Request for Amendment 1 for the Wheatridge Renewable Energy Facility III

February 2026

Prepared for
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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
°F	degrees Fahrenheit
ADR	Amendment Determination Request
ASC	Application for Site Certificate
BESS	battery energy storage system
BLM	Bureau of Land Management
BMP	best management practice
Certificate Holder	Wheatridge Solar Energy Center, LLC
Certificate Holder Owner or NEER	NextEra Energy Resources, LLC
Council	Energy Facility Siting Council
CWPP	Community Wildfire Protection Plan
DOGAMI	Department of Geology and Mineral Industries
EIS	Environmental Impact Statement
ESCP	Erosion and Sediment Control Plan
FAA	Federal Aviation Administration
Facility or WREFFIII	Wheatridge Renewable Energy Facility III
FM	Fuel Model
HMA	habitat mitigation area
HMP	Habitat Mitigation Plan
kV	kilovolt
LUAA	Land Use Analysis Area
MCCP	Morrow County Comprehensive Plan
MCZO	Morrow County Zoning Ordinance
MW	megawatt
NB	non-burnable
O&M	operations and maintenance
OAR	Oregon Administrative Rules
ODA	Oregon Department of Agriculture
ODEQ	Oregon Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODOE	Oregon Department of Energy
ODOT	Oregon Department of Transportation
ONHT	Oregon National Historic Trail
ORS	Oregon Revised Statutes
REAMP	Real Estate Asset Management Plan
RFA	Request for Amendment

Acronym/Abbreviation	Definition
SHPO	State Historic Preservation Office
USFWS	U.S. Fish and Wildlife Service
WAA	Wildfire Analysis Area
WMP	Wildfire Mitigation Plan
WREFI	Wheatridge Renewable Energy Facility I
WREFII	Wheatridge Renewable Energy Facility II
WREFIII or Facility	Wheatridge Renewable Energy Facility III
WREFE	Wheatridge Renewable Energy Facility East
WTSII	Wagon Trail Solar II
WWEF	Wheatridge Wind Energy Facility

1.0 Introduction

1.1 Project Summary and Request

On November 19, 2020, the Energy Facility Siting Council (Council) approved the First Amended Site Certificate for Wheatridge Renewable Energy Facility II, which authorized allocation of previously approved facility components into an amended and two original Site Certificates for Wheatridge Renewable Energy Facility II, Wheatridge Renewable Energy Facility III and Wheatridge Renewable Energy Facility East, respectively[1]. This application pertains to the Wheatridge Renewable Energy Facility III (WREFIII or Facility), which is a 150-megawatt (MW) permitted/ 50 MW operating solar energy generation facility with distributed battery storage on private land within an approximately 2,294-acre previously approved Site Boundary in Morrow County, Oregon (see Figure 1).

Construction of the existing 50-MW portion of the Facility (as well as 15 distributed battery storage sites) within the southern portion of the Site Boundary was completed and began operations in March 2022. The northern portion as well as the remainder of the southern portion of the approved Facility/Site Boundary are undeveloped and are proposed to be split from the constructed/operational portion of the Facility. Therefore, Wheatridge Solar Energy Center, LLC (Certificate Holder), a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC (NEER or Certificate Holder Owner), is submitting this Request for Amendment 1 (RFA 1) to the Facility Site Certificate to (1) extend the construction completion deadline for the remaining 100 MW of authorized solar energy and 26 distributed battery storage sites (by the maximum allowance, i.e., three years); and (2) split the constructed/operational portion of the Facility from the remaining undeveloped portion of the Facility, and create two separate Site Certificates.

Therefore, there would be an amended Facility Site Certificate and one new Site Certificate (with an extended construction deadline) that would be the binding agreement to construct, operate and retire two facilities:

1. **Wheatridge Renewable Energy Facility III (WREFIII)** – Constructed/operational 50-MW solar energy and 15 distributed battery storage sites portion of the Facility within the southern portion of the approved Site Boundary including related or supporting facilities (see Figure 2). The revised/proposed WREFIII Site Boundary will be 359 acres. The Certificate Holder and Certificate Owner will remain the same.
2. **Wagon Trail Solar II (WTSII)** – Undeveloped portion of the Facility comprised of the remaining 100 MW of authorized solar energy and 26 distributed battery storage sites in the northern and remainder of the southern portion of the approved Site Boundary, including related or supporting facilities (see Figure 3). The proposed WTSII Site Boundary

[1] Final Order on Request for Amendment 1 to the Site Certificate for the Wheatridge Renewable Energy Facility II, November 2020.

will be 1,935 acres. The Certificate Holder will be Wagon Trail Energy Center, LLC and the Certificate Holder Owner will be NEER.

Once the amendment process is complete, each facility will be a stand-alone facility, but may share related or supporting facilities with one another similar to other projects approved by the Council. RFA 1 does not propose additions to the approved Site Boundary or micrositing corridor, or new Facility components, or changes to approved Facility components. Section 3 provides a more detailed overview of how the approved Facility will be split by facility component and location. Note that each facility would have its own micrositing corridor within the previously approved Site Boundary and micrositing corridor. The facilities will have areas of overlapping micrositing corridors and some shared, related or supporting facilities reflective of the approved Facility. NEER will remain the parent company for both facilities and a shared facilities agreement will govern how the certificate holders share related or supporting facilities and operate the overlapping micrositing corridors under their Site Certificates. Therefore, the facilities will be constructed, operated and retired essentially as approved by the Council, which imposed conditions, as necessary, in consideration of the potential impact of the facilities within the approved Site Boundary and micrositing corridor. Fundamentally, the proposed changes in RFA 1 are administrative, and needed for commercial enterprise purposes.

1.2 Procedural History

See Diagram 1 for the procedural history of WREFIII (the red box outlines the Facility in question, as currently approved). The Facility was initially part of the permitted Wheatridge Wind Energy Facility (WWEF) and subsequently the Wheatridge Renewable Energy Facility II (WREFII). WREFII was then split into three projects (each with its own Site Certificate), as part of the approved Final Order on the Request for Amendment 1 to the Site Certificate[2] for WREFII. This action created the current WREFIII (and two other projects mentioned in Section 1.1 but not part of this request).

The Site Certificate for WWEF (referred to the original Site Certificate herein) was issued in April 2017 and became effective May 24, 2017. On May 17, 2017, the Certificate Holder provided notice, pursuant to Oregon Administrative Rules (OAR) 345-027-0100(2), to the Oregon Department of Energy (ODOE) of a transfer of ownership of the Certificate Holder. On June 14, 2017, the Certificate Holder filed a Request for Transfer of ownership of the Site Certificate; this was the First Request for Amendment to WWEF. The following provides a summary of amendments to the Site Certificate.

- The First Amended Site Certificate for WWEF was approved in July 2017 and became effective August 11, 2017.
- The Second Request for Amendment to add energy storage for WWEF was submitted concurrently to the Third Request for Amendment, to increase the maximum turbine blade tip height. The Second Amended Site Certificate was issued November 16, 2018, and became

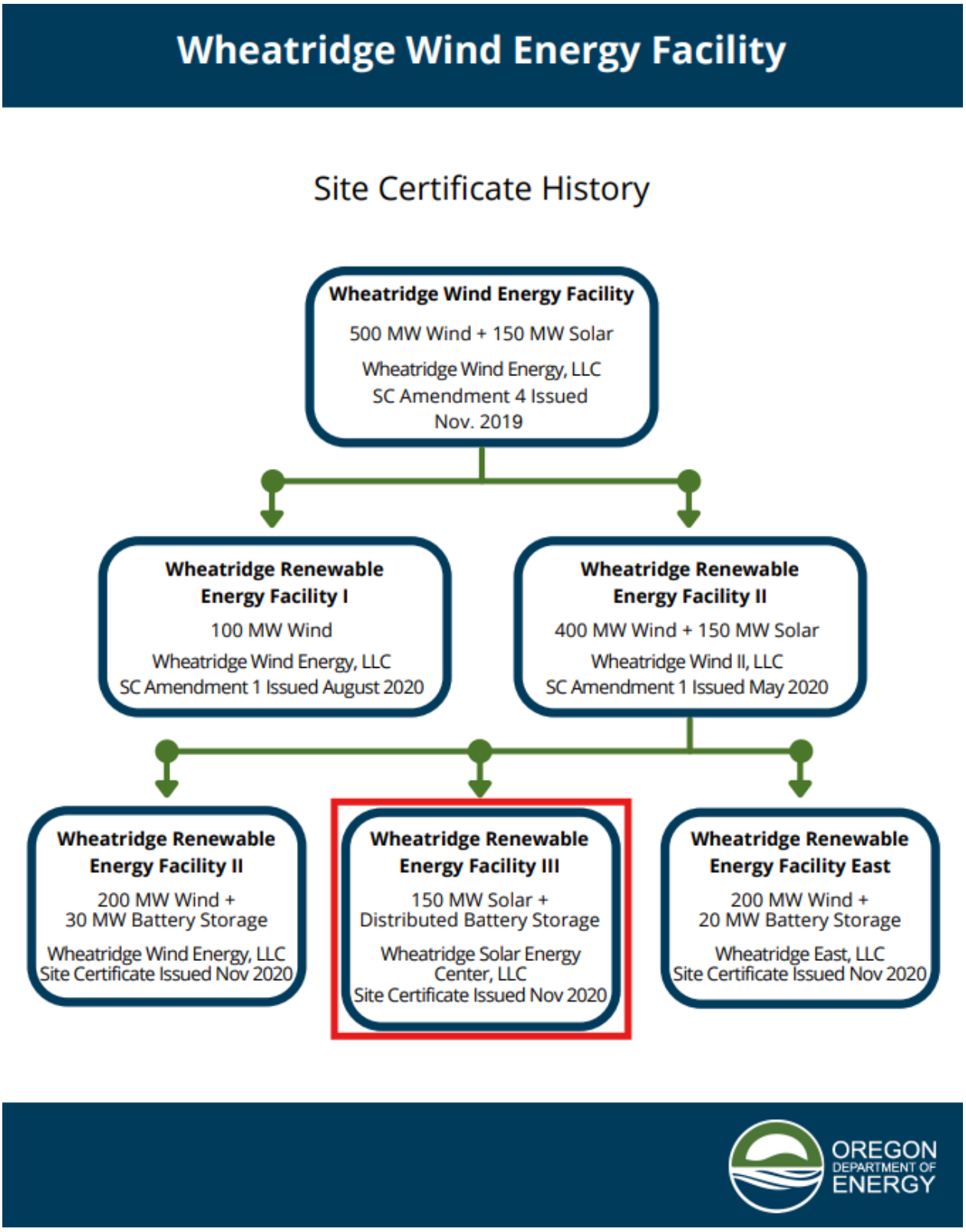
[2] Final Order on Request for Amendment 1 to the Site Certificate for the Wheatridge Renewable Energy Facility II, November 2020

effective November 29, 2018. The Third Amended Site Certificate was issued December 14, 2018, and became effective February 7, 2019.

