. At this time, I strongly urge Governor Brown and the Energy Facility Siting Council (EFSC) to reject the so-called Perennial Wind Chaser facility (aka fracked gas power plant) proposed near Hermiston, Oregon. Please be aware that in addition to the environmental and public health damage that will be a threat for all families and wildlife in Oregon, Perennial claims that it has "been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date." Perennial also failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is not...
<p>| 786 | Joann Macey | <a href="mailto:jomace123@gmail.com">jomace123@gmail.com</a> | McMinnville, OR | We do not want fracking in Oregon. Such work has caused earthquakes in a landlocked state of Oklahoma. We are a earthquake risk state. We do not need this, too. Oregon prides itself on its environmental condition and laws. This invasive project is completely contrary to our cultural standards. |
| 787 | Laura Goldberg | <a href="mailto:dickandlaura@peoplepc.com">dickandlaura@peoplepc.com</a> | Arlington, WA | We must keep fossil fuels in the ground and focus instead on clean, green energy!!!! |
| 788 | Kaitlin Grammer | <a href="mailto:grammerk@comcast.net">grammerk@comcast.net</a> | Mount Hood Park, OR |  |
| 789 | Jeri Renner | jери<a href="mailto:.renner@gmail.com">.renner@gmail.com</a> | Adrian, MI |  |
| 790 | Hillary Tiefer | <a href="mailto:hillarytiefer@hotmail.com">hillarytiefer@hotmail.com</a> | Portland, OR |  |
| 791 | michele mcferran | <a href="mailto:mlmcferran@hotmail.com">mlmcferran@hotmail.com</a> | Bend, OR |  |
| 792 | Maureen Bigler | <a href="mailto:maureenbigler@msn.com">maureenbigler@msn.com</a> | Glide, OR | The Gas Industry refuses to repair THE EXISTING LEAKS THEY HAVE so why give them more pipe to leak? They also insist on powering their Pressure Reducing Valves by using the Methane to power them by exhausting gas into the atmosphere and that makes warming escalate rapidly. We need SOLAR AND WIND ENERGY more than another polluting power plant just built for some rich guys to get richer! |
| 793 | Christopher Warren | <a href="mailto:oneworldatpeace@comcast.net">oneworldatpeace@comcast.net</a> | Springfield, OR |  |</p>
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>794</td>
<td>Michael Terry</td>
<td><a href="mailto:michaelgterry@hotmail.com">michaelgterry@hotmail.com</a></td>
<td>Santa Monica</td>
<td>CA</td>
<td>The first step in phasing out fossil fuels is to stop building fossil-fuel infrastructure that will continue polluting for decades!</td>
</tr>
<tr>
<td>795</td>
<td>Abigail Houghton</td>
<td><a href="mailto:frogwitch@aol.com">frogwitch@aol.com</a></td>
<td>University Place</td>
<td>WA</td>
<td>our planet needs help</td>
</tr>
<tr>
<td>796</td>
<td>Patricia Reynolds</td>
<td><a href="mailto:dreamthisone@yahoo.com">dreamthisone@yahoo.com</a></td>
<td>Washougal</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>797</td>
<td>J. Woodworth</td>
<td><a href="mailto:wpjitiger@comcast.net">wpjitiger@comcast.net</a></td>
<td>Newman Lake</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>798</td>
<td>G Rowe</td>
<td><a href="mailto:rowtoo@comcast.net">rowtoo@comcast.net</a></td>
<td>Bend</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>799</td>
<td>Denise Tschann</td>
<td><a href="mailto:dmtschann@gmail.com">dmtschann@gmail.com</a></td>
<td>Ashland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>800</td>
<td>Jan Castle</td>
<td><a href="mailto:jancastle@comcast.net">jancastle@comcast.net</a></td>
<td>Lake Oswego</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>801</td>
<td>Laurie And Dave King</td>
<td><a href="mailto:landd_2@q.com">landd_2@q.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>802</td>
<td>Jessica Rojas</td>
<td><a href="mailto:jessica@necoalition.org">jessica@necoalition.org</a></td>
<td>Portland</td>
<td>OR</td>
<td>That type of infrastructure has no business in Portland. The harm caused will exceed the profits.</td>
</tr>
<tr>
<td>803</td>
<td>Anne Buttersalt</td>
<td><a href="mailto:buttersalt@me.com">buttersalt@me.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>804</td>
<td>Betsy Pendergast</td>
<td><a href="mailto:ptgramma57@gmail.com">ptgramma57@gmail.com</a></td>
<td>Port Townsend</td>
<td>WA</td>
<td>We must end fossil fuel extraction as fast as possible.</td>
</tr>
<tr>
<td>805</td>
<td>BC Shelby</td>
<td><a href="mailto:bcshelby@gmail.com">bcshelby@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>806</td>
<td>SJ van Rees</td>
<td><a href="mailto:jonevanrees@hotmail.com">jonevanrees@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Please consider the future of our environment, for your children, your children’s children, for all flora and fauna, for the earth. Renewable energy is the path to our future.</td>
</tr>
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<td>Name</td>
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<tr>
<td>Stephen Dutschke</td>
<td><a href="mailto:sdutschke@gmail.com">sdutschke@gmail.com</a></td>
<td>Louisville</td>
<td>KY</td>
<td>As a Democratic PCP who worked on your election campaign, I am totally opposed to all aspects of fracked gas. First, the high-pressed pushing into the Earth of a 500-plus chemical (not disclosed due to proprietary laws) solution cannot fail to contaminate water sources and cause earthquakes. Burning such natural gas (plus releasing methane, during extraction) releases untold amounts of greenhouse gases, shortening the time on Earth for humans.</td>
<td></td>
</tr>
<tr>
<td>Richard Freeman</td>
<td><a href="mailto:richcfreeman@yahoo.com">richcfreeman@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>Stephen Craig Rolston</td>
<td><a href="mailto:craigrolston@frontier.com">craigrolston@frontier.com</a></td>
<td>Mount Vernon</td>
<td>WA</td>
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<tr>
<td>Vernon Batty</td>
<td><a href="mailto:aussiedogweb@gmail.com">aussiedogweb@gmail.com</a></td>
<td>Pagosa Springs</td>
<td>CO</td>
<td></td>
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<tr>
<td>Donna Wehrley</td>
<td><a href="mailto:thewehrleys@yahoo.com">thewehrleys@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>EILEEN MASSEY</td>
<td><a href="mailto:eilmassey@yahoo.com">eilmassey@yahoo.com</a></td>
<td>Emeryville</td>
<td>CA</td>
<td></td>
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<tr>
<td>Henry Berkwitz</td>
<td><a href="mailto:hlemc@verizon.net">hlemc@verizon.net</a></td>
<td>Sabinsville</td>
<td>PA</td>
<td>Perhaps you need to consider global warming in deciding if this is a good thing for our planet.</td>
<td></td>
</tr>
<tr>
<td>Dennis Higgins</td>
<td><a href="mailto:kimballshirley@frontier.com">kimballshirley@frontier.com</a></td>
<td>Manzanita</td>
<td>OR</td>
<td>The voice of Oregon's governor is vital in this effort. Many thanks.</td>
<td></td>
</tr>
<tr>
<td>Peter Luciano</td>
<td><a href="mailto:pncolumbia@comcast.net">pncolumbia@comcast.net</a></td>
<td>Columbia City</td>
<td>OR</td>
<td></td>
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<tr>
<td>Joene Pike</td>
<td><a href="mailto:cheetah212@frontier.com">cheetah212@frontier.com</a></td>
<td>Hillsboro</td>
<td>OR</td>
<td></td>
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<tr>
<td>Mauria McClay</td>
<td><a href="mailto:mauria_rhys@yahoo.com">mauria_rhys@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>Ruba Leech</td>
<td><a href="mailto:ruba_t@hotmail.com">ruba_t@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>819</td>
<td>Amy Roberts</td>
<td><a href="mailto:homerjim82@gmail.com">homerjim82@gmail.com</a></td>
<td>Albany, OR</td>
<td>Fracking is bad for communities and bad for the environment. It is a short-term solution to a long-term problem, but has very long-term negative affects.</td>
<td></td>
</tr>
<tr>
<td>820</td>
<td>Marguery Lee Zucker</td>
<td><a href="mailto:lee.m.zucker@gmail.com">lee.m.zucker@gmail.com</a></td>
<td>Eugene, OR</td>
<td>Please: No new fracked gas. The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules. Which is fine with us; enough of this polluting industry.</td>
<td></td>
</tr>
<tr>
<td>821</td>
<td>satya vayu</td>
<td><a href="mailto:satyavayu@gmail.com">satyavayu@gmail.com</a></td>
<td>Portland, OR</td>
<td>In this time of doing all we can to mitigate the effects of science based climate change, we must put a stop to fracking altogether.</td>
<td></td>
</tr>
<tr>
<td>822</td>
<td>Joan Spiering</td>
<td><a href="mailto:joanspiering@msn.com">joanspiering@msn.com</a></td>
<td>Rockaway Beach, OR</td>
<td>Fracking alone is harmful to our environment. Oklahoma is a good example; they now have earthquakes where they never had them before.</td>
<td></td>
</tr>
<tr>
<td>823</td>
<td>Roger Kofler</td>
<td><a href="mailto:rkofer@aol.com">rkofer@aol.com</a></td>
<td>Portland, OR</td>
<td>On the heels of the failed Clean Energy Jobs bill, we must do the right thing this time.</td>
<td></td>
</tr>
<tr>
<td>824</td>
<td>Judith Mackenzie</td>
<td><a href="mailto:jpmackenzie@comcast.net">jpmackenzie@comcast.net</a></td>
<td>Minneapolis, MN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>825</td>
<td>Jane Heisler</td>
<td><a href="mailto:rroberts8001@msn.com">rroberts8001@msn.com</a></td>
<td>Portland, OR</td>
<td></td>
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<tr>
<td>826</td>
<td>Gloria Rhyne</td>
<td><a href="mailto:gloria.rhyne@gmail.com">gloria.rhyne@gmail.com</a></td>
<td>Portland, OR</td>
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<tr>
<td>827</td>
<td>Christi Dillon</td>
<td><a href="mailto:racegirl1971@yahoo.com">racegirl1971@yahoo.com</a></td>
<td>Mooresville, NC</td>
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<tr>
<td>828</td>
<td>Paul Borcherding</td>
<td><a href="mailto:pb_palomine@hotmail.com">pb_palomine@hotmail.com</a></td>
<td>La Grande</td>
<td>OR</td>
<td>Just say no to additional infrastructure for extractive industry development.</td>
</tr>
<tr>
<td>829</td>
<td>Michael Robertson</td>
<td><a href="mailto:mikeysaurus.pdx@gmail.com">mikeysaurus.pdx@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Fracking is the very worst, environmentally destructive method of obtaining natural gas, at a time when we have no need of it. Hence, fracking is nothing but a desperate attempt to eke out a little more profit from a dying industry before non-polluting, sustainable energy systems completely take over the market. The era of environmental destruction for industry profit is over!</td>
</tr>
<tr>
<td>830</td>
<td>Bobbee Murr</td>
<td><a href="mailto:bobbeemurr@gmail.com">bobbeemurr@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>POWER FROM RENEWABLES IS THE ONLY SANE WAY TO GO!!!</td>
</tr>
<tr>
<td>831</td>
<td>Cathy Bledsoe</td>
<td><a href="mailto:cbledsoe@comcast.net">cbledsoe@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
<td>There is an abundance of wind power to use in that location. NO to fracked gas. It is helping to destroy our atmosphere. Thank you. Sue Craig Lane County</td>
</tr>
<tr>
<td>832</td>
<td>Michael Wilson</td>
<td><a href="mailto:michaelamarwilson@gmail.com">michaelamarwilson@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>833</td>
<td>Jon Hager</td>
<td><a href="mailto:stormcrow60@xmission.com">stormcrow60@xmission.com</a></td>
<td>Riverton</td>
<td>UT</td>
<td></td>
</tr>
<tr>
<td>834</td>
<td>Rita Heinz</td>
<td><a href="mailto:ritaheinz@hotmail.com">ritaheinz@hotmail.com</a></td>
<td>Ashland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>835</td>
<td>Fred Mallery</td>
<td><a href="mailto:flmalery@efn.org">flmalery@efn.org</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>836</td>
<td>Tiffany Spahn</td>
<td><a href="mailto:devilspahn@hotmail.com">devilspahn@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>837</td>
<td>Wendy McGowan</td>
<td><a href="mailto:ramblin@rosenet.net">ramblin@rosenet.net</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>838</td>
<td>Sue Craig</td>
<td><a href="mailto:sueacraig@gmail.com">sueacraig@gmail.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td></td>
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<tr>
<td>No.</td>
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<tr>
<td>839</td>
<td>Susan Parks</td>
<td><a href="mailto:sbparks7@gmail.com">sbparks7@gmail.com</a></td>
<td>Bend</td>
<td>OR</td>
<td>Let, Äôs not stray from the natural beauty that Oregon is.</td>
</tr>
<tr>
<td>840</td>
<td>Mary Neuendorf</td>
<td><a href="mailto:mkneuendorf@comcast.net">mkneuendorf@comcast.net</a></td>
<td>Salem</td>
<td>OR</td>
<td>I thought that Gov. Kate Brown banned fracking in Oregon.</td>
</tr>
<tr>
<td>841</td>
<td>Setsuko Maruki-Fox</td>
<td><a href="mailto:smarukifox@gmail.com">smarukifox@gmail.com</a></td>
<td>Grants Pass</td>
<td>OR</td>
<td>I thought that Gov. Kate Brown banned fracking in Oregon.</td>
</tr>
<tr>
<td>842</td>
<td>Linda Alstad</td>
<td><a href="mailto:lalstad@q.com">lalstad@q.com</a></td>
<td>Salem</td>
<td>OR</td>
<td>I thought that Gov. Kate Brown banned fracking in Oregon.</td>
</tr>
<tr>
<td>843</td>
<td>Maryellen Redish</td>
<td><a href="mailto:mredish@aol.com">mredish@aol.com</a></td>
<td>Palm Springs</td>
<td>CA</td>
<td>Keep it in the ground!</td>
</tr>
<tr>
<td>844</td>
<td>Kathryn TenHoopen</td>
<td><a href="mailto:lunamayah3@gmail.com">lunamayah3@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Keep it in the ground!</td>
</tr>
<tr>
<td>845</td>
<td>David Scheer</td>
<td><a href="mailto:scheerdc@outlook.com">scheerdc@outlook.com</a></td>
<td>Bellingham</td>
<td>WA</td>
<td>Wife Marilyn and I want 'no more' fracked gas, O.K.?!? Obtaining it many times miscellaneously 'wrecks' the geology of the underlying rock strata, plus diverts underground waters! But the 'main reason' why we object is because the fracked gas is a FOSSIL FUEL, which, when burned and used, only 'adds' to the climate change-global warming problem Planet Earth 'already' has! I.e., using fracked gas only adds more CO2 and methane emissions to the air we, our children, and grandchildren have to breathe!! Do you really want to make that worse?!? So...NO more fracked gas, O.K.?!?</td>
</tr>
<tr>
<td>846</td>
<td>Fredrick Seil</td>
<td><a href="mailto:seilf@comcast.net">seilf@comcast.net</a></td>
<td>Berkeley</td>
<td>CA</td>
<td>Wife Marilyn and I want 'no more' fracked gas, O.K.?!? Obtaining it many times miscellaneously 'wrecks' the geology of the underlying rock strata, plus diverts underground waters! But the 'main reason' why we object is because the fracked gas is a FOSSIL FUEL, which, when burned and used, only 'adds' to the climate change-global warming problem Planet Earth 'already' has! I.e., using fracked gas only adds more CO2 and methane emissions to the air we, our children, and grandchildren have to breathe!! Do you really want to make that worse?!? So...NO more fracked gas, O.K.?!?</td>
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</tr>
<tr>
<td>John Goeckermann</td>
<td>Grants Pass, OR</td>
<td><a href="mailto:misterg@wizzards.net">misterg@wizzards.net</a></td>
<td>DON'T SELL OUR CLEAN AIR FOR LYING PROFITEERING GREEDHEADS WHO DON'T CARE WHO THEY HARM!!!!</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michelle Sewald</td>
<td>Denver, CO</td>
<td><a href="mailto:masewald@yahoo.com">masewald@yahoo.com</a></td>
<td>We are long past the point where fracking can be considered a viable solution to energy needs. It's time for twenty-first century, sustainable solutions. Oregon can and should be a leader in renewable energy. We must leave the Victorian era thinking in the past, or there will be no future for any of us.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia Davis</td>
<td>Woodinville, WA</td>
<td><a href="mailto:ginny1218@yahoo.com">ginny1218@yahoo.com</a></td>
<td>Fracking is wrong on so many levels, most importantly that it irrevocably pollutes fresh water, taking it out of the water cycle forever, and destroying aquifers. We don't need this plant and we don't want it, because it supports this disastrous, unsustainable practice.</td>
<td></td>
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</tr>
<tr>
<td>Terry Lopata</td>
<td>Portland, OR</td>
<td><a href="mailto:talopata@msn.com">talopata@msn.com</a></td>
<td>Oregon first! Corporations get the back seat.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Judy Sibelman</td>
<td>Beaverton, OR</td>
<td><a href="mailto:sib@hevanet.com">sib@hevanet.com</a></td>
<td>This project should have no place in Oregon's progressive energy future.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Juanita Hull</td>
<td>Ogden, UT</td>
<td><a href="mailto:utahkittymom@yahoo.com">utahkittymom@yahoo.com</a></td>
<td>...</td>
<td></td>
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</tr>
<tr>
<td>Vaughn Zeitwolfe</td>
<td>Portland, OR</td>
<td><a href="mailto:vzeitzolfe@yahoo.com">vzeitzolfe@yahoo.com</a></td>
<td></td>
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<tr>
<td>Don Stephens</td>
<td>Portland, OR</td>
<td><a href="mailto:shreddad@mac.com">shreddad@mac.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Katherine Howard</td>
<td>Newport, OR</td>
<td><a href="mailto:mymusings@msn.com">mymusings@msn.com</a></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Sarah Stewart</td>
<td>Watertown, MA</td>
<td><a href="mailto:sarahbstewart@yahoo.com">sarahbstewart@yahoo.com</a></td>
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<tr>
<td>Joan</td>
<td>Lawson</td>
<td><a href="mailto:joanvlawson@gmail.com">joanvlawson@gmail.com</a></td>
<td>Seattle</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>Mr. Shelley</td>
<td>Dahlgren, PhD</td>
<td><a href="mailto:shelley@dahlgren.com">shelley@dahlgren.com</a></td>
<td>Sammamish</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>P</td>
<td>Scoville</td>
<td><a href="mailto:michael799@optonline.net">michael799@optonline.net</a></td>
<td>Hewitt</td>
<td>NJ</td>
<td></td>
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<tr>
<td>Richard</td>
<td>Benner</td>
<td><a href="mailto:rpeterbenner@gmail.com">rpeterbenner@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>Joe</td>
<td>Worth</td>
<td><a href="mailto:joewrth1@hotmail.com">joewrth1@hotmail.com</a></td>
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<td>Shelley Z.</td>
<td>Klappholz</td>
<td><a href="mailto:shelleyk@efn.org">shelleyk@efn.org</a></td>
<td>Eugene</td>
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<td>Nancy</td>
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<td>Tom</td>
<td>Bender</td>
<td><a href="mailto:tbender@nehalemtel.net">tbender@nehalemtel.net</a></td>
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<td>Gloria</td>
<td>Fisher</td>
<td><a href="mailto:chaskafisher@gmail.com">chaskafisher@gmail.com</a></td>
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<tr>
<td>dale</td>
<td>riehart</td>
<td><a href="mailto:dale@daleriehart.com">dale@daleriehart.com</a></td>
<td>San Francisco</td>
<td>CA</td>
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<td>Emil</td>
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<td>David</td>
<td>Filer</td>
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<td>Kathy</td>
<td>Kleczek</td>
<td><a href="mailto:kathy@lalunaloca.com">kathy@lalunaloca.com</a></td>
<td>Cannon Beach</td>
<td>OR</td>
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<tr>
<td>Shelly</td>
<td>Cash</td>
<td><a href="mailto:sjccash@icloud.com">sjccash@icloud.com</a></td>
<td>Roseburg</td>
<td>OR</td>
<td></td>
</tr>
</tbody>
</table>

