

**ENERGY FACILITY SITING COUNCIL  
OF THE  
STATE OF OREGON**

**First Amended Site Certificate  
for the  
Madras Solar Energy Facility**

**ISSUANCE DATES**

**Site Certificate   June 25, 2021**

**First Amended Site Certificate   March 21, 2025**

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## Attachments

Attachment A

Facility Location Maps

## **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 Madras PV1, LLC, (certificate holder) which is a wholly owned subsidiary of Ecoplexus Inc. (certificate holder owner, parent company). As authorized under Oregon Revised Statute (ORS) Chapter 469, the Council issues this site certificate authorizing the certificate holder to construct, operate, and retire the Madras Solar Energy Facility (facility) within the below described approved site boundary in Jefferson County, 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)).

In order to issue this site certificate, the Council determined that the preponderance of the evidence on the record supports the conclusion that the facility complies with the applicable standards adopted by the Council pursuant to ORS 469.501. (ORS 469.503(1)). The Council determined that the facility complies with all other Oregon statutes and administrative rules identified in the project order, as amended, as applicable to the issuance of this site certificate for the approved facility. If, in its review of an application, compliance with applicable Oregon statutes and administrative rules, other than those involving federally delegated programs, would result in conflicting conditions in the site certificate, the Council may resolve the conflict consistent with the public interest. A resolution may not result in the waiver of any applicable state statute. (ORS 469.503(3)). Further, the Council determined that the facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission under ORS 469.503(4), and that the facility complies with applicable substantive criteria from the affected local government's acknowledged comprehensive plan and land use regulations that are required by the statewide planning goals under ORS 469.504(b).

As part of the EFSC review and decision process, in making the determination regarding compliance with statutes, rules and ordinances administered by another agency or compliance with requirements of ORS 469.300 to 469.563 and 469.590 to 469.619 where another agency has special expertise, consultation with the other agency occurs during the notice of intent and site certificate application process. (ORS 469.505(1)). Before resolving any conflicting conditions in site certificates or amended site certificates under ORS 469.503(3) and 469.504, the Council shall notify and consult with the agencies and local governments responsible for administering the statutes, administrative rules or substantive local criteria that result in conflicting conditions regarding potential conflict resolution. (ORS 469.505(2)).

The findings of fact, reasoning, and conclusions of law underlying the terms and conditions

of this site certificate are set forth in the following documents, incorporated herein by this reference: (a) the Council's *Final Order on the Application for Site Certificate for the Madras Solar Energy Facility* issued on June 25, 2021 (hereafter, *Final Order on the ASC*), and (b) the Council's *Final Order on Request for Amendment 1 of the Madras Solar Energy Facility*.

In interpreting this site certificate, any ambiguity will be clarified by reference to the following, in order of priority: (1) *Final Order on Request for Amendment 1 of the Madras Solar Energy Facility Site Certificate* issued on [TBD], (2) Final Order on the Application for Site Certificate issued on [TBD], and (3) the record of the proceedings that led to the above referenced orders.

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 as 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 duration of this site certificate shall be the life of the facility, subject to termination pursuant to OAR 345-027-0013 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.

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.

## **2.0 Facility Location and Site Boundary**

The approved facility site is located within Jefferson County, Oregon, approximately 5.5 miles west of the City of Madras, as presented in Attachment A: *Facility Location Maps*. The facility site is located east of Lake Simtustus, south and west of Willow Creek, and approximately 0.5 miles from the eastern boundary of the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO).

The approved site boundary includes approximately 284 acres of private land on which the applicant has negotiated an exclusive, long-term option to lease. As defined in OAR 345-001-0010, "site boundary" means the perimeter of the site of a proposed energy facility and 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.<sup>1</sup> After Council approves a Final Order on an application for site certificate and issues a site certificate, the "proposed facility" becomes the approved facility or facility.

A micrositing corridor, by definition, means a continuous area of land within which construction

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<sup>1</sup> ORS 469.300(25)

of facility components may occur, subject to site certificate conditions.<sup>2</sup> Micrositing corridors or areas are intended to allow some flexibility in specific component locations and design in response to site-specific conditions and engineering requirements to be determined prior to construction. The approved site boundary is considered a “micrositing area.”.

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<sup>2</sup> OAR 345-001-0010(32)

### 3.0 Facility Description

Specifications and details of the approved facility, including related or supporting facilities, are presented in Table 1 below.

**Table 1: Facility Component Summary**

Component and Design Standard	No.	Unit
<b>Site Boundary</b>		
Site Boundary	284	acres
Micrositing Area	284	acres
Maximum Area within Fenceline	270.18	acres
<b>Solar Components</b>		
<b>PV Solar Modules</b>		
Approx. total number	137,673	modules
Max Height at full-tilt	8-10	feet
<b>Posts</b>		
Approx. total number (assumes ballasted design for foundations)	114,000	posts
<b>Cabling</b>		
Combiner Boxes	274	each
<b>Inverter Step Up Transformer Units (Power Conversion Station – PCS)</b>		
Approx. total number	19	each
Noise level	92	dBA
Transformer oil-containing capacity	550	Gallons/each
<b>Related or Supporting Facility Components</b>		
<b>34.5 kilovolt (kV) Collection System<sup>1</sup></b>		
Collector line length with Cable Tray	4	miles
<b>Collector Substations</b>		
Substations w SCADA; Generator step-up transformers, each	1	each
Site size (approx.)	1	acre
Transformer oil-containing capacity	8,000	gallons/each
Transformer noise level	86	dBA
Max height of structures	34	feet
<b>Switching Station (POI)</b>		
Stations; transformers, each	1	each
Site size (with foundation and graveled areas)	0.06	acres
<b>230 kV Transmission Line</b>		
Length (total; northern line; southern line)	200	feet
Structures: Type (H frame); quantity	4	each
Height of structures	80	feet
<b>Battery Energy Storage System (Lithium-ion/Zinc)</b>		
<b>Zinc</b>		

**Table 1: Facility Component Summary**

<b>Component and Design Standard</b>	<b>No.</b>	<b>Unit</b>		
Approx. total batteries/containers on foundations with fans/heating systems; SCADA	120	each		
Site size	0.088	acres		
Approx. container dimensions	9.5 x 8 x 40	H x W x L; feet		
Noise level (broadband)	87	dBA		
<i>Lithium-ion</i>				
Approx. total batteries/containers on foundations with HVAC and fire suppression systems; SCADA	120	each		
Site size	0.088	acres		
Approx. container dimensions	9.5 x 8 x 40	H x W x L; feet		
Noise level (broadband)	87	dBA		
<b>O&amp;M Building</b>				
Quantity	1	each		
Site size	320	Sq. ft.		
Height	8.5	feet		
Appurtenances	Portable toilets, fencing			
<b>Facility Roads</b>				
Length (main access roads/service roads)	5,000	feet		
Width (main access/service)	24/16-20	feet		
<b>Perimeter Fence</b>				
Length	23,306	miles		
Height	6-8	feet		
Access/gates	3	each		
<b>Temporary Concrete Batch Plant</b>				
Quantity	1	each		
<b>Temporary Construction Areas</b>				
Quantity	1	each		
Site size	6.77	acres		
Description	Graveled			
Acronyms: dBA = A-weighted decibels; HVAC = heating, ventilation and air conditioning; kV = kilovolt; OH = overhead; O&M = operations and maintenance; SCADA = supervisory, control and data acquisition				
Notes:				
1. The electrical collection system, or portions thereof, may be aboveground. If aboveground, there would be up to 50 wood monopoles. Disturbance would be greater from underground system, which is represented in the table above.				

The approved energy facility is comprised of up to 60 module blocks (crystalline silicon modules) which include tracker system/racks, ballasted posts (approx. 114,000 steel posts) and

related electrical equipment (cabling, inverters and transformer; and switchgear).<sup>3</sup> The solar array is enclosed with an up to 8-foot (height), chain-link perimeter fence.<sup>4</sup>

The tracking system consists of metal table frames or “racks” with a rotating drive gear that could rotate up to 60 degrees in an east to west direction such that the modules track the sun throughout the day in order to increase solar production. The modules are approximately 4 to 5 feet off the ground when fully stowed. When fully rotated, the highest point of the module would be approximately 8 to 10 feet off the ground, while the minimum distance to the ground when fully rotated would range from 1 to 2 feet.

Each tracker table is bolted to steel posts driven into the ground to serve as the foundation. The post depths vary depending on soil conditions but are typically driven to a depth of at least 8 feet below the surface. The facility is approved to install approximately 1,000 posts module block, with a maximum of approximately 114,000 posts for the facility at full build-out. Post locations are determined by the ground-coverage ratio (GCR), which is the ratio of the area of the modules to the total area. The GCR for the facility is approximately 39 percent. A ballasted design may be used in portions of the site featuring significant subsurface rock formations, which involves mounting the tracker tables on foundations embedded in concrete blocks (ballasts) that would rest on the surface of the ground rather than on posts driven into the ground.

Electrical cables connecting the modules to each other are mounted to the back of the modules using cable trays or wire harnesses. Several rows of modules are then collected in a combiner box located at the end of one of the rows. Other electrical cables within arrays are buried to a depth of at least 3 feet.