- The purpose of the Fourth Request for Amendment was to add a solar facility. The Fourth Amended Site Certificate became effective November 22, 2019.
- The Fifth Request for Amendment split WWEF into Wheatridge Renewable Energy Facility I (WREFI) and WREFII. The Fifth Amended Site Certificate for WWEF (and the first Site Certificate for WREFII) became effective May 22, 2020.
- The First Request for Amendment to Wheatridge Renewable Energy Facility II (WREFII) then split it into three facilities, each with its own Site Certificate: WREFII, WREFIII, and Wheatridge Renewable Energy Facility East (WREFE). The Council issued the original Site Certificate for WREFIII/the Facility on November 19, 2020; **the Site Certificate for WREFIII is the subject of this RFA 1**.

See Figure 1 for the approved Facility location as well as any areas of overlap with approved or operational NEER facilities (WREFI, WREFII, WREFE, and Wagon Trail Solar). Note that a portion of the Facility is already operational as of March 2022.

Diagram 1. WREFIII Site Certificate History



1.3 Amendment Required under OAR 345-027-0350 and Review Process under OAR 345-027-0351

Except for changes allowed under OAR 345-027-0353 of this rule, an amendment to a Site Certificate is required to:

(1) Transfer ownership of the facility or the certificate holder as described in OAR 345-027-0400;

(2) Apply later-adopted law(s) as described in OAR 345-027-0390;

(3) Extend the construction beginning or completion deadline as described in OAR 345-027-0385;

(4) Design, construct or operate a facility in a manner different from the description in the Site Certificate, if the proposed change:

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

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

(c) Could require a new condition or a change to a condition in the Site Certificate.

No new areas of site boundary or micrositing corridor are being proposed as a part of this RFA and the physical Facility will be the same as previously permitted and approved. However, each facility would have its own micrositing corridor within the previously approved Site Boundary and micrositing corridor. Therefore, the proposed changes will not result in a significant adverse impact to a resource or interest protected by an applicable law or Council standard that the Council has not addressed in an earlier order. Moreover, all Site Certificate conditions will be complied with as they pertain to each portion of the approved Facility; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance of the relevant Site Certificate conditions. The Certificate Holder Owner's ability to comply with all the Site Certificate conditions will not be impaired. However, RFA 1 will result in administrative changes to conditions in the Site Certificate due to the splitting of the facility by location and facility type as well as a transfer of ownership and construction deadline extension; therefore, an amendment is required pursuant to OAR 345-027-0350(1), (3), and (4)(c).

As noted above, as a part of this RFA, the proposed changes are administrative to the Site Certificate versus proposing new areas of site boundary, micrositing corridor, infrastructure, or changes to the Facility's permitted and approved infrastructure. The record for the Facility, the findings of fact, reasoning, and conclusions of law were reviewed prior to issuance of the Site Certificate with corresponding terms and conditions. There will be no substantive changes to Site Certificate

conditions other than necessary to facilitate the split by location and construction deadline extension.

2.0 Certificate Holder Information – OAR 345-027-0360(1)(a)

(1) To request an amendment to the Site Certificate required by OAR 345-027-0350(3) and (4), the certificate holder shall submit a written preliminary request for amendment to the Department of Energy that includes the following:

OAR 345-027-0360(1)(a) The name of the facility, the name and mailing address of the certificate holder, and the name, mailing address, email address and phone number of the individual responsible for submitting the request.

2.1 Name of the Facility

The current name of the Facility is Wheatridge Renewable Energy Facility III and the Certificate Holder is Wheatridge Solar Energy Center, LLC. RFA 1 is requesting to (1) extend the construction deadline for the remaining 100 MW of authorized solar energy and 26 distributed battery storage sites; and (2) split the constructed/operational portion of the Facility from the remaining undeveloped portion of the Facility, and create two separate Site Certificates. As proposed, there would be an amended Facility Site Certificate and one new Site Certificate (with an extended construction deadline) that would be the binding agreement to construct, operate and retire two facilities:

1. **Wheatridge Renewable Energy Facility III (WREFIII)** – The Certificate Holder and Certificate Owner will remain the same.
2. **Wagon Trail Solar II (WTSII)** –The Certificate Holder will be Wagon Trail Energy Center, LLC and the Certificate Holder Owner will be NEER.

NEER will remain the Certificate Holder Owner for both facilities. Therefore, the contact information for the two facilities is the same.

2.2 Name and Mailing Address of the Proposed Certificate Holders

Wheatridge Solar Energy Center, LLC
c/o Ryan Hill
NextEra Energy Resources, LLC
A3A
700 Universe Blvd.
Juno Beach, FL 33408

Wagon Trail Energy Center, LLC
c/o Ryan Hill
NextEra Energy Resources, LLC
A3A
700 Universe Blvd.
Juno Beach, FL 33408

2.3 Parent Company of the Current and Proposed Certificate Holders

NextEra Energy Resources, LLC
A3A
700 Universe Blvd.
Juno Beach, FL 33408

2.4 Name and Mailing Address of the Individual Responsible for Submitting the Request

Ryan Hill
Development
NextEra Energy Resources, LLC
A3A
700 Universe Blvd.
Juno Beach, FL 33408
Ryan.Hill@nexteraenergy.com
(561) 831-9425

3.0 Detailed Description of the Proposed Change – OAR 345-027-0360(1)(b)

OAR 345-027-0360(1)(b) A detailed description of the proposed change, including:

As noted above, the Certificate Holder seeks Council approval to: (1) extend the construction deadline for the remaining 100 MW of authorized solar energy and 26 distributed battery storage sites; and (2) split the constructed/operational portion of the Facility from the undeveloped portion of the Facility, and create two separate Site Certificates.

Pursuant to Site Certificate Condition GEN-GS-02 of the Facility Site Certificate, the current deadline for completing construction of the remaining 100 MW authorized solar energy and 26 distributed battery storage sites is November 22, 2025. The Certificate Holder requests the Council amend Site Certificate Condition GEN-GS-02 to extend the construction completion deadline by three years;

additionally, the Certificate Holder requests to amend GEN-GS-01 in Attachment 2 to reflect a pre-construction commencement of at least 12 months before the amended construction completion deadline (November 22, 2028, as amended in GEN-GS-02).

Additionally, the Certificate Holder seeks Council approval to split the constructed/operational portion of the Facility from the undeveloped portion of the Facility (i.e., splitting the Facility components, approved Site Boundary, and micrositing corridor), and create two separate Site Certificates. As proposed, there would be an amended Facility Site Certificate and one new Site Certificate (with an extended construction deadline) that would be the binding agreement to construct, operate and retire two facilities:

1. **Wheatridge Renewable Energy Facility III (WREFIII)** – Constructed/operational 50-MW solar energy and 15 distributed battery storage sites portion of the Facility in the southern portion of the approved Site Boundary including related or supporting facilities. The revised/proposed WREFIII Site Boundary will be 359 acres. The Certificate Holder and Certificate Owner will remain the same.
2. **Wagon Trail Solar II (WTSII)** – Undeveloped portion of the Facility comprised of the remaining 100 MW of authorized solar energy and 26 distributed battery storage sites in the northern and remainder of the southern portion of the approved Site Boundary, including related or supporting facilities. The proposed WTSII Site Boundary will be 1,935 acres. The Certificate Holder will be Wagon Trail Energy Center, LLC and the Certificate Holder Owner will be NEER, same parent company as the current Facility.

Table 1 provides a more detailed description of how the Facility would be split per the description in the Site Certificate. The facilities would have areas of overlapping micrositing corridors (within the previously approved Site Boundary and micrositing corridor) and some shared related or supporting facilities.

