

# PUBLIC NOTICE



## Nolin Hills Wind Energy Facility

### Public Hearing and Request for Comments on the Draft Proposed Order

#### **Notice Summary:**

Notice Date: April 19, 2022

Proposal: A 600-megawatt (MW) wind and solar energy facility.

Proposed Facility Location: Northwestern Umatilla County.

Draft Proposed Order: The Draft Proposed Order (DPO), in which Oregon Department of Energy Staff (ODOE) recommends the Application for Site Certificate (ASC) meets all required standards and should be approved by the Energy Facility Siting Council (EFSC), was issued on April 19, 2022.

Comment Period: April 19, 2022 through May 26, 2022, at the close of the in person public hearing listed below.

#### In Person & Remote Public Hearing Information:

Date: Thursday, May 26, 2022

Start Time: 5:30 p.m.

End Time: 6:15 p.m. or later depending on participation

Location: Red Lion Hotel  
304 SE Nye Ave  
Pendleton, OR  
Walla Walla Room

You may also participate in the public hearing via Webinar or Teleconference Information:

#### Webinar link:

<https://odoe.webex.com/odoe/onstage/g.php?MTID=ead1c8fc9e2a47f59a6f989c6f0c0db22>

**Webinar Event Number:** 2336 384 4465

**Webinar Event Password:** EFSC

**Teleconference:** 408-418-9388

**Teleconference Access code:** 2336 384 4465

***If using Webex, please use your full name to sign in to help staff manage public comments. Additional information will be provided at the hearing about***

*how to provide an oral comment using Webex features.*

*The Oregon Department of Energy will hold the in-person portion of the public hearing according to policies and guidelines for social distancing, safety of the public and staff in place at the time of the hearing. ODOE will update the project webpage in advance of the hearing with these details: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/NHW.aspx>*

#### **Description of Proposed Facility:**

The 600 MW Nolin Hills Wind Power Project (proposed facility), proposed by Nolin Hills Wind, LLC (applicant), a subsidiary of Capital Power Corporation, would be located within an overall site boundary of 48,196 acres and would consist of:

#### Main Components:

The 340 MW wind energy component comprises up to 112 wind turbine generators (496-foot maximum height), depending on the turbine model selected and the final layout determined during the micrositing process.

The 260 MW solar array would include up to approximately 816,812 solar modules, and a battery storage system that, depending on the final technology and layout selected, would occupy 1,896 acres (2.96 sq. miles) to be surrounded with an 8-foot-tall perimeter security fence.

#### Related and Supporting Facilities:

-Battery energy storage system up to 120-MW;  
-230 kV transmission line that would connect the two project substations that is 6.8 miles long with towers up to 140 feet high;  
-230 kV transmission line that would connect the facility to the electrical grid with towers up to 140 feet high. This line has two options:

- Option 1 would be 25.3 miles long and connect to the Cottonwood substation and would consist of both new and upgraded segments.
- Option 2 would be 5 miles long and connect to the planned Bonneville Power Administration Stanfield substation.

- Two substations occupying 16.4 acres;
- Operations and maintenance area with a building occupying 7.6 acres;
- Up to 9.1 miles of overhead electrical collector lines;
- Up to 89 miles of underground electrical collector lines;
- 43 miles of new permanent site access roads;
- 19 miles of temporary site access roads;
- Up to three 266 feet tall meteorological data collection towers; and
- Approximately 27 acres of temporary construction yards.

*More detailed information about the proposed energy facility and the related or supporting facilities is available in ASC Exhibit B.*

**Location of Proposed Facility:**

The proposed facility would be located in Northwestern Umatilla County, south of I-84, and approximately 4 miles south of Echo and 10 miles west of Pendleton.

A map of the proposed facility and site boundary is included at the end of this notice. Specific locational maps can be found in ASC Exhibit C at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/NHW.aspx> and on ODOE's online mapping tool at:  
<https://tinyurl.com/EFSCmap>.

**EFSC Review Process Overview:**

The site certificate process is a consolidated, comprehensive siting process. The applicant must demonstrate that the proposed facility meets EFSC standards established under Oregon Revised Statute (ORS) 469.501 and set forth in Oregon Administrative Rule (OAR) Chapters 345, Divisions 22 and 24, as well as all other applicable Oregon statutes, rules and standards. ODOE serves as staff to EFSC and conducts the application review process.

The proposed facility would include components that would produce more than 50 MW from wind energy and have solar photovoltaic energy generation components located on more than 160 acres of high-value farmland as defined in ORS 195.300, and more than 1,280 acres of land that is predominately cultivated, and therefore is an energy facility subject to EFSC jurisdiction under the definition in ORS 469.300(11)(a)(D) and (J). As such, the proposed

facility must receive approval from EFSC of a site certificate prior to construction.

**Nolin Hills Wind Energy Facility Process Overview:**

Application for Site Certificate: The applicant filed a complete ASC on January 31, 2022. Under OAR 345-015-0190(5), an ASC is complete when the Department finds that an applicant has submitted information adequate for the Council to make findings or impose conditions on all applicable Council standards. The Department held a remote Public Informational Meeting on the proposed facility on February 16, 2022. The complete application and Public Meeting information is located on the project page as described in the More Information section below and is available for review.

Draft Proposed Order Issuance: On April 19, 2022, ODOE issued a DPO on the ASC. The DPO, ODOE's first evaluation of the proposed facility which includes findings of facts, conclusions of law and conditions, recommends EFSC approve the ASC and issue a site certificate. The DPO is not a final order. The purpose of this DPO notice is to inform the public of an open comment period and a public hearing, with opportunities for in-person and remote participation.