The direct current output from the modules is combined in parallel in combiner boxes and, from the combiner boxes, then it's converted into alternating current via the inverters, the output of which is fed into transformers that step up in voltage to 34.5 kilovolt (kV). The inverters and transformers are mounted on a concrete pad measuring approximately 20 by 40 feet, with a maximum height of approximately 10 feet (including the inverters and transformers). The combination of the inverters and transformers is referred to as a power conversion station (PCS), with an approved total of 19 PCSs. Each PCS is located within the interior of the arrays. Each tracker column is equipped with on-board batteries that act as a backup power source to rotate the tracker units into the stowed position during high wind events and a loss of the primary 230 kV connection to the electrical grid. The transformers then convey the power via 34.5 kV underground collector lines to the switchgear, which consists of an industry standard electrical protection device that controls, protects, and isolates electrical equipment. The metal-clad switch gear enclosures typically measure approximately 33 feet long

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<sup>3</sup> Ballasted design may be required given soil conditions at the site, where tracking table posts would be mounted on foundations embedded in concrete blocks.

<sup>4</sup> The approved security fence is approved to either be 6 feet tall with two strands of barbed wire, or 8 feet tall with no barbed wire.

by 12 feet wide and 11 feet high.

*Related or Supporting Facilities*

Approved related or supporting facilities, described further below, include:

- 34.5 kV electrical collector lines
- Substation
- Point of interconnection switching station
- 230 kV transmission line
- Operations and maintenance enclosure
- Security fencing and gates
- Service roads
- Temporary construction areas
- Battery storage system

*34.5 kV Electrical Collector Lines*

The facility includes approximately 4 miles of belowground, with portions that may be above ground with collector trays of 34.5 kV collector lines that carry power from the switchgear to the approved substation. The 34.5 kV collector lines that are underground are buried at a depth of approximately 3 feet.

*Substation*

The facility includes one substation, on approximately 2 acres. The substation includes incoming 34.5 kV feeder breakers; a main step-up transformer (from 34.5 to 230 kV); control enclosure; dead-end and shield pole; support steel; auxiliary station service transformer; circuit breaker; and a motor-operated disconnect switch. Components within the substation range up to 10 feet in height. The main step-up transformer contains up to 8,000 gallons of mineral oil and is located within an appropriate secondary spill containment system. The auxiliary station service transformer contains environmentally acceptable ester oil and therefore does not require secondary containment; however, this is located on a concrete pad.

*Point of Interconnection Switching Station*

The approved point of interconnection (POI) switching station consists of a control house; circuit breaker; circuit switcher; metering, communications, protection and control; protection and control panel; and Supervisory Control and Data Acquisition (SCADA) and metering equipment. The switching station features a three-breaker, ring-bus configuration.<sup>5</sup>

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<sup>5</sup> In ASC Exhibit B, the applicant represents that the POI switching station would likely be owned by Portland General Electric Company (PGE), nonetheless it is represented as a related or supporting facility to the energy facility and therefore the applicant bears responsibility of all applicable compliance requirements.

### *230 kV Transmission Line*

The 230 kV transmission line extends approximately 200 feet within the approved site boundary and connects the Point of Interconnect to PGE's existing Pelton Dam to Round Butte 230 kV transmission line. The 230 kV transmission line is approved to use up to 4, 80-foot H-frame poles, each placed in concrete foundations approximately 12 feet deep and 4 feet in diameter.

### *Operations and Maintenance Enclosure*

The O&M enclosure consists of a single, 8.5-foot-tall, 320-square-foot dry-storage shed located within the approved site boundary. Restroom facilities are provided in the form of temporary portable toilets, while any required water is trucked in from offsite sources. Approximately 10 gallons of sanitary wastewater is generated per day and is collected and transported offsite for treatment. Electric power and telephone are provided via local service providers.

The approved O&M enclosure would contain basic firefighting equipment for use onsite during maintenance activities, including shovels, beaters, portable water for hand sprayers, fire extinguishers and other equipment.

### *Security Fencing and Gates*

The facility includes a perimeter security fence, consisting of chain-link or notch-style fencing. The security fence is approved to be either 6 feet tall with two strands of barbed wire, or 8 feet tall with no barbed wire. The security fence features gated access at several points.

The fenced perimeter includes a clearance area between the fence and facility equipment to ensure noncombustible, defensible space.

### *Site Access and Service Roads*

The facility has three main points of access from SW Elk Drive for construction and operation as shown on the conceptual site plan (see ASC Exhibit C Figures C-2A and C-2B). Two points of access are 20-foot-wide gravel access road segments into the southern end of the facility site. One of these access points extends into the portion of the facility west of SW Elk Drive and the other extends into the southern end of the facility east of SW Elk Drive. The graveled entrance/exit point west of SW Elk Drive ends within the facility site after approximately 120 feet and the graveled entrance/exit point east of SW Elk Drive ends within the facility site after approximately 140 feet. At the end of the access road segments, internal circulation is via the 16- to 20-foot-wide clear spaces between the rows of solar modules. The main access road providing access to the construction staging and laydown area, O&M enclosure, facility substation, point of interconnection and northern end of the facility site is a 24-foot-wide graveled road extending east from SW Elk Drive (see ASC Exhibit C Figures C-2A and C-2B) for

approximately 960 feet before ending at the facility substation.

*Temporary Construction Areas*

Temporary construction areas are located within the approved site boundary. The temporary construction areas are used for equipment staging, parking and construction trailer. The temporary parking area is graveled.

*Temporary Concrete Batch Plant*

The facility may include a temporary concrete batch plant, for aggregate storage and concrete preparation for foundations. Any rock would be obtained from existing, permitted quarries, and may be crushed at the quarry or onsite, as needed. The projected maximum annual cubic yards of concrete to be produced would range from 5,000 to 25,000 cubic yards per year. The applicant would obtain a Basic Air Contaminant Discharge Permit (ACDP), a federally-delegated permit, from the Oregon Department of Environmental Quality (DEQ), if a batch plant is needed at the site to support construction activities. The temporary concrete batch plant would be removed from the site prior to commercial facility operation.

*Battery Storage System*

The battery storage system is approved to use either Lithium-ion or flow battery technology, and includes the following elements:

- Battery Storage Equipment (including batteries, racks, direct current (DC)-DC converters, and DC switchboards),
- Balance of Plant Equipment (low-voltage electrical systems; fire suppression; heating, ventilation, and air conditioning systems; building auxiliary electrical systems; and network/SCADA systems),
- Cooling System (separate chiller or condenser unit located outside the battery racks with chillers, pumps and heat exchangers),
- Standard-sized shipping containers, approximately 8 feet wide by 40 feet long by 9.5 feet high on a concrete slab. Each container would hold the batteries, SCADA system, cooling system, if needed, and a fire suppression system.

Both the approved Lithium-ion and flow batteries are placed inside standard-sized shipping containers (8 feet wide, 40 feet long, 9.5 feet high), which would be located atop a concrete slab. Each container holds batteries, a SCADA system, a cooling system (if needed), and a fire suppression system.

If the approved Lithium-ion batteries are selected, the fire suppression system includes internal Stat-X 1500E aerosol fire suppression units inside each battery storage container, connected to a photo/heat detector. The battery storage system is designed to comply with the most current adopted version of the National Fire Protection Association's (NFPA) 855 Standard for the

## Installation of Stationary Energy Storage Systems.

### **4.0 Facility Development**

#### **4.1 Construction**

Facility construction is anticipated to take 9-months. Construction activities would employ an average of 100 people and a maximum of 200 people during peak summer months. The facility is approved to be constructed in phases. In accordance with ORS 469.300(6), preconstruction conditions, if specified, may be satisfied for the applicable phase, facility component or for the facility, as applicable, based on final design and configuration. The approved construction phasing may occur in phases including: clearing (between September 1 and March 1 to the greatest extent feasible to avoid impacts on wildlife), excavation, foundation, erection and finishing. During foundation work, the applicant may utilize a temporary concrete batch plant, with a maximum production of 5,000 to 25,000 cubic yards, and is limited as temporary use at the site to no more than 6-months within any 12-month period.

Separate contractors may be hired for road and solar array foundation construction, electrical substation construction, solar module installation, and array connection and commissioning. Subsequently, construction is approved to be phased based on activity, facility component and/or construction contractor schedule.

The facility may be constructed in phases. In accordance with ORS 469.300(6), preconstruction conditions, if specified, may be satisfied for the applicable phase, facility component or for the facility, as applicable, based on final design and configuration.

#### **4.2 Operations and Maintenance**

Facility operation includes remote monitoring and does not include any full-time operations and maintenance (O&M) staff. The facility O&M activities would include routine, monthly inspections of the battery storage systems, unless otherwise recommended by the manufacturer.

O&M activities include replacement of electrolyte solutions every 10 to 20 years, if flow batteries are selected. If lithium-ion batteries are selected, O&M activities include battery replacement every 5 to 10 years. Nonfunctional solar panels would be recycled through the Solar Energy Industries Association (SEIA) National PV Recycling Program, to the maximum extent feasible.

O&M activities may include washing of solar modules. It is conservatively assumed that solar modules would be washed twice a year, which would require approximately 1,650,000 gallons of water per year. A third-party contractor would obtain water for panel cleaning from an offsite source. Water would then be applied via a tanker truck and would not have any cleaning solvents in it, unless otherwise approved by the Department. Washwater would be discharged

by evaporation and seepage into the ground.

#### **4.3 Retirement**

Facility retirement includes disassembling the solar modules and electrical equipment and wires, and related electrical equipment including large transformers and battery components. Disassembly would use conventional construction equipment with the objective of maximizing the recycling of materials and minimizing the amount of disposed waste.