Table 1. Proposed Descriptions of the Partitioned Facilities

Infrastructure Type	Approved Site Certificate Description	Proposed Wheatridge Renewable Energy Facility III (WREFIII) Description[1]	Proposed Wagon Trail Solar II (WTSII) Description	Explanation
Total Generating Capacity	The Facility includes photovoltaic solar energy generation components, with related or supporting facilities. The energy generation capacity of the Facility, with photovoltaic solar components, at full build-out by the specified construction completion deadline is 150 MW.	WREFIII includes photovoltaic solar energy generation components with related or supporting facilities. The total generating capacity of this facility will not exceed 50 MW of solar energy (as constructed/operational).	WTSII includes photovoltaic solar energy generation components with related or supporting facilities. The total generating capacity of this facility will not exceed 100 MW of solar energy.	The total generating capacity for solar energy for the facilities combined will be 150 MW, as previously approved by the Council.
Battery Storage and Interconnection	The Facility includes 41 distributed battery energy storage sites of lithium-ion batteries housed within concrete containers or similar containment throughout and within the solar array fencelines.	WREFIII includes 15 distributed battery energy storage sites of lithium-ion batteries housed within concrete containers or similar containment.	WTSII includes 26 distributed battery energy storage sites of lithium-ion batteries housed within concrete containers or similar containment.	WREFIII and WTSII will not exceed the 41 distributed battery energy storage sites, as previously approved by the Council.
Electrical Collection System	The Facility includes underground 34.5 kV cables to an above- or belowground 34.5 kV collector line that interconnect to Wheatridge West collector substation. The collection system also includes two 34.5-kV collector line routes outside of the perimeter fenceline (2.32 and 0.66 miles each).	WREFIII includes an electrical collection system with up to 13 miles of underground 34.5-kilovolt (kV) collector line (as constructed/operational; interconnecting to the existing WREFII substation [previously Wheatridge West]; see below).	WTSII includes an electrical collection system with up to 7.8 miles of underground and up to two aboveground 34.5-kV collector lines (2.32 and 0.66 miles each, as approved in Wheatridge Wind Energy Facility RFA4[2]), respectively (interconnecting to WREFIII, the existing WREFII substation [previously Wheatridge West]; see below).	Some extents of collector lines for both WREFIII and WTSII will be in the overlapping micrositing corridors, all contained within the previously approved Site Boundary.
Collector Substations	The Facility includes a 5-acre substation and will share the existing Wheatridge West collector substation.	WREFIII and WTSII will share the existing WREFII substation (previously Wheatridge West), but it is not a related or supporting facility for WREFIII.	WREFIII and WTSII will share the existing WREFII substation (previously Wheatridge West), but it is not a related or supporting facility for WTSII.	WREFIII and WTSII will use the existing WREFII substation. The WREFII substation is not a related or supporting facility of WREFIII or WTSII.
O&M Buildings	The Facility will share the existing O&M building with WREFII (operational).	WREFIII and WTSII will share the existing WREFII O&M building, but it is not a related or supporting facility for WREFIII.	WREFIII and WTSII will share the existing WREFII O&M building, but it is not a related or supporting facility for WTSII.	WREFIII and WTSII will use the existing WREFII O&M building. The WREFII O&M building is not a related or supporting facility of WREFIII or WTSII.
Access Roads	Service roads, approximately 16-feet wide, located within and around the perimeter of the proposed solar arrays, and within the solar micrositing corridors, to facilitate access for construction and maintenance purposes. Internal roads are all-weather, compacted gravel and approximately 20 feet wide, with an internal turning radius of 28 feet.	WREFIII includes up to 3.2 miles of new permanent access roads (as constructed/operational; utilizing the previously approved dimensions). Some new roads will be shared with WTSII and some existing roads will be shared with WREFII.	WTSII includes up to 8.7 miles of new permanent access roads (utilizing the previously approved dimensions). Some new roads will be shared with WREFIII and some existing roads will be shared with WREFII.	WREFIII and WTSII access roads may be shared in the overlapping micrositing corridors. WREFIII and WTSII will also use some of the existing WREFII roads. The WREFII roads are not related or supporting facilities of WREFIII or WTSII.
Temporary Construction Yards	The Facility will share the preexisting WREFII temporary construction yards as shared or related facilities.	WREFIII and WTSII will share the preexisting WREFII temporary construction yard(s), but they are not related or supporting facilities for WREFIII.	WREFIII and WTSII will share the preexisting WREFII temporary construction yard(s), but they are not related or supporting facilities for WTSII.	WREFIII and WTSII will use the preexisting WREFII temporary construction yard(s). The WREFII temporary construction yard(s) are not related or supporting facilities of WREFIII or WTSII.

1. Construction of the WREFIII components was completed in March 2022 and has met all preconstruction and construction compliance requirements.
2. Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Renewable Energy Facility II, November 2019, p. 8

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3.1 Effect of Proposed Changes on the Facility – OAR 345-027-0360(1)(b)(A)

OAR 345-027-0360(1)(b)(A) a description of how the proposed change affects the facility,

The Facility, once split, will be constructed and operated substantially in the same manner as previously approved by the Council, with imposed conditions, as necessary, that considered construction timing, micrositing needs, potential impacts, and public and reviewing agencies' comments; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance of the relevant Site Certificate conditions. The partitioned facilities will generally operate as approved and would not affect any physical impacts from Facility construction, operation, or retirement previously reviewed by the Council. RFA 1 provides the maximum efficiency in terms of construction timing, use of space for renewable energy facilities, and available technology, while providing maximum flexibility for potential customers to deliver the renewable energy to the market. The Certificate Holder demonstrates herein that notwithstanding these changes, the Facility will meet all applicable Council standards and will be constructed and operated substantially in the same manner as previously approved by the Council.

3.2 Applicable Laws and Council Rules – OAR 345-027-0360(1)(b)(B)

OAR 345-027-0360(1)(b)(B) a description of how the proposed change affects those resources or interests protected by applicable laws and Council standards, and

The proposed changes do not affect the resources or interests protected by applicable laws and Council standards in a substantially different way than what has already been approved by the Council (Section 7). Compliance with applicable laws is integrated into the Site Certificate conditions, including conditions related to preconstruction habitat and wildlife surveys, noise analysis, setback verification, the National Pollutant Discharge Elimination System (NPDES) 1200-C permit, consultation with the Oregon Department of Fish and Wildlife (ODFW), the Oregon Department of Geology and Mineral Industries (DOGAMI), and Federal Aviation Administration (FAA) 7460-1 filings, among others.

The Facility's proposed partition and Site Certificate split does not alter the Certificate Holder's ability to comply with the Site Certificate conditions for the Facility; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance of the relevant Site Certificate conditions. Section 7 further demonstrates how the proposed changes are consistent with the Council's previous findings. The physical components of the Facility, approved Site Boundary, and micrositing corridor will not be changed or expanded upon as a part of this RFA; therefore, there are no new areas or resources that were not previously evaluated. The Facility, following its partition under this Amendment, will be constructed and operated in substantially the same manner as already approved by the Council.

3.3 Location of the Proposed Change – OAR 345-027-0360(1)(b)(C)

OAR 345-027-0360(1)(b)(C) the specific location of the proposed change, and any updated maps and/or geospatial data layers relevant to the proposed change.

This RFA does not seek to expand the approved Site Boundary or micrositing corridor, nor add new Facility components, or changes to the approved physical components of the Facility. Figures 1 through 3 show how the Facility will be divided into the proposed WREFIII and WTSII, which will have areas of overlapping micrositing corridors. Related geospatial data layers have been provided to ODOE concurrently with this request.

4.0 RFA Analysis Areas – OAR 345-027-0360(1)(c)

OAR 345-027-0360(1)(c) The request for amendment analysis areas ("RFA analysis areas"), which are based on the following:

(A) If a Project Order was issued for the facility, the area within the distances for analysis areas specified in the Project Order; or

(B) If a Project Order was not issued for the facility, the area within the distances for study areas specified in OAR 345-001-0010.

(C) If applicable, a modified site boundary, which reflects that:

(i) A proposed amendment is not contained by the existing site boundary. In this case, the RFA analysis areas would extend from the portions of the site boundary that are the subject of the amendment request; or

(ii) A proposed amendment is a subset of the existing site boundary.

RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary and extend the construction deadline. Therefore, the various analysis areas/study areas that were utilized and approved for the original WWEF Application for Site Certificate (ASC; see Section 1.2) will remain unchanged. Thus, per OAR 345-027-0360(1)(c)(A), the analysis areas originally defined in the Project Order of the WWEF ASC (and applied to all subsequent amendments described in Section 1.2) were applied for this amendment.

5.0 Additional Required Information – OAR 345-027-0360(1)(d)

OAR 345-027-0360(1)(d) Any specific information that may be required for the Department to make its findings;

See Section 7 for information that may be required for ODOE to make its findings.

6.0 Site Certificate Revisions – OAR 345-027-0360(1)(e)

OAR 345-027-0360(1)(e) The specific language of the site certificate, including conditions, that the certificate holder proposes to change, add, or delete through the amendment;

Redlined Site Certificates are included as Attachments 1 and 2 for WREFIII and WTSII, respectively. Note that the preconstruction and construction conditions have been met for the purposes of the WREFIII as proposed (i.e., the existing 50-MW solar energy facility, began operations in March 2022). The following changes to the original Facility Site Certificate are required:

6.1 WREFIII Site Certificate

- Amend GEN-OE-05 to include additional shared facilities between WREFI, WREFII, WREFIII and WTSII.
- Removal of any remaining wind-related conditions (GEN-GS-04, GEN-WF-02, OPR-WF-01).
- Removal of references to substations (since WREFIII shares the existing WREFII substation; GEN-SR-01, GEN-SR-02, PRE-SS-01, PRE-NC-01, PRO-SP-01, OPR-WF-01).
- Removal of references to O&M buildings (since WREFIII shares the existing WREFII O&M building; PRE-SS-01, PRO-SP-01).
- Removal of references to temporary construction yards (since WREFIII does not have a related or supporting temporary construction yard, only shares the WREFII temporary construction yards; GEN-LU-04, PRE-FW-01, CON-LU-01).
- Amend PRE-RF-02 to reflect the updated decommissioning costs.

6.2 WTSII Site Certificate

- Amend GEN-GS-01 to reflect a pre-construction commencement of at least 12 months before the amended construction completion deadline (November 22, 2028, as amended in GEN-GS-02).
- Amend GEN-GS-02 to extend the construction deadline date by three years.
- Amend GEN-OE-05 to include additional shared facilities between WREFI, WREFII, WREFIII and WTSII.
- Removal of any remaining wind-related conditions (GEN-GS-04, GEN-WF-02, OPR-WF-01).
- Removal of references to substations (since WTSII shares the existing WREFII substation; GEN-SR-01, GEN-SR-02, PRE-SS-01, PRE-NC-01, PRO-SP-01, OPR-WF-01).
- Removal of references to O&M buildings (since WTSII will share the existing WREFII O&M building; PRE-SS-01, PRO-SP-01).