I firmly believe that Perennials request should be denied. Fracking is evil. Considering the impacts displayed in other states (earthquakes, poisoned water, increase in methane gas release, etc). We do not want this construction completed here in Oregon and the accompanying damage. Please deny.

There is no market for this proposal. We need to get off fossil fuels.

Please reject Perennials proposal for this dangerous, unnecessary project. Oregon Can and must do better. Please help us to be part of the solution to save our planet.

Fracking causes cancer
<table>
<thead>
<tr>
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<th>Email</th>
<th>Location</th>
<th>Notes</th>
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<tr>
<td>873</td>
<td>Bill O'Brien</td>
<td>wobобр<a href="mailto:123@yahoo.com">123@yahoo.com</a></td>
<td>Beaverton OR</td>
<td>No fossil fuel burning energy plants in Oregon.</td>
</tr>
<tr>
<td>874</td>
<td>Ken Wheeler</td>
<td><a href="mailto:wheeler.ken@gmail.com">wheeler.ken@gmail.com</a></td>
<td>Beaverton OR</td>
<td></td>
</tr>
<tr>
<td>875</td>
<td>Jennifer Logan</td>
<td><a href="mailto:mniosniwin@hotmail.com">mniosniwin@hotmail.com</a></td>
<td>Sioux Falls SD</td>
<td></td>
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<tr>
<td>876</td>
<td>Janice Karpenick</td>
<td><a href="mailto:jkarpenick@gmail.com">jkarpenick@gmail.com</a></td>
<td>Portland OR</td>
<td></td>
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<tr>
<td>877</td>
<td>Kay Ross</td>
<td><a href="mailto:kaylaross@q.com">kaylaross@q.com</a></td>
<td>Portland OR</td>
<td></td>
</tr>
<tr>
<td>878</td>
<td>Don Worley</td>
<td><a href="mailto:mzee.worley@gmail.com">mzee.worley@gmail.com</a></td>
<td>Kettle Falls WA</td>
<td>People and Planet are more important than corporate profit.</td>
</tr>
<tr>
<td>879</td>
<td>Amanda Feaver</td>
<td><a href="mailto:amamdafeaver@gmail.com">amamdafeaver@gmail.com</a></td>
<td>Portland OR</td>
<td>We just passed a 5 yr. moratorium on fracking during the legislative session. It does not make sense to allow further plans for fracking in the state of Oregon. The data is in, fracking is extremely damaging to our environment. The plans for this facility should be terminated.</td>
</tr>
<tr>
<td>880</td>
<td>Veronica Poklemba</td>
<td><a href="mailto:ronnie717@comcast.net">ronnie717@comcast.net</a></td>
<td>Portland OR</td>
<td></td>
</tr>
<tr>
<td>881</td>
<td>Mary Ann Jasper</td>
<td><a href="mailto:Burbage@centurytel.net">Burbage@centurytel.net</a></td>
<td>Shedd OR</td>
<td></td>
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<tr>
<td>882</td>
<td>Anne Ryland</td>
<td><a href="mailto:annejory@aol.com">annejory@aol.com</a></td>
<td>Ashland OR</td>
<td></td>
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<tr>
<td>883</td>
<td>Scott Species</td>
<td><a href="mailto:sspecies@yahoo.com">sspecies@yahoo.com</a></td>
<td>Seattle WA</td>
<td>it looks likes this project falls under what i like to refer to it as the '3 Strikes rule' It fails for at least 3 good reasons. Therefore, it needs to be called out! Deny the RFA.</td>
</tr>
<tr>
<td>884</td>
<td>Jamie Fillmore</td>
<td><a href="mailto:jfillmore66@gmail.com">jfillmore66@gmail.com</a></td>
<td>Portland OR</td>
<td></td>
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<tr>
<td>885</td>
<td>Terry Tedesco</td>
<td><a href="mailto:ttedesco49@cox.net">ttedesco49@cox.net</a></td>
<td>Phoenix AZ</td>
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<td>886</td>
<td>Jennifer Nitz</td>
<td><a href="mailto:grizzalo@hotmail.com">grizzalo@hotmail.com</a></td>
<td>Missoula MT</td>
<td></td>
</tr>
<tr>
<td>887</td>
<td>Cindy Stein</td>
<td><a href="mailto:cinfish65@yahoo.com">cinfish65@yahoo.com</a></td>
<td>Thousand Oaks CA</td>
<td></td>
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<tr>
<td>888</td>
<td>Don Jacobson</td>
<td><a href="mailto:donjphoto@gmail.com">donjphoto@gmail.com</a></td>
<td>Portland OR</td>
<td></td>
</tr>
<tr>
<td>889</td>
<td>Eileen Hufana</td>
<td><a href="mailto:ejhufana@msn.com">ejhufana@msn.com</a></td>
<td>Portland OR</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gregory Whiting</td>
<td><a href="mailto:gregoryhugh@yahoo.com">gregoryhugh@yahoo.com</a></td>
<td>Portland OR</td>
<td>Completely Unacceptable when already clear that &quot;fracking&quot; is both DESTRUCTIVE in multiple ways &amp; this venture is one more step backwards in terms of environmental DESTRUCTION. NOW is the time for evolutionary creative decision making in terms of Energy &amp; The Planet &amp; Oceans - CITIZEN</td>
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<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<tr>
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<td>James Marquard</td>
<td><a href="mailto:james.marquard@gmail.com">james.marquard@gmail.com</a></td>
<td>Portland OR</td>
<td>There are options for peak use power plants, for instance battery storage units. Tesla has been successfully putting these units, at scale, to realistically replace natural gas fired units.</td>
</tr>
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</table>
Businesses require as much certainty as possible in order to make investment decisions. Mercurial decision making or kicking the can down the road never helps business in the longer run. Let's say a different kind of energy company, one that didn't utilize the most toxic to the environment source--fracked gas- wanted to utilize the wind power widely available near Hermiston and build a power plant. Competition from a possibility of a gas powered plant would scuttle that alternative energy investment. The talking points in this letter are sufficient to deny this permit extension but the bigger picture is the chilling effect it could have on any alternative energy construction. US Supreme Court decides cases based upon how the justices want to decide. Their law clerks then supporting cases. You know the carbon footprint of fracking, transporting and burning is not what we all need now. You have the 'case law' to deny this permit. Just do it.

<table>
<thead>
<tr>
<th>Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rick Rappaport</td>
<td><a href="mailto:rick@rickrappaport.com">rick@rickrappaport.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Cheryl Speer</td>
<td><a href="mailto:cherylaspeer@gmail.com">cherylaspeer@gmail.com</a></td>
<td>Camas</td>
<td>WA</td>
</tr>
<tr>
<td>Sue Lyon-Myrick</td>
<td><a href="mailto:s2adi@msn.com">s2adi@msn.com</a></td>
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<td>OR</td>
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<td>Christine Weber-Kearney</td>
<td><a href="mailto:christinejwk@gmail.com">christinejwk@gmail.com</a></td>
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<tr>
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<td>Diana Rempe</td>
<td><a href="mailto:dianarempe@gmail.com">dianarempe@gmail.com</a></td>
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<tr>
<td>897</td>
<td>Sammy Low</td>
<td><a href="mailto:cougarcreek7@gmail.com">cougarcreek7@gmail.com</a></td>
<td>Stanwood</td>
</tr>
<tr>
<td>898</td>
<td>Nancy Anderson</td>
<td><a href="mailto:nkanderson5@comcast.net">nkanderson5@comcast.net</a></td>
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<tr>
<td>899</td>
<td>Nancy Hartman</td>
<td><a href="mailto:ng3hart@yahoo.com">ng3hart@yahoo.com</a></td>
<td>Louisville</td>
</tr>
<tr>
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<td>TERESA OBARR</td>
<td><a href="mailto:tutuobarr@gmail.com">tutuobarr@gmail.com</a></td>
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</tr>
<tr>
<td>901</td>
<td>Jack Stansfield</td>
<td><a href="mailto:jstansfield8981@gmail.com">jstansfield8981@gmail.com</a></td>
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<td>Jean Aslakson i</td>
<td><a href="mailto:jleena@comcast.net">jleena@comcast.net</a></td>
<td>Vancouver</td>
</tr>
<tr>
<td>903</td>
<td>Rebecca Wolfe</td>
<td><a href="mailto:rebecca.moon.wolfe@gmail.com">rebecca.moon.wolfe@gmail.com</a></td>
<td>Portland</td>
</tr>
</tbody>
</table>

Numerous incidences have shown that fracked gas is not good for individuals, the land, the environment. Please--no fracked gas in Oregon. And by the way, the name is very misleading. As if it were wind power. Thank you for your attention to this. Christine Weber-Kearney

Fracking causes earthquakes!! Look at Oklahoma. Absolutely the LAST thing we should do so close to the old Hanford site!
The waste and risk to our waters and dangers to our environment are not worth the waste and risk. Once a plant, traffic of shipped in product is constantly being used, the risk of shipping environmental and health risks aren’t worth the profits verses costs equals a great long term losses. This plant will also depreciate all property values, raise health risk that the state will eventually depreciate the over all lives of state and public, all while the corporations profit and the state ends up with the debt. What a great loss of resources, health and over all value. We realize that this seems like they will create jobs, taxable base and opportunities, well we must realize the corporations will pollute at states expense, ruin the environment for local communities and put our natural environment at risks. Fracked products have been linked to long term cancers, devalued property value, lose of taxable base, depletion of our natural resources of water etc, and put everyone at risk.
<table>
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<td>905</td>
<td>Dakora Schee</td>
<td><a href="mailto:dschee@greenpeace.org">dschee@greenpeace.org</a></td>
<td>Portland</td>
<td>OR</td>
<td>It is irresponsible in a time of climate crisis when we have 11 years to cut emissions in half to approve an expensive, dangerous project that will only exacerbate our dangerously high carbon emissions. Stop allowing new fossil fuel infrastructure and invest in renewable energy!</td>
</tr>
<tr>
<td>906</td>
<td>Donna Pedroza</td>
<td><a href="mailto:donnageorge2@gmail.com">donnageorge2@gmail.com</a></td>
<td>Alameda</td>
<td>CA</td>
<td>I come to Oregon to camp hike visit friends and family several times a year. The beauty of your state needs preserving not exploiting as does mine.</td>
</tr>
<tr>
<td>907</td>
<td>Alice Warner</td>
<td><a href="mailto:alouisewarner@gmail.com">alouisewarner@gmail.com</a></td>
<td>Eugene</td>
<td>OR</td>
<td>My children and grandchildren need us to stop using fossil fuel.</td>
</tr>
<tr>
<td>908</td>
<td>Camille Jackson</td>
<td><a href="mailto:camjackson1@comcast.net">camjackson1@comcast.net</a></td>
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<td>Anna Fritz</td>
<td><a href="mailto:anna@annafritz.com">anna@annafritz.com</a></td>
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<td>Lori Triggs</td>
<td><a href="mailto:princessladycat@yahoo.com">princessladycat@yahoo.com</a></td>
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<td>Jean Rosenbalm</td>
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<tr>
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<td>Dr. Dorothy Black Crow</td>
<td><a href="mailto:dorothyblackcrow@gmail.com">dorothyblackcrow@gmail.com</a></td>
<td>Depoe Bay</td>
<td>OR</td>
<td></td>
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<tr>
<td>914</td>
<td>William Sharfman</td>
<td><a href="mailto:sharfman@umich.edu">sharfman@umich.edu</a></td>
<td>New York</td>
<td>NY</td>
<td>Fracking is wrong. It's been wrong all along for the myriad kinds of damage it causes to humans and the surroundings they depend on, it's especially wrong now when we are in a climate crisis and we know better.</td>
</tr>
<tr>
<td>915</td>
<td>Javier Rivera</td>
<td><a href="mailto:javierocker@aol.com">javierocker@aol.com</a></td>
<td>Brooklyn</td>
<td>NY</td>
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<td>920</td>
<td>Dave Bean</td>
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<td>Eleanor Dowson</td>
<td><a href="mailto:eleanordowson@comcast.net">eleanordowson@comcast.net</a></td>
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<td>Harry Mozen</td>
<td><a href="mailto:htmoze@gmail.com">htmoze@gmail.com</a></td>
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<td>Bonnie Mitchell</td>
<td><a href="mailto:camperbon@aol.com">camperbon@aol.com</a></td>
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<td>924</td>
<td>Bettina Anter</td>
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<td><a href="mailto:kimetham@yahoo.com">kimetham@yahoo.com</a></td>
<td>Roseburg</td>
<td>OR</td>
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<td>925</td>
<td>Lori Erbs</td>
<td><a href="mailto:loriesj@cs.com">loriesj@cs.com</a></td>
<td>Acme</td>
<td>WA</td>
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<td>Chuck Gehling</td>
<td><a href="mailto:chuck50fis@aol.com">chuck50fis@aol.com</a></td>
<td>Hood River</td>
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<td><a href="mailto:hinmanwilliam@yahoo.com">hinmanwilliam@yahoo.com</a></td>
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<td><a href="mailto:online-activist@alumni.stanford.edu">online-activist@alumni.stanford.edu</a></td>
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<td><a href="mailto:viking3678@comcast.net">viking3678@comcast.net</a></td>
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</table>

We must stop supporting dirty energy and the fossil fuel industry. This state and nation must switch to clean, renewable energy sources only.

