

PUBLIC NOTICE

Oregon Trail Solar Facility

Receipt of Preliminary Request for Amendment 1 of Site Certificate

Summary:

Date Notice Issued: August 30, 2022

Site Certificate Amendment Request:

- Extend beginning construction deadline
- Revise condition 50(b) related to cultural resource monitoring

Facility Location: Gilliam County

Review Process: The amendment request also includes a request that it be reviewed under the Type B amendment process.

Information Only: Please note, this notice is to provide early notification of this amendment request. There is no comment period associated with this phase of review.

Introduction: On August 19, 2022, the Oregon Department of Energy (Department or staff), staff to the Energy Facility Siting Council (Council or EFSC), received preliminary Request for Amendment 1 (pRFA1) for the Oregon Trail Solar Facility from the certificate holder, Oregon Trail Solar, LLC, a wholly owned subsidiary of Avangrid Renewables, LLC, the U.S. division of parent company Iberdrola, S.A. In pRFA1, the certificate holder includes a request that the amendment be processed under Type B review process per OAR 345-027-0357(8). That request is currently under review by staff.

Description of Facility (Approved): The Oregon Trail Solar Facility is approved to include any combination of wind and solar facility components not to exceed 41 MW, including up to 16 wind turbines or up to 1,228 acres of solar photovoltaic energy generation equipment. Facility components would be located within an approved 13,866 acre site boundary.

The Oregon Trail Solar Facility was originally part of the Montague Wind Power Facility but was split off from that facility through Amendment 5 which was approved by EFSC on September 25, 2020.

Description of Amendment Request: pRFA1 seeks Council approval for the following:

-Extend the beginning construction date identified in Condition 24 from August 30, 2022 to August 30, 2025.

-Revise Condition 50(b) to eliminate the requirement of a cultural resources monitor being present when ground disturbance occurs at depths of 12 inches or greater to requiring a cultural resources monitor being present when there is the initial open ground disturbance below 12 inches associated with collection line trenching in the solar array area.

Facility Location: The facility site boundary is primarily located east and west of Highway 19, approximately 7.5 miles south of the City of Arlington.

A map of the facility site boundary is included in this notice. For detailed maps, please see pRFA1 Figures 1 and 2 at <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/OTS.aspx> or visit our online mapping tool at <https://tinyurl.com/EFSCmap>.

EFSC Review Process:

Overview

The site certificate amendment process is a consolidated, comprehensive siting process. The certificate holder must demonstrate that the facility, with the proposed amendment request, meets all applicable EFSC standards established under Oregon Revised Statute (ORS) 469.501 and set forth in Oregon Administrative Rule (OAR) Chapters 345, Division 22, 24 and 27 as well as all other applicable Oregon statutes, rules and standards.

Preliminary Request for Amendment

The current phase consists of staff reviewing the amendment request, along with applicable state agencies, local government and tribal governments to ensure there is information adequate for Council

to make findings or impose conditions on all applicable Council standards.

Complete Request for Amendment

Under OAR 345-027-0363(5), an amendment is complete when the Department finds that the certificate holder has submitted information adequate for the Council to make findings or impose conditions on all applicable Council standards.

The Department's determination of whether the request justifies a Type A or B review under OAR 345-027-0357 may occur before or at the same as the completeness determination. The differences between the Type A and Type B amendment review are described in the specific phases below.

Draft Proposed Order

This document is staff's initial recommendation to EFSC, who are the final decision makers, on whether or not each applicable standard is met. The DPO will include staff's analysis of the amendment request as well as comments received from state agencies, local governments and tribal governments. The DPO will include recommended findings of facts, conclusions or law and conditions.

Issuance of the DPO will initiate a public comment period.

Under Type A review, in addition to the written public comment period there will be a public hearing which includes an opportunity for oral comments. At that time, to preserve your right to request a contested case proceeding and any subsequent appeal of EFSC's decision, you must comment during the public comment period on the DPO, either orally at the public hearing or in writing during the comment period.

Following the conclusion of the comment period on the DPO, EFSC will review the DPO and all submitted comments and provide their comments to the Department.

Under Type B review there will be a written comment period but no public hearing.

Proposed Order

Following the conclusion of the DPO comment period, the Department must issue a Proposed

Order, staff's second recommendation to EFSC. Changes made from the DPO to the Proposed Order are based on the comments of the Council (Type A Review only) and any other comments made before the close of the public comment period.

Contested Case (Type A Review Only)

To determine that a request justifies a contested case, the Council must find that the request raises a significant issue of fact or law that may affect the Council's determination that the facility, with changes proposed by the amendment, meets the applicable laws and Council standards.

Final Order

Following a contested case proceeding, or the Proposed Order if there is no contested case proceeding the Council shall issue a Final Order either approving or denying the proposed facility.

For more information, please visit:

<http://www.oregon.gov/energy/facilities-safety/facilities/Pages/Siting-Standards.aspx>

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 on which the project is located. You will automatically receive all future notices on this facility.
2. You have requested to receive paper notices on the Oregon Trail Solar Facility. If you wish to be removed from this mailing list, please contact Nancy Hatch.
3. You have previously signed up via GovDelivery/ClickDimensions or by contacting ODOE to receive notices related to the Oregon Trail Solar Facility or all EFSC project-related notices. You will automatically receive all future notices per your request, unless you unsubscribe via ClickDimensions or by contacting ODOE.

More Information: Please contact Kellen Tardaewether, Senior Siting Analyst, at the phone, email address or mailing address listed in this notice.

Kellen Tardaewether, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE, 1st Floor

Salem, OR 97301

Email: kellen.tardaewether@energy.oregon.gov

Phone: 503-586-6551

More information about the facility and updates on the review process is available using any of the following options:

1) Oregon Department of Energy's webpage:

More details on the Oregon Trail Solar Facility including the certificate holder's pRFA1 and Type B Review ADR are available online at:

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

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>

2) Updates by email/mail: Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and updates related to the Oregon Trail Solar Facility 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 Kellen Tardaewether.

3) In hardcopy: Hard copies of pRFA1 and Type B Review ADR are available for public inspection at:

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

Please contact Kellen Tardaewether if you wish to arrange a time to review hard copies. Hard copies will be provided at reasonable cost upon request to the Department.

Accessibility information:

The Oregon Department of Energy is committed to accommodating people with disabilities. 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.

Figure 1: Oregon Trail Solar Facility – Facility Location and Site Boundary