- Removal of references to temporary construction yards (since WTSII does not have a related or supporting temporary construction yard, only shares the WREFII temporary construction yards; GEN-LU-04, PRE-FW-01, CON-LU-01).
- Amend PRE-RF-02 to reflect the updated decommissioning costs.
- Add the following conditions regarding wildfire prevention and risk mitigation *(note that the proposed wildfire conditions currently have the same abbreviation as the existing Public Health and Safety for Wind Facilities conditions, i.e., WF):*
    - PRE-WF-01: Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the Construction Wildfire Mitigation Plan, as provided in Attachment X to the Final Order on RFA 1. The final Construction Wildfire Mitigation Plan shall be submitted to the Department for review and approval. [Wildfire Prevention and Risk Mitigation Condition 1]
    - CON-WF-01: 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 Condition 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 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. [Wildfire Prevention and Risk Mitigation Condition 2]
    - PRO-WF-01: Prior to operation, the certificate holder shall finalize the operational Wildfire Mitigation Plan (WMP) included as Attachment X to the Final Order on RFA 1. [Wildfire Prevention and Risk Mitigation Condition 3]
    - OPR-WF-01: During operation, the certificate holder shall:

        a. Implement the Operational Wildfire Mitigation Plan finalized under Condition PRO-WF-01.

        b. Every 5 years after the first operational year, 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.

        c. 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. [Wildfire Prevention and Risk Mitigation Condition 4]
- Add the following conditions regarding water rights:
    - PRE-WR-01: Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall:

a. Identify all water-related needs and estimate daily and annual water demand for each construction phase, as applicable.

b. Provide excerpts of agreements or other similar conveyance from the water providing entity to the Department demonstrating that construction activities will be adequately and legally served by service providers or third-party permits. [Water Rights Condition 1]

- CON-WR-01: During construction of the facility, facility component or phase, as applicable, if a water right, limited water use license or water rights transfer is needed and would not be obtained by a third-party, submit and obtain approval of the applicable water permit through the site certificate amendment process. [Water Rights Condition 2]

7.0 Other Standards and Permits – OAR 345-027-0360(1)(f)

OAR 345-027-0360(1)(f) A list of all Council standards and other laws, including statutes, rules and ordinances, applicable to the proposed change, identification of any changes in facts or law relevant to the proposed change since the date the current site certificate was executed, and an analysis supported by evidence of whether the facility, with the proposed change, would comply with those applicable laws and Council standards. For the purpose of this rule, a law or Council standard is "applicable" if the Council would apply or consider the law or Council standard under OAR 345-027-0375(2); and

Council standards relevant to RFA 1 include Division 22 (General Standards for Siting Facilities) and Division 24 (Specific Standards for Siting Facilities). Division 23, which applies to non-generating facilities, does not apply to solar power-generating facilities. Similarly, inapplicable provisions of Divisions 22 and 24 (e.g., standards applicable to gas plants, gas storage, non-generating facilities, wind facilities, evaporative cooling towers) are not discussed.

Splitting the Facility and extending the construction deadline are solely administrative changes. Ultimately, the Facility will be constructed and operated substantially in the same manner as previously approved by the Council, which imposed conditions, as necessary, that take into consideration micrositing needs and public and reviewing agency comments. Table 2 identifies Council standards and laws reviewed as part of RFA 1, their applicability to RFA 1, and the Site Certificate conditions that govern Facility compliance for each standard. Because there will be a new Site Certificate created by the Facility split, all standards apply even though there will be no new areas of site boundary, micrositing corridor, or new physical components of the Facility considered as a part of this RFA.

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Table 2. Standards and Laws Relevant to Proposed Amendment

Standard	Applicability & Compliance	Related Site Certificate Conditions[1]
OAR 345-022-0000 General Standard of Review	Applicable and complies. The Council previously found that the Facility complies with the General Standard of Review. Oregon's Renewable Portfolio Standard establishes a requirement for how much of Oregon's electricity must come from renewable resources like wind. The current Oregon Clean Energy Targets bill (Oregon Legislative Assembly 2021)[2] requires electricity providers to reduce the greenhouse gas emissions associated with electricity sold in Oregon to 100 percent below baseline emissions levels by 2040. RFA 1 is another step for the Facility to contribute to meeting this requirement. RFA 1 does not alter the basis for the Council's prior findings regarding the General Standard of Review and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. For RFA 1, the requirements of OAR 345-022-0000 are addressed in the findings, analysis, and conclusions discussed in Section 7.1.2.	GEN-GS-01 GEN-GS-02 GEN-GS-03 GEN-GS-04 GEN-GS-05 GEN-GS-06 GEN-GS-07 GEN-GS-08 GEN-GS-09 GEN-GS-10 GEN-GS-11 OPR-GS-01
OAR 345-022-0010 Organizational Expertise	Applicable and complies. The Council previously found that the Facility complies with the Organizational Expertise Standard. The Certificate Holder management team and the NextEra family of companies have deep regional expertise, derived over years of successfully permitting and operating hundreds of MWs of wind and solar energy projects in Oregon and throughout the U.S. Although there will be an LLC change for WTSII, the Certificate Holder Owner will remain the same (NEER). RFA 1 does not alter the basis for the Council's prior findings regarding the Organizational Expertise Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.3.	GEN-OE-01 GEN-OE-02 GEN-OE-03 GEN-OE-04 GEN-OE-05 PRE-OE-01 PRE-OE-02 PRE-OE-03 PRE-OE-04 PRE-OE-05 PRE-OE-06
OAR 345-022-0020 Structural Standard	Applicable and complies. The Council previously found that the Facility complies with the Structural Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Structural Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.4.	GEN-SS-01 PRE-SS-01 PRE-SS-02 PRE-SS-03 PRE-SS-04
OAR 345-022-0022 Soil Protection	Applicable and complies. The Council previously found that the Facility would comply with the Soil Protection Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Soil Protection Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.5.	PRE-SP-01 PRE-SP-02 CON-SP-01 CON-SP-02 PRO-SP-01 OPR-SP-01

Standard	Applicability & Compliance	Related Site Certificate Conditions[1]
OAR 345-022-0030 Land Use	Applicable and complies. The Council previously found that the Facility complies with the Land Use Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, disturbance areas, or authorized uses of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Land Use Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.6.	GEN-LU-01 GEN-LU-02 GEN-LU-03 GEN-LU-04 PRE-LU-01 PRE-LU-02 PRE-LU-03 PRE-LU-04 PRE-LU-05 PRE-LU-06 PRE-LU-08 CON-LU-01 CON-LU-03 OPR-LU-01 OPR-LU-02 OPR-LU-03 OPR-LU-04 OPR-LU-06
OAR 345-022-0040 Protected Areas	Applicable and complies. The Council previously found that the Facility complies with the Protected Areas Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Protected Areas Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.7.	N/A
OAR 345-022-0050 Retirement and Financial Assurance	Applicable and complies. The Council previously found that the Facility complies with the Retirement and Financial Assurance Standard. The Certificate Holder is still able to restore the site to a useful, nonhazardous condition following permanent cessation of construction or operation of the Facility. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Retirement and Financial Assurance Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.8.	GEN-RF-01 PRE-RF-01 PRE-RF-02 OPR-RF-01 RET-RF-01 RET-RF-02
OAR 345-022-0060 Fish and Wildlife Habitat	Applicable and complies. The Council previously found that the Facility complies with the Fish and Wildlife Habitat Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. Therefore, all areas have been reviewed and surveyed for fish and wildlife habitat and will be protected per relevant Site Certificate conditions. RFA 1 does not alter the basis for the Council's prior findings regarding the Fish and Wildlife Habitat Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.9.	GEN-FW-01 GEN-FW-02 PRE-FW-01 PRE-FW-02 PRE-FW-03 PRE-FW-04 PRE-FW-05 CON-FW-01 CON-FW-02 CON-FW-03 CON-FW-04

Standard	Applicability & Compliance	Related Site Certificate Conditions[1]
OAR 345-022-0070 Threatened and Endangered Species	Applicable and complies. The Council previously found that the Facility complies with the Threatened and Endangered Species Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. Therefore, impacts to threatened and endangered species have already been reviewed and will be protected per relevant Site Certificate conditions. RFA 1 does not alter the basis for the Council's prior findings regarding the Threatened and Endangered Species Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.10.	PRE-TE-01 PRE-TE-02 PRE-TE-03
OAR 345-022-0080 Scenic Resources	Applicable and complies. The Council previously found that the Facility complies with the Scenic Resources Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Scenic Resources Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.11.	GEN-SR-01 GEN-SR-02
OAR 345-022-0090 Historic, Cultural and Archaeological Resources	Applicable and complies. The Council previously found that the Facility complies with the Historic, Cultural and Archaeological Resources Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. Therefore, all areas have been reviewed and surveyed for historic, cultural and archaeological resources and will be protected per relevant Site Certificate conditions. RFA 1 does not alter the basis for the Council's prior findings regarding the Historic, Cultural and Archaeological Resources Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.12.	PRE-HC-01 PRE-HC-02 PRE-HC-03 CON-HC-01 CON-HC-02
OAR 345-022-0100 Recreation	Applicable and complies. The Council previously found that the Facility complies with the Recreation Standard. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Recreation Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.13.	N/A
OAR 345-022-0110 Public Services	Applicable and complies. The Council previously found that the Facility complies with the Public Services Standard. The proposed changes are not anticipated to increase the demand of public services generated by the Facility. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Public Services Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.14.	GEN-PS-01 GEN-PS-03 PRE-PS-01 PRE-PS-02 PRE-PS-03 PRE-PS-04 PRE-PS-05 PRE-PS-06 PRE-PS-07 CON-PS-01 CON-PS-02 CON-PS-05 PRO-PS-02 PRO-PS-03 OPR-PS-03 OPR-PS-04
OAR 345-022-0115 Wildfire Prevention and Risk Mitigation	Applicable and complies. The Certificate Holder has provided an assessment demonstrating compliance with the new Wildfire Prevention and Risk Mitigation Standard. RFA 1 is not anticipated to increase the amount of wildfire risk generated by the Facility. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. See Section 7.1.15.	N/A
OAR 345-022-0120 Waste Minimization	Applicable and complies. The Council previously found that the Facility complies with the Waste Minimization Standard. RFA 1 is not anticipated to increase the amount of solid waste and wastewater generated by the Facility. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Waste Minimization Standard and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.16.	PRE-WM-01 PRE-WM-02 CON-WM-01