Fracking should be banned entirely.

This is a violation of Oregon clean air act.

We don't want any part of this technology. Fracking is harmful and dangerous to both the wild environment and to humans. We need to transition to clean energy now, so let's put energy into clean energy.
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<tr>
<td>935</td>
<td>Kim Beck</td>
<td><a href="mailto:kim.beck@comcast.net">kim.beck@comcast.net</a></td>
<td>Rogue River</td>
<td>OR</td>
<td>We NEED to leave dirty fuel in the ground and embrace clean energy if our grandkids are going to be able to exist!</td>
</tr>
<tr>
<td>936</td>
<td>Jen Messina</td>
<td><a href="mailto:jjnmessina@yahoo.com">jjnmessina@yahoo.com</a></td>
<td>Ely</td>
<td>NV</td>
<td>In a crisis such as now, this is the wrong direction; turn back now!</td>
</tr>
<tr>
<td>937</td>
<td>Howard Wade</td>
<td><a href="mailto:howardbwade@gmail.com">howardbwade@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>In a crisis such as now, this is the wrong direction; turn back now!</td>
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<tr>
<td>938</td>
<td>Duane Tucker</td>
<td><a href="mailto:duane.tucker@gmail.com">duane.tucker@gmail.com</a></td>
<td>Palm Springs</td>
<td>CA</td>
<td>We need to move on to sustainable power if we want to make it through climate change. Thank you.</td>
</tr>
<tr>
<td>939</td>
<td>Kathy Bradley</td>
<td><a href="mailto:khayb55@aol.com">khayb55@aol.com</a></td>
<td>Lugoff</td>
<td>SC</td>
<td>PLEASE, PLEASE keep these 'F R A C K I N G B...s' OUT OF OUR STATE! There's not a Boardroom in the Country that's AS IMPORTANT as the HEALTH and FATE of the 'Last grasp on our State!'</td>
</tr>
<tr>
<td>940</td>
<td>Jay Russo</td>
<td><a href="mailto:stellarjay1@gmail.com">stellarjay1@gmail.com</a></td>
<td>Stevenson</td>
<td>WA</td>
<td>PLEASE, PLEASE keep these 'F R A C K I N G B...s' OUT OF OUR STATE! There's not a Boardroom in the Country that's AS IMPORTANT as the HEALTH and FATE of the 'Last grasp on our State!'</td>
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<td>941</td>
<td>Letitia Tarver</td>
<td><a href="mailto:tishatwork@yahoo.com">tishatwork@yahoo.com</a></td>
<td>Astoria</td>
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<td>942</td>
<td>Karen Alexander-Brown</td>
<td><a href="mailto:kjalexander@hotmail.com">kjalexander@hotmail.com</a></td>
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<td>943</td>
<td>Carole Onasch</td>
<td><a href="mailto:leafyoasis@gmail.com">leafyoasis@gmail.com</a></td>
<td>Portland</td>
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<td>944</td>
<td>Kristin Conrad-Antoville</td>
<td><a href="mailto:a2antoville@gmail.com">a2antoville@gmail.com</a></td>
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<td>945</td>
<td>Alan Bartl</td>
<td><a href="mailto:abartl@sonic.net">abartl@sonic.net</a></td>
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<td>OR</td>
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<td>David Ringle</td>
<td><a href="mailto:d.ringle@ieee.org">d.ringle@ieee.org</a></td>
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<td>PA</td>
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<td>Sandra Pongracz</td>
<td><a href="mailto:pongraczsd@me.com">pongraczsd@me.com</a></td>
<td>Florence</td>
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<td>JIM Fletcher</td>
<td><a href="mailto:jimtwopersons@comcast.net">jimtwopersons@comcast.net</a></td>
<td>West Linn</td>
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<td>Pamela</td>
<td><a href="mailto:plmatdhs@yahoo.com">plmatdhs@yahoo.com</a></td>
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<td>Just what we DON'T need...... another fossil fuel installation. How 'necessary' is this if it contributes to air pollution? If a company isn't intelligent enough to install and run their plant on 'green' energy, how effective will it be? Innovation is imperative. This isn't 1960, and to be competitive today, every new facility must keep our environment safe.</td>
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<td>Gregory</td>
<td><a href="mailto:gregorymonahan29@gmail.com">gregorymonahan29@gmail.com</a></td>
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<td>We should not be building more fossil fuel powered electrical power plants, but rather should be supporting the development of clean renewable resources of power. The technology has changed since the original permit was issued and the permit should not be re-issued.</td>
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<td>Quackenbush</td>
<td><a href="mailto:mathiasquackenbush@gmail.com">mathiasquackenbush@gmail.com</a></td>
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<td>Henrico</td>
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<td>perez</td>
<td><a href="mailto:eleartemis@yahoo.com">eleartemis@yahoo.com</a></td>
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<td>McCann</td>
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<td>A. Todd</td>
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<td>Robert</td>
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<td>Don Thompson</td>
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<td>MA</td>
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<td>968</td>
<td>Christine Taylor</td>
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<td>969</td>
<td>Rob Bradley</td>
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<td>Lisa Caine</td>
<td><a href="mailto:lcaine530@gmail.com">lcaine530@gmail.com</a></td>
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<td>Alain Millar</td>
<td><a href="mailto:jakeshouseajm@comcast.net">jakeshouseajm@comcast.net</a></td>
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<td>Teresa DeLorenzo</td>
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<td><a href="mailto:jhw2901@frontier.com">jhw2901@frontier.com</a></td>
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<td>977</td>
<td>Elizabeth</td>
<td><a href="mailto:robertsliz9@gmail.com">robertsliz9@gmail.com</a></td>
<td>Chicago</td>
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<td>Berklee</td>
<td>Robins</td>
<td>Lake Oswego</td>
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</table>

I love visiting Oregon. It is a very beautiful and green state. It does not need and should not get a new fracked gas power plant. All of your energy should be provided by renewable energy and building a gas power plant will just set you back from reaching that goal.

We should be encouraging safe, environmentally friendly renewable energy!

Please keep the Columbia River areas clean and don't add pollution to the air. Thank you.

Methane leaks from fracked-gas production are greatly accelerating climate change. We need to aggressively move away from fossil fuel consumption and toward renewable sources of energy.
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<td>Press</td>
<td><a href="mailto:ansula@gmail.com">ansula@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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</table>

This project will compete with the solar industry for capital. Use biogas from the dairies for on-site generation during peak demand. Stop spending capital on more climate destroying projects. We're way overbuilt in the energy sector.

With the understanding that climate change is a significant threat to Oregon's way of life, and with all that we have learned about the detrimental relationship between fracked gas and climate change, in addition to the admission by the company that there is no market demand for its product, I URGE you, Governor Brown and the Oregon EFSC to deny Perennial's Request for Amendment. Thank you.

I adamantly oppose fracking as being anti environment. At this point we cannot afford to continue to add fossil fuels and use dangerous drilling methods!
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<td>Longmont</td>
<td>CO</td>
<td>I want CLEAN air and water and I'm damned tired of begging for them. NO MORE FRACKING, it DESTROYS our drinking water, and for WHAT? To further enrich a few greedy rich assholes. NO MORE. STOP allowing these greedy rich pukes to destroy OUR land and water for their profits.</td>
</tr>
<tr>
<td>Kelly</td>
<td>McConnell</td>
<td><a href="mailto:prvt@2ezgroup.com">prvt@2ezgroup.com</a></td>
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</table>

I live in your neighboring state, Washington, but what happens in Oregon affects us. Especially when it comes to any new projects that accelerate global warming and ocean acidification. Be the leader in sustainability and put your sights on cleaner safer forms of energy production. Thank you.

What can I say that has not already been said? There is nothing good that can come of this except a very few people will get a lot of money. Meanwhile the air and water all (including yours) live depend on are poisoned. Do a good thing for once and make the right choice. NO MORE FRACKING ANYWHERE.

Respectfully miriam
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We need to transition to renewable energy sources ASAP. Fracked gas and its infrastructure, is too volatile and dirty to use anymore. We MUST lower emissions and stop the pipeline construction which encourages use of these polluting fuels. The pipelines have proved hazardous and are failing, exploding, in many old and new structures now in use. The fires from these explosions damage the forests, the air and water, destroy property and endanger lives. We need to halt use of this type of fuel, and end the expansion of these projects.

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<td>Mira</td>
<td>Portland</td>
<td><a href="mailto:mira.wiegmann@cune.org">mira.wiegmann@cune.org</a></td>
<td>Please protect the future of Oregon's citizens by refusing to build any fossil fuel plants. We owe a healthy environment to our children and our children's children.</td>
<td></td>
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<tr>
<td>Ivan</td>
<td>Pittsburgh</td>
<td><a href="mailto:ivanrussell@gmail.com">ivanrussell@gmail.com</a></td>
<td>Not all the chemicals used in the fracking process are made known to the public. It has already been proven that this process does interfere with the safety of our ground water &amp; access to our drinking water. Please, keep Oregon's water as pristine as possible. We do not need to add to the pollution these companies have done to the world by allowing them to build here in Oregon.</td>
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<td>Valerie</td>
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<td><a href="mailto:bobval22@comcast.net">bobval22@comcast.net</a></td>
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<tr>
<td>Alexander</td>
<td>Portland</td>
<td><a href="mailto:alxgardner@gmail.com">alxgardner@gmail.com</a></td>
<td>The world is fast coming to a point of no return as far as the climate is concerned. The last thing that is needed is more fracking, especially anywhere on the west coast which is prone to earthquakes. This is insane! Don't do it!</td>
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</table>

Since Perennial has not been able to market its energy product this seems to prove there is no need for it. If approved for siting it will become another edifice that is obsolete and would become a blight or worse yet, a hazard to the area.

Please demonstrate strong leadership for our regional community, and our land, air, and water. It is TIME to change the old paradigm of fossil fuel tycoons controlling the future of our lives and now even our very survival - and to ENACT the steps that we all know will begin to restore and heal our region, our planet, and our community.

You must be criminally blind to the effects of climate change to continue to promote fossil fuel expansion. Your grandchildren will know what you did to allow it to worsen.
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<tr>
<td>Laurie</td>
<td><a href="mailto:lcaplan2010@gmail.com">lcaplan2010@gmail.com</a></td>
<td>Astoria</td>
<td>Governor Brown and members of the EFSC, What a unique opportunity you have to help Oregon meet its air, water, and climate goals. You can make a difference in our small corner of the world and set a great green example to inspire government leaders in other states. Make the right decision for the future of OR and our planet: Deny Perennial's RFA. Thank you.</td>
<td></td>
</tr>
<tr>
<td>Donna</td>
<td><a href="mailto:murph1949@aol.com">murph1949@aol.com</a></td>
<td>Portland</td>
<td>If we are to believe the scientists, we must not build any more fossil fuel infrastructure!</td>
<td></td>
</tr>
<tr>
<td>Milan</td>
<td><a href="mailto:milan_mehta@collegiate-va.org">milan_mehta@collegiate-va.org</a></td>
<td>Midlothian</td>
<td>Please, Do the Right Thing for Ours and Our Children's Future. What would They be Proud Of?</td>
<td></td>
</tr>
<tr>
<td>Steve</td>
<td><a href="mailto:berm0022@umn.edu">berm0022@umn.edu</a></td>
<td>Berkeley</td>
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Aside from the standard arguments, which I fully endorse, I want to add a note. We know. You and I know. Fracking makes no sense economically. We don't calculate the real costs of production, shipment, refining, and consumption. If we did, the total cost would dwarf the small benefit (limited profits for a few and the 'convenience' of fossil fuel use for others). Not to mention the fact we sit on the edge of ecological catastrophe. I plead with you. My children and grandchildren plead with you: Don't approve any site anywhere that enables further fossil fuel consumption and its concomitant global warming. Please. Be smart. Listen to your heart.

It is past time for us all to make the switch to clean energy. Do right by Oregonians and deny this proposal.
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<td><a href="mailto:dunkum@bresnan.net">dunkum@bresnan.net</a></td>
<td>Missoula</td>
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</table>

Valerie Pflug

Fracking is so dangerous to the earth. Causing earthquakes, disrupting habitats and neighborhoods. All for no reason but greed. The earth is tapped out. Please stop trying to squeeze the last drops of oil out of her wild spaces when there are cheaper, easier and more efficient forms of energy. We don’t still send telegrams in the cell phone era and we should also evolve past the age of greed for oil.

Sandra Joos

It’s time to stop all permitting related to fracking and the products thereof. Keep it in the ground!
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Given the argument of item 3, above I do not understand how there can be any motivation to approve the construction of this apparently unneeded power plant. Allowing projects that involve expanded use of fossil fuels to proceed just locks the Pacific Northwest into an extended exposure to the effects of fossil fuel usage. Once the infrastructure is in place, the pressure for continued operation of fossil fuel users will continue and efforts to reduce fossil fuel usage will face ongoing resistance. Instead of approving new generating facilities, Oregon would be better served by emphasizing energy conservation through 'green' building techniques and by promoting distributed generating through promotion of rooftop solar.

We need to move away from fossil fuels entirely. Nuclear power should be included in the mix if water, wind and solar are not able to provide capacity as soon as needed.
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<td>Rick</td>
<td>Ray</td>
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<td>Troutdale</td>
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I fully support the comment above. We are beyond the tipping point for moving away from fossil fuels, especially fracked gas which has such an enormous carbon footprint. Please do the right thing to safeguard our future.

I'd like to add that what really upsets me is that fossil fuels are fossil fuels, and we should not be burning them because they already add to excessive CO2 in our atmosphere - so the bottom line is don't burn fossil fuels and any extracted gas from below the surface is a fossil fuels and should not be burned. We have to start reversing our burning of fossil fuels - PERIOD!!! end of story!

No, No, No to this polluting enterprise!
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<th>Notes</th>
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<tr>
<td>Kate Miller</td>
<td><a href="mailto:millerjkate@gmail.com">millerjkate@gmail.com</a></td>
<td>Lake Oswego, OR</td>
<td>We do not need this resource of gas in the Oregon power mix. We are already an exporter of energy to California. We need grid upgrades, cybersecurity and microgrids as well as being more focused on AI and advanced technology for energy storage. This is an unnecessary investment that would line the pockets of stockholders while polluting the air of Oregon. It is a cash cow at best paid for by ratepayers who do not have much say-so over long term investments and their consequences.</td>
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<tr>
<td>Ms Zentura</td>
<td><a href="mailto:zeejaz@yahoo.com">zeejaz@yahoo.com</a></td>
<td>Casper, WY</td>
<td></td>
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<td>Melanie Plaut</td>
<td><a href="mailto:melanie.plaut@gmail.com">melanie.plaut@gmail.com</a></td>
<td>Portland, OR</td>
<td>Fracking pollutes drinking water that is so precious and causes minor tremors that can destabilize buildings. We need eco friendly energy production--wind, solar and wave.</td>
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<tr>
<td>Alice Shapiro</td>
<td><a href="mailto:alice.shapiro2@gmail.com">alice.shapiro2@gmail.com</a></td>
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<td>Mary Lou Emerson</td>
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</tbody>
</table>

|   | Chris            | Adamson  | cladamson326@gmail.com  | Gig Harbor | WA | Deny Perennial,Â’s RFA. |
At a time when rapid action must be taken to reduce global greenhouse gas emissions, we cannot continue to leave the door open for new fracked gas power plants to be built. Please deny the site certificate Request for Amendment.

I'm imploring you, Kate, to do the right thing for Oregon & keep fracked gas out.