Disassembling the solar modules would involve removing the solar panels from their trackers, removing the steel trackers from their posts, and extracting the steel posts. The solar modules would be directly loaded onto recycler trucks and hauled off site, while the steel trackers and posts would be stockpiled and staged onsite awaiting loading by a recycler. Concrete equipment foundations and underground cables would be removed to a minimum depth of 3 feet below grade, and then disposed of at the Jefferson County Transfer Station (JCTS). Both the perimeter fencing and gravel (placed on access road segments and in the substation and laydown areas) would be removed but would also be kept onsite until the material could be loaded by a recycler. The approved facility site would then be restored through minimal grading and revegetation with plants or seed mix consistent with the Noxious Weed Plan (Attachment G of this order) or landowner interests.

### **5.0 Site Certificate Conditions**

#### **5.1 Condition Format**

The conditions in Sections 5.2 through 5.7 of this Site Certificate are organized and coded to indicate the phase of implementation, the standard the condition is required to satisfy, and an identification number (1, 2, 3, etc.).<sup>6</sup> The table below presents a “key” for phase of implementation:

<b>Key</b>	<b>Type of Conditions/Phase of Implementation</b>
GEN	General Conditions: Design, Construction and Operation
PRE	Pre-Construction Conditions
CON	Construction Conditions
PRO	Pre-Operational Conditions
OPR	Operational Conditions
RET	Retirement Conditions

<sup>6</sup> The identification number is not representative of an order that conditions must be implemented; it is intended only to represent a numerical value for identifying the condition.

Some conditions are coded for more than one phase of implementation.

The standards are presented using an acronym; for example, the General Standard of Review is represented in the condition numbering as “GS”; the Soil Protection standard is represented in the condition numbering as “SP” and so forth.

For example, the coding of Condition GEN-GS-01 represents that the condition is a general condition (GEN) to be implemented during design, construction and operation of the facility, is required to satisfy the Council’s General Standard of Review and is condition number 1. The condition language also includes in brackets [ ] the name of the condition as imposed in the Final Order on the Application (i.e. General Standard of Review Condition 1).

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

Condition Number	General (GEN) Conditions
<b>STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]</b>	
GEN-GS-01	<p>The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate.</p> <ul style="list-style-type: none"> <li>a. Construction of the facility or facility component(s) shall commence by June 25, 2027. Within 7 days of construction commencement, the certificate holder shall provide the Department written verification that it has met the construction commencement deadline by satisfying applicable preconstruction conditions and completing at least \$250,000 work at the site.</li> <li>b. Construction of the facility shall be completed within 18-months after the construction commencement date. Within 7 days of construction completion, the certificate holder shall provide the Department written verification that it has met the construction completion deadline.</li> </ul> <p>[General Standard of Review Condition 1, Mandatory Condition OAR 345-025-0006(4), Final Order on ASC, AMD1]</p>
GEN-GS-02	<p>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 or any phase 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.</p> <p>[General Standard of Review Condition 2, Mandatory Condition OAR 345-025-0006(2), Final Order on ASC]</p>
GEN-GS-03	<p>The certificate holder shall design, construct, operate and retire the facility substantially as described in the site certificate:</p> <ul style="list-style-type: none"> <li>a. Use or occupation of land by solar photovoltaic energy generation components, as described in the site certificate, not to exceed 277 permanent acres;</li> <li>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;</li> <li>c. In compliance with all applicable permit requirements of other state agencies; and,</li> <li>d. In compliance with all applicable lawful rules and requirements of federal agencies.</li> </ul> <p>[General Standard of Review Condition 3, Mandatory Condition OAR 345-025-0006(3); OAR 345-026-0015(3),Final Order on ASC]</p>
GEN-GS-04	If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility or any phase of the facility, the certificate holder

	<p>shall, as soon as possible, submit a written report to the Department describing the impact on the facility and any affected site certificate conditions.</p> <p>[General Standard of Review Condition 5, Mandatory Condition OAR 345-025-0006(6), Final Order on ASC]</p>
GEN-GS-05	<p>Before any transfer of ownership of the facility, any phase 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 apply to any transfer of ownership that requires a transfer of the site certificate.</p> <p>[General Standard of Review Condition 7, Mandatory Condition OAR 345-025-0006(15), Final Order on ASC]</p>
GEN-GS-06	<p>The certificate holder shall:</p> <ol style="list-style-type: none"> <li>Design, construct and operate the transmission line in accordance with the requirements of the National Electrical Safety Code as approved by the American National Standards Institute; and</li> <li>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.</li> <li>Design the battery storage system in accordance with the requirements of the National Fire Protection Association's (NFPA) 855: Standard for the Installation of Stationary Energy Storage Systems (NFPA, 2020) or most current version.</li> </ol> <p>[General Standard Condition 8, Site Specific Condition OAR 345-025-0010(4), Final Order on ASC]</p>
GEN-GS-07	<p>The certificate holder is authorized to construct a 230 kV transmission line anywhere within the approved corridor, subject to the conditions of the site certificate. The approved corridor extends approximately 200 feet in length between the facility substation and the Point of Interconnect, and 0.5-of-a-mile in width.</p> <p>[General Standard Condition 9, Site Specific Condition OAR 345-025-0010(5), Final Order on ASC]</p>
GEN-GS-08	<p>The certificate holder shall:</p> <ol style="list-style-type: none"> <li>Within six months after beginning construction, and every six months thereafter during construction, submit a semiannual construction progress report to the Department. In each construction progress report, the certificate holder shall describe any significant changes to major milestones for construction. The certificate holder shall report on the progress of construction and shall address the subjects listed in (b). When the reporting date coincides, the certificate holder may include the construction progress report within the annual report described in this rule.</li> <li>After January 1 but no later than April 30 of each year after beginning operation of the facility, the certificate holder shall submit an annual report to the Department addressing the following for the calendar year preceding the date of the report: <ol style="list-style-type: none"> <li>Facility Status: An overview of site conditions, the status of facilities under construction and a summary of the operating experience of facilities that</li> </ol> </li> </ol>

	<p>are in operation. The certificate holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility.</p> <ul style="list-style-type: none"> <li>ii. Reliability and Efficiency of Power Production: For electric power plants, the plant availability and capacity factors for the reporting year. The certificate holder shall describe any equipment failures or plant breakdowns that had a significant impact on those factors and shall describe any actions taken to prevent the recurrence of such problems.</li> <li>iii. Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period.</li> <li>iv. Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the previous year in accordance with site certificate terms and conditions, a summary of the results of those activities and a discussion of any significant changes to any monitoring or mitigation program, including the reason for any such changes.</li> <li>v. Compliance Report: A report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate.</li> <li>vi. Facility Modification Report: A summary of changes to the facility that the certificate holder has made during the reporting period without an amendment of the site certificate in accordance with OAR 345-027-0350.</li> </ul>
[General Standard Condition 11, OAR 345-026-0080, Final Order on ASC]	

**STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]**

GEN-OE-01	<p>The certificate holder shall report to the Department, within 7 days, any material change in the control, financial condition, governance, or management of the certificate holder's parent company, including any change that may affect the certificate holder's access to resources, expertise, or personnel relied upon for the construction, operation and retirement of the facility. The certificate holder shall provide sufficient information for the Department to evaluate whether the material changes could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource or interest protected by an applicable law or Council standard (specifically Organizational Expertise and Retirement and Financial Assurance Standards).</p> <p>[Organizational Expertise Condition 1, Final Order on ASC]</p>
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GEN-OE-02	<p>Before beginning construction of the facility or a facility component, as applicable, the certificate holder shall provide to the Department documentation that work contracts include provisions requiring that all construction contractors and subcontractors comply with all applicable laws and regulations and with the terms and conditions of the site certificate. Such contractual provisions shall not operate to relieve the certificate holder of responsibility under the site certificate.</p> <p>[Organizational Expertise Condition 3, Final Order on ASC]</p>
GEN-OE-03	<p>The certificate holder shall notify the Department with 72 hours of any occurrence involving the facility if:</p> <ol style="list-style-type: none"> <li>There is an attempt by anyone to interfere with its safe operation.</li> <li>There is a significant natural event such as a fire, earthquake, flood, tsunami or tornado, or human-caused event such as a fire or explosion.</li> <li>There is any fatal injury at the facility.</li> </ol> <p>[Organizational Expertise Condition 4, Final Order on ASC, OAR 345-026-0170]</p>
GEN-OE-04	<p>The certificate holder shall, as soon as reasonably possible:</p> <ol style="list-style-type: none"> <li>Report incidents or circumstances that may violate the terms or conditions of the site certificate, terms or conditions of any order of the Council, or the terms or conditions of any order issued under OAR 345-027-0230, to the Department. In the report to the Department, the certificate holder shall provide all pertinent facts including an estimate of how long the conditions or circumstances existed, how long they are expected to continue before they can be corrected, and whether the conditions or circumstances were discovered as a result of a regularly scheduled compliance audit;</li> <li>Initiate and complete appropriate action to correct the conditions or circumstances and to minimize the possibility of recurrence;</li> <li>Submit a written report within 30 days of discovery to the Department. The report must contain: <ol style="list-style-type: none"> <li>A discussion of the cause of the reported conditions or circumstances;</li> <li>The date of discovery of the conditions or circumstances by the responsible party;</li> <li>A description of immediate actions taken to correct the reported conditions or circumstances;</li> <li>A description of actions taken or planned to minimize the possibility of recurrence; and</li> <li>For conditions or circumstances that may violate the terms or conditions of a site certificate, an assessment of the impact on the resources considered under the standards of OAR Chapter 345 Divisions 22 and 24 as a result of the reported conditions or circumstances.</li> </ol> </li> <li>Upon receipt of the written report in sub(c) of this condition, the Department may review the facility record for incidents or circumstances reported or reportable under sub(a) related to public health and safety, the environment, or other resources protected under Council standards. If these incidences are determined by the Department to impact the adequacy of the facility decommissioning cost, the Department or Council may adjust the contingencies</li> </ol>