Standard	Applicability & Compliance	Related Site Certificate Conditions[1]
OAR 345-022-0160 State and Local Laws and Regulations	(1)(a) Removal-Fill Law (OAR Chapter 141) Applicable and complies. The Council previously found that the Facility complies with the Removal-Fill Law. A removal-fill permit was not needed for construction of WREFIII because WREFIII did not temporarily or permanently impact waters of the State; WTSII is also not anticipated to require a removal-fill permit. RFA 1 does not alter the basis for the Council's prior findings regarding Removal-Fill Law and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.17.1. (1)(b) Anticipated Water Use and Water Rights (OAR Chapter 690) Applicable and complies. The Council previously found that the Facility complies with the Water Rights regulations. There will be the same water volumes and sources as previously approved by Council for use during construction and operation of the Facility. RFA 1 does not alter the basis for the Council's prior findings regarding Water Rights regulations and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.17.2. (2) Noise Control Regulations (OAR 340-035-0035) Applicable and complies. The Council previously found that the Facility complies with the Noise Control Regulations. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Noise Control Regulations and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.1.17.3.	N/A * N/A * PRE-NC-01 CON-NC-01 OPR-NC-01 OPR-NC-02 OPR-NC-03
OAR 345-024-0010 Public Health and Safety Standards for Wind Energy Facilities	Not applicable; this OAR only applies to wind energy facilities.	GEN-WF-02 OPR-WF-01
OAR 345-024-0090 Siting Standards for Transmission Lines	Applicable and complies. The Council previously found that the Facility complies with the Siting Standards. There will be no changes to the approved intraconnection transmission line as part of RFA 1. There will be no changes to/enlargement of the approved Site Boundary, micrositing corridor, approved facilities, or disturbance areas of the Facility considered as a part of this RFA that would change these findings. RFA 1 does not alter the basis for the Council's prior findings regarding the Siting Standards and does not alter the Certificate Holder's ability to comply with the Site Certificate conditions. See Section 7.2.1.	PRE-TL-01 CON-TL-01 OPR-TL-01

1. For Site Certification Condition definitions, please see the Final Approved Site Certification: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2020-12-10-WREFIIAMD1-WREFIII-Site-Certificate.pdf
2. Oregon Legislative Assembly. 2021. Enrolled House Bill 2021 (HB 2021-C). https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2021/Enrolled.

7.1 Applicable Division 22 Standards

All Division 22 Standards were among the rules updated in April 2025 to migrate Council application information requirements from Division 21 to Divisions 22-24. As part of this update, requirements for all exhibits from OAR 345-021-0010 were moved to this rule. Due to the administrative nature of these changes, they do not impact the Council's previous determinations for any of the standards. Additionally, given the limited nature of the proposed changes, the Certificate Holder proposes that new exhibits (now included in Division 22) are not necessary for this RFA. See Table 3 for the list of applicable Division 22 Standards to the proposed amendment. Please note that the discussion of Materials Analysis, a component of several Division 22 standards, has been consolidated in Section 7.1.1 for clarity and to avoid repetition.

Table 3. Division 22 Standards Relevant to the Proposed Amendment

Standard	Relevant Section
OAR 345-022-0000 General Standard of Review	Section 7.1.2
OAR 345-022-0010 Organizational Expertise	Section 7.1.3
OAR 345-022-0020 Structural Standard	Section 7.1.4
OAR 345-022-0022 Soil Protection	Sections 7.1.1 and 7.1.5
OAR 345-022-0030 Land Use	Sections 7.1.1 and 7.1.6
OAR 345-022-0040 Protected Areas	Sections 7.1.1 and 7.1.7
OAR 345-022-0050 Retirement and Financial Assurance	Sections 7.1.1 and 7.1.8
OAR 345-022-0060 Fish and Wildlife Habitat	Section 7.1.9
OAR 345-022-0070 Threatened and Endangered Species	Section 7.1.10
OAR 345-022-0080 Scenic Resources	Section 7.1.11
OAR 345-022-0090 Historic, Cultural and Archaeological Resources	Section 7.1.12
OAR 345-022-0100 Recreation	Section 7.1.13
OAR 345-022-0110 Public Services	Sections 7.1.1 and 7.1.14
OAR 345-022-0115 Wildfire Prevention and Risk Management	Section 7.1.15
OAR 345-022-0120 Waste Minimization	Sections 7.1.1 and 7.1.16
OAR 345-022-0160 State and Local Laws and Regulations	Section 7.1.17

7.1.1 Materials Analysis

No analysis updates required since last approval/nonapplicable to this amendment request.

Note that this section is incorporated into several Division 22 Standards and thus the associated assessment is consolidated here.

The Certificate Holder provided information regarding construction and operations materials as well as management of hazardous/nonhazardous materials in Exhibit G of RFA 4 (July 2019).[3] Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of construction and operations Spill Prevention Control and Countermeasure Plans, Site-Specific Safety Plan, and Emergency Action Plan) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction of the facility or phase as applicable. In general, the proposed changes in RFA 1 will not change or increase the amount of materials, solid waste or wastewater generated by the Facility, and will not modify the procedures and practices used for handling these materials, both hazardous and nonhazardous. The respective certificate holders will continue to comply with Site Certificate conditions related to materials and waste management. Therefore, the Council can continue to rely on the existing materials analysis provided in Exhibit G of RFA4 (July 2019) as approved by the Council.[4]

7.1.2 General Standard of Review – OAR 345-022-0000

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council has previously found that the Facility complies with the General Standard of Review under OAR 345-022-0000.[5] The OAR 345-022-0000 standard has not changed since the ASC was approved by the Council in December 2020. The information presented in the following sections demonstrates that RFA 1 does not change the Facility's ability to comply with the Council's siting standards, including OAR 345-022-0000. In this amendment request, the requirements of OAR 345-022-0000 are addressed in the findings, analysis, and conclusions discussed in the following sections, as previously determined in the Council's findings of fact and conclusions of law in the Final Order.

Under this standard, the Council previously adopted Site Certificate Conditions GEN-GS-01 through 11, and OPR-GS-01; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of deliverables for compliance with the aforementioned conditions as applicable) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The Certificate Holder's need for this amendment is provided in

[3] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-F-I.pdf (Exhibit G, pp. 37-50)
[4] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility, November 2019
[5] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, pp. 22

Section 1.3 and is consistent with these factors previously identified by the Council. The Certificate Holder does not propose to add any new conditions; rather, it proposes updates to the Site Certificate conditions as outlined in Section 6 (i.e., extension of construction deadline date by three years), to reflect the changes proposed in this amendment request. The Certificate Holder does not propose changes to the balance of Site Certificate conditions.

In addition, the sections below demonstrate that RFA 1 does not change the Facility's ability to comply with requirements of the siting statutes and standards adopted by the Council and imposed in the Site Certificate. This amendment request also demonstrates how the Facility complies with relevant Oregon statutes and administrative rules including those identified in the Final Order on the ASC. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with OAR 345-022-0000.

7.1.3 Organizational Expertise – OAR 345-022-0010

Updates required since last approval, see below for details.

7.1.3.1 Organizational Expertise – OAR 345-022-0010(1)-(4)

The Council has previously found that the Facility complies with the Organizational Expertise Standard under OAR 345-022-0010.[6] The Certificate Holder's information, including contact information, is included in Section 2. The Certificate Holder is a wholly owned indirect subsidiary of NEER. The full name and address of NEER is provided in Section 2.

Third party permits were obtained for construction of WREFIII (now operational), and will be obtained for construction of WTSII by the construction firm selected to building WTSII. The Certificate Holder anticipates that these third-party permits may include permits for obtaining aggregate and other construction materials, transporting materials to the site, and other building-related permits that are typically obtained immediately prior to construction activities.

Currently, the Certificate Holder is Wheatridge Solar Energy Center, LLC and the Certificate Holder Owner is NEER. The Council previously found that the Certificate Holder and NEER have the ability to design, construct, operate, and retire the Facility in a manner that protects public health and safety, subject to Site Certificate Conditions GEN-OE-01 through 5 and PRE-OE-01 through 6[7]; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of deliverables for compliance with the aforementioned conditions as applicable) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction of the facility or phase as applicable. The Certificate Holder does not propose to add any new conditions; rather, it proposes updates to the Site Certificate conditions as outlined in Section 6 (i.e., amendment of

[6] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, pp. 24
[7] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, pp. 24

shared facilities), to reflect the changes proposed in this amendment request. The Certificate Holder does not propose changes to the balance of Site Certificate conditions.

RFA 1 does not affect the Certificate Holder's organizational expertise. The Certificate Holder Owner (NEER) will retain ownership of each Site Certificate Holder and each Site Certificate Holder will remain subject to the requirements of the Site Certificate conditions applicable to the organizational expertise standard (see Table 2). Based upon compliance with these existing conditions, the Council can find that each Certificate Holder and Certificate Holder Owner has the ability to access resources or services provided by the third-party permit. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with OAR 345-022-0010.

7.1.3.2 Applicant Information – OAR 345-022-0010(5)(a)(A)

See Section 2.0 and the following subsections.

7.1.3.3 Other Participants – OAR 345-022-0010(5)(a)(B)

No other participants are anticipated at this time, with the exception of potential third-party permits that have been obtained by the construction firm that built WREFIII and potential third-party permits for build-out of WTSII. These third-party permits include permits for obtaining aggregate and other construction materials, transporting materials to the site, and other building-related permits that are typically obtained immediately prior to construction activities. As confirmed through preconstruction Site Certificate compliance, these permits meet the facility standards adopted by the Council.