Focus instead on wind, solar and renewables for energy production will be a greater win-win for the companies who want to profit on energy production and Oregonians who want to use from it.
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<td>Ashland</td>
<td><a href="mailto:pastorrichenda@gmail.com">pastorrichenda@gmail.com</a></td>
<td>OR</td>
<td>Things are finally beginning to shift. It is already too late, our whole planet will shift. Clear and moral action is required. There must be no new infrastructure, no more drilling, no more fossil fuels. A massive clean up awaits the survivors of climate change. Our mourning for our losses began decades ago. We must not fail to salvage what life is left. Governor, there can be no more investment in fossil fuels.</td>
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<td>Louise</td>
<td>Fairfax</td>
<td><a href="mailto:lfdw4@aol.com">lfdw4@aol.com</a></td>
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<td><a href="mailto:ltighe835@gmail.com">ltighe835@gmail.com</a></td>
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<td>Invest in 'green' technology only. We must refrain from any new fossil fuel forms of energy.</td>
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<td><a href="mailto:betsy.toll@gmail.com">betsy.toll@gmail.com</a></td>
<td>Portland, OR</td>
<td>Oregon must not give frackers a pass, and must use every legal and political means possible to stop them. The fracking industry's disregard for health, safety, environmental issues, and climate change is well known, and its titans would jeopardize the health and safety of Oregonians without blinking an eye. The reckless leaders and science deniers of the energy cartels now embedded in the White House administration will stop at nothing -- nothing -- that gets in the way of their profits. We have to join our neighbors to the north and south (Washington and California, as well as beyond the international boundaries). Draw a line in the sand up and down the entire West Coast and just. say. no. I strongly urge the EFSCA to deny Perennial Wind Chaser's RFA and put this terrible idea of fracking Oregon to rest once and for all. Thank you.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tammy Robinson</td>
<td><a href="mailto:shewearsgardenboots@gmail.com">shewearsgardenboots@gmail.com</a></td>
<td>Clatskanie, OR</td>
<td>Thank you for caring.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
1176 Joel

Porter

joelypozole@gmail.com

Portland

OR

1177 Kathryn
1178 Suzan

Young
Ireland

yakama64@gmail.com
suzan_ireland@hotmail.com

West Hollywood CA
Portland
OR

Solar & Wind Solar & Wind Solar &
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Please Help Us Save Our Beautiful
and Irreplaceable Planet Earth,


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<th>Name</th>
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<th>State</th>
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</thead>
<tbody>
<tr>
<td>Rachel</td>
<td>Ellison</td>
<td><a href="mailto:methuselah90@yahoo.com">methuselah90@yahoo.com</a></td>
<td>Vancouver</td>
<td>WA</td>
</tr>
<tr>
<td>Au</td>
<td>Nguyen</td>
<td><a href="mailto:au@maryemerson.org">au@maryemerson.org</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Linda</td>
<td>Covert</td>
<td><a href="mailto:linvin@comcast.net">linvin@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Maria</td>
<td>Sause</td>
<td><a href="mailto:mkrausster@gmail.com">mkrausster@gmail.com</a></td>
<td>Newport</td>
<td>OR</td>
</tr>
<tr>
<td>Sarah</td>
<td>Spansail</td>
<td><a href="mailto:spansail2@yahoo.com">spansail2@yahoo.com</a></td>
<td>Ashland</td>
<td>OR</td>
</tr>
<tr>
<td>Robert</td>
<td>Jones</td>
<td><a href="mailto:rjones553@yahoo.com">rjones553@yahoo.com</a></td>
<td>Salem</td>
<td>OR</td>
</tr>
<tr>
<td>Adam</td>
<td>Lee</td>
<td><a href="mailto:adaml81@gmail.com">adaml81@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
</tr>
<tr>
<td>Karen</td>
<td>Stimson</td>
<td><a href="mailto:karenstimson@icloud.com">karenstimson@icloud.com</a></td>
<td>Orange</td>
<td>CT</td>
</tr>
<tr>
<td>Nina</td>
<td>Diamante</td>
<td><a href="mailto:ninadiamante321@yahoo.com">ninadiamante321@yahoo.com</a></td>
<td>Los Angeles</td>
<td>CA</td>
</tr>
</tbody>
</table>

By far the most urgent action needed in our times is action to slow down climate change and, if we can be successful, perhaps to reverse it. We cannot have new energy infrastructure that exacerbates climate change. That is a crime against humanity and against Nature and all living beings. Please prohibit development of another fracked gas power plant in Oregon. Oregon must join the world-wide struggle against climate change. This plant would nullify much of our efforts to be part of that struggle. Every place on the planet has to participate in this struggle. There is no room, no time for exceptions. We must fight for life, not betray that fight for money.

Not now, not ever. We will blow that fucking plant to kingdom come if it's built.
<table>
<thead>
<tr>
<th>Name</th>
<th>Last Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jane</td>
<td>Nicolai</td>
<td><a href="mailto:jane.nicolai@gmail.com">jane.nicolai@gmail.com</a></td>
<td>Vancouver</td>
<td>WA</td>
<td>Who do you think you are that will be exempt from the effects to the environment that Perennial Wind Chaser will bring? It will be your water, air, and very life that will be diminished by permitting Perennial to defile our life-giving earth. You too will be silenced and bulldozed into cheaper and more cramped quarters in your own life; buried in the indifference bred by greed. Reject the amendment to Perennial's site certificate. Stand up and be courageous in the face of a few coins dribbled from the pockets of the filthy rich. 'Life shrinks or expands in proportion to one's courage.' Anais Nin.</td>
</tr>
<tr>
<td>Marianne</td>
<td>Brevard</td>
<td><a href="mailto:mariannebrevard@yahoo.com">mariannebrevard@yahoo.com</a></td>
<td>Hood River</td>
<td>OR</td>
<td>I strongly support a clean energy future, renewable resources and expanding incentives for energy efficiency, protecting our environment, and working for a price on carbon.</td>
</tr>
<tr>
<td>Dianne</td>
<td>Ensign</td>
<td><a href="mailto:roughskinnednewt@hotmail.com">roughskinnednewt@hotmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Phil</td>
<td>Harris</td>
<td><a href="mailto:p.harris.pdx@gmail.com">p.harris.pdx@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Carolyn</td>
<td>Savage</td>
<td><a href="mailto:captainsis@comcast.net">captainsis@comcast.net</a></td>
<td>Olympia</td>
<td>WA</td>
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</tr>
<tr>
<td>Barbara</td>
<td>Bernstein</td>
<td><a href="mailto:mediapro1@comcast.net">mediapro1@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Heather</td>
<td>Davis</td>
<td><a href="mailto:heatherannedavis@hotmail.com">heatherannedavis@hotmail.com</a></td>
<td>Beaverton</td>
<td>OR</td>
<td>Oregonians don't want any fracked gas</td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td>Email</td>
<td>Location</td>
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<tr>
<td>1195</td>
<td>Susan Linden</td>
<td><a href="mailto:suelinden@yahoo.com">suelinden@yahoo.com</a></td>
<td>Palm Bay</td>
<td>FL</td>
<td></td>
</tr>
<tr>
<td>1196</td>
<td>Patrick Bushart</td>
<td><a href="mailto:jpb55aeb61@aol.com">jpb55aeb61@aol.com</a></td>
<td>Beaverton</td>
<td>OR</td>
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</tr>
<tr>
<td>1197</td>
<td>James Spooner</td>
<td><a href="mailto:jpat_spooner@yahoo.com">jpat_spooner@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
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<tr>
<td>1198</td>
<td>LYDIA SWAGERTY</td>
<td><a href="mailto:lydiaswagerty@gmail.com">lydiaswagerty@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1199</td>
<td>Sandra Butler</td>
<td><a href="mailto:sriveral9@hotmail.com">sriveral9@hotmail.com</a></td>
<td>Los Angeles</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>1200</td>
<td>Hank Keeton</td>
<td><a href="mailto:hakeeton@keetoncorp.com">hakeeton@keetoncorp.com</a></td>
<td>Scotts Mills</td>
<td>OR</td>
<td></td>
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<tr>
<td>1201</td>
<td>James Roberts</td>
<td><a href="mailto:jimrobj@yahoo.com">jimrobj@yahoo.com</a></td>
<td>Sandpoint</td>
<td>ID</td>
<td></td>
</tr>
<tr>
<td>1202</td>
<td>John Wood</td>
<td><a href="mailto:unclebob@gorge.net">unclebob@gorge.net</a></td>
<td>Hood River</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1203</td>
<td>Elaine Donovan</td>
<td><a href="mailto:donovaneb@frontier.com">donovaneb@frontier.com</a></td>
<td>Cedar Rapids</td>
<td>IA</td>
<td></td>
</tr>
<tr>
<td>1204</td>
<td>Claudia Sanzone</td>
<td><a href="mailto:sanzoneclaudia@yahoo.com">sanzoneclaudia@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>1205</td>
<td>Jill Hamilton</td>
<td><a href="mailto:jckress@yahoo.com">jckress@yahoo.com</a></td>
<td>Bremerton</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>1206</td>
<td>Mark Hollinrake</td>
<td><a href="mailto:mark.hollinrake@ntlworld.com">mark.hollinrake@ntlworld.com</a></td>
<td>New York</td>
<td>NY</td>
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</tr>
<tr>
<td>1207</td>
<td>Jane Church</td>
<td><a href="mailto:janechrch@yahoo.com">janechrch@yahoo.com</a></td>
<td>Chapel Hill</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>1208</td>
<td>Jan Edwards</td>
<td><a href="mailto:clayjan@mac.com">clayjan@mac.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1209</td>
<td>Maureen Stapler Crowell</td>
<td><a href="mailto:staplercrowell@charter.net">staplercrowell@charter.net</a></td>
<td>Grants Pass</td>
<td>OR</td>
<td></td>
</tr>
</tbody>
</table>

I'm confused as to why Oregon would even consider a gas-fired powered plant when our future depends on moving forward to cleaner technologies. It would be a waste of money to build such a plant now. Tell Perennial's RFA to give it up, Oregon is not interested and instead focusing on investing in our future.

We must STOP building and supporting ALL fossil fuel facilities...or...we will sign the death certificate for our whole world!

Do now allow new carbon polluters' infrastructure projects.

We want no more fossil fuel developments in Oregon, the USA or the Whole World.
<table>
<thead>
<tr>
<th>Name</th>
<th>Last Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Comment</th>
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</thead>
<tbody>
<tr>
<td>Darise</td>
<td>Weller</td>
<td><a href="mailto:dweller972@comcast.net">dweller972@comcast.net</a></td>
<td>Portland</td>
<td>OR</td>
<td>more wind power, more solar, let's not go backwards</td>
</tr>
<tr>
<td>Douglas</td>
<td>Church</td>
<td><a href="mailto:douglasdchurch@gmail.com">douglasdchurch@gmail.com</a></td>
<td>Hillsboro</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>Sheila</td>
<td>Ward</td>
<td><a href="mailto:asopao@yahoo.com">asopao@yahoo.com</a></td>
<td>San Juan</td>
<td>PR</td>
<td></td>
</tr>
<tr>
<td>S.</td>
<td>Nam</td>
<td><a href="mailto:snam5370@ymail.com">snam5370@ymail.com</a></td>
<td>New York</td>
<td>NY</td>
<td></td>
</tr>
<tr>
<td>Kima</td>
<td>Gari</td>
<td><a href="mailto:kimasuegarrison@gmail.com">kimasuegarrison@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Anything that doesn't help mitigate climate change should NOT go forward!</td>
</tr>
<tr>
<td>William</td>
<td>Barnett</td>
<td><a href="mailto:willbarnett1@hotmail.com">willbarnett1@hotmail.com</a></td>
<td>Astoria</td>
<td>OR</td>
<td>I can personally attest that on my little dead-end street in Astoria, making up a neighborhood of six houses &amp; 11 residents, the 10 that I have spoken to are all in agreement that we need to conserve energy, &amp; should plan to make any new facilities operate using renewable resources.</td>
</tr>
<tr>
<td>John</td>
<td>Ardner</td>
<td><a href="mailto:jack.jacque1@icloud.com">jack.jacque1@icloud.com</a></td>
<td>Gresham</td>
<td>OR</td>
<td></td>
</tr>
<tr>
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<tr>
<td>Rodney</td>
<td><a href="mailto:rod.l.whisenhunt@gmail.com">rod.l.whisenhunt@gmail.com</a></td>
<td>Roseburg</td>
<td>OR</td>
<td>We here in Oregon are already seeing the consequences of our past actions and ignorance with regard to the excessive use of fossil fuels, a wildfires burns less than 30 miles from my home today and it’s just one of many in our now endless wildfires season. The hottest years on record have happened within the last ten years and more are expected to come hotter and more frequently. Stupidity is the act of doing something over and over again and expecting different results, are we truly this stupid?</td>
<td></td>
</tr>
<tr>
<td>Jill</td>
<td><a href="mailto:jillblaisdell@earthlink.net">jillblaisdell@earthlink.net</a></td>
<td>Snohomish</td>
<td>WA</td>
<td>Leave it in the ground.</td>
<td></td>
</tr>
<tr>
<td>Robert</td>
<td><a href="mailto:bobcarothers@comcast.net">bobcarothers@comcast.net</a></td>
<td>Lake Oswego</td>
<td>OR</td>
<td>Leave it in the ground.</td>
<td></td>
</tr>
<tr>
<td>Timothy</td>
<td><a href="mailto:mullentim13@yahoo.co.uk">mullentim13@yahoo.co.uk</a></td>
<td>Saint Charles</td>
<td>MN</td>
<td>A gas-fired power plant is not a good long-term idea. We need to be moving away from gas, not planning on using it in our future.</td>
<td></td>
</tr>
<tr>
<td>Jennifer</td>
<td><a href="mailto:jenifercalvert@comcast.net">jenifercalvert@comcast.net</a></td>
<td>Spokane Valley</td>
<td>WA</td>
<td>A gas-fired power plant is not a good long-term idea. We need to be moving away from gas, not planning on using it in our future.</td>
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<td>#</td>
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<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1222</td>
<td>Lucile W. Brook</td>
<td>babbles@nehalemтел.net</td>
<td>Nehalem</td>
<td>OR</td>
<td>For the sake of this planet i foresee that we will be fighting vested for-profit industries for long into the future. Until the human race wakes up to the consequences of its actions. Or until the human race has been diminished to the point of survival (like all the other animals in the long history of this planet) and no long has the wherewithal to impact the earth. Please, Governor Brown, step up to the plate in behalf of all life on earth.</td>
</tr>
<tr>
<td>1223</td>
<td>Christine Bonney</td>
<td><a href="mailto:christine.bonney@gmail.com">christine.bonney@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>Fracking is bad for the water and can cause sinkholes, these are even more detrimental as immediate problems. Thank you for your work to this important problem.</td>
</tr>
<tr>
<td>1224</td>
<td>James Mulcare</td>
<td><a href="mailto:xsecretsx@cableone.net">xsecretsx@cableone.net</a></td>
<td>Clarkston</td>
<td>WA</td>
<td>Wrong way to develop of energy infrastructure! Reject more fossil fuel developments and get on with developing renewable energy!</td>
</tr>
<tr>
<td>1225</td>
<td>Jean Evens</td>
<td><a href="mailto:jievens@frontier.com">jievens@frontier.com</a></td>
<td>International Falls</td>
<td>MN</td>
<td></td>
</tr>
<tr>
<td>1226</td>
<td>Matthew Barmann</td>
<td><a href="mailto:chiakacomm@mac.com">chiakacomm@mac.com</a></td>
<td>Hood River</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1227</td>
<td>Annie O'orurke</td>
<td><a href="mailto:treso7@bendbroadband.com">treso7@bendbroadband.com</a></td>
<td>Bend</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1228</td>
<td>Susan Vosburg</td>
<td><a href="mailto:fgtaxsusan@gmail.com">fgtaxsusan@gmail.com</a></td>
<td>Gales Creek</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1229</td>
<td>Douglas Matney</td>
<td><a href="mailto:dougedwards477@gmail.com">dougedwards477@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1230</td>
<td>Nancy Carl</td>
<td><a href="mailto:dlnlcarl2@gmail.com">dlnlcarl2@gmail.com</a></td>
<td>Carlton</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1231</td>
<td>Paul Sansone</td>
<td><a href="mailto:psansone2@gmail.com">psansone2@gmail.com</a></td>
<td>Gales Creek</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1232</td>
<td>Kyle Rolnick</td>
<td><a href="mailto:charo33@centurylink.net">charo33@centurylink.net</a></td>
<td>Lorane</td>
<td>OR</td>
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<tr>
<td>Number</td>
<td>Name</td>
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<tr>
<td>1233</td>
<td>Lois</td>
<td><a href="mailto:lbutterfield2@comcast.net">lbutterfield2@comcast.net</a></td>
<td>Vancouver</td>
<td>WA</td>
<td>Any legislator who is bent on destroying America’s environment is as big a FUCKING IDIOT as trump is a FUCKING MORON!</td>
</tr>
<tr>
<td>1234</td>
<td>Barbara</td>
<td><a href="mailto:barbara.bb@comcast.net">barbara.bb@comcast.net</a></td>
<td>Spokane Valley</td>
<td>WA</td>
<td>Leave the fossil fuels in the ground. I want clean air and clean water.</td>
</tr>
<tr>
<td>1235</td>
<td>Scott</td>
<td><a href="mailto:scottl@casco.net">scottl@casco.net</a></td>
<td>Philomath</td>
<td>OR</td>
<td>Fracked gas has already been proven to be a poor choice as a power source for our nation, and for the planet. Stop letting this project waste your time and energy - reject it and be done! We have many more issues facing our state and nation that need and deserve immediate attention, and the considerable mental resources that can be brought to the table for their equitable solution.</td>
</tr>
<tr>
<td>1236</td>
<td>JL</td>
<td><a href="mailto:jcharrier21@gmail.com">jcharrier21@gmail.com</a></td>
<td>Wayzata</td>
<td>MN</td>
<td>Fracking is horrifying êëø</td>
</tr>
<tr>
<td>1237</td>
<td>Melissa</td>
<td><a href="mailto:misslissr@yahoo.com">misslissr@yahoo.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1238</td>
<td>Robert</td>
<td><a href="mailto:rherzog04@aol.com">rherzog04@aol.com</a></td>
<td>Sun Lakes</td>
<td>AZ</td>
<td></td>
</tr>
<tr>
<td>1239</td>
<td>Daniel</td>
<td><a href="mailto:daniel.sandvig@gmail.com">daniel.sandvig@gmail.com</a></td>
<td>Monroe</td>
<td>WA</td>
<td></td>
</tr>
<tr>
<td>1240</td>
<td>David</td>
<td><a href="mailto:edm_austin@yahoo.com">edm_austin@yahoo.com</a></td>
<td>Hood River</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1241</td>
<td>Jucy</td>
<td><a href="mailto:jlasteinberger@gmail.com">jlasteinberger@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
<td></td>
</tr>
<tr>
<td>1242</td>
<td>Marty</td>
<td><a href="mailto:marty.b@comcast.net">marty.b@comcast.net</a></td>
<td>Lake Oswego</td>
<td>OR</td>
<td></td>
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<tr>
<td>1243</td>
<td>Linny</td>
<td><a href="mailto:linnystovall@me.com">linnystovall@me.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>1244</td>
<td>Annie</td>
<td><a href="mailto:mccuen7691@comcast.net">mccuen7691@comcast.net</a></td>
<td>Salem</td>
<td>OR</td>
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<tr>
<td>1245</td>
<td>Mark</td>
<td><a href="mailto:esrucdesrever@yahoo.com">esrucdesrever@yahoo.com</a></td>
<td>Saint Petersburg</td>
<td>FL</td>
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<tr>
<td>No.</td>
<td>Name</td>
<td>Email</td>
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<td>State</td>
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<tr>
<td>1246</td>
<td>Linda Carroll</td>
<td><a href="mailto:lindalouise701184951@yahoo.com">lindalouise701184951@yahoo.com</a></td>
<td>Spokane</td>
<td>WA</td>
<td>Recent research has demonstrated that natural gas is 85 times as polluting in the atmosphere as carbon. It is time to move from old, dirty, expensive fuels to modern, clean, cheap ones.</td>
</tr>
<tr>
<td>1247</td>
<td>Tracy Eberwein</td>
<td><a href="mailto:mrs.ebes1409@gmail.com">mrs.ebes1409@gmail.com</a></td>
<td>Coos Bay</td>
<td>OR</td>
<td>Oregon needs to be a leader on green energy, jobs, and progressive policies that help all Oregonians. I know our state is not necessarily unified on a vision for our future, but I know that approving sites like these will hurt all of us in the long run, regardless of how we may vote/our political loyalties. Be brave, be bold, and resist pressure from the fossil fuel industry that continues to value profit over people and the planet.</td>
</tr>
<tr>
<td>1248</td>
<td>Gwen Hadland</td>
<td><a href="mailto:mousery@comcast.net">mousery@comcast.net</a></td>
<td>Hillsboro</td>
<td>OR</td>
<td></td>
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<tr>
<td>1249</td>
<td>Kelley Albrecht</td>
<td><a href="mailto:chizzops@gmail.com">chizzops@gmail.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>1250</td>
<td>Linda Mulder</td>
<td><a href="mailto:mulder.linda643@gmail.com">mulder.linda643@gmail.com</a></td>
<td>Northville</td>
<td>MI</td>
<td></td>
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<tr>
<td>1251</td>
<td>Phil Goldsmith</td>
<td><a href="mailto:phil@lopglaw.com">phil@lopglaw.com</a></td>
<td>Portland</td>
<td>OR</td>
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<tr>
<td>1252</td>
<td>Michael MacDougall</td>
<td><a href="mailto:mmacdougall2@excite.com">mmacdougall2@excite.com</a></td>
<td>Nine Mile Falls</td>
<td>WA</td>
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</tbody>
</table>