	identified in Final Order on RFA1 Table 5 and request that the certificate holder promptly provide an updated bond or letter of credit in the adjusted amount. [Organizational Expertise Condition 5, Final Order on ASC, AMD1]
GEN-OE-05	<p>The certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Before beginning construction of the facility or a facility component, notify the Department of the identity, telephone number, e-mail address and qualifications of the full-time, on-site construction manager. Qualifications shall demonstrate that the construction manager has experience in managing permit and regulatory compliance requirements and is qualified to manage a utility-scale solar facility construction project.</li> <li>b. Before beginning operation, notify the Department of the identity, telephone number, e-mail address and qualifications of the facility/asset manager. Qualifications shall demonstrate that the operations manager has experience in managing permit and regulatory compliance requirements and is qualified to manage operation of a utility-scale solar facility.</li> <li>c. Before beginning facility retirement, notify the Department of the identity, telephone number, e-mail address and qualifications of the personnel or entity responsible for facility decommissioning and restoration activities. Qualifications shall demonstrate that the identified personnel have experience in managing permit and regulatory compliance requirements and are qualified to decommission a utility-scale solar facility.</li> <li>d. The certificate holder shall notify the Department within 72-hours upon any change in personnel or contact information provided to satisfy Condition 6(a) through (c).</li> </ul> <p>[Organizational Expertise Condition 6, Final Order on ASC]</p>
GEN-OE-06	<p>The certificate holder shall contractually require its third-party contractor used to transport and dispose battery and battery waste to comply with all applicable federal regulations and manufacturer recommendations related to the transport and handling of battery related waste.</p> <p>[Organizational Expertise Condition 7, Final Order on ASC]</p>
GEN-OE-07	<ul style="list-style-type: none"> <li>a. The certificate holder shall provide to the Department a list of federal, state and local permits, including any third-party permits related to facility siting; and a schedule for obtaining identified permits.</li> <li>b. Once obtained, certificate holder shall provide copies of all permits, including third-party permits, required for facility siting to the Department.</li> </ul> <p>[Organizational Expertise Condition 8, Final Order on ASC]</p>
<b>STANDARD: STRUCTURAL STANDARD (SS) [OAR 345-022-0020]</b>	
GEN-SS-01	<p>The certificate holder shall design, engineer and construct facility components based on Site Class (soils-related category) determined through the site-specific geotechnical investigation (Structural Standard Condition 1), as reviewed and approved by the Department in consultation with DOGAMI.</p> <p>[Structural Standard Condition 2, Final Order on ASC]</p>
GEN-SS-02	<p>The certificate holder shall design, engineer and construct the facility to avoid</p>

	<p>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.</p> <p>[Structural Standard Condition 3, Mandatory Condition OAR 345-025-0006(12), Final Order on ASC]</p>
GEN-SS-03	<p>The certificate holder shall notify the Department, the State Building Codes Division and the DOGAMI 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 DOGAMI and the Building Codes Division to propose and implement corrective or mitigation actions.</p> <p>[Structural Standard Condition 4, Mandatory Condition OAR 345-025-0006(13), Final Order on ASC]</p>
GEN-SS-04	<p>The certificate holder shall notify the Department, the State Building Codes Division and the DOGAMI 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 DOGAMI and the Building Codes Division to propose and implement corrective or mitigation actions.</p> <p>[Structural Standard Condition 5, Mandatory Condition OAR 345-025-0006(14), Final Order on ASC]</p>
GEN-SS-05	<p>The certificate holder shall:</p> <ol style="list-style-type: none"> <li>Before beginning construction: <ol style="list-style-type: none"> <li>Demonstrate that facility components have been setback a minimum of 30-feet from basalt rim rock areas (Hurbers Canyon) to lesson landslide hazards at the site, unless otherwise informed by the Site-Specific Geotechnical Investigation Report, as reviewed by DOGAMI.</li> <li>Create detailed geologic hazards maps to aid in facility layout. The geologic hazard maps shall be informed by the Site-Specific Geotechnical Investigation Report, as reviewed by the Department and DOGAMI, in accordance with Structural Standard Condition 1. A copy of the map shall be provided to the Department and DOGAMI.</li> </ol> </li> <li>During facility operation: <ol style="list-style-type: none"> <li>Register for the United States Geologic Service Volcano Hazards Program Notification Service.</li> <li>Develop emergency response and shut down procedures for seismic or nonseismic hazards or events and submit to the Department.</li> </ol> </li> </ol> <p>[Structural Standard Condition 6, Final Order on ASC]</p>
<b>STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]</b>	
GEN-SP-01	<ol style="list-style-type: none"> <li>Prior to construction, the certificate holder shall provide a copy to the Department of its DEQ-issued NPDES 1200-C permit, including final Erosion</li> </ol>

	<p>Sediment Control Plan and associated drawings (as provided in Attachment E of the Final Order on the ASC).</p> <p>b. During construction, the certificate holder shall:</p> <ol style="list-style-type: none"> <li>Conduct all work in compliance with a final Erosion and Sediment Control Plan as required under the NPDES 1200-C.</li> <li>The certificate holder must provide copies of completed Erosion and Sediment Control Inspection Forms (forms) and identify any corrective actions upon request by the Department during construction inspections.</li> </ol> <p>c. Following completion of construction, the certificate holder shall provide to the Department DEQ verification that the NPDES 1200-C permit has been terminated, demonstrating that site stabilization has been achieved.</p> <p>[Soil Protection Condition 1, Final Order on ASC]</p>
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	<p><b>STANDARD: LAND USE (LU) [OAR 345-022-0030]</b></p> <p>The certificate holder shall:</p> <p>a. Prior to construction, provide to the Department and Jefferson County a facility construction schedule and facility layout map, with Jefferson County's Sensitive Bird Habitat (BH) Overlay Zone for County Site 26. The schedule and map shall identify whether any facility structures, which require a building permit, are located within Jefferson County's Sensitive Bird Habitat (BH) Overlay Zone for County Site 26. If there are such structures to be located within the BH zone, activities associated with the structures must be scheduled to occur outside of the protected periods listed below:</p> <table border="1"> <thead> <tr> <th>Species</th><th>Protected Period</th><th>Early Release</th></tr> </thead> <tbody> <tr> <td>Bald Eagle</td><td>Jan 15 - Aug. 31</td><td>May 15</td></tr> <tr> <td>Golden Eagle</td><td>Feb. 1 - Aug. 31</td><td>May 15</td></tr> <tr> <td>Prairie Falcon</td><td>March 1 - Aug. 30</td><td>June 1</td></tr> </tbody> </table> <p>b. During construction of structures identified per sub(a) within the BH Zone, the certificate holder may commence activities by the early release date if, based on the certificate holder's construction monitoring logs of County Site 26 conducted during the protected period, the nest sites are deemed by the Department, in consultation with ODFW, unoccupied or have been fledged. County Site 26 monitoring conducted in order to commence work within the BH Zone shall be based on a protocol approved by the Department, in consultation with ODFW.</p> <p>[Land Use Condition 2, Final Order on ASC]</p>	Species	Protected Period	Early Release	Bald Eagle	Jan 15 - Aug. 31	May 15	Golden Eagle	Feb. 1 - Aug. 31	May 15	Prairie Falcon	March 1 - Aug. 30	June 1
Species	Protected Period	Early Release											
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Golden Eagle	Feb. 1 - Aug. 31	May 15											
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	<p>The certificate holder shall design the facility in a manner that meets the following requirements:</p> <p>a. Any outdoor lights shall be shielded to illuminate downward.</p> <p>b. The outdoor light source (bulb or element) shall not be visible at or beyond the property line.</p> <p>[Land Use Condition 3, Final Order on ASC]</p>
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GEN-LU-03	<p>The certificate holder shall design, and construct signage necessary for the facility or facility components in accordance with the requirements of JCZO Section 406.1(C) through (H) and 406.3.</p> <p>[Land Use Condition 4, Final Order on ASC]</p>
GEN-LU-04	<p>In order to obtain building permits from Jefferson County (Land Use Condition 1), the certificate holder shall demonstrate to the Department and Jefferson County Planning Department that the final facility design adheres to the following requirements for any onsite buildings which have a floor, roof and at least three walls:</p> <ol style="list-style-type: none"> <li data-bbox="372 551 1437 618">a. All buildings shall have Underwriter's Laboratory rated Class A or B roofing or equivalent, or tile or metal roofing.</li> <li data-bbox="372 629 1465 819">b. Facility access roads shall have a surface width of at least 20 feet, with minimum carrying capacity of 75,000 pounds. If not designed by an engineer, access roads shall be constructed of a minimum of 5 compacted inches of crushed rock meeting ODOT material standards. The access roads shall be compacted until a loaded 10 cubic yard dump truck ceases to deflect the road.</li> <li data-bbox="372 830 1388 931">c. Facility access roads shall have a finished grade no greater than 10 percent unless approved by the fire chief. Grade shall not exceed 4 percent in turnarounds.</li> </ol> <p data-bbox="414 941 1361 1056">Any portion of the access with a grade greater than 8 percent shall be surfaced with 1.5 inch class C asphalt mix, 0-11 oil mat, or four inch fiber mesh reinforced Portland cement concrete.</p> <ol style="list-style-type: none"> <li data-bbox="372 1066 1348 1134">d. Curves shall have a minimum centerline radius of 55 feet, including the intersection of a driveway with a public road.</li> <li data-bbox="372 1144 1393 1284">e. Gates shall be a minimum of 20 feet wide, and shall be of a swinging or sliding type constructed of materials that allow manual operation by one person. Electric gates shall be equipped with a Knox box purchased from the fire district.</li> <li data-bbox="372 1294 1465 1484">f. An address sign shall be posted at the point where a driveway leaves a road, in such a manner as to be visible to vehicles approaching from both directions. A directional address sign must also be posted at the junction where an individual driveway leaves a shared driveway. Address signs shall contain white, reflective numbers at least 3 inches in height on a green background.</li> <li data-bbox="372 1495 1475 1833">g. A primary fuel break shall be developed and maintained around all buildings. The fuel break shall be at least 30 feet wide, or to the property 226 line, whichever is the shortest distance. The fuel break shall be measured from the furthest extension of the structure, including attached carports, the outside edge of a deck, and the edge of roof eaves. The goal within the primary fuel break is to remove fuels that will produce flame lengths in excess of one foot. Brush, downed limbs and other dead plant material must be removed. The primary fuel break should contain primarily nonflammable ground cover such as asphalt, concrete, rock, brick, bare soil, green grass, or succulent ground cover.</li> </ol> <p data-bbox="414 1843 1475 1911">Combustible ground cover or plant materials, such as bark mulch or accumulated leaves and needles, are prohibited within twelve inches of buildings. Herbaceous</p>

