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**LJIIB AMD3 Type B Amendment Determination**

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**From** TARDAEWETHER Kellen \* ODOE <Kellen.TARDAEWETHER@energy.oregon.gov>

**Date** Tue 5/13/2025 9:52 AM

**To** SOLSBY, ANNEKE <anneke.solsby@avangrid.com>

**Cc** Fossum, Linnea <linnea.fossum@tetrattech.com>; ESTERSON Sarah \* ODOE <Sarah.ESTERSON@energy.oregon.gov>; Rowe Patrick G <Patrick.G.Rowe@doj.oregon.gov>; CORNETT Todd \* ODOE <Todd.CORNETT@energy.oregon.gov>

 1 attachment (261 KB)

LJIIBAMD3 Type B Review ADR Determination 2025-05-13.pdf;

Good morning Anneke,

Please see the attached Type B Amendment Process Department Determination. Request for Amendment 3 for the Leaning Juniper Wind Power Facility will be process under the Type B Amendment Rules. Under OAR 345-027-0368 there is a written public comment period, but no in-person public hearing on the DPO. The Department anticipates the review of the Proposed Order (under OAR 345-027-0372) to be able to occur at the July 17-18 EFSC Meeting. The Department continues to review pRFA3 and draft the DPO and anticipates completeness and the DPO in coming month. Let me know if you have questions,

Kellen

**Kellen Tardaewether**

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Stay connected!



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May 13, 2025

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RE: Department Determination on Type B Review for Request for Amendment 3 of the Site Certificate  
for the Leaning Juniper IIB Wind Power Facility

Dear Ms. Solsby,

On January 23, 2025, the Oregon Department of Energy (ODOE or Department) received Leaning Juniper Wind Power II, LLC's preliminary Request for Amendment 3 (pRFA3) of the Site Certificate for the Leaning Juniper IIB Wind Power Facility (facility). The facility is a wind power generation facility that has been in operation since 2011. pRFA3 includes an Amendment Determination Request (ADR), requesting a written determination from the Department that the changes proposed in RFA3 justify review under the Type B review process. On April 7, 2025 the certificate holder provided supplemental information to support the Type B Review ADR, which they incorporated into Section 1.3 of pRFA3. The Department reviewed the ADR and, for the reasons discussed below, has determined that Type B review is justified.

In RFA3, the certificate holder seeks Energy Facility Siting Council (Council or EFSC) approval to repower up to 74 wind turbines; increase rotor diameter; temporarily disturb land within previously approved micro-siting corridor; abandon an existing 34.5 kilovolt (kV) collector line and potentially install a new underground collector line system. The certificate holder describes that the proposed RFA3 repower would integrate and upgrade technology, including by replacing the blades and associated machinery with new components on the existing turbine towers. This modification would enhance energy generation capacity and extend the operational lifespan of the facility, as part of the long-term operations and maintenance (O&M) strategy for the operational facility. The proposed RFA3 changes will increase the blade tip height of up to 74 turbines from the existing height of 390 feet (119 meters) to a new maximum height of 423 feet (129 meters); a height increase of approximately 33 feet (10 meters).

### Type B Review

Under OAR 345-027-0357(8), in determining whether a request for amendment justifies review under the Type B process, the Department and the Council may consider factors including, but not limited to:

- The complexity of the proposed change;
- The anticipated level of public interest in the proposed change;

- The anticipated level of interest by reviewing agencies;
- The likelihood of significant adverse impact; and
- The type and amount of mitigation, if any.

Each of these factors is evaluated in the sections that follow.

### Evaluation of Factors

#### *The complexity of the proposed change*

The certificate holder presents that the complexity of the changes proposed in RFA3, which is limited to a repower, is low because the repowered turbines fall within the range of turbines approved in the original and amended site certificate. The changes proposed in RFA3 would not add or change the amount of facility components and the facility would maintain the same functionality as the operational facility. The areas that would be impacted by the repower construction activities would all be within the previously approved site boundary and micro-siting corridors. Moreover, the repower construction activities would only cause temporary impacts within this area and there would not be any additional permanent impacts within the site.

The Department disagrees with the certificate holder's evaluation of complexity.

A repower is a large construction project, with numerous temporary impacts like those that would be experienced on county roads from construction traffic, water use for dust suppression and concrete mixing, and an increase in wildfire risk. These impacts are substantially different than daily/annual activity at the operational site. A wind facility repower also results in a significant increase in materials needing to be processed for recycling or landfill. Based on review of pRFA3, the Department plans to recommend multiple conditions to reduce potential wildfire risk and impacts to public services, which are moderately complex. For these reasons, the Department considers the changes proposed in RFA3 to be complex.