| 1253| Kenneth Roundy| kroundy1991@gmail.com    | Albany     | OR    |                                                                         |
Dear Governor Brown,

Please look around at what is happening on the planet. We are on the brink of extinction if we don’t end our fossil fuel dependence, and clear cutting of precious trees now. What we have done, (when I say, ‘we,’ I mean corporations,) in the name of American interests, is invaded our neighbors to the south of us and have overthrown governments that wouldn’t permit corporations to interfere in the running of their countries. We have assisted in the overthrow of these governments and even had leaders assassinated. We have permitted corporations to invade and control for the purpose of raping natural resources from our neighbors. This is also why we now have an immigration problem.

Climate warming is the cause of dangerously high temperatures and destructive storms and the loss of farms thus the inability to grow food. Our oceans are dying. We have potable water shortages. If we don’t act now to try to reverse
<table>
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<tr>
<th>Name</th>
<th>Last Name</th>
<th>Email</th>
<th>City</th>
<th>State</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laree</td>
<td>Johnson</td>
<td><a href="mailto:laree@lareejohnson.com">laree@lareejohnson.com</a></td>
<td>Astoria</td>
<td>OR</td>
<td>PLEASE deny this plan. We need to concentrate on renewable resources. Fracked gas has been shown to be detrimental to water tables and possible ground movement in some areas. NO, NO, NO!</td>
</tr>
<tr>
<td>Mary</td>
<td>Taylor</td>
<td><a href="mailto:mary.k.taylor@mac.com">mary.k.taylor@mac.com</a></td>
<td>Portland</td>
<td>OR</td>
<td>From wildfires to heat waves to intense storms and melting glaciers, it is clear that climate change is here. We can stop the most devastating consequences if we act now. Oregon should be a leader in alternative energy sources, creating technology, jobs and example for others. Deny this permit so my children and granddaughter have a safe world to live in!</td>
</tr>
<tr>
<td>Nancy</td>
<td>Rupp</td>
<td><a href="mailto:nancylrupp@yahoo.com">nancylrupp@yahoo.com</a></td>
<td>Glen Burnie</td>
<td>MD</td>
<td>Save it for our children, from a fifth generation 91 year old Oregonian Maryellen McFadden</td>
</tr>
</tbody>
</table>
From: Teara Farrow Ferman <TearaFarrowFerman@ctuir.org>
Sent: Monday, August 12, 2019 7:17 PM
To: PER Comments * ODOE
Subject: CTUIR comments on Perennial Wind Request Amendment 1 & Draft Proposed Order
Attachments: 8-12-19 CTUIR Comments_Perrenial Wind Request Amendment 1 & Draft Proposed Order.pdf

Follow Up Flag: Follow up
Flag Status: Completed

TEARA FARROW FERMAN
Manager | Cultural Resources Protection Program
Confederated Tribes of the Umatilla Indian Reservation
46411 Timíne Way | Pendleton | Oregon 97801
541.276.3447 Office | 541.429.7230 Fax
TearaFarrowFerman@ctuir.org

Assistant General Manager | Átaw Consulting, LLC
A Small Business Enterprise of the CTUIR
46411 Timine Way | Pendleton | Oregon 97801
541.429.7230 Office | Fax
TearaFarrowFerman@ctuir.org

The information in this e-mail may be confidential and intended only for the use and protection of the Confederated Tribes of the Umatilla Indian Reservation. If you have received this email in error, please immediately notify me by return e-mail and delete this from your system. If you are not an authorized recipient for this information, then you are prohibited from any review, dissemination, forwarding or copying of this e-mail and its attachments. Thank you.
MEMORANDUM

To: Katie Clifford, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE, 1st Floor
Salem, OR 97301
Email: PER.Comments@Oregon.gov

From: Teara Farrow Ferman, Cultural Resources Protection Program Manager
Confederated Tribes of the Umatilla Indian Reservation
46411 Timine Way, Pendleton, OR 97801
TearaFarrowFerman@ctuir.org
541-276-3447

Date: August 12, 2019

RE: Confederated Tribes of the Umatilla Indian Reservation's Comments on the Perrenial Wind Chaser Station Request for Comments on the Complete Request for Amendment 1 and Draft Proposed Order

General Comments:
Thank you for contacting the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) regarding the Perrenial Wind Chaser Station Request for Comments on the Complete Request for Amendment 1 and Draft Proposed Order. The CTUIR offers the following concerns with the project.

Specific Comments:
This project is located within the CTUIR's ceded lands. The CTUIR does not object to the request for an extension of the build date for this project. The CTUIR recommends that a cultural resources monitor be present during the ground disturbing portion of this project when construction is scheduled in the future.
To Whom It May Concern:

I am writing on behalf of Friends of the Columbia Gorge, Northwest Environmental Defense Center, Oregon Natural Desert Association, Oregon Wild, Thrive Hood River, Columbia Riverkeeper, WildLands Defense, Greater Hells Canyon Council, and Oregon Coast Alliance regarding the above-referenced matter.

On August 1, 2019, the Oregon Supreme Court held that the rules under which this application was submitted are invalid. Because this application was submitted pursuant to invalid rules, the application is likewise invalid and cannot be processed by ODOE nor approved by EFSC.

Nor can this application be retroactively processed under rules that were not in effect at the time the application was submitted, nor under rules that might be adopted at a later date. Again, this application was expressly submitted pursuant to invalid rules. To begin processing this application under a completely different set of rules mid-stream would be unlawful and would prejudice the substantial rights and interests of my clients and the general public. If the applicant wishes to proceed, it has the option of filing a new application at any time.

Please confirm that the application will not be processed any further.

Thank you very much for your time and consideration.

Gary K. Kahn

--
Gary K. Kahn
Reeves, Kahn, Hennessy & Elkins
4035 S.E. 52nd Avenue
P.O. Box 86100
Portland, OR 97286
Tel: (503) 777-5473
Fax: (503) 777-8566
Email: gkahn@rke-law.com
Dear Ms. Clifford, Mr. Cornett, Chair Beyeler, and Members of the Oregon Energy Facility Siting Council:

Please see the attached letter which conveys our concern and opposition regarding the Request for Amendment by Perennial Wind Chaser.

Sincerely,

Dan Serres

--
Dan Serres | Conservation Director
Columbia Riverkeeper | 1125 SE Madison Suite 103A Portland 97214
503.890.2441 | dan@columbiariverkeeper.org

River Currents 2019 Issue 2 Newsletter—Read it Now
The Playbook Issue: How Columbia Riverkeeper is tackling corporate polluters, staving off fossil fuel giants, and inspiring people to fight for clean water.
August 16, 2019

Honorable Governor Kate Brown
Office of the Governor
900 Court Street NE, Suite 254
Salem, OR 97301-4047

Todd Cornett, Division Administrator
Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Katie Clifford, Senior Siting Analyst
Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

RE: Reject New Fracked Gas Power Plant (415 MW Perennial Wind Chaser)

Dear Honorable Governor Brown, Mr. Cornett, Ms. Clifford, and Energy Council Members Beyeler, Jenkins, Roppe, Grail, Gravatt, Howe, and Winters:

Now, more than ever, we need state leaders to stand firm against the threats from fossil fuels. This includes rejecting the proposed Perennial Wind Chaser (“Perennial”) gas-fired power plant. In the wake of HB 2020, Oregon’s cap-and-invest climate legislation which aimed to reduce fossil fuel power in Oregon, the Power Past Fracked Gas Coalition and the undersigned organizations urge Governor Brown and the Energy Facility Siting Council (the Council) to protect Oregonians and our climate from new fracked gas infrastructure.

This month the Council must decide whether to amend the site certificate for the Perennial gas-fired power plant. Under the Request for Amendment (RFA), Perennial seeks approval to extend construction deadlines by two years. Perennial requests to extend the construction start deadline to September 23, 2020, and to extend the construction completion deadline to September 23, 2023. We urge the Council to deny this request.

As an initial matter, the site certificate for this project is expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its
amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” See Friends of the Columbia Gorge, et al. v. Energy Facility Siting Council, 365 Or 371, 396 (2019) (“The rules approved by the Energy Facility Siting Council through Permanent Administrative Orders EFSC 4-2017 and EFSC 5-2017 are invalid.”). Because these rules are invalid, they cannot be used to process or approve any amendment to the Perennial site certificate, which expired on September 24, 2018 (one day after the construction start deadline). Nor does the Council have authority to adopt any future new rules that might authorize the processing of any amendments to the Perennial certificate, which, again, is expired and void. The requested amendment can neither be processed nor approved.

If EFSC continues to unlawfully process Perennial’s RFA, the undersigned urge the Governor and EFSC to deny the RFA. Under Oregon law, EFSC must consider any changes in facts or law since Perennial obtained the Site Certificate in 2015. Studies released since 2015 demonstrate that the risks of fracked gas are vast—and far greater than previously understood. New studies released since EFSC approved Perennial’s original site certificate demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Furthermore, we learned during Oregon agencies’ review of the Carty gas-fired power plants that gas-fired power generators can be major sources of air pollution, and we are concerned that Perennial will contribute smog-forming pollution to an already-impacted airshed.

Additionally, EFSC rules require that a preliminary RFA include an explanation of the need for an extension. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is not needed or wanted.

Denying Perennial’s amendment request is consistent with policy statements and actions by the Governor’s Office. For example, Governor Brown recently signed a bill curtailing the practice of fracking in the Pacific Northwest. The Governor invested considerable energy in HB 2020, stating “[c]limate change threatens our communities, our economy, our ecosystems, and our way of life in Oregon.” Yet fracked gas infrastructure, like Perennial’s 415 MW gas-powered facility, still threatens the health of our communities and our climate.

In recent years, the Pacific Northwest has been targeted for major new gas pipeline, LNG, and gas-fired power plant proposals. At the same time, research shows us that the majority of gas produced in North America now comes from the harmful practice of hydraulic fracturing (“fracking”).1 This summer, health professionals produced a new compendium of information that details the public health harms of the fracked gas industry at every stage from extraction to combustion.2 For the health of our communities and for the stability of our climate, we urge the Council to deny the RFA for the Perennial facility. At a time when international climate

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1 https://www.sightline.org/2019/02/12/calling-natural-gas-a-bridge-fuel-is-alarmingly-deceptive/
scientists agree we have less than 12 years to take action and avert the most catastrophic impacts of climate change, climate leaders must speak out loud and clear against the folly of building new major fossil fuel infrastructure.

Sincerely,

Daniel Serres, Co-Director, Power Past Fracked Gas Coalition
Stephanie Hillman, Co-Director, Power Past Fracked Gas Coalition
Lauren Goldberg, Legal & Program Director, Columbia Riverkeeper
Damon Motz-Storey, Healthy Climate Program Director, Oregon Physicians for Social Responsibility
Laura Ackerman, Energy Program Director, The Lands Council
Nick Caleb, Staff Attorney, Center for Sustainable Economy
Hannah Sohl, Executive Director, Rogue Climate
Thomas Meyer, Regional Organizing Manager, Food & Water Watch
Dineen O’Rourke, Campaign Organizer, 350 PDX
Jess Wallach, Keep it in the Ground Organizer, 350 Seattle
Meredith Connolly, Oregon Director, Climate Solutions
Rhett Lawrence, Conservation Director, Oregon Chapter Sierra Club
Nathan Baker, Senior Staff Attorney, Friends of the Columbia Gorge
Climate Action Coalition
Stop Fracked Gas PDX
Dear Governor Brown and Oregon EFSC:

I definitely support the construction of a new gas-fired power plant in Eastern Oregon and I'm very confident that it will meet all stringent environmental regulations that are applicable to its construction and operation. The very unsightly wind turbines that have been allowed to populate the eastern Columbia River Gorge region provide, at best, intermittent power generation and MUST be backed up by more conventional power generation sources since the power demand continues even when the wind doesn't blow.

