



Oregon

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January 8 , 2025

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*Sent via email: matthew.stelmach@avangrid.com; kris.barnes@avangrid.com;
carlton.steele@avangrid.com*

RE: Department Determination on Montague Wind Power Facility, LLC and Leaning Juniper IIB Wind Power Facility, LLC Amendment Determination Request to Install a Shed at the Leaning Juniper IIB Wind Power Facility

Dear Mr. Stelmach,

On December 9, 2024, the Oregon Department of Energy (Department) received an Amendment Determination Request (ADR), pursuant to OAR 345-027-0357(3), from Montague Wind Power Facility, LLC and Leaning Juniper IIB Wind Power Facility, LLC (certificate holders), wholly owned subsidiaries of Avangrid Renewables, LLC. The ADR evaluates a proposed change to install a concrete pad and 18 x 36 foot shed. The shed would be constructed adjacent to an Operations and Maintenance (O&M building) shared by both the Montague Wind Power Facility and Leaning Juniper IIB Wind Power Facility, located within the site boundary of Leaning Juniper IIB Wind Power Facility.

Under OAR 345-027-0357(2), a certificate holder may submit an ADR to the Department for a determination of whether a proposed change requires a site certificate amendment. The rule requires that the ADR include a description of the proposed change, maps representing the effects and/or location of the proposed change, an evaluation of changes requiring an amendment (OAR 345-027-0350), and any additional information the certificate holder believes would assist the Department's evaluation as to why a site certificate amendment would not be required. The ADR provides an evaluation of OAR 345-027-0350 including whether the proposed change could: result in a significant adverse impact protected by an applicable law or Council standard that the Council has not addressed in an earlier order; impair the certificate holder's ability to comply with a site certificate condition; or require a new or amended site certificate condition.

As presented in Attachment 1, ODOE Evaluation and Determination – Montague Wind Power Facility and Leaning Juniper IIB Wind Power Facility Amendment Determination Request, the Department concludes that the ADR includes all information required by OAR 345-027-0357(4)

and based on review of the ADR, in agreement with the certificate holders, determines that the proposed shed installation would not require a site certificate amendment.

Pursuant to OAR 345-027-0357(5) and (6), on December 12, 2024, the Department posted the ADR on the Montague Wind Power Facility webpage at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/MWP.aspx> with an announcement notifying interested individuals of the availability of the information. The Department also sent a courtesy notice to the Council's general mailing list and the special mailing list established for the facility via its electronic distribution service, ClickDimensions. At the December 13, 2024 meeting of the Energy Facility Council meeting, Council Secretary Todd Cornett provided verbal notice of the ADR to the Council during the Consent Calendar agenda item. On January 8, 2025, the Department issued its determination on the ADR. Pursuant to OAR 345-027-0357(6), the certificate holder or the Council may request that the Department's determination be referred to Council for concurrence, modification or rejection.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ash Woods

Ash Woods, Compliance Officer
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Attachment: ODOE Evaluation and Determination (Montague Wind Power Facility/Leaning Juniper IIB Wind Power Facility – Shed Construction)

cc (via e-mail distribution)

Todd Cornett, Assistant Director of Siting, Oregon Department of Energy
Sarah Esterson, Senior Policy Advisor, Oregon Department of Energy

**Attachment: ODOE Evaluation and Determination
(Montague Wind Power Facility/Leaning Juniper IIB Wind Power Facility – Shed Installation)**