	<p>plants such as groundcovers, bedding plants, bulbs and perennial flowers are permitted provided they are kept green during the fire season. Dry grass is allowed if kept less than four inches in height. Isolated groupings of deciduous ornamental shrubbery and trees, native trees or other low plants (less than 24 inches) are allowed when maintained in a green condition free of dead plant material and ladder fuels, and provided they are arranged and maintained in such a way that minimizes the possibility a fire can spread to adjacent vegetation. Healthy trees are permitted, provided they are pruned to remove branches that are dead or that are less than 10 vertical feet above the ground. A 15-foot clearance between tree limbs and stovepipes or chimney outlets must be maintained. No branches may overhang within 25 vertical feet of a roof. Areas under decks shall be kept free of firewood, stored flammable materials, leaves and needles.</p> <p>h. A fuel break shall be developed and maintained immediately adjacent to any driveway that is more than 150 feet in length. The fuel break shall extend at least ten feet from each side of the centerline of the driveway, or to the property line, whichever is the shortest distance. A minimum clear height of at least 14½ feet shall be maintained for the entire width of the driveway and fuel break. The driveway fuel break shall meet the same requirements as outlined in subsection (1) for ground cover and limbing of trees.</p> <p>[Land Use Condition 5, Final Order on ASC]</p>
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**STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]**

GEN-RF-01	<p>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.</p> <p>[Retirement and Financial Assurance Condition 1, Mandatory Condition OAR 345-025-0006(7), Final Order on ASC]</p>
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**STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]**

	<p>[GEN-FW-01; Deleted in Final Order on RFA1]</p>
GEN-FW-02	<p>The certificate holder shall:</p> <p>a. Before beginning construction, finalize and submit a Noxious Weed Control Plan, based upon the draft plan provided in Attachment G of the Final Order on the ASC, for review and approval by the Department, in consultation with ODFW and Jefferson County Weed Control Authority. The finalized plan shall, at a minimum, include the results of preconstruction weed survey and updated County weed lists.</p> <p>b. During construction and operation, implement the requirements of the plan.</p> <p>[Fish and Wildlife Condition 2, Final Order on ASC]</p>
GEN-FW-03	<p>The certificate holder shall:</p> <p>a. Before beginning construction, finalize and submit a Habitat Mitigation Plan, based upon the draft plan provided in Attachment H of the Final Order on the ASC, for review and approval by the Department, in consultation with ODFW. In</p>

	<p>the finalization of the plan, the Department may request specific reporting requirements including specific information, frequency and format. Components of the plan to be finalized shall include, at a minimum, a final assessment of permanent habitat impacts (in acres) based on habitat quality of habitat subtype, and final facility design, presented in tabular format.</p> <p>b. Before beginning construction, select qualified specialists that have substantial experience in creating, enhancing, and protecting habitat mitigation areas within Oregon; and provide the identity and qualifications of the personnel or contractors selected to implement and manage the habitat mitigation areas to the Department.</p> <p>c. During Construction and operation of the facility, implement the requirements of the plan as approved under sub(a) of this condition.</p> <p>[Fish and Wildlife Condition 3, Final Order on ASC]</p>																								
GEN-FW-04	<p>The certificate holder shall:</p> <p>a. Prior to construction of the facility or facility component, hire a qualified Biologist to conduct a raptor nest survey within 0.25 miles from proposed disturbance areas. The certificate holder shall submit to the Department, in consultation with ODFW, for review and concurrence, survey protocol identifying the survey area and methods to be used to identify raptor nests. Raptor nest surveys shall be conducted no more than two weeks prior to the start of construction activities. If the biologist detects active raptor nests, the certificate holder shall implement and maintain spatial buffers around the nests and seasonal restrictions, as presented in the table below.</p> <p style="text-align: center;"><b>ODFW Raptor Nest Buffers and Seasonal Restrictions</b></p> <table border="1" data-bbox="355 1178 1400 1495"> <thead> <tr> <th data-bbox="355 1178 633 1284">Species</th><th data-bbox="633 1178 910 1284">Spatial Buffer</th><th data-bbox="910 1178 1188 1284">Seasonal Restriction</th><th data-bbox="1188 1178 1400 1284">Release Date if Unoccupied</th></tr> </thead> <tbody> <tr> <td data-bbox="355 1284 633 1332">Golden eagle</td><td data-bbox="633 1284 910 1332">0.25 mile</td><td data-bbox="910 1284 1188 1332">Feb 1- Aug 15</td><td data-bbox="1188 1284 1400 1332">May 15</td></tr> <tr> <td data-bbox="355 1332 633 1381">Bald Eagle</td><td data-bbox="633 1332 910 1381">0.25 mile</td><td data-bbox="910 1332 1188 1381">Feb 1- Aug 15</td><td data-bbox="1188 1332 1400 1381">May 15</td></tr> <tr> <td data-bbox="355 1381 633 1429">Peregrine falcon</td><td data-bbox="633 1381 910 1429">0.25 mile</td><td data-bbox="910 1381 1188 1429">Jan 1 – Jul 1</td><td data-bbox="1188 1381 1400 1429">May 15</td></tr> <tr> <td data-bbox="355 1429 633 1476">Ferruginous hawk</td><td data-bbox="633 1429 910 1476">0.25 mile</td><td data-bbox="910 1429 1188 1476">Mar 15 – Aug 15</td><td data-bbox="1188 1429 1400 1476">May 31</td></tr> <tr> <td data-bbox="355 1476 633 1503">Swainson's hawk</td><td data-bbox="633 1476 910 1503">0.25 mile</td><td data-bbox="910 1476 1188 1503">Apr 1 – Aug 15</td><td data-bbox="1188 1476 1400 1503">May 31</td></tr> </tbody> </table> <p>If a nest becomes active during construction that was not identified as active during the preconstruction surveys, the certificate holder may request review by the Department, in consultation with ODFW, of an exception to the spatial buffer and seasonal restrictions.</p> <p>b. During construction of the facility or facility component:</p> <ul style="list-style-type: none"> <li>i. Maintain approved buffers around active raptor nests</li> <li>ii. Avoid any blasting and pile-driving noise to the extent feasible during the nesting season for golden eagles (January 1 to August 1) within 0.25 mile of any occupied nest.</li> </ul>	Species	Spatial Buffer	Seasonal Restriction	Release Date if Unoccupied	Golden eagle	0.25 mile	Feb 1- Aug 15	May 15	Bald Eagle	0.25 mile	Feb 1- Aug 15	May 15	Peregrine falcon	0.25 mile	Jan 1 – Jul 1	May 15	Ferruginous hawk	0.25 mile	Mar 15 – Aug 15	May 31	Swainson's hawk	0.25 mile	Apr 1 – Aug 15	May 31
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	[Fish and Wildlife Condition 4, Final Order on ASC]
GEN-FW-05	<p>The certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Before beginning construction of the facility or facility component, visibly establish marked construction boundaries where construction activities may take place. The boundaries should constrain construction personnel, activity, and traffic only to areas approved by the certificate holder or construction contractor as an area deemed necessary for construction.</li> <li>b. Before beginning and during construction, facility personnel and on-site contractors shall not remove existing vegetation beyond approved construction boundaries.</li> <li>c. Before beginning and during construction, operation, and retirement of the facility, ensure that facility personnel and on-site contractors use existing roads to the maximum extent possible, and restrict off-road travel to only be allowed in case of emergencies.</li> <li>d. Before beginning and during construction, operation, and retirement of the facility, impose and enforce a speed limit of 20 miles per hour while driving within the facility site boundary.</li> </ul>
[Fish and Wildlife Condition 6, Final Order on ASC]	
<b>STANDARD: HISTORIC, CULTURAL, AND ARCHEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]</b>	
GEN-HC-01	<p>During construction, operations, and retirement of the facility, the certificate holder shall implement and adhere to the requirements of the Inadvertent Discovery Plan (Attachment Tribal Position Paper on the Treatment of Human Remains), substantially similar to the plan provided in Attachment I of the Final Order on ASC.</p> <p>[Historic, Cultural and Archeological Condition 1, Final Order on ASC]</p>
<b>STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]</b>	
GEN-PS-01	<p>The certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Before beginning construction of the facility, or facility component, develop a Construction Traffic Management Plan. A copy of the Construction Traffic Management Plan shall be provided to the Department and Jefferson County Public Works Department. The Construction Traffic Management Plan shall, at a minimum, include the following: <ul style="list-style-type: none"> <li>i. Construction details including construction contractor contact information, site plan showing surrounding streets and haul routes, employee parking areas, and delivery and receiving areas.</li> <li>ii. A road conditions survey detailing the condition of NW Elk Drive, for the portion of roadway that is located within the site boundary.</li> <li>iii. Schedule of construction activities, including total duration and work hours.</li> <li>iv. Mobility impacts from maximum and average expected number of truck and worker trips to and from the site per hour and per day.</li> <li>v. Mitigation measures including, but not limited to: <ul style="list-style-type: none"> <li>• Installation and maintenance of temporary road signage and warnings such as "Equipment on Road," "Truck Access," or "Road Crossings" at</li> </ul> </li> </ul> </li> </ul>