Again, I STRONGLY SUPPORT THE CONSTRUCTION OF A GAS-FIRED POWER PLANT IN EASTERN OREGON

Alan Amoth

Regards,
alan amoth
215 NE Walnut St. Cascade Locks, OR
Cascade Locks, OR 97014
Dear Governor Brown and Oregon EFSC:

No more fossil fuel plants. I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure projects, including Perennial’s proposed 415-megawatt gas-powered facility, still threaten the health of our communities and our climate.

3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.
The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Alex Prentiss
15685 SW 116th Ave
King City, OR 97224
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future. Oregon should, and can, do better than this, and you have an important role to play in making sure we do what’s right here.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Alexander Miller
1036 Adams St
Eugene, OR 97402
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Further more consider non-climate warming technology like wind power generation. That is where the future is. Recognizing of course that an environmental impact should be assessed. Some give on that aspect is a good compromise from my perspective.

Regards,
Andreas Kyriacou
1723 NE 50th Ave
Portland, OR 97213
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant because MORE FOSSIL FUEL INFRASTRUCTURE IS THE WRONG DIRECTION! In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

I urge EFSC to deny Perennial’s RFA because:

1). The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.

2). The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure, like Perennial’s proposed 415 megawatt gas-powered facility, still threatens the health of our communities and our climate.

3). EFSC rules require that a preliminary RFA include an explanation of the need for an extension. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is not needed or wanted.

For these reasons, EFSC should deny Perennial’s RFA which is now invalid, and require the company to file a new application for a site certificate.

Thank you.

Sincerely,

Bernadette Rodgers
Dear Ms Clifford,

I urge you to deny Perennial's Request for Amendment for the Windchaser gas-fired power plant. I believe that for Oregon and any of its agencies to approve further expansion of greenhouse gas emissions is irresponsible. We can be grateful that Perennial has thus far been unable to begin construction. Let's cut our planetary losses and preserve our state's reputation by ending Perennial's project now. The science has overwhelmingly indicated that we have for too long delayed effective action on climate disruption---Oregon must not perpetuate the fossil fuel folly.

Why build new fracked gas facilities on a planet that must limit its greenhouse gas emissions? Please do not approve Perennial's Request for Amendment on Windchaser.

Respectfully,
Bonnie McKinlay
7112 SW 53rd Avenue
Portland 97219
Dear Governor Brown and the Oregon Energy Facility Siting Council,

Please stop this poorly planned effort to continue polluting the Northwest's air. I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

I urge EFSC to deny Perennial’s RFA because:

1). The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.

2). The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure, like Perennial’s proposed 415 megawatt gas-powered facility, still threatens the health of our communities and our climate.

3). EFSC rules require that a preliminary RFA include an explanation of the need for an extension. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is not needed or wanted.

For these reasons, EFSC should deny Perennial’s RFA which is now invalid, and require the company to file a new application for a site certificate.

Thank you.

Sincerely,
Brock Roberts
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I am writing to urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

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2). The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure, like Perennial’s proposed 415 megawatt gas-powered facility, still threatens the health of our communities and our climate.

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For these reasons, EFSC should deny Perennial’s RFA which is now invalid, and require the company to file a new application for a site certificate.

Thank you.

Sincerely,
Carla Wise
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant.

We need no more follis fuel infrastructure in Oregon. It will become a stranded asset for the investors and a CO2 emitting plant that in needed in Oregon.

Sincerely,
Chris Baker
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I wrote to urge you to not extend the opportunity for building fossil fuel infrastructure in Oregon. New construction will not see a useful life and will become a stranded asset and a liability to the investors and the state. The best available science says we should not build any more carbon fuel power plants. These days are behind us.

Sincerely,
Chris Baker
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

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3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.
The Council should deny the requested amendment. Thank you for considering this comment. THE COLUMBIA GORGE NEEDS TO BE PROTECTED FROM THIS SITING.

Regards,
Connie Coleman
2013 NE Ridgewood Dr
Portland, OR 97212
Dear Governor Brown and Oregon EFSC:

The Columbia River Gorge is no place for power plant of any sort. The Gorge is a recreational treasure, so I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

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such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
CRYSTAL TOLMIE
6892 LITTLE BUCK CREEK ROAD
Underwood, WA 98672
Dear Governor Brown and Oregon EFSC:

NO FRACKED GAS!
I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Daivati Bharadvaj
180 SW 130th Ave, Apt, Suite, Bldg. (optional)
Beaverton, OR 97005
Dear Governor Brown and Oregon EFSC:

Climate change is the most significant economic issue of time and will be for some generations. The worldwide scientific community has proven beyond a doubt that human-created greenhouse gases are the principle driving force of climate change. We need to stop building unnecessary fossil fuel facilities that will make climate change worse. We need to invest exclusively in energy generation by renewables (wind, solar, hydro, geo, etc.).

I strongly urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful and is directly contrary to what our energy future needs to be.

It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in greenhouse gases is a direct threat to the economy and social welfare of ourselves, our children, and their descendants.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Daniel Frye
9326 NW Murdock Street
Portland, OR 97229
Please approve the Perennial Wind Chaser Station Permit. As Coal power generation continues to decline, the region need this reduced carbon generation to provide a reliable and dependable power source as our region continues to grow.

Daryl Grenz
1930 SW River Drive, #404
Portland, OR 97201
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Dave King
8728 N Edison St
Portland, OR 97203
Dear Governor Brown and the Oregon Energy Facility Siting Council,

Fracking is very bad for the environment. A gas plant to support fracking adds to the harm. PLEASE, no fracking power plant.

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

I urge EFSC to deny Perennial’s RFA because:

1). The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.

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For these reasons, EFSC should deny Perennial’s RFA which is now invalid, and require the company to file a new application for a site certificate.

Thank you.

Sincerely,

David Westerlund
Dear Governor Brown and Oregon EFSC:

It's a well-established fact that Fracking is very bad for the environment. This, I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Donna Steadman
7770 SW Kingfisher Way
Portland, OR 97224
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

Clean energy is the energy of today; fossil fuels like fracked gas are the energy of the past. We’ve committed to cleaner, plentiful sources of energy like solar and wind that don’t threaten our air and water—and, unlike fossil fuels, are getting cheaper by the day. ng-term, good-paying jobs.

Since fracking is now illegal in Oregon, liquefied methane would have to be transported from outside the state by rail or pipeline, adding the very real risk of leakage and fire.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Edward Cleary
19150 SW Murphy Ct
Beaverton, OR 97078
Dear Governor Brown and Oregon EFSC:

As a long time Oregonian, deeply concerned about escalating climate change and environmental degradation, I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I strongly urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

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such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

It is unthinkable given all that we now know, with new and frightening studies from a variety of reliable sources being released in just the past year, that this project would even be considered for approval. The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Emilie Marlinghaus
P.O. Box 7586
Bend, OR 97708
Dear Governor Brown and Oregon EFSC:

Very simply, in a location where both wind and solar power can thrive, a gas driven power plant is both unnecessary, and completely at odds with the energy future that both Oregon, and America, need to be concentrating on building for our power needs. This is a very easy no, both for the energy consumption required, and the environmental impact this plant would have on the Columbia River and surrounding areas.

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure projects, including Perennial’s proposed 415-megawatt gas-powered facility, still threaten the health of our communities and our climate.

3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement
and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Frank Payne
2095 NE 11th Place
Bend, OR 97701
Dear Governor Brown and Oregon EFSC:

No, No, No! I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
FREDERICK TOLMIE
6892 LITTLE BUCK CREEK ROAD
Underwood, WA 98672
Dear Governor Brown and Oregon EFSC:

Speaking as President of the Federation of Western Outdoor Clubs, representing 40 clubs and organizations in seven states, we agree with the Friends of the Columbia Gorge and urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
George Milne
1864 SE ANSPACH ST
Milwaukie, OR 97267
I believe following the Aug. 1 court decision that overturned the revised amendment rules no further action will occur regarding the perennial wind chaser amendment 1. Would you please confirm this?

As you know, I commented on the 4th amended site certificate for the Montague wind development. Since the Oregon Supreme Court ruled the amended rules were invalid, I am assuming that the amended site certificate action has stopped. Please confirm this.

I have been very frustrated with the amended rules due to the way the public was provided no influence. I am pleased that the court agreed.
Dear Governor Brown and Oregon EFSC:

NO MORE DIRTY ENERGY IN OREGON! I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,

JACKIE NIGH
2425 NE AINSWORTH ST
Portland, OR 97211
Dear Governor Brown and Oregon EFSC:

I am strongly opposed to the proposed Perenial Wind Chaser Station. Additional fossil fuel power plants of any kind will only cause more air pollution throughout our region and in the Columbia River Gorge National Scenic Area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
James Lanz
1713 SE Manor Ave
Vancouver, WA 98683
Dear Governor Brown and Oregon EFSC:

No more dirty energy! The Gorge is one of the most splendid natural places on our planet. Urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Janet Kavanagh
600 Garrison St
The Dalles, OR 97058
Dear Governor Brown and Oregon EFSC:

Energy from Fracking is outdated and really, no-one wants that energy anymore. Many young people that are aware of Environmental issues will not support a gas-fired plant, ego no financial support. We don't think this is economically realistic!

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Janet Trygstad
7545 SW 32nd Ave
Portland, OR 97219
Dear Governor Brown and Oregon EFSC:

Oregon's future is in renewable energy and efficiency. The Columbia Gorge is a national treasure that already is too polluted. I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial's proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Jenny Holmes
2325 NE 44th Ave
Portland, OR 97213
To: Katie Clifford, Senior Siting Analyst, ODOE

Climate change will continue to affect our air quality, food security, water resources, wild fires, fisheries, and coastal communities through the century to come. Reducing greenhouse gas emission is critical for Oregon and for the planet.

Fracked gas pollutes groundwater in the communities where it is extracted, and, through the well-documented leakage of methane, pollutes the atmosphere from point of extraction to the point of combustion.

Perennial admits that there is no market demand for the development of the “Perennial Wind Chaser” power plant (a nomenclature remarkable for its uncommon level of obfuscation). We have a duty to transition to renewable energy sources for electricity. Expansion of fossil fuel infrastructure is inappropriate for the long-term. The construction of this plant will likely result in a “stranded asset,” reducing the region’s financial flexibility to pursue renewable resources as caps on GHG emissions tighten to reach state, national and global goals.

The EFSC should not renew Perennial’s RFA.

Thank you for your attention,

Julie Chapman
juliebchap@gmail.com
Dear Governor Brown and Oregon EFSC:

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And we do not need this kind of energy source!!
The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Julie DeSmith
PO Box 551 Carson WA
Carson, WA 98610
Dear Governor Brown and Oregon EFSC:

PLEASE:

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2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure projects, including Perennial’s proposed 415-megawatt gas-powered facility, still threaten the health of our communities and our climate.

3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If
such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. PLEASE! Thank you for considering this comment.

Regards,
Karen Stark
71 Cedar Fork, PO Box 754
Washougal, WA 98671
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and flies in the face of Oregon’s ability to join pioneers in demonstrating how energy can be clean.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Kenneth Fine
3456 NW Savier Street
Portland, OR 97210
CLIFFORD Katie * ODOE

From: Lara Gardner <Lara.Gardner.221774935@p2a.co>
Sent: Thursday, August 22, 2019 8:29 AM
To: PER Comments * ODOE
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Governor Brown and Oregon EFSC:

We keep saying no and they keep coming back like a bad rash. NO! Abusers ignore no. Obviously, these guys are abusers who just don't get it that profits for a very small number should not outweigh the planet or the rest of us.

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Lara Gardner
90114 Marcola Rd
Springfield, OR 97478
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

I urge EFSC to deny Perennial’s RFA because:

1). The Oregon Supreme Court recently ruled that the rules under which Perennial applied for an RFA are invalid and EFSC cannot legally apply invalid rules.

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3). EFSC rules require that a preliminary RFA include an explanation of the need for an extension. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is not needed or wanted.

For these reasons, EFSC should deny Perennial’s RFA which is now invalid, and require the company to file a new application for a site certificate.

Let’s think about the future instead of pathetically holding on to the past. Our earth has no time for this nonsense of looking backward to gas-powered energy.

Thank you.

Sincerely,

Leigh Hood
Dear Governor Brown and the Oregon Energy Facility Siting Council,

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

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Thank you.

Sincerely,

Linda Browning
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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Maija Schaefer
2 Adobe Court
Novato, CA 94945
Dear Governor Brown and the Oregon Energy Facility Siting Council,

CLIMATE CHANGE IS REAL AND HAPPENING NOW. NO MORE DEGRADATION TO THE PLANET!!! NO MORE FRACKING FOR GAS. THIS IS THE ONLY PLANET WE HAVE TO LIVE ON. MONEY MAKING IS IRRELEVANT. STAND UP FOR WHAT IS RIGHT, WHAT IS LIFE SAVING-FOR ALL LIFE ON EARTH!

I urge you to reject the Request for Amendment (RFA) to Perennial Wind Chaser Station’s (Perennial) site certificate for a proposed gas-fired power plant. In the four years since Perennial received its initial site certificate from the Energy Facility Siting Council (EFSC), the environmental impacts of fracked gas have become increasingly apparent. It is clear that to combat the climate crisis we need to reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial.

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Thank you.

Sincerely,
mary daily
Dear Governor Brown and Oregon EFSC:

LET THERE BE NO DOUBT: REJECT THE REQUEST!!!!!! PROTECT AND PRESERVE AMERICA THE BEAUTIFUL!!!!! DON'T DECIMATE AND DESTROY IT!!!!!!

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
maxine sheets-johnstone
330 King St
Yachats, OR 97498
Dear Governor Brown and Oregon EFSC:

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The RFA does not adequately address how substantial additional CO2 emissions from a 415 MW facility will enable Oregon to reach its CO2 reduction goals. Nor does the RFA adequately address all combustion byproducts such as toxic and heavy metal effects on the downstream plume fallout.

I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Michael Dianich
42740 E Larch Mt Rd
Corbett, OR 97019
Dear Governor Brown and Oregon EFSC:

The days of fossil fuel extraction are through! Therefore, I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Michael Wilson
1405 SE Taylor St
Portland, OR 97214
Dear Governor Brown and Oregon EFSC:

There is a significant level of pollution in the Columbia Gorge already. This would only make it worse. We live in the Columbia Gorge and I am concerned about the potential for increased air and water pollution.

The era of fossil fuels is coming to an end. This is not the time to invest in fossil fuel technology. Our resources in Oregon must be directed to clean energy and innovative fuels and technologies of the future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Mimi Maduro
2203 Dundas Way
Mosier, OR 97040
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure projects, including Perennial’s proposed 415-megawatt gas-powered facility, still threaten the health of our communities and our climate.

3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.
I lived in Pendleton/Hermiston area for 12 years and I know how fragile the environment is in this area.

The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Patricia Rau
3169 Royce Way
Lake Oswego, OR 97034
From: patrick mulcahey <yehpax2@gmail.com>
Sent: Tuesday, August 20, 2019 9:34 PM
To: PER Comments * ODOE
Subject: Please reject the RFA to the site certificate for Perennial Wind Chaser Station

Follow Up Flag: Follow up
Flag Status: Flagged

As a former property owner and resident of the Columbia River Gorge, I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Patrick Mulcahey
Concrete, Washington 98237
Dear Governor Brown and Oregon EFSC:

I strongly urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant.

Perennial’s proposal is clearly unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.”

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Moreover, the company admitted that there is currently no market demand for its proposal.

EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.
The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Robbie Moller
425 Eugene St
Hood River, OR 97031
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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Also, we should be investing in a future for CLEAN energy. Not allowing old, pollution heavy energy production sources is what's best for our state and Earth.

The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Samuel Urko
8821 SE 29th Ave
Milwaukie, OR 97222
Dear Governor Brown and Oregon EFSC:

Please reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station. Perennial will be harmful to the environment, and fracked gas is not needed for our energy future. Why do they call it wind chaser anyway?

It is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general.

Thank you for taking care of our health (including yours and your families)

Regards,
Sheila Baraga
1424 SE Oak Street
Portland, OR 97214
Dear Governor Brown and Oregon EFSC:

I very strongly urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Sissy Aron
10 Brookview Lane
New Milford, CT 06776
Dear Governor Brown and Oregon EFSC:

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Stephanie E.
2922 SE Van Waters St.
Milwaukie, OR 97222
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The Council should deny the requested amendment. Thank you for considering this comment.