Public Hearing: EFSC will hold the public hearing on the DPO on May 26, 2022 and will be both in person and remote. See login information on Page 1 of this notice for more details. The hearing will be conducted by the EFSC-appointed third-party hearings officer.

During the hearing there will first be a brief overview by ODOE on the siting process and proposed facility, followed by an overview of the hearing format provided by the hearing officer and finally an opportunity to provide oral comments on the ASC and the DPO.

Written comments to be included on the record of the public hearing **must be received by the comment deadline of Thursday, May 26, 2022, the close of the public hearing date**, unless extended, submitted at the hearing, through the public comment portal described below or by mail, email or fax to the hearing officer, in care of:

Kathleen Sloan, Senior Siting Analyst  
Oregon Department of Energy  
550 Capital Street NE  
Salem, OR 97301

Phone: 971-701-4913

Fax: 503-373-7806

Email: [kathleen.sloan@energy.oregon.gov](mailto:kathleen.sloan@energy.oregon.gov)

EFSC will not accept or consider any further public comments on the ASC or on the DPO after May 26, 2022, which represents the close of the record on the DPO for the proposed facility, unless the comment deadline is extended.

#### NEW Online Comment Portal

The goal of the online comment portal is to provide a convenient option to submit input on projects. The portal can be accessed via the link below:

<https://odoe.powerappspartals.us/SitingPublicComment/>

To get started, choose the Nolin Hills project from the drop-down menu. Click “Next” and follow the instructions on screen. You will receive an email confirmation after submitting your comment.

ODOE also has a new docket system available which displays comments that have been submitted. Comments for this project will be posted to the docket and will normally be available to view within 3 business days of receipt. The docket can be accessed via the following link:

<https://odoe.powerappspartals.us/en-US/sitingdocket/>

#### **Please note:**

All comments submitted to ODOE may be disclosed to the public, subject to Oregon Public Records Laws (ORS Chapter 192). Public comments may be available on the ODOE webpage for the Nolin Hills Wind Energy Facility as an attachment to the Proposed Order, to be issued at a later date.

Comment submission does not register your contact information to receive future electronic notices. If you would like to receive notices for this proposed facility or any other EFSC facility, and have not already done so, please follow the information in this notice to subscribe to the ClickDimensions email notification list as described below.

#### Council Review of the Draft Proposed Order:

Following the close of the record of the public hearing on the DPO, and during a Council meeting, EFSC will review the DPO, comments received on the record of the DPO and provide any comments they have to ODOE.

**Proposed Order:** ODOE will evaluate the comments received on the record of the DPO as well as those by EFSC, and make any necessary changes to findings of fact, conclusions of law and conditions. These will be reflected in the Proposed Order, ODOE’s second evaluation of the proposed facility.

**Contested Case:** Along with the issuance of the Proposed Order, ODOE will issue a notice of Contested Case. To be eligible to participate in a Contested Case proceeding, a person must raise an issue either in person at the public hearing or in a written comment submitted between April 19, 2022 and May 26, 2022 the date the record closes, unless extended. Even if a person commented before April 19, 2022, that person must raise an issue(s), either via oral comment at the public hearing or in writing during the comment period to be eligible to participate in the Contested Case.

Failure to raise an issue in person or in writing prior to the close of the record of the public hearing with sufficient specificity to afford the decision maker (EFSC), an opportunity to respond to the issue precludes consideration of the issue in a contested case. To raise an issue with sufficient specificity, a person must present facts that support the person’s position on the issue. See OAR 345-015-0016(3).

The Siting Division Public Guide contains information on the EFSC process, including the contested case process.

To view this information on ODOE’s website, please use the following link:

<https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

**Final Order:** Following the Contested Case proceeding, EFSC will issue a Final Order either approving or rejecting the ASC. If approved, a Site Certificate will also be issued.

#### **Receipt of this Notice:**

Please note that you may be receiving this notice for multiple reasons:

1. You own property within or adjacent to (within 500 feet) the property boundary on which the proposed facility would be located. You will automatically receive all future EFSC notices for this proposed facility.

2. You have previously signed up via ClickDimensions to receive email notices related to the Nolin Hills Wind Power Project or all EFSC project-related notices. You will automatically receive all future email notices per your request, unless you unsubscribe via ClickDimensions or by contacting ODOE.

**Additional Information:**

Additional information about the proposed facility and updates on the review process is available using any of the following options.

**1) Oregon Department of Energy's webpage:**

The ASC, DPO and additional details regarding the proposed facility may be found at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/NHW.aspx> to review and access free of charge.

Additional resources to help you participate in the state siting process can be found at:

<http://www.oregon.gov/energy/facilities-safety/facilities/pages/default.aspx>

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Fact-Sheets.aspx>

**2) Updates by email/mail:**

Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and updates on the Nolin Hills Wind Power Project as

well as any or all other energy facilities and events under EFSC jurisdiction. For more information, please visit: <https://tinyurl.com/ODOE-EFSC>.

To receive notices by U.S. Mail, please contact Kathleen Sloan (see contact information provided above).

**3) In hardcopy:**

Hard copies of the ASC and DPO are available for public inspection at the following locations at no cost:

Oregon Department of Energy  
550 Capitol Street NE  
Salem, OR 97301

Please contact Kathleen Sloan to arrange viewing of hard copies of the ASC and DPO; hard copies will be provided at reasonable cost upon request to ODOE.

**Accessibility information:**

ODOE is committed to accommodating people with disabilities. For the review of the ASC or attendance at the information meeting, if you require any special physical or language accommodations, or need information in an alternate format, please contact Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or email to [nancy.hatch@energy.oregon.gov](mailto:nancy.hatch@energy.oregon.gov). For any other accommodation needed to attend the public hearing, please contact ODOE as soon as possible so we may provide the accommodation.

Figure 1: Proposed Facility Location