Introduction

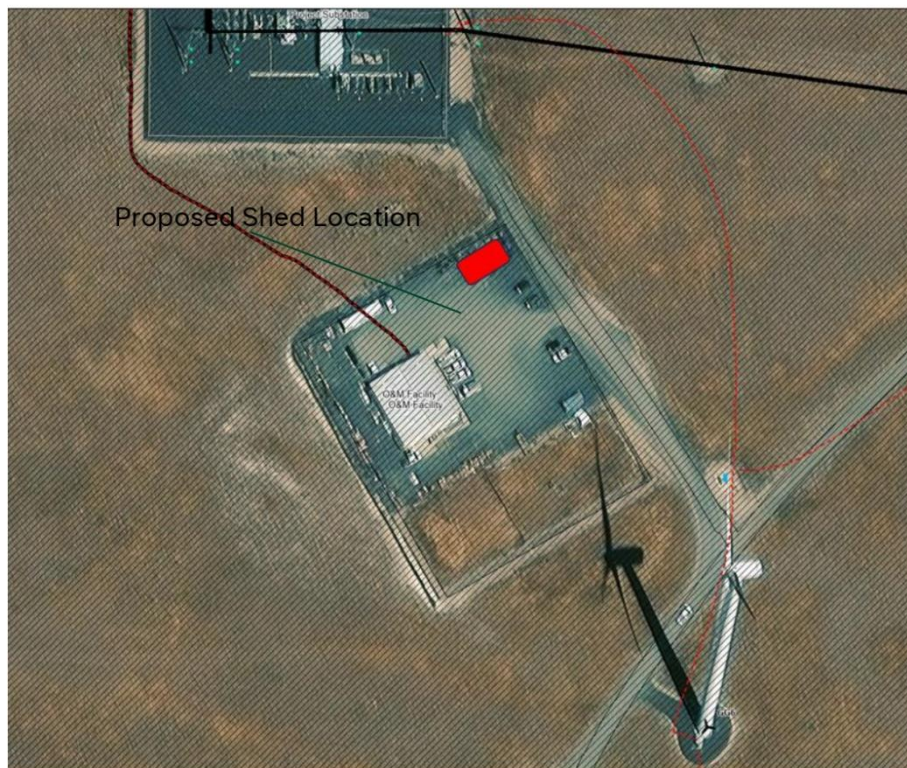
The Montague Wind Power Facility is an operational 201 megawatt (MW) wind facility consisting of 56 wind turbines within an approximately 29,607 acre site boundary. The facility was approved on September 10, 2010, and has received five approvals for amendments to date.

The certificate holder proposes to install a pre-fabricated shed within the Leaning Juniper IIB site boundary, adjacent to the O&M building shared between Montague Wind Power Facility and Leaning Juniper IIB Wind Power Facility. The shed would be approximately 18 feet wide by 36 feet long and 10 feet tall; and installed on a concrete pad approximately 18 feet wide by 36 feet long. The shed will primarily be used to store larger equipment such as a track-steer, side-by-side ultra-terrain vehicles, and associated equipment. The shed will not have secondary containment. The shed will not have any electricity, gas, water, or other utility connections.

Installation of the concrete pad and shed will require approximately 2 days, with up to 6 contract workers onsite.

The area proposed for the shed is already part of the permanent O&M facility footprint for the Leaning Juniper IIB facility, as presented in Figure 1 below, and therefore would not increase the area within the site boundary. No new roads would need to be constructed for the shed.

Figure 1: Proposed Shed Location



The color and design of the shed would match as closely as possible to the existing O&M building to minimize visual impacts.

Figure 2: Proposed Shed Design



Evaluation of Amendment Determination Request Under Applicable Council Standards

OAR 345-027-0350(4) contains the criteria used by the Oregon Department of Energy (Department) and Energy Facility Siting Council (Council) to determine when a proposed facility change requires a site certificate amendment. The certificate holder's December 9, 2024 Amendment Determination Request (ADR) includes an assessment of each criterion contained in the rule. The rule states:

an amendment to a site certificate is required to...design, construct, or operate a facility in a manner different from the description in the site certificate, if the proposed change:

- (a) Could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource protected by Council standards;*
- (b) Could impair the certificate holder's ability to comply with a site certificate condition;*
- or*
- (c) Could require a new condition or a change to a condition in the site certificate*

An ADR confirming any of the above criteria would result in a determination that a site certificate amendment is required. If the ADR demonstrates that none of the above criteria would be met, the proposed change can be completed without an amendment of the site certificate.

Each criterion is reviewed below:

(a) Could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource protected by Council standards;

Department Evaluation

The first criterion under OAR 345-027-0350(4) would require a site certificate amendment if the proposed change could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource protected by Council standards.

As described above, the proposed shed location is within previously disturbed area, within the permanent footprint of the Leaning Juniper IIB Wind Power Facility O&M building. Installation of the concrete pad and shed will require approximately 2 days, with up to 6 contract workers onsite. This level of activity would not be expected to result in significant impacts to traffic and transportation, housing or other public services.

O&M of the shed will include equipment storage. The shed will not be used for storage of chemicals or other hazardous/non-hazardous materials.

Determination

The level of activity from installation and O&M of the shed, as described above, is not likely to results in impacts not previously addressed by Council. Therefore, the Department determines that the proposed change does not trigger an amendment under OAR 345-027-0350(4)(a).