If this gas power plant would speed up the shutdown of the coal fired boardman plant then maybe my thoughts would change. Hard to imagine there still is an operational coal power plant east of the Gorge.

Regards,
Tom McCue
10804 NE 30TH AVE
Vancouver, WA 98686
Dear Governor Brown and Oregon EFSC:

My Personal Comment: It is foolish to invest resources in CO2 emitting power plants. Climate change is real and requires an all out effort to reduce greenhouse gas emissions to the lowest practical level. This is a bad investment.

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
William Prothero
241 Lakeside Dr
White Salmon, WA 98672
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Carol Randell
8320 SW Maverick Terrace
Beaverton, OR 97008
Dear Governor Brown and Oregon EFSC:

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Regards,
Michael Robertson
2304 SE 32nd Ave
Portland, OR 97214
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Regards,
Maureen Lauran
509 Montello Ave
Hood River, OR 97031
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Debrah Miles
35517 Gustafson Ln
Astoria, OR 97103
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Regards,
Shelley Ries
100 SW Alexander ave apt 216
Corvallis, OR 97333
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Regards,
Karen Pickering
25909 NE 52nd Way
Vancouver, WA 98682
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Blaine Ackley
655 NE 67th Ave
Hillsboro, OR 97124
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Mary Bennett
3965 SE Oak St
Portland, OR 97214
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Connie Butler
6405 N Burrage Ave
Portland, OR 97217
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Lynne Oulman
816 14th St
Bellingham, WA 98225
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The Council should deny the requested amendment. Thank you for considering this comment.
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Regards,
Robin Anderson
155 Endresen Rd
Hoquiam, WA 98550
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Regards,
Ellen Thayer
PO Box 710, White Salmon WA
White Salmon, WA 98672
CLIFFORD Katie * ODOE

From: Cynthia Bentley <Cynthia.Bentley.220130390@p2a.co>
Sent: Tuesday, August 20, 2019 4:24 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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Regards,
Cynthia Bentley
1050 Larrabee Ave. Ste. 104 PMB438
Bellingham, WA 98225
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Duane Ray
85 SE 16th Ct
Gresham, OR 97080
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William Neuhauser
19075 NE Woodland Loop Rd
Yamhill, OR 97148
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Betty Sinnett
2615 NE 359th Ave
Washougal, WA 98671
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Penny Greenwood
PO Box 965
White Salmon, WA 98672
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Nancy Cushwa
2715 N Terry St
Portland, OR 97217
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Linda Bahr
1913 NE Leichner Rd #3
Vancouver, WA 98686
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Marianne Larkins-Strawn
16415 NE 11th St
Vancouver, WA 98684
Dear Governor Brown and Oregon EFSC:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Bryan Mullaney
2385 SW Balsam Ave
Beaverton, OR 97005
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Regards,
Mana-Jean Wagnon
2834 Johnson Ave
Alameda, CA 94501
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Regards,
Luan Pinson
826 SE Morgan Rd
Vancouver, WA 98664
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Regards,
theodor marshall
14915 SE Bluff Rd
Sandy, OR 97055
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Regards,
Dani Maron-Oliver
75 Heron Point Drive
Longview, WA 98632
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Regards,
Sinu Cletus
2815 SW Carolina St
Portland, OR 97239
CLIFFORD Katie * ODOE

From: Abigail Burns <Abigail.Burns.221484450@p2a.co>
Sent: Tuesday, August 20, 2019 5:08 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

Dear Governor Brown and Oregon EFSC:

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Regards,
Abigail Burns
5445 SW Dover Ln
Portland, OR 97225
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Regards,
Alice Shapiro
7426 SE 21st Ave
Portland, OR 97202
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Regards,
Jim Jarzabek
4209 SE 177th LN
Vancouver, WA 98683
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kathy seabrook
1906 c street
Vancouver, WA 98663
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Ben Asher
400 NE 100th Ave Apt 107
Portland, OR 97220
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Gary McCuen
1825 Fairmount Ave S
Salem, OR 97302
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Portland, OR 97211
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Chris Sokol
3750 NW Skyline Blvd Portland OR 97229
Portland, OR 97229
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Patricia Pauly
3871 May Stret
Hood River, OR 97031
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Regards,
Joel Kay
10707 SE Stanley Ave
Milwaukie, OR 97222
CLIFFORD Katie * ODOE

From: Jon Nystrom <Jon.Nystrom.221492541@p2a.co>
Sent: Tuesday, August 20, 2019 5:45 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Jon Nystrom
1107 NE 9th Ave.
Portland, OR 97232
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Regards,
Paula Wood
23831 NE Treehill Dr
Wood Village, OR 97060
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Regards,
Gayle Weatherson
P.O. Box 354
Echo, OR 97826
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Kelly O'Hanley
6134 NE Alameda St
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Nadine Morris
7106 SE 71st Ave
Portland, OR 97206
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Sandra Siegner
9640 SW Lancaster Rd
Portland, OR 97219
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John Narver
725 9th Ave
Seattle, WA 98104
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I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Rachel Heath
301 SE 15th Ave.
Portland, OR 97214
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Peter Aron
10 Brookview Ln
New Milford, CT 06776
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Marshall Goldberg
3080 SW Raleighview Dr
Portland, OR 97225
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James Marquard
9329 NW Old Skyline Blvd
Portland, OR 97231
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Michael Spence
5810 S 144th St
Tukwila, WA 98168
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Kathleen Barta
1538 Pine Street
Lake Oswego, OR 97034
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Eric Weeks
15264 SW Teal Blvd
Beaverton, OR 97007
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2277 Glenwood Hwy
Goldendale, WA 98620
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Meredith Long
150 Keisala Rd
Woodland, WA 98674
Dear Governor Brown and Oregon EFSC:

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Regards,
Tika Bordelon
1400 Hubbell Pl
Seattle, WA 98101
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Regards,
Maliea Yakymi
6 Wilkes Rd
White Salmon, WA 98672
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Deborah Buckley
5818 n.e.Mason St.
Portland, OR 97218
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Sarah Collmer
704 W 20th St
Vancouver, WA 98660
Dear Governor Brown and Oregon EFSC:

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Regards,
Solea Kabako
2021 W Scenic Dr
The Dalles, OR 97058
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Regards,
Lori Hood
PO Box 154
Corbett, OR 97019
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Ken Long
150 Keisala Rd
Woodland, WA 98674
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Regards,
Darise Weller
9259 NW Germantown Rd
Portland, OR 97231
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Regards,
Sheila Dooley
3300 Vensel Rd
Mosier, OR 97040
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Ineke Deruyter
9322 N Oswego Ave
Portland, OR 97203
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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Virginia White
1229 29th St
Port Townsend, WA 98368
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Gloria Fisher
8725 NE Davis St
Portland, OR 97220
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Regards,
Elizabeth Laskey
4838 NE 41st Ave
Portland, OR 97211
CLIFFORD Katie * ODOE

From: Cathy Sampson-Kruse <Cathy.SampsonKruse.221522169@p2a.co>
Sent: Tuesday, August 20, 2019 8:58 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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Regards,
Gina Cox
655 Pinecrest Drive
Port Townsend, WA 98368
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Regards,
Brian Anderson
1405 Sterling Court
White Salmon, WA 98672
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Lois Bancroft
50 Moore Rd
White Salmon, WA 98672
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Richard Beam
19773 Bellevue Way
West Linn, OR 97068
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3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Sharon Rickman
1165 Officers Row
Vancouver, WA 98661
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Todd Corbett
10815 Hubbard Creek Road
Umpqua, OR 97486
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
John Harris
8407 NW 15th Ct
Vancouver, WA 98665
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Dermot Noonan
4510 48th Ave NE
Seattle, WA 98105
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Camilo Marquez
2934 NE 60th Ave
Portland, OR 97213
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Regards,
Jef Gunn
1745 SE 101st Ave
Portland, OR 97216
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future. We do not need to aggravate the tectonic plates of a state which is already waiting for “the big one” the overwhelming loss a massive earthquake would cause is not worth the wealth acquired on any level.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.
CLIFFORD Katie * ODOE

From: Michele Class <Michele.Class.221527191@p2a.co>
Sent: Tuesday, August 20, 2019 9:59 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Michele Class
1430 NE Village St
Fairview, OR 97024
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Shira Fogel
15496 SE Adair Pl
Clackamas, OR 97015
CLIFFORD  Katie  *  ODOE

From: Martha Neuringer <Martha.Neuringer.221527245@p2a.co>
Sent: Tuesday, August 20, 2019 10:00 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Martha Neuringer
4140 SE 37th Ave Apt 9
Portland, OR 97202
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3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Wesley Kempfer
5324 NE AINSWORTH ST
Portland, OR 97218
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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Regards,
Linda Hart
4224 SE Clay St
Portland, OR 97215
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
John Nettleton
4311 SE 37th Ave
Portland, OR 97202
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Sherry Salomon
2393 SW Park Place #204
Portland, OR 97205
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Regards,
Mark McCormick
5602 SE Lexington St
Portland, OR 97206
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Regards,
Virginia Tarango
2311 SE 34th Ave
Portland, OR 97214
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Regards,
Ryan Rittenhouse
8008 SE Malden St.
Portland, OR 97206
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Regards,
Scott Hayes
623 NW 185th St.
Shoreline, WA 98177
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Regards,
John Ghormley
597 N Dekum St # 227
Portland, OR 97217
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Regards,
Judith Walker
5609 SE 56th Avenue
Portland, OR 97206
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Jack West
3914 SE Licyntra Ln
Milwaukie, OR 97222
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Janiece Staton
817 SW 171st Ave
Beaverton, OR 97006
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Regards,
Eileen Kennedy
1302 8th Street South
La Crosse, WI 54601
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Regards,
Mary Hill
7104 Christina Dr
Catlettsburg, KY 41129
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Tracy Hardwick
1903 Oakwood Dr
The Dalles, OR 97058
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Joel Hildebrandt
2776 Wagner Ct.
Ann Arbor, MI 48103
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Carolyn Caldwell
735 SW Dillan Dr
Beaverton, OR 97006
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William Fulton
775 Cascade ST APT 301
Oregon City, OR 97045
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James Soares
PO BOX 559
Everson, WA 98247
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Colleen Wright
4160 Chapman Way
Lake Oswego, OR 97035
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Dana Hardwick
1903 Oakwood Dr
The Dalles, OR 97058
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Tod Johnston
3965 SW Pendleton St
Portland, OR 97221
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The Council should deny the requested amendment. Thank you for considering this comment.
From: Cody Traweek <Cody.Traweek.221559042@p2a.co>
Sent: Wednesday, August 21, 2019 6:31 AM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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Regards,
Cody Traweek
4240 Lemon Rd NE,
Olympia, WA 98506
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Regards,
CA O'Donnell
20009 106th Ave NE
Bothell, WA 98011
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Regards,
Scott McKnight
1250 SE 214th Ave
Gresham, OR 97030
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Regards,
Mauria McClay
8125 NE Wygant
Portland, OR 97218
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Regards,
Rachael Pappano
330 River Rd
Mattawamkeag, ME 04459
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Lizbeth Hermansen
90 SW Russell Ave
Stevenson, WA 98648
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Susan Miller
PO Box 564
Mosier, OR 97040
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Robert Connor
50 Moore Rd
White Salmon, WA 98672
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Angie Holwege
31708B NE Wand Rd
Troutdale, OR 97060
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Regards,
Cindy Kimball
1260 21st St. NE
Salem, OR 97301
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Regards,
Linda Curry
253 Crescent Dr
Kelso, WA 98626
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Matt Morrissey
2758 NE Rodney Ave
Portland, OR 97212
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Phil Pizanelli
38835 H. Columbia River Hwy.
Corbett, OR 97019
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3149 NW Miller Rd
Portland, OR 97229
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I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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I urge the Council to deny the Request for Amendment because:

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Regards,
Laura Morello
1004 Main St
Vancouver, WA 98660
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Susan McLaughlin
2015 NW 17th Avenue
Camas, WA 98607
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Debra Rehn
5130 SE 30th Ave Apt 9
Portland, OR 97202
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2124 NE 60th Ave.
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Christine TOLOTTI
3451 Cook-Underwood Rd
Cook, WA 98605
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Marv Binegar
12347 Boynton Street
Oregon City, OR 97045
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Virginia White
1229 29th St
Port Townsend, WA 98368
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Regards,
Jean Butcher
3635 SW 70th Ave
Portland, OR 97225
CLIFFORD Katie * ODOE

From: Tim Sherry <Tim.Sherry.221437263@p2a.co>
Sent: Tuesday, August 20, 2019 12:38 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Tim Sherry
4208 N Juneau St
Portland, OR 97203
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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Regards,
Jeremy Benjamin
817 S St Andrews Place, 107
Los Angeles, CA 90005
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Sarah Hafer
12111 NE 4th St
Vancouver, WA 98684
Dear Governor Brown and Oregon EFSC:

Please do the right and legal thing and reject the RFA. Even if it were the legal thing to do, we need cleaner power not
Thank you.
David Richmond

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not
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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
David Richmond
2137 NE 40th Ave
Portland, OR 97212
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Regards,
Laurie Turner
11333 SE Powell Ct.
Portland, OR 97266
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Regards,
Stephen Bachhuber
3428 SE 9th Ave
Portland, OR 97202
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Regards,
Donna Murphy
2134 NE 37th Ave
Portland, OR 97212
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Regards,
Anna Shook
7326 N Wilbur Ave
Portland, OR 97217
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Regards,
Barbara Waxman
7731 21st Ave. NE
Seattle, WA 98115
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Regards,
Brian Gibson
1709 Mount Hood St
The Dalles, OR 97058
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Roy Moulton
4 Birdie Ln
White Salmon, WA 98672
Dear Governor Brown and Oregon EFSC:

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Regards,
Kim Kosa
7106 N Commercial Ave
Portland, OR 97217
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Regards,
Mary Twombly
842 Little Rock Creek Rd
Cook, WA 98605
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Regards,
Adina Parsley
20420 Marine Drive, Apt P-2
Stanwood, WA 98292
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Regards,
Lin Reedijk
19561 River Rd
Gladstone, OR 97027
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Lyndee Cunningham
1529 Division St
Camas, WA 98607
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Regards,
Marceline Gearry
2884 NW Savier St
Portland, OR 97210
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Regards,
Earl Redding
13221 SE Blackberry Cir
Portland, OR 97236
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Regards,
Jay Maxwell
1432 SW College St
Portland, OR 97201
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Regards,
Lailah Hamblin
5020 NE Emerson Court
Portland, OR 97218
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
John Koenig
3968 Brae Burn Dr
Eugene, OR 97405
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Michael Stathatos
1121 Riverside Dr
Washougal, WA 98671
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Carolyn Boatsman
3210 74th Ave SE
Mercer Island, WA 98040
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Regards,
Vicki kolberg
3749 NE 23rd Ave
Portland, OR 97212
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Regards,
Laurie Kerr
11102 NE 196th St
Battle Ground, WA 98604
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Regards,
Chad lehn
4830 SE Hans Nagel Rd
Washougal, WA 98671
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JL Angell
2391 Ponderosa Rd
Rescue, CA 95672
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Ken Zeman
25612 207th Place Southeast
Covington, WA 98042
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I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Kim Kovalik
PO Box 663
Mosier, OR 97040
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Regards,
Jeff Forbes
4625 SE 67th Ave
Portland, OR 97206
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Regards,
Merle Clifton
4457 NE CAMPAIGN ST
Portland, OR 97218
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Regards,
Christopher Hansen
3303 NW Dahlia Dr
Camas, WA 98607
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Cynthia Clements
5408 SE Long St
Portland, OR 97206
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Todd Simmler
917 W 23rd St
The Dalles, OR 97058
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Richard Kolber
11412 NE 49th St
Vancouver, WA 98682
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Regards,
Robert Thinnes
3207 NE 22nd Ave
Portland, OR 97212
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Eric Lubell
300 NW 3rd Ave
John Day, OR 97845
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Regards,
Martin Velez
6118 NE 32nd Ave
Portland, OR 97211
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Lois Bancroft
50 Moore Rd
White Salmon, WA 98672
Dear Governor Brown and Oregon EFSC:

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Steve Erickson
720 Cherryview Ln
White Salmon, WA 98672
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Regards,
Antoinette Peterson
7118 SE Steele St
Portland, OR 97206
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Richard Osmun
2726 NW Valley St
Camas, WA 98607
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Eric Brentlinger
4160 Post Canyon Drive
Hood River, OR 97031
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Craig Heverly
3712 SE 9th Ave
Portland, OR 97202
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Regards,
Roger Kofler
17177 SE Jennings Crest Lane
Milwaukie, OR 97267
CLIFFORD Katie * ODOE

From: Peter Zurcher <Peter.Zurcher.221448162@p2a.co>
Sent: Tuesday, August 20, 2019 1:34 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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Erica Risberg
950 SW 21st Ave
Portland, OR 97205
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RICHARD WEIGEL
12300 NE WASCO ST
Portland, OR 97230
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3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Roland Begin
2722 SW Huber St
Portland, OR 97219
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Andrea Almeida
8009 SE Yamhill St
Portland, OR 97215
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Bebe Chiarito
9329 NW Old Skyline Blvd
Portland, OR 97231
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Stephen Hulick
16607 NE 197th Ave
Brush Prairie, WA 98606
CLIFFORD Katie * ODOE

From: Peggy Leslie <Peggy.Leslie.221450006@p2a.co>
Sent: Tuesday, August 20, 2019 1:45 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Peggy Leslie
1465 OR-35
Hood River, OR 97031
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
SUSAN HAYNES
711 Skamania Landing Rd
Stevenson, WA 98648
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Roberta Munger
3830 SE 150th Ave
Portland, OR 97236
CLIFFORD Katie * ODOE

From: Brittany Saeman <Brittany.Saeman.218847460@p2a.co>
Sent: Tuesday, August 20, 2019 1:50 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

Dear Governor Brown and Oregon EFSC:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Brittany Saeman
20665 SW Imperial Ln
Aloha, OR 97006
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Regards,
April Atwood
6306 SE 21st Ave
Portland, OR 97202
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Regards,
Shireen Press
5032 NE Simpson St
Portland, OR 97218
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3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Janie Cohen
1702 SE 57th Ave
Portland, OR 97215
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant.