7.1.3.4 Other Affiliations – OAR 345-022-0010(5)(a)(C) through (G)

Wheatridge Solar Energy Center, LLC and Wagon Trail Energy Center, LLC are wholly owned, indirect subsidiaries of NEER. The full name and address of NEER is provided in Section 2.0.

7.1.3.5 Limited Liability Company Information – OAR 345-022-0010(5)(a)(H)

The articles of incorporation and proof of registration to do business in Oregon for Wheatridge Solar Energy Center, LLC were provided as part of RFA 1 for WREFII (resubmitted in Attachment 3a). The articles of incorporation for Wagon Trail Energy Center, LLC are also provided in Attachment 3a (as previously provided in the ASC for Wagon Trail Energy Center, LLC). Note that the Wagon Trail Energy Center, LLC is registered in Oregon; therefore, information for the resident attorney-in-fact is not required. The cover letter accompanying this amendment request serves as written consent for filing this application.

7.1.3.6 Organizational Expertise – OAR 345-022-0010(5)(b)

The Council previously found the Certificate Holder Owner has demonstrated an ability to construct, operate, and retire the Facility in compliance with Council standards and conditions of

the Site Certificate as reviewed during WWEF RFA 1[8], RFA 2[9], RFA 3[10], RFA 4[11], and RFA 5[12], and WREFII RFA 1[13]. The current Certificate Holder is a wholly owned, indirect subsidiary of NEER. The proposed certificate holder for WTSII, Wagon Trail Energy Center, LLC, is also a wholly owned, indirect subsidiary of NEER. A letter verifying that NEER supports and will provide Wagon Trail Energy Center, LLC the organizational expertise to successfully construct and operate the WTSII facility is included as Attachment 3b.

NEER is headquartered in Juno Beach, Florida, and is the world's largest generator of wind[14] and solar renewable energy. NEER is a regionally diversified company with approximately 5,100 employees dedicated to the production of approximately 34,000 MW, from 189 facilities in 41 states and four Canadian provinces. With more than 10,000 wind turbines in its fleet, NEER's wind generation capacity totals more than 19,000 MW. NEER is also capable of generating more than 1,800 MW of electricity from natural gas facilities, operates three nuclear power plants with a capacity of more than 1,200 MW, and operates more than 8,000 MW of solar energy. It is estimated that nearly 95 percent of the electricity produced by NEER comes from clean or renewable sources. Along with its rate-regulated sister company, Florida Power and Light, NEER is a wholly-owned subsidiary of NextEra Energy, Inc. (NYSE NEE).

Within Oregon, NEER subsidiaries constructed, own, and operate 186 turbines, with a total peak generating capacity of 123 MW at the Stateline 1 and 2 wind energy facilities, and 42 turbines with a total peak generating capacity of 99 MW at the Vansycle II Wind Energy Facility. NEER subsidiaries recently completed a 300-MW wind farm in Morrow County, Oregon—the Wheatridge Renewable Energy Facility I and II—and a portion of the Wheatridge Renewable Energy Facility III (i.e., subject of this RFA). Wheatridge I is now owned by Portland General Electric, but NEER subsidiaries continue to own and operate Wheatridge Renewable Energy Facility II and Wheatridge Renewable Energy Facility III. These projects were permitted through the Council. For all projects in Oregon, NEER has and continues to comply with preconstruction, construction, and operational requirements imposed by the Council. Through this relationship, the Certificate Holder's management team and the NEER family of companies have deep regional expertise, derived over years of successfully permitting and operating hundreds of MWs of wind energy projects in the Oregon. NEER employees have deep local ties to the communities we operate in, and a solid history

[8] Final Order on Request for Transfer for the Wheatridge Wind Energy Facility, July 2017
[9] Final Order Request for Amendment 2 to the Site Certificate for the Wheatridge Wind Energy Facility, December 2018
[10] Final Order on Request for Amendment 3 to the Site Certificate for the Wheatridge Wind Energy Facility, November 2018
[11] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility, November 2019
[12] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020
[13] Final Order on Request for Amendment 1 to the Site Certificate for the Wheatridge Renewable Energy Facility II, November 2020
[14] https://www.nexteraenergyresources.com/what-we-do/wind.html

of understanding local economic development, permitting, environmental concerns and compliance with the various conditions stipulated within a Council Site Certificate.

There have been two recorded citations received by the certificate holders for the above-mentioned Oregon projects; otherwise, no other citations or North American Energy Reliability Corporation violations have been received.

1. In 2023, Vansycle II, LLC received an Oregon Department of Environmental Quality (ODEQ) Pre-Enforcement Notice 2023-PEN-7580 for the Vansycle II Wind Repower Project (issued March 20, 2023). That notice has since been resolved. The status of that Pre-Enforcement Notice is summarized below:
    - Transfer of operational control was undertaken to ensure the issues were being addressed properly.
    - Corrective actions were undertaken site-wide, returning the site to a compliant state in terms of both erosion and sediment control and also reporting/recordkeeping.
    - Comprehensive documentation of site status and corrective actions to ODEQ and ODOE.
    - ODEQ issued a Non-Prosecution Letter confirming that no formal enforcement action would be taken on April 1, 2024.
    - ODEQ approval of termination of the 1200-C NPDES stormwater permit on June 14, 2024.
    - ODOE provided confirmation of their acceptance of ODEQ's issuance of a termination letter as a resolution to the non-compliance issues on July 17, 2024.
2. In 2025, Wheatridge Solar Energy Center, LLC (i.e., the subject of this RFA), received an ODEQ Pre-Enforcement Notice 2025-PEN-9727 for the Facility (issued on January 8, 2025). The status of that Pre-Enforcement Notice is summarized below:
    - Required visual monitoring inspections, record-keeping, ESCP redlines, and agency reporting have been completed and are ongoing in accordance with Schedule A 4.9.
    - Implementation of corrective actions and best management practices has been implemented site-wide, beginning with highest priority areas, to return the site to a compliant state. Controls have been installed including compacting berms and maintaining berm height, consistent with the approved ESCP and the 1200-C BMP manual.
    - Development and implementation of a Site-Specific Stabilization Plan, incorporating perimeter and source control measures, soil stabilization, seeding, weed control, and monitoring. Areas remaining undisturbed for more than 14 days are being stabilized with temporary or permanent erosion controls. Installed erosion controls are being maintained.
    - Documentation of site status and corrective actions to ODEQ and ODOE.

- On November 3, 2025, Wheatridge Solar Energy Center, LLC received an ODEQ Expedited Enforcement Offer WQ-SW-ER-2025-507 to settle the alleged violations listed in the above-mentioned Pre-Enforcement Notice for $4,800. Wheatridge Solar Energy Center, LLC submitted the settlement payment to ODEQ on November 12, 2025, and on November 14, 2025, ODEQ confirmed the case is closed. No corrective actions were listed in the Expedited Enforcement Offer.

At the Facility, the Certificate Holder has committed to the following measures in order to ensure that the erosion and sediment control issues will not occur:

- Additional subject matter experts;
- Assurances that correct measures will be taken to avoid prohibited discharges;
- Assurances that the ESCP will be correctly implemented and updated as needed;
- Assurances that full and transparent monitoring and recordkeeping will occur; and,
- Assurances that prompt reporting of any violations will occur.

Below are examples of how Wagon Trail Energy Center, LLC, a wholly owned, indirect subsidiary of NEER, can successfully complete proposed mitigation. Wagon Trail Energy Center, LLC will leverage the prior successful mitigation experience of its parent company (NEER) to successfully complete proposed mitigation.

Noise Mitigation:

To minimize received sound levels and eliminate predicted exceedance conditions identified during modeling, NEER and its subsidiaries implemented noise mitigation on wind turbines by using low noise trailing edge (LTNE) technology at Wheatridge Renewable Energy Facilities (WREF) I, II, and East, Stateline 1&2, and Vansycle I. Additionally, the necessary noise waivers were secured to achieve compliance with OAR 340-035-0035 at all noise-sensitive receptors prior to construction of WREF I, II, and East.

Habitat Mitigation:

NEER and its subsidiaries have developed several habitat mitigation areas (HMAs) associated with Council-permitted renewable energy developments in Oregon. NEER has worked with private landowners and ODFW where they implement the requirements of each facility's Habitat Mitigation Plan (HMP) in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy (OAR 635-415-0025). NEER has developed individual HMPs for WREF II, III, and East, Stateline 1&2, and Vansycle II. The HMPs established HMAs via conservation easements on private lands where habitat preservation and habitat enhancement actions have been performed. Habitat enhancement actions include, but are not limited to, control of noxious weeds and non-desirable vegetation, seeding and establishment of native grasses, planting of sagebrush and other shrub species, installation of artificial nest platforms for raptors, installation of wildlife guzzlers to provide water sources in arid landscapes, and improvement of big game winter ranges.

Habitat enhancement in the Columbia Basin is difficult due to its arid nature, highly disturbed landscape, and being dominated by non-native and invasive vegetation. NEER is committed to meeting the success criteria established in each HMP. Some HMAs are trending towards meeting those success criteria; other HMAs have required NEER to implement adaptive management and pivot to alternative enhancement actions to meet the requirements of the ODFW Habitat Mitigation Policy. NEER works closely with ODOE and ODFW during the annual compliance reporting period to inform the agencies of both successes and failures at their HMAs.

Special Status Species Mitigation:

NEER worked with the Oregon Department of Fish and Wildlife to develop and implement a mitigation plan that allowed construction of WREFII in mule deer range during the restricted work period. The mitigation plan included development of avoidance and minimization measures that construction personnel would follow to limit the amount of disturbance that wintering mule deer would be exposed to. The mitigation plan also included compensatory mitigation to offset impacts on wintering mule deer. This included removing and/or replacing problematic barbed wire fencing within mule deer winter range. Rangeland fences can be a barrier to mule deer movement and pose an entanglement risk, especially to fawns and yearlings. NEER removed 2 miles of problematic fence and replaced 1 mile of problematic fence with a "wildlife friendly" fence design that greatly reduces the likelihood of deer becoming entangled.