	<p>locations where trucks are expected to slow down or enter/exit a public roadway, in accordance with the 2019, or recent version of the ODOT Traffic Control Plans Design Manual.</p> <ul style="list-style-type: none"> <li>• Installation of advanced signage, where possible, in accordance with the 2016 or recent version of the ODOT Traffic Control Plans Design Manual.</li> <li>• Use of pilot cars for slow or oversize loads per Oregon Administrative Rule 734-082-0035.</li> <li>• Encourage and promote carpooling of the construction workforce, and potentially provide high-occupancy vans or buses to transport workers to the site.</li> <li>• Use flag personnel to minimize the potential for accidents during large deliveries, in accordance with the 2019, or recent version of the ODOT Traffic Control Plans Design Manual.</li> <li>• Restrict or limit large trucks through the US 97/SW 5th Street corridor during the morning or evening peak of commuter traffic (generally 7-9am and 3-6 pm).</li> <li>• At all times during construction, maintain at least one travel lane at entrance and exit points onto public roads.</li> <li>• Require third-party contractors to consult with ODOT before construction to identify roadway segments or bridges that should be restricted for construction traffic, if any, and to obtain any heavy haul permits required to allow transport of oversized loads.</li> </ul> <p>b. During construction of the facility, or facility component, the certificate holder shall ensure that construction contractors adhere to the requirements of the Construction Traffic Management Plan.</p> <p>c. Within 1 year of construction completion of the facility, the certificate holder shall demonstrate to the Jefferson County Public Works Department that the portion of NW Elk drive evaluated in the preconstruction road conditions survey has been restored to its preconstruction condition.</p> <p>[Public Services Condition 1, Final Order on ASC]</p>
GEN-PS-02	<p>The certificate holder shall:</p> <ol style="list-style-type: none"> <li>a. First, submit to and receive responses from Oregon Department of Aviation (Aviation) of 7460-1 Notice of Proposed Construction or Alteration Forms for all aboveground facility components. The certificate holder shall provide copies of Aviation responses, which must be consistent with ORS 836.535(2), to the Department, and shall respond to Aviation marking and lighting recommendations, if applicable.</li> <li>b. Second, once Aviation responses on the 7460-1 forms are received, submit to and receive determinations from the Federal Aviation Administration (FAA) for all aboveground facility components. The certificate holder shall provide copies of FAA determinations to the Department.</li> </ol>

	<p>c. Within 5-days of construction, certificate holder shall submit 7460-2 forms to FAA and Aviation and shall report both timing of submission and any results to the Department.</p> <p>[Public Services Condition 2, Final Order on ASC]</p>
	[GEN-PS-03; Deleted in Final Order on RFA1]

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

GEN-WM-01	<p>During construction, <u>and</u> operation and decommissioning, the certificate holder shall submit to the Department, for review and approval, a Waste Management Plan that includes a materials and waste inventory (type and estimated quantity) consistent with the inventory included in ASC Exhibit G; and the Hazardous Materials Business Plan and Spill Control and Countermeasure Plan, as applicable to the battery storage system and required per Soil Protection Condition 2. The Department shall recommend additional waste minimization measures for any waste types generated onsite, as necessary. The Waste Management Plan shall identify all waste minimization measures to be implemented per material type, including but not limited to:</p> <ul style="list-style-type: none"> <li>a. Recycling steel and other metal scrap</li> <li>b. Recycling wood waste</li> <li>c. Recycling packaging wastes such as paper and cardboard</li> <li>d. Collecting non-recyclable waste for transport to a local landfill by a licensed waste hauler</li> <li>e. Segregating all hazardous wastes such as oil, oily rags and oil-absorbent materials, mercury containing lights and lead-acid and nickel-cadmium batteries for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous waste.</li> <li>f. Recycling solar panels that are nonfunctional or retired through the Solar Energy Industries Association National PV Recycling Program (or similar program).</li> <li>g. Recycling battery components at an offsite facility approved for disposal or recycling of batteries, to the maximum extent possible.</li> </ul> <p>[Waste Minimization Condition 1, Final Order on ASC, AMD1]</p>
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**5.3 Pre-Construction (PRE) Conditions**

Condition Number	Pre-Construction (PRE) Conditions
<b>STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]</b>	
PRE-GS-01	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 the transmission line associated with the energy facility 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 route of a transmission line occurs during the certificate holder's negotiations to acquire construction rights on another part of the site. [General Standard Condition 4, Mandatory Condition OAR 345-025-0006(5), Final Order on ASC]
PRE-GS-02	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 site certificate terms and conditions 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. [General Standard Condition 10, OAR 345-026-0048, Final Order on ASC]
PRE-GS-03	Before beginning construction of the facility or facility component, as applicable, the certificate holder shall provide the Department a final site plan showing access locations to the Pelton Dam to Round Butte 230 kV transmission line and its right of way for the line owner, unless an access agreement has been executed between certificate holder and line owner, and a copy of such an agreement is provided to the Department. [General Standard Condition 12, Final Order on AMD1]
<b>STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]</b>	
PRE-OE-01	Before beginning construction of the facility or a facility component, as applicable, the certificate holder shall provide to the Department the identity and qualifications of the major design, engineering and construction contractor(s). The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities and a demonstrated low rate of job incidence and injury rates. The certificate holder shall report to the Department any changes of major contractors. [Organizational Expertise Condition 2, Final Order on ASC]
<b>STANDARD: STRUCTURAL STANDARD (SS) [OAR 345-022-0020]</b>	
PRE-SS-01	Before beginning construction, the certificate holder shall submit a protocol for the site-specific geotechnical investigation to the Department, for review in consultation with DOGAMI. At least 60-days prior to the commencement of construction, unless otherwise approved by the Department, the certificate holder shall utilize a certified Professional Engineer or Geologist to conduct a site-specific geotechnical investigation consistent with ASC Exhibit H Section H.4.1 and prepare a report consistent with the Oregon State Board of Geologist Examiners Guideline for Preparing Engineering Geologic Reports, or newer guidelines if available to be submitted to the Department, for review in consultation with DOGAMI. The site-specific geotechnical investigation shall include a site-specific probabilistic seismic hazards assessment to inform Site Class design (see Structural Standard Condition 2).

	[Structural Standard Condition 1, Final Order on ASC]
<b>STANDARD: LAND USE (LU) [OAR 345-022-0030]</b>	
PRE-LU-01	<p>Before beginning construction of the facility or facility component, as applicable, the certificate holder shall submit a Site Plan to the Department and Jefferson County for review; and shall obtain a site address and all other necessary local development permits (e.g. Driveway Connection Permit, to be followed by building permits, grading permit, and any others as applicable) from the Jefferson County Community Development Department.</p> <p>[Land Use Condition 1, Final Order on ASC]</p>
PRE-LU-02	<p>Before beginning construction of the facility or a facility component, the certificate holder shall provide documentation that underlying property owners have signed and recorded in the deed records for the county:</p> <ol style="list-style-type: none"> <li>a "Waiver of Right to Remonstrate Against Accepted Farm Use Practices and the Maintenance or Construction of County Roads."</li> <li>b. Agreement by project owner and the project owner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices as defined in ORS 30.930(2) and (4).</li> </ol> <p>[Land Use Condition 6, Final Order on ASC]</p>
PRE-LU-03	<p>Before beginning construction of the facility or facility component, as applicable, the certificate holder shall demonstrate that it has executed an interconnection agreement with the owner(s) of the 230 kV Pelton to Round Butte transmission line.</p> <p>[Land Use Condition 7, AMD1]</p>
<b>STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]</b>	
PRE-RF-01	<p>Before beginning construction of the facility or a facility component, 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 total bond or letter of credit amount for the facility is \$4.5 million dollars (Q4 2024 dollars), to be adjusted to the effective date, and adjusted on an annual basis thereafter, as described in sub-paragraph (b) of this condition:</p> <ol style="list-style-type: none"> <li>a. The certificate holder may adjust the amount of the bond or letter of credit based on the design configuration of the facility, or any phase of the facility, by applying the unit costs presented in Table 5 of the Final Order on RFA1, and the contingencies illustrated in Table 5 of the Final Order on RFA1, and may further make adjustments based on unit costs for task and actions presented in Attachment G to the Final Order on RFA1. Any revision to the restoration costs should be adjusted to the effective date as described in (b). Any modification to the unit costs presented in Table 5 of the Final Order on RFA1 are subject to review and approval by the Council.</li> <li>b. The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation: <ol style="list-style-type: none"> <li>i. Adjust the amount of the bond or letter of credit (expressed in Q4 2024 dollars) to present value, using the U.S. Gross Domestic Product Implicit</li> </ol> </li> </ol>