While there is more information below, simply put its not needed or wanted and not in the public's best interest.

Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Chaz Smith
12817 se main st
Portland, OR 97233
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Carolyn Stewart
515 SW Cheltenham St
Portland, OR 97239
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Regards,
Paul Wilcox
1030 SW 17th Way
Troutdale, OR 97060
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Carmen Sanchez
2837 Islander Ave NW
Salem, OR 97304
CLIFFORD Katie * ODOE

From: Kalama Reuter <Kalama.Reuter.221452428@p2a.co>
Sent: Tuesday, August 20, 2019 2:02 PM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

Dear Governor Brown and Oregon EFSC:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Kalama Reuter
920 NE Field Ave
White Salmon, WA 98672
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Regards,
Janet Johnson
556 NE 20TH PL
Newport, OR 97365
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Regards,
TAMMIE MURRAY
82270 RED BLUFF RD
Seaside, OR 97138
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Regards,
Sally Stevens
9935 SE Grant Ct
Portland, OR 97216
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Regards,
Nicole Calvert
12901 NE 28th St
Vancouver, WA 98682
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The Council should deny the requested amendment. Thank you for considering this comment.
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Regards,
Mary Grout
3712 NW Sandpiper Dr
Woodland, WA 98674
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Stephanie Heisler
sheisler6@comcast.net
Portland, OR 97211
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Regards,
Sherry Wolfson
1215 SE 49th Ave
Portland, OR 97215
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Regards,
Robert Kimbro
7625 SW Wilson Ave, 76
Beaverton, OR 97008
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Regards,
ANDREW WADE
3413 Brookside Drive
Hood River, OR 97031
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Regards,
Elaine Nelson
6786 SW 204th Ave
Aloha, OR 97078
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Regards,
George Cummings
3816 NE 17th Ave
Portland, OR 97212
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Regards,
Joe Worth
Not Available
Beaverton, OR 97005
Dear Governor Brown and Oregon EFSC:

We’re on track to suooky the lion's share of our energy needs with renewables. Let's leave the fracked gas in the ground where it belongs.

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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
David Milholland
2000 NE 42nd Ave
Portland, OR 97213
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Amber Armstrong
185 NE Snohomish Ave
White Salmon, WA 98672
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Regards,
ed moye
70 W 30th Ave
Eugene, OR 97405
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Christie Bradley
1383 Tucker Rd
Hood River, OR 97031
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Regards,
Irene Svete
308 E Republican St
Seattle, WA 98102
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Regards,
Christopher Kralik
631 NW 18th Loop
Camas, WA 98607
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Regards,
Ryan Murtfeldt
51 Columbia Ave
Underwood, WA 98651
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Regards,
Judy Henderson
2541 SW Miles St
Portland, OR 97219
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Regards,
Shayna Snyder
4746 N Borthwick Ave
Portland, OR 97217
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Regards,
Carole Beauclerk
1500 SW Park Ave
Portland, OR 97201
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Regards,
Lloyd Vivola
12120 SE Foster Pl
Portland, OR 97266
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In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Logen Williams
1214 16th St
Hood River, OR 97031
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Regards,
kathy cain
6231 NE 22nd Ave
Portland, OR 97211
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Daniel McGuire
28681 Emanuel St
Easton, MD 21601
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Regards,
Erica Maranowski
503 SE 12th Ave
Portland, OR 97214
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Polly Wood
PO Box 962
Hood River, OR 97031
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Tom Hopkins
19698 SE Cottonwood St.
Milwaukie, OR 97267
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Regards,
Jacqueline Abel
3707 NE 16th Avenue
Portland, OR 97212
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Regards,
Colleen Bonin
22824 ne 254th ct
Battle Ground, WA 98604
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Regards,
Laurie Fisher
10414 SW Bonanza Way
Tigard, OR 97224
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Regards,
Laura Anderson
415 NE 128th Ave
Portland, OR 97230
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Mary Bailey
3131 NW Clubhouse Dr
Bend, OR 97703
Dear Governor Brown and Oregon EFSC:

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Regards,
Peter Christ
28818 NE Hancock Rd
Camas, WA 98607
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Regards,
Norma Reich
1221 SW 10th Ave
Portland, OR 97205
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Regards,
Sharlane Blaise
2545 SW Terwilliger Blvd. #314
Portland, OR 97201
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Regards,
Timothy Sherburne
2501 NE 57th St
Vancouver, WA 98686
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Regards,
T Hennessy
1202 33rd Ave
Forest Grove, OR 97116
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Regards,
Roy Sendek
31485 NE Wand Rd
Troutdale, OR 97060
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Regards,
Gary McCuen
1825 Fairmount Av. S.
Salem, OR 97302
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Regards,

tom whittaker
12140 SW Riverview Ln
Wilsonville, OR 97070
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Regards,
Ellen Stearns
3920 SW Hillsdale Ave
Portland, OR 97239
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The Council should deny the requested amendment. Thank you for considering this comment.
Regards,
Richard Johnson
PO Box 3138
Bellingham, WA 98227
Dear Governor Brown and Oregon EFSC:

I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

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Regards,
Darryl Lloyd
1025 State St
Hood River, OR 97031
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Barbara Manildi
3525 Re
Lake Oswego, OR 97035
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Rob Karnuth
951 W 7th Ave
Eugene, OR 97402
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Susan Tracy
4311 NE 106th St
Vancouver, WA 98686
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Regards,
Wendy Bartlett
255 N Forest St
Bellingham, WA 98225
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Regards,
Helen Jaskoski
P.O. BOX 66074
Portland, OR 97290
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Matthew Barmann
417 17th Street
Hood River, OR 97031
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Regards,
Derek Gendvil
9030 W Sahara Ave
Las Vegas, NV 89117
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haris wolfgang
PO Box 2266
Lake Oswego, OR 97035
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Regards,
Debrah Miles
35517 Gustafson Ln
Astoria, OR 97103
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Regards,
Keith Brown
211 Malfait Tracts Rd
Washougal, WA 98671
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Regards,
Aleita Hass-Holcombe
2022 NW Myrtlewood Way
Corvallis, OR 97330
CLIFFORD Katie * ODOE

From: Fayette Krause <Fayette.Krause.218977079@p2a.co>
Sent: Wednesday, August 21, 2019 9:11 AM
To: PER Comments * ODOE
Subject: [Fortimail Spam Detected] Perennial Wind Chaser Station Construction Deadline Extension Request

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Fayette Krause
2315 Madrona St
Port Townsend, WA 98368
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Regards,
Adina Parsley
20420 Marine Dr, Apt P2
Stanwood, WA 98292
CLIFFORD Katie * ODOE

From: Maura Schotter <Maura.Schotter.221664342@p2a.co>
Sent: Wednesday, August 21, 2019 4:09 PM
To: PER Comments * ODOE
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

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Regards,
Maura Schotter
2128 SE 11th Ave
Camas, WA 98607
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The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
marguerite zucker
1966 Orchard St
Eugene, OR 97403
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Jean Wyman
3914 NE 75th Ave
Portland, OR 97213
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Gary Bushman
1107 Methodist Rd
Hood River, OR 97031
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Charles Gadway
256 Bates Rd
White Salmon, WA 98672
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Rabecca Whalen
23445 NE Glisan St
Wood Village, OR 97060
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Abigail Corbet
6637 SE 57th Ave
Portland, OR 97206
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Richard Faith
2635 Coeur D Alene Dr
West Linn, OR 97068
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Mary Wilson
210 Pine Forest Rd.
Goldendale, WA 98620
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The Council should deny the requested amendment. Thank you for considering this comment.

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Michael Young
2004 E 13th St
The Dalles, OR 97058
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steve miesen
6275 Holmes St
West Linn, OR 97068
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15704 NE 28th Ct
Vancouver, WA 98686
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[Signature]
David Tvedt
801 Lynn Lane
Eugene, OR 97404
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Linda Avinger
2638 E Smith Rd
Bellingham, WA 98226
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Ansula Press
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Maggie Stock
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Pepper Trail
From: Marvin Higgins <outreach@csadvocate.io>
Sent: Wednesday, August 14, 2019 8:05 AM
To: PER Comments * ODOE
Subject: Reject Perennial Wind Chaser Station's RFA

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Thank you.

Sincerely,

Donlon McGovern
CLIFFORD Katie * ODOE

From: Ian Shelley <outreach@csadvocate.io>
Sent: Wednesday, August 14, 2019 7:40 AM
To: PER Comments * ODOE
Subject: Reject Perennial Wind Chaser Station’s RFA

Dear Governor Brown and the Oregon Energy Facility Siting Council,

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brad bush
CLIFFORD Katie * ODOE

From: CJ James <outreach@csadvocate.io>
Sent: Wednesday, August 14, 2019 7:24 AM
To: PER Comments * ODOE
Subject: Reject Perennial Wind Chaser Station’s RFA

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Dean Sigler
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10320 NE 20th Cir
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Joshua Bickley
6426 NE 36th Ave
Portland, OR 97211
CLIFFORD Katie * ODOE

From: Monica Maxa <Monica.Maxa.221834965@p2a.co>
Sent: Thursday, August 22, 2019 10:18 AM
To: PER Comments * ODOE
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

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The Council should deny the requested amendment. Thank you for considering this comment.

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Regards,
Paul Spindel
1465 Holly St
West Linn, OR 97068
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Regards,
Jo Landefeld
3145 NE 21st Ave
Portland, OR 97212
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Mark Leed
3419 E. 21st St., Unit 4
Vancouver, WA 98661
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Gina fuller
41 Kelly-Henke Rd
Stevenson, WA 98648
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Stephanie Smith
418 NE 154th St
Vancouver, WA 98685
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Regards,
CLIFFORD Katie * ODOE

From: Marie McKim <Marie.McKim.221714517@p2a.co>
Sent: Thursday, August 22, 2019 2:52 AM
To: PER Comments * ODOE
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

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Marie McKim
2140 NW Savier St
Portland, OR 97210
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Sent: Thursday, August 22, 2019 12:35 AM  
To: PER Comments * ODOE  
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

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The Council should deny the requested amendment. Thank you for considering this comment.

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David Kelley
3831 NE 72nd Ave
Portland, OR 97213
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CLIFFORD Katie * ODOE

From: Michael Wolf <Michael.Wolf.220220219@p2a.co>
Sent: Wednesday, August 21, 2019 7:11 PM
To: PER Comments * ODOE
Subject: Perennial Wind Chaser Station Construction Deadline Extension Request

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I urge you to reject the Request for Amendment (RFA) to the site certificate for the Perennial Wind Chaser Station (Perennial), a proposed gas-fired power plant. Perennial’s proposal is unlawful, harmful to the environment, and not needed for our energy future.

In the five years since Perennial first proposed this project, the environmental impacts of fracked gas have become increasingly apparent. It is now clear that in order to combat climate change we must reject new fossil fuel infrastructure, including new fracked gas power plants like the one proposed by Perennial. Any increase in air pollution, including greenhouse gases, is a direct and unnecessary threat to the Columbia River Gorge National Scenic Area, our communities, and the environment in general. Moreover, the Perennial proposal would be sited immediately adjacent to an existing power plant, the Hermiston Generating Project, which would result in significant concentrations of pollution in a localized area. Air quality in the Gorge is already degraded, partially by NOx emissions from power plants in the region causing acid deposition during inversion events. Perennial would make this even worse.

I urge the Council to deny the Request for Amendment because:

1. The site certificate for this project is already expired, void, and cannot be amended. Perennial was required to begin construction by September 23, 2018. Perennial failed to either begin construction by that deadline or to submit a valid application to extend the deadline in compliance with valid Council rules. Instead, Perennial expressly filed its amendment application pursuant to invalid rules. Specifically, the Oregon Supreme Court has held that the rules relied on by Perennial here “are invalid.” Because these rules are invalid, they cannot be used to process or approve any amendment to the expired Perennial site certificate. And if EFSC attempts to declare an “emergency” and re-adopt the invalid rules, it will be too late to resurrect the site certificate, which is already expired and void.

2. The rules provide that EFSC must consider “any changes in facts or law since the date the current site certificate was executed” in its evaluation of a request to extend the construction deadlines. New studies released since EFSC approved Perennial’s proposal demonstrate the cradle-to-grave climate change impacts of fracked gas. Specifically, methane released into the atmosphere during the production and transport of fracked gas is a far greater contributor to climate change than previously understood. Governor Brown has recognized climate change as “one of the most significant threats to Oregon’s economy, environment, and way of life,” yet fracked gas infrastructure projects, including Perennial’s proposed 415-megawatt gas-powered facility, still threaten the health of our communities and our climate.

3. Assuming EFSC’s invalid rules can be applied here, those rules require Perennial to adequately explain the need for an extension of any construction deadlines. Perennial claims it has “been unable to obtain a power purchase agreement and it is unlikely that one will be obtained before the required construction start date.” Perennial failed to explain what, if any, steps it took to obtain a power purchase agreement. Moreover, the company admitted that there is currently no market demand for its proposal. EFSC should not authorize a gas-powered plant that is neither needed nor wanted. If such a need or want arises in the future, there is nothing stopping Perennial from reapplying.

The Council should deny the requested amendment. Thank you for considering this comment.

Regards,
Delores Porch
1212 34TH AVE SE, Apt 63
Albany, OR 97322
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Sarah Duvall
600 SE 177th Avenue, Apt. Z-282
Vancouver, WA 98683
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Attachment D: Zoning Figures
Figure K-1
Project Overview
Perennial Wind Chaser Station
Umatilla County, Oregon

Legend
- Energy Facility Site
- Site Boundary
- Step-up Substation Boundary
- McNary Substation
- Existing Transmission Line
- Proposed Underground Transmission Line
- Existing Transmission Structure
- Proposed Transmission Structure
- Proposed Gas Line
- Proposed Riser Structure Fenced Area

City of Umatilla Zoning Ordinance
- Community Services (CS)
- General Commercial (GC)
- Neighborhood Commercial (NC)
- Single-Family Residential (R1)
- Medium Density Residential (R2)

Umatilla County 1972 Zoning Ordinance
- Agricultural Residential (R-1)
- Exclusive Farm Use (F-1)
- General Rural (F-2)
- Heavy Industrial (M-2)

Umatilla County Zones
- Exclusive Farm Use (EFU)
- Light Industrial (LI)
- Light Industrial - Limited Use (LI/LU)
- Rural Tourist Commercial (RTC)
- Depot Industrial - Unrestricted (DI - U)
- Umatilla Depot Refuge (UDR)
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Issued: September 26, 2018
Source: City of Umatilla, ESRI and Burns & McDonnell Engineering, Inc.

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Scale in Feet
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