#### *The anticipated level of public interest in the proposed change;*

The certificate holder notes that the site certificate for the adjacent wind facility, Leaning Juniper IIA Wind Power Facility (LJIIA), was recently amended to allow a facility repower. The Council approved the LJIIA Third Amended Site Certificate on June 12, 2024; during this review, the level of public interest included two public comments neither of which raised issues related to the repower. The certificate holder anticipates that public interest in the amendment will be low because repower activities affect existing turbines and impacts are temporary in nature.

The Department agrees the changes proposed in RFA3 are comparable to the LJIIA repower approved in 2024 - *e.g.*, replacement of rotors, nose cone, hub, and blades, slightly increasing the rotor diameter and hub height for overall facility operations and extending the life of the facility. However, the Department also reviews the facility/certificate holders ongoing compliance/complaints to determine the level of potential public interest. Based on this review, the Department affirms that the certificate holder has maintained compliance with its site certificate conditions. The facility has reported recent incidents, including riser pole fires in 2023 and 2024 and oil spills in 2022 and 2023. These incidents did not implicate the public or landowners and there are no public comments or issues with the facility operation on record. Public interest in the changes proposed in RFA3 is likely to be low because the changes are similar to those approved for LJIIA which generated little public interest, and because there are no unresolved compliance issues or public complaints on record. For these reasons, the Department considers the changes proposed in RFA3 to result in minimal public interest.

*The anticipated level of interest by reviewing agencies;*

The Department is required to consult with reviewing agencies during the review of an application or amendment.

The Department believes that, given its regulatory obligation to seek review and comments from reviewing agencies, that this factor is predetermined at moderate to high. The Department, therefore, recommends Council not apply or rely on this factor for the evaluation.

*The likelihood of significant adverse impacts*

The certificate holder contends the likelihood of significant adverse impacts from the changes proposed in RFA3 is low because they will have no permanent disturbance and temporary impacts will be limited to areas adjacent to existing facility infrastructure and within or near locations previously disturbed and successfully revegetated during facility construction.

Based upon the Department's review of RFA3, there is little to no likelihood of significant adverse impacts. Therefore, the Department considers the likelihood of a significant adverse impact to resources protected by Council standards to be low.

*The type and amount of mitigation, if any.*

The certificate holder asserts that changes proposed in RFA3 would result only in temporary disturbance within areas previously disturbed during original facility construction. And, limited to a perspective of habitat mitigation, that the changes proposed in RFA3 would therefore not require new or different mitigation for any permanent habitat impacts.

The Department disagrees that the scope of this factor is limited to habitat mitigation for permanent impacts, and that if no new mitigation for permanent habitat impacts is needed, that therefore the type and amount of mitigation is low. As noted in this Determination, repowering a wind facility is a large scale construction activity and includes construction personnel, heavy equipment operation, water use and waste. Mitigation, in the form of recommended new and amended conditions, is needed to maintain impacts below a level of significance. Because the evaluation of the type and amount of mitigation is effectively already evaluated through the "complexity" factor, the Department recommends Council not apply or rely on this factor for the evaluation.

**Determination**

As presented in *Table 1: Type A Review – Factor Assessment Summary*, the Department determines that there are only three relevant factors to apply to the evaluation. Based on review of the three relevant factors, the certificate holder **has justified** Type B review for RFA3 because the anticipated level of public interest and likelihood of significant adverse impacts are both low.

<b>Table 1: Type A Review – Factor Assessment Summary</b>		
<b>OAR 345-027-0357(8) Factors</b>	<b>Type A</b>	<b>Type B</b>
(a) The complexity of the proposed change	X	
(b) The anticipated level of public interest in the proposed change		X
(c) The anticipated level of interest by reviewing agencies	--	
(d) The likelihood of significant adverse impact		X

Table 1: Type A Review – Factor Assessment Summary		
OAR 345-027-0357(8) Factors	Type A	Type B
(e) The type and amount of mitigation, if any	--	
“—” Department recommends Council not rely on or apply the factor for the reasons presented above.		

Per OAR 345-027-0357(7), the certificate holder may request the Department refer this determination to the Council for concurrence, modification or rejection. Please let the Department know if you would like to request Council review, and feel free to contact me with any questions or comments.

Respectfully,



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Encl.

CC (via e-mail): Todd Cornett, Division Administrator - Oregon Department of Energy  
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