	<p>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 fourth quarter 2024 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 fourth quarter 2024 dollars to present value.</p> <ul style="list-style-type: none"> <li>ii. Round the result total to the nearest \$1,000 to determine the financial assurance amount.</li> <li>c. The certificate holder shall use an issuer of the bond or letter of credit and a bond or letter of credit form approved by the Council, based on the Council's pre-approved financial institution list and form.</li> <li>d. The Department and Council reserve the right to adjust the contingencies, as appropriate and necessary to ensure that costs to restore the site are adequate to maintain health and safety of the public and environment.</li> </ul> <p>[Retirement and Financial Assurance Condition 4, Mandatory Condition OAR 345-025-0006(8), Final Order on ASC, AMD1]</p>
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**STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]**

PRE-PS-01	<p>Before beginning construction, the certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Apply for and receive a final order from the County Board of Commissioners for annexation of the facility site into the service territory of the Jefferson County Fire District #1.</li> <li>b. Provide a copy of the annexation final order to the Department.</li> </ul> <p>[Public Services Condition 3, Final Order on ASC]</p>
PRE-PS-02	<p>Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Identify all water-related needs and estimate daily and annual water demand for each construction phase, as applicable.</li> <li>b. Provide to the Department, evidence such as a contract or purchase agreement demonstrating that adequate water supply to meet construction demand has been secured and that water for all construction activities will be legally obtained by service providers or third-party permits.</li> </ul> <p>[Public Services Condition 5, Final Order on AMD1]</p>

**STANDARD: WILDFIRE PREVENTION AND RISK MITIGATION (WF) OAR 345-022-0115**

PRE-WF-01	<p>Prior to construction of the facility or phase, as applicable, the certificate holder shall:</p> <ul style="list-style-type: none"> <li>a. Finalize the Construction Wildfire Mitigation Plan, as provided in Attachment F-1 to the Final Order on RFA1. The final Construction Wildfire Mitigation Plan shall be submitted to the Department for review and approval.</li> <li>b. Complete pre-construction tasks and actions designated in the Construction Wildfire Mitigation Plan approved under sub a of PRE-WF-01.</li> </ul> <p>[Wildfire Prevention and Risk Mitigation Condition 1, Final Order on AMD1]</p>
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**STANDARD: NOISE CONTROL REGULATIONS (NC) [OAR 340-035-0035]**

PRE-NC-01	<p>Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall:</p> <ol style="list-style-type: none"> <li data-bbox="372 276 1470 587">Submit to the Department a noise summary report presenting the sound power levels (in dBA) of noise generating equipment including solar array inverters and transformers, substation transformers, battery system inverters and cooling systems, as applicable to final design. The sound power levels shall be supported by equipment manufacturer specifications and noise data. The certificate holder shall provide, in tabular format, a comparison of the sound power levels used in ASC Exhibit X for noise generating equipment and sound power levels validated by manufacturer specifications.</li> <li data-bbox="372 593 1470 819">If the sound power levels used in ASC Exhibit X to evaluate compliance with DEQ's noise rules are lower than sound power levels of final equipment selected, the certificate holder shall provide an updated noise analysis to demonstrate compliance with the ambient degradation standard and maximum allowable threshold. The ambient noise level utilized in ASC Exhibit X may be used for the updated noise analysis, if required.</li> </ol> <p>[Noise Control Condition 1, Final Order on ASC]</p>
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#### 5.4 Construction (CON) Conditions

Condition Number	General (CON) Conditions
<b>STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]</b>	
CON-FW-01	<p>The certificate holder shall hire a qualified biologist to develop and implement an environmental training course for all construction facility personnel and on-site contractors. The training course shall include, but not be limited to discussion on reporting of injured or dead wildlife on the site, adherence to site speed limits, and trash control.</p> <p>[Fish and Wildlife Condition 5, Final Order on ASC]</p>
CON-FW-02	<p>Before beginning construction of the facility or facility component, where vegetation clearing activities are to occur, the certificate holder shall conduct vegetation clearing activities between September 1 and March 1 to the greatest extent possible. Any vegetation clearing outside of this period will be conducted only following a nest clearance survey and will be performed no more than 7 days prior to the clearing of the area in order to ensure that no birds are nesting in the area in question. If birds are discovered, no clearing will occur until the birds have left the nest for the season.</p> <p>[Fish and Wildlife Condition 7, Final Order on ASC]</p>
<b>STANDARD: WILDFIRE PREVENTION AND RISK MITIGATION (WF) OAR 345-022-0115</b>	
CON-WF-01	<p>During construction of the facility or phase, as applicable, the certificate holder shall implement and require all onsite contractors and employees to adhere to, the Construction Wildfire Mitigation Plan required under PRE-WF-01. Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department to address wildfire</p>

	<p>hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.</p> <p>[Wildfire Prevention and Risk Mitigation Condition 2, Final Order on AMD1]</p>
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## 5.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Operational (PRO) Conditions
<b>STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]</b>	
PRO-SP-01	<p>If the final facility design includes battery storage, the certificate holder shall:</p> <ol style="list-style-type: none"> <li>Before beginning operation, prepare and submit to the Department a Spill Prevention Control and Countermeasure Plan (SPCC), developed in compliance with 40 CFR 112, based on the template provided in Attachment D of the Final Order on the ASC, and a Hazardous Materials Business Plan.</li> <li>During operations, adhere to the requirements of the SPCC and Hazardous Materials Business Plan, as finalized under sub(a) of this condition.</li> </ol> <p>[Soil Protection Condition 2, Final Order on ASC]</p>
<b>STANDARD: WILDFIRE PREVENTION AND RISK MITIGATION (WF) OAR 345-022-0115</b>	
PRO-WF-01	<p>Prior to operation of the facility or phase, as applicable, the certificate holder shall finalize the operational Wildfire Mitigation Plan (WMP), included as Attachment F-2 to the Final Order on RFA1.</p> <p>[Wildfire Prevention and Risk Mitigation Condition 3, Final Order on AMD1]</p>

## 5.6 Operational (OPR) Conditions

Condition Number	Operational (OPR) Conditions
<b>STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]</b>	
OPR-GS-01	<p>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.</p> <p>[General Standard Condition 6, Mandatory Condition Oar 345-025-0006(11), Final Order on ASC]</p>
<b>STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]</b>	
OPR-SP-01	<p>During facility operation, the certificate holder may discharge solar panel wash water through evaporation or infiltration into the ground at the point of application. The use of chemicals, soaps, detergents and heated water is prohibited, unless Chemical Safety Data Sheets for low volatile organic compound/biodegradable</p>

	<p>cleaning chemicals and solvents are submitted to the Department for review and approval. Pressure washing is allowed, so long as it does not remove paint or other finishes.</p> <p>[Soil Protection Condition 3, Final Order on ASC]</p>
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**STANDARD: WILDFIRE PREVENTION AND RISK MITIGATION (WF) OAR 345-022-0115**

OPR-WF-01	<p>During operation, the certificate holder shall:</p> <ol style="list-style-type: none"> <li>Implement the Operational Wildfire Mitigation Plan, included as Attachment F-2 to the Final Order on RFA1.</li> <li>After the first operational year, annually review and update the evaluation of wildfire risk under OAR 345-022-0115(1)(b) and submit the results in the annual report for that year.</li> <li>Submit an updated Operational Wildfire Mitigation Plan to the Department if substantive changes are made to the plan because of the review under sub (b) of this condition, or at any other time substantiative revisions are made to Attachment F-2 of the Final Order on RFA1.</li> <li>Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department to address wildfire hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.</li> </ol> <p>[Wildfire Prevention and Risk Mitigation Condition 4, Final Order on AMD1]</p>
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**STANDARD: NOISE CONTROL REGULATIONS (NC) [OAR 340-035-0035]**

OPR1-NC-01	<p>Prior to and during facility operation, the certificate holder shall establish a noise complaint response program including facility contact name, phone number and email; procedure for filing complaints, facility response, and reporting to the Department; and details on how the information on filing noise complaints will be provided to members of the public. The certificate holder shall provide to the Department, for review, a copy of its procedure or plan for the noise complaint response program.</p> <p>[Noise Control Condition 2, Final Order on ASC]</p>
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**5.7 Retirement (RET) Conditions**

Condition Number	General (RET) Conditions
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**STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]**

RET-RT-01	<p>The certificate holder must retire the facility in accordance with a retirement plan approved by the Council if the certificate holder permanently ceases construction or operation of the facility. The retirement plan must describe the activities necessary to restore the site to a useful, nonhazardous condition, as described in OAR 345-027-0110(5). After Council approval of the plan, the certificate holder must obtain the necessary authorization from the appropriate regulatory agencies to proceed with restoration of the site.</p>
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	[Retirement and Financial Assurance Condition 2, Mandatory Condition OAR 345-025-0006(9), Final Order on ASC]
RET-RT-02	<p>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) to restore the site to a useful, nonhazardous 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, nonhazardous 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.</p> <p>[Retirement and Financial Assurance Condition 2, Mandatory Condition OAR 345-025-0006(16), Final Order on ASC]</p>

## 6.0 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.

## 7.0 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.

## 8.0 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 Madras PV1, LLC (certificate holder), a wholly owned subsidiary of Ecoplexus Inc (certificate holder parent company).

### ENERGY FACILITY SITING COUNCIL

By:   
Kent Howe (Mar 26, 2025 14:58 PDT)  
Kent Howe, Chair  
Date: 26-Mar-2025

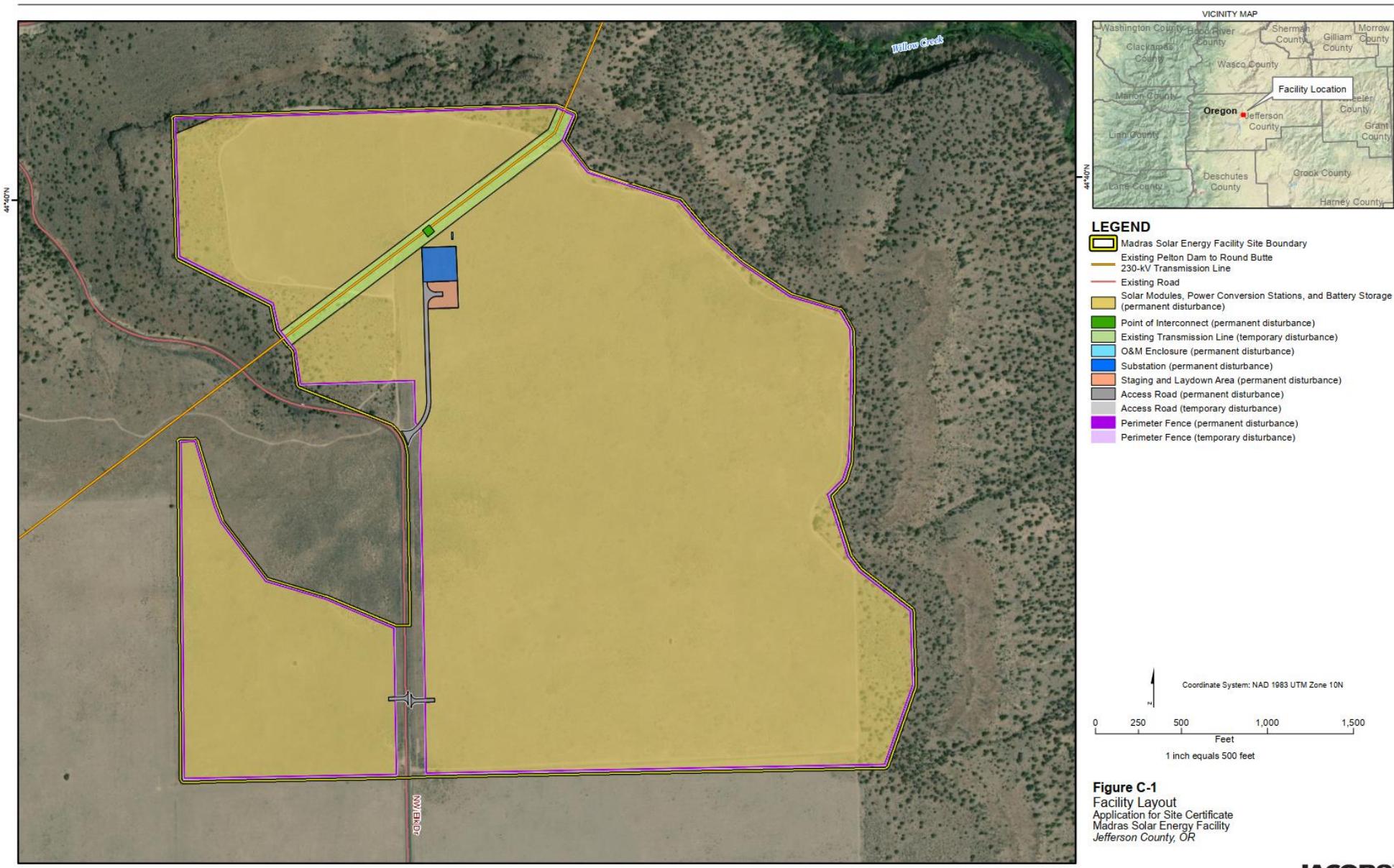
### Madras PV1, LLC

By:   
Paul Szwarczynski  
Authorized Representative  
Date: 27-Mar-2025

By: \_\_\_\_\_

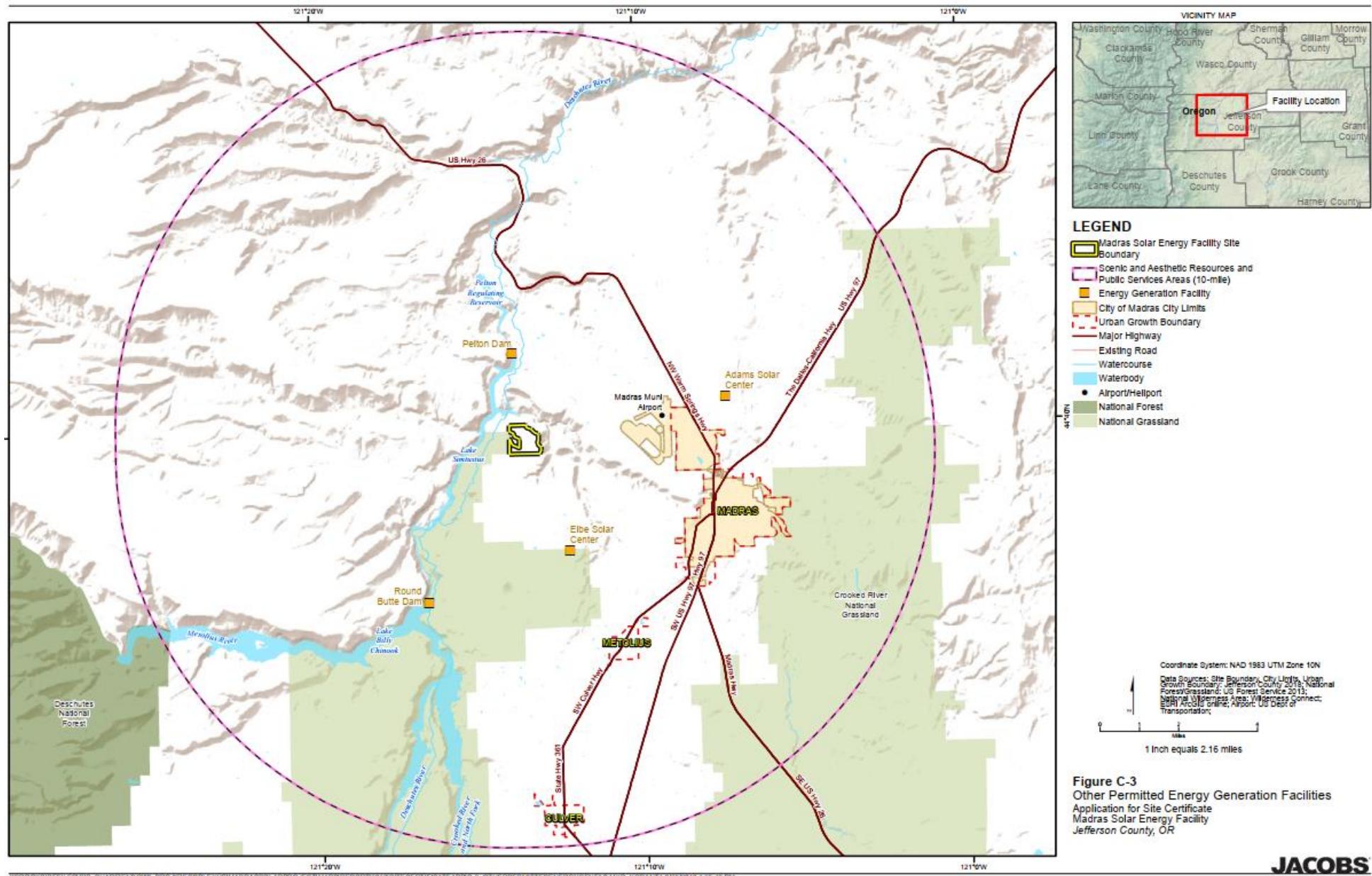
Date: \_\_\_\_\_

**Attachment A**  
Facility Location Maps



1BROOKSIDEFILE\GIS\_SHARE\ENBGWU\_PROJECT\ECOPLEX\US\ADRASSOLAR\PROJECT\MAPS\REPORT\2019\ASITECERTIFICATEAPPIC-1\_191107.MXD KGRANT 11/18/2019 6:32:34 PM

**JACOBS**



**Figure C-3**  
**Other Permitted Energy Generation Facilities**  
**Application for Site Certificate**  
**Madras Solar Energy Facility**  
**Jefferson County, OR**

**JACOBS**