NEER developed and implemented a mitigation plan to address impacts on a state listed threatened plant species, Laurent's milkvetch, at WREFII and WREF East. The mitigation plan included compensatory mitigation to offset the impacts to the threatened plant. NEER worked with Tetra Tech, the Oregon Department of Agriculture, Portland State University, and Oregon State University to collect seeds from the plants at the project site. More than 5,000 seeds were collected to be stored in a seed bank at Portland State for future conservation efforts, and another 2,000 seeds were collected to perform germination and cultivation trials at Oregon State to see if the threatened plant could be grown in a greenhouse and re-established in the wild. The germination trials were successful and approximately 400 plants were transplanted back into the wild. This effort was highlighted during an Energy Facility Siting Council meeting and received high praise from the Council.

Aside from the aforementioned recorded citations, there are no circumstances that would alter the basis for the Council's earlier findings regarding NEER's organizational expertise. Therefore, Council may rely on its previous findings that NEER continues to have the organizational expertise to construct, operate, and retire the Facility in compliance with Council standards and Site Certificate conditions.

7.1.3.7 Required Permits – OAR 345-022-0010(5)(c)

Exhibit E of the WWEF RFA4 identified the federal, state, and local government permits related to the siting of the Facility (and consecutively reviewed/approved for WWEF RFA5[15] and WREFII RFA 1[16]), which were incorporated into Site Certificate conditions as necessary;[17] note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including relevant permits such as the NPDES 1200-C permit, Oregon Department of Aviation Determination/Airspace Review [and demonstration that FAA permits/notices not required using the FAA Notice Criteria Tool], Oregon Department of Transportation Site Approach/Access Management Permits, Morrow County Conditional Use Permit, Morrow County Approach and Right-of-Way Permits, Morrow County Zoning Permits, Morrow County Road Use Agreement, City of Boardman Building and Electrical Permits, and Water Purchase Agreement/Authorization) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed changes do not require any new permits, nor any new Site Certificate conditions for permits, which were not previously considered by the Council. Where applicable, each new Certificate Holder will obtain the necessary permit(s) for each respective project (specifically during preconstruction compliance for WTSII), and permits will not be shared between the proposed/respective projects.

7.1.4 Structural Standard – OAR 345-022-0020

Updates required since last approval, see below for details.

The Council previously found that the Facility complies with the Structural Standard under OAR 345-022-0020.[18] The Structural Standard generally requires the Council to evaluate whether the Certificate Holder has adequately characterized the potential seismic, geological, and soil hazards within a project boundary, and that the Certificate Holder can design, engineer, and construct the Facility to avoid dangers to human safety and the environment from these hazards. The proposed division of the Facility into the proposed WTSII and WREFIII and construction deadline extension does not alter the approved infrastructure or configuration (and in turn structural changes) of the Facility.

The Certificate Holder provided information regarding the seismic characteristics within the approved Site Boundary, as well as an assessment of seismic and geologic hazards and other requirements of the Structural Standard in Exhibit H of RFA 4 (July 2019). Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of the

[15] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020.
[16] Final Order on Request for Amendment 1 to the Site Certificate for the Wheatridge Renewable Energy Facility II, November 2020.
[17] Wheatridge Wind Energy Facility, Request for Amendment 4, Exhibit E, July 2019.
[18] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, p. 25

final design site plan including setbacks, relevant geotechnical investigations/reporting and DOGAMI consultation, Emergency Action Plan, and Site-Specific Safety Plan) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable.

See Figures 4A through 4D for updated historical earthquakes/faults, seismic risk, flood hazards, and landslide hazards figures. There are no changes to the seismic hazards conclusions documented in RFA 4 (July 2019).[19] No potentially active faults are mapped within the proposed WREFIII and WTSII Site Boundaries (USGS 2022a, USGS 2022b; Figure 4A). The Oregon Department of Geology and Mineral Industries (DOGAMI) Oregon HazVu: Statewide Geohazards Viewer earthquake hazard layer (DOGAMI 2025a, DOGAMI 2025b) and the U.S. Geological Survey Geologic Hazards Science Center (USGS 2022b; Figure 4A) show active faults over 20 miles from the Facility. These faults depicted on Figure 4A, which are mapped within 50 miles of the proposed WREFIII and WTSII Site Boundaries, present the largest potential for seismic contribution to the Facility. However, no evidence of recent seismic activity has been identified within or in the close vicinity of the proposed WREFIII and WTSII Site Boundaries and the seismic risk within the proposed WREFIII and WTSII Site Boundaries is rated moderate except along the 100-year floodplain/drainage bisecting the northern and southern portions of WTSII where seismic risk is rated as strong, as shown in Figure 4B (DOGAMI 2025a, DOGAMI 2025b, USGS 2022a, USGS 2022b, USGS 2025).

Figure 4A displays the location and approximate magnitude of all recorded earthquakes within 50 miles of the proposed WREFIII and WTSII Site Boundaries. The historical seismic events are grouped by magnitude and are displayed using different-sized icons based on the strength of the event. Because of the high number of events in the vicinity of the Facility site, several of the icons overlap in Figure 4A. However, the National Earthquake Information Center data does not indicate that any earthquakes have occurred within the proposed WREFIII and WTSII Site Boundaries (Figure 4A). The nearest earthquakes to the proposed WREFIII and WTSII Site Boundaries occurred in 1997 and 1996, with magnitudes of 2.7 and 2.9, located 0 miles and 0.6 miles from the proposed WREFIII and WTSII Site Boundaries, respectively (Figure 4A). The most recent earthquake recorded in 2024 within 50 miles of the proposed WREFIII and WTSII Site Boundaries was magnitude 2.8, located approximately 48 miles northeast of the proposed WREFIII and WTSII Site Boundaries in Benton County, Washington; the next most recent earthquake occurred in 2017, magnitude of 2.8, located 48 miles northwest of the proposed WREFIII and WTSII Site Boundaries in Yakima County, Washington.

One-hundred-year floodplains are mapped within small portions of the proposed WREFIII and WTSII Site Boundaries as shown on Figure 4C (FEMA 2025). It is not anticipated that WTSII infrastructure will be placed within these floodplains. Seasonal thunderstorms can result in concentrated stormwater runoff and localized flooding. WTSII will be designed and engineered to comply with zoning ordinances and building codes that establish flood protection standards for all construction to avoid dangers to the infrastructure, as well as human safety and the environment, including criteria to ensure that the foundation will withstand flood forces. The engineered access

[19] Wheatridge Wind Energy Facility, Request for Amendment 4, Exhibit H, July 2019.

roads and drainages will direct stormwater runoff away from structures and into drainage ditches and culverts as required in the ESCP (see Section 7.1.5). Therefore, the risks and potential impacts to the Facility, human safety, and the environment from flood hazards are expected to be low.

Moderate and high active landslides are identified in the DOGAMI Statewide Landslide Information Database for Oregon and HazVu mapping (DOGAMI 2021, DOGAMI 2025a, DOGAMI 2025b) within the proposed WREFIII and WTSII Site Boundaries, predominately near the 100-year floodplains (see above; Figure 4D). Additionally, nearly half of the northeastern portion of the proposed WTSII site boundary contains an alluvial fan (Figure 4D). Alluvial fan deposits are an indication of debris flows resulting from large rainfall events and flooding. However, landslide susceptibility in the area of the alluvial fan is limited to small drainages and along roads. Moderate to high landslide susceptibility is mapped along the major drainages and the alluvial deposit, and predominately around the proposed WTSII site boundary. Although these areas are not expected to be used for the Facility, the areas will be further evaluated in the geotechnical studies as necessary (see below). Site construction will follow appropriate building codes and regulations in construction and avoid steep slopes. If slope stability issues are identified in the final design geotechnical investigations, the structures will either be relocated during the micrositing process, or remedial measures to improve slope stability will be implemented. In addition, a geotechnical assessment of the alluvial fan deposits will include the potential for future debris flows to impact the alluvial fan area. Note that the potential for a seismic event to trigger a landslide or subsidence is considered low because of the flat terrain of the site and the shallow, stable bedrock.

Liquefaction is a phenomenon in which saturated, cohesionless soils temporarily lose their strength and liquefy when subjected to dynamic forces such as intense and prolonged ground shaking and seismic activity. The soils in the proposed WREFIII and WTSII Site Boundaries are not saturated and are generally cohesive in nature (see Section 7.1.5 for further information on soils). Along with the relatively low seismic event potential, this indicates that the liquefaction of soils within the proposed WREFIII and WTSII Site Boundaries is considered extremely unlikely.

Any changes to other applicable non-seismic geological hazards (i.e., erosion and shrinking/swelling of soils) since RFA 4 (July 2019) are discussed below in Section 7.1.5.

The Certificate Holder will conduct a site-specific geotechnical investigation at least 60 days prior to construction of WTSII and based on consultation with DOGAMI. The site-specific geological and geotechnical investigation, which will be conducted as a condition to the Site Certificate, will indicate which seismic design parameters to use in the final WTSII layout and design. Based on geotechnical and geological information, a Site Class for the soil/bedrock at the site is assigned. In this case, Site Class C (very dense soil to soft rock) will be assigned to the WTSII until a site-specific geotechnical investigation has taken place.[20] Based on site-specific analyses, the original equipment manufacturer will provide the structural engineer with site-specific foundation loads and requirements. The structural engineer then completes the foundation analyses based on the design site-specific parameters. Generally, these include the following loads for solar foundation design:

[20] Wheatridge Wind Energy Facility, Request for Amendment 4, Exhibit H, July 2019.

extreme loads, load cases for up-lift, shear failure, tension loads (for pile foundations), earthquake loads, fatigue loads, subsoil properties, spring constants, verification procedures, and maximum allowable inclination. The geotechnical studies and analyses will provide site-specific parameters including but not necessarily limited to moisture content and density, soil/bedrock bearing capacity, bedrock depth, settlement characteristics, structural backfill characteristics, soil improvement (if required), and dynamic soil/bedrock properties including shear modulus and Poisson's Ratio of the subgrade. The foundation design engineer then uses these parameters to design a foundation suitable for WTSII and verifies that the foundation/soil interaction meets or exceeds the minimum requirements stated by the original equipment manufacturer for WTSII.

The proposed change does not affect the Certificate Holder's ability to design, engineer, and construct the Facility to avoid dangers to human safety and the environment that are presented by seismic hazards affecting the approved Site Boundary. Best management practices (BMPs) will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-SS-01 and PRE-SS-01 through 4 to address the potential for seismic and non-seismic geologic hazards at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2 of this RFA 1). The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0020 or any structural conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with OAR 345-022-0020.

7.1.5 Soil Protection – OAR 345-022-0022

Updates required since last approval, see below for details.

The Council previously found that the Facility complies with the Soil Protection Standard under OAR 345-022-0022.[21] The Soil Protection Standard requires the Council to find that, after taking mitigation into account, the design, construction, and operation of a facility will not likely result in a significant adverse impact to soils. The proposed division of the Facility into the proposed WTSII and WREFIII and construction deadline extension does not alter the approved infrastructure or configuration (and in turn soil disturbance impacts) of the Facility.

The Certificate Holder provided information regarding erosion control and soil protection measures within the approved Site Boundary, as well as an assessment of soil types and other requirements of the Soil Protection Standard in Exhibit I of RFA 4 (July 2019). Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus

[21] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, p. 27

has completed preconstruction and construction compliance (including submission/approval of a final design site plan, relevant geotechnical investigations/reporting and DOGAMI consultation Construction Spill Control and Countermeasure Plan, NPDES 1200-C Permit, and associated ESCP) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable.

See Figure 5 for an updated soils figure; the main soil types are Willis silt loam (2 to 5 percent slope) and Ritzville silt loam (2 to 7 percent slope; see Table 4). Some soil types have been renamed (and slopes reduced in some cases) since the soils data was documented in RFA 4 (July 2019); otherwise, the analysis for RFA 1 shows that the soils and percentage of soils are unchanged within the approved Site Boundary, which will remain unchanged/not expand as a result of this amendment.

Table 4. Soil Types

Soil Type	Percent of Proposed WREFIII Site Boundary	Percent of Proposed WTSII Site Boundary
Willis silt loam, 2 to 5 percent slopes	83	54
Ritzville silt loam, 2 to 7 percent slopes	15	19
Gravden very gravelly loam, 20 to 40 percent slopes	0	8
Ritzville silt loam, 0 to 2 percent slopes	0	7
Lickskillet very stony loam, 7 to 40 percent slopes	0	3
Ritzville silt loam, 7 to 12 percent slopes	0	3
Xeric Torriorthents, nearly level	0	3
Ritzville silt loam, 20 to 40 percent south slopes	0.04	2
Willis silt loam, 5 to 12 percent slopes	2	1
Warden silt loam, 2 to 5 percent slopes	0	0.4
Grand Total	**100**	**100**

These soils have a K factor (erosion factor that indicates the susceptibility of a soil to sheet and rill erosion by water) that ranges from 0.15 to 0.55, which could be considered moderate to highly erodible, and subject to sheet erosion and rill erosion by water (NRCS 2025). However, precipitation is limited in the analysis area/proposed WREFIII and WTSII Site Boundaries, and heavy rains and related erosion are not expected and would be rare in occurrence. There are no soils identified in the proposed WREFIII and WTSII Site Boundaries with potential for shrinking and swell.

To reduce the potential for soil erosion, a construction ESCP will be developed for WTSII (appended to the NPDES 1200-C Permit). The ESCP will include both structural and nonstructural BMPs. Examples of structural BMPs include the installation of silt fences or other physical controls to divert flows from exposed soils, or otherwise limit runoff and pollutants from exposed areas within the proposed WTSII site boundary. Examples of nonstructural BMPs include management practices

such as implementation of materials handling, disposal requirements, and spill prevention methods.

The proposed change does not affect the Certificate Holder's ability to design, construct, and operate the Facility to prevent impacts to soils within the approved Site Boundary. Best management practices will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-SP-01 through 2, CON-SP-01, PRO-SP-01, and OPR-SP-01 to address soil protection measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2). The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0022 or any soil protection conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with OAR 345-022-0022.

7.1.6 Land Use – OAR 345-022-0030

Updates required since last approval, see below for details.

As demonstrated by Figure 6A, the Facility continues to be zoned Exclusive Farm Use. The Council previously found that the Facility complies with the Land Use Standard under OAR 345-022-0030.[22] The Land Use Standard requires the Council to find that the proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission. The Certificate Holder provided information regarding land use within and applicable to the analysis area (i.e., 0.5 miles), as well as an assessment of relevant county ordinances and comprehensive plans and other requirements of the Land Use Standard in Exhibit K of Wheatridge Wind Energy Facility RFA 4.[23] The proposed division of the Facility into the proposed WREFIII and WTSII Site Boundaries and construction deadline extension does not change authorized land uses, alter the approved infrastructure, or configuration of the Facility. Therefore, the Council may conclude that the proposed changes in RFA 1 continue to comply with the Council's Land Use Standard.

Sections 7.1.6.1 and 7.1.6.2 describe how the proposed changes remain consistent with the applicable comprehensive plan and zoning ordinances of Morrow County, remain consistent with the previously analyzed OARs, and are now consistent with the new provisions under OAR 660-033-0130(5)(c), respectively.

[22] Final Order on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, p. 25
[23] Wheatridge Wind Energy Facility Request for Amendment 4, Exhibit K (July 2019)

7.1.6.1 Morrow County Applicable Substantive Criteria

There have been no substantive changes to the Morrow County Zoning Ordinance (MCZO) and Morrow County Comprehensive Plan (MCCP), which apply to both the proposed WREFIII and WTSII, since approval of the Final Order on Amendment 4 for the Wheatridge Wind Energy Facility in November 2019 that would affect the Council's previous findings of compliance with the Land Use Standard. Tamra Mabbott with the Morrow County Planning Department confirmed this via email on August 8, 2025 (Attachment 4). The email also states that the County has revised some portions of MCZO 3.010 since July 2019, but these changes only affected the lettering and ordering of applicable code sections and did not substantively change the provisions themselves (Attachment 4). Table 5 lists the provisions the Council previously determined to be applicable in the Final Order on Amendment 4,[24] and notes the new lettering for the applicable sections under MCZO 3.010.

[24] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 33

Table 5. Morrow County Applicable Substantive Criteria

Morrow County Zoning Ordinance (MCZO)[1,2,3]	
Article 1 – Introductory Provisions	
Section 1.050	Zoning Permit
Article 3 – Use Zones	
Section 3.010	Exclusive Farm Use, EFU Zone
Section E (formerly "C")	Conditional Uses
Section M (formerly "O")	Yards
Section N (formerly "P")	Transportation Impacts
Article 6 – Conditional Uses	
Section 6.020	General Criteria
Section 6.025	Resource Zone Standards for Approval
Section 6.030	General Conditions
Section 6.040	Permits and Improvements Assurance
Morrow County Comprehensive Plan (MCCP)	
Agricultural Lands Element - Policies 1 and 4	
Energy Conservation Element – Policies 2, 3 and 9	
Economic Element - Policies 2A	
Chapter 19 – Review and Revisions	

Notes:

1. As stated above this table, the division of the Facility into the proposed WTSII and WREFIII Site Boundaries and the construction deadline extension does not change authorized land uses, alter the approved infrastructure, or configuration of the Facility. Additionally, the proposed WTSII and WREFIII Site Boundaries are within the previously approved WREFIII Site Boundary. Therefore, the Council can again find that the components sited within the proposed WTSII and WREFIII Site Boundaries of RFA 1 are not/will not be located within a Significant Resource Overlay Zone and there will be no structures or sites listed in MCCP inventory of significant historic resources within the proposed WTSII and WREFIII Site Boundaries. Therefore, the Council can again determine that MCCP Sections 3.200 and 3.300 do not apply. The Certificate Holder also maintains that changes proposed in RFA 1 will not result in new lots or parcels; therefore, the Council can continue to conclude that MCZO Section 3.010.L does not apply.
2. Exhibit K of RFA4 in July 2019 previously identified MCZO Article 4 and Article 8 as applicable substantive criteria. MCZO Article 4 provisions have been excluded from this table, as the Council previously determined Article 4 contains ministerial reviews for site plans, and access (road, utility) permits to be conducted and issued directly by the County[25]. MCZO Article 8 provisions have been excluded from this table as the Council previously determined the amendment provisions apply to requests for re-zoning or of the zoning ordinance, not amendments to site certificates or conditional use permits.
3. The Council previously found that MCZO Section 6.025 establishes standards for conditional uses[26]. Since July 2019, the MCZO has not been updated to include specific standards for the land use category applied to the proposed RFA 1 facility components. Therefore, the Council can continue to make this finding and the provisions of MCZO Section 6.025 have been excluded from this table.

As mentioned above, the existing portion of the Facility (within the proposed WREFIII site boundary) has been operational since March 2022. Prior to construction of this portion of the Facility, Morrow County approved a Conditional Use Permit for all portions of the Facility within the approved Site Boundary. Pursuant to MCZO Article 6, a Conditional Use Permit amendment is not required for the changes proposed under this RFA. However, the Certificate Holder will obtain

[25] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 33
[26] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 33

the necessary authorizations from Morrow County (as well as additional compliance submittals, see below) prior to construction of the WTSII portion of the Facility. The Facility will continue to comply with all substantive criteria and remain consistent with applicable statewide planning goals. No additional exception to statewide planning goals will be necessary.

7.1.6.2 Directly Applicable Statutes and Administrative Rules

OAR 660-033-0130 Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

The Council previously determined in the Final Order on Amendment 4 for the Wheatridge Wind Energy Facility that the Facility satisfied the