*(b) Could impair the certificate holder's ability to comply with a site certificate condition;
or*

Department Evaluation

As part of its ADR evaluation, the certificate holders identified the Leaning Juniper IIB Wind Power Facility site certificate conditions applicable to the proposed change. The certificate holder provided explanation for each condition and how it would comply under the proposed change.

Conditions related to this facility modification and subsequent compliance analysis are below:

Montague Wind Power Facility and Leaning Juniper IIB Wind Power Facility, Condition 28 (Permits) – The certificate holder would obtain all appropriate permits for construction of the shed and include copies in annual reporting to ODOE. The certificate holder conferred with Gilliam County Planning Department to confirm that the proposed change would not require an amendment of the conditional use permit (governed by the site certificate) and therefore no local land use permits or permit modifications are required. A building permit from the City of Boardman will be required but it is not within EFSC jurisdiction.

Montague Wind Power Facility, Condition 32 (Decommissioning) – The shed is estimated to add \$34,000 in decommissioning costs. In the Department’s 2023-24 Inspection Report for the Montague Wind Power Facility, it was noted that the bond on file was approximately \$41,000 over based on number of facility components in final design not reflected in the bond amount. In the 2023-24 Inspection Report, the Department authorized the certificate holder to adjust the bond to reflect final design. However, with the installation of the shed, the certificate holder may maintain the current bond amount which would then be adequate to cover the estimated shed decommissioning cost. Therefore, compliance with the condition would not be impacted.

The decommissioning amount in the Montague Wind Power Facility bond does not include funds for an O&M building because an O&M building was not constructed. The Montague Wind Power Facility shares the O&M building constructed within the Leaning Juniper IIB Wind Power Facility site boundary. Leaning Juniper IIB Wind Power Facility, LLC bears the burden and responsibility for decommissioning costs and responsibility of the shared O&M building. The Department considers inclusion of the shed decommissioning costs within the Montague Wind Power Facility bond to be acceptable because it will be owned and operated by Montague Wind Power Facility, LLC.

Leaning Juniper IIB Wind Power Facility, Condition 39(g) (Setbacks) – The shed is required to be set back a minimum of 50 feet measured from any O&M building to the nearest edge of any public road right-of-way and the nearest boundary of the leased area. The certificate holder has confirmed that the setbacks are 50 feet from any O&M building edge to the nearest public road right of way or railroad right of way or the lease boundary. The nearest road is 0.37 miles away and the nearest lease boundary to the entire OM parcel is 0.27 miles away. The certificate holder would be required to provide a final site layout map demonstrating setbacks are satisfied.

Montague Wind Power Facility and Leaning Juniper IIB Wind Power Facility, Condition 61 (Fire Plan) – The certificate holder would be required to provide and updated site plan to the North Gilliam County Rural Fire Protection District that includes the new shed when available.

Leaning Juniper IIB, Condition (69) (Spills) – The certificate holder would construct the proposed structure in accordance with the operational SPCC. The SPCC could be amended without amendment of the site certificate if the Department determines this is necessary as a result of the proposed change.

Determination

The Department agrees with the certificate holder’s evaluation and concludes that the proposed change would not impair the certificate holder’s ability to comply with a site certificate condition. Therefore, the proposed change does not trigger an amendment under OAR 345-027-0350(4)(b).

(c) Could require a new condition or a change to a condition in the site certificate

Department Evaluation

Based on the analysis provided above the proposed change would not impair the certificate holder's ability to comply with any existing site certificate conditions. Additionally, the Department agrees with the certificate holders' conclusion that the proposed change does not result in any new adverse impacts not previously evaluated by EFSC. Therefore, the Department does not consider new site certificate conditions necessary to satisfy an applicable rule, EFSC standard, or statute.

Determination

The Department concludes that based on the above evaluation the proposed change would not require a new or amended condition and therefore does not trigger an amendment under OAR 345-027-0350(4)(c).

Next Steps

OAR 345-027-0357(6) allows that at the request of the certificate holder or a Council member, the Department's determination may be referred to the Council for concurrence, modification, or rejection. In compliance with this rule, the Department will provide its determination and inform the Council of its rights under the rule. Should the certificate holder or Council member request to review the determination, the determination would likely go before EFSC at an upcoming Council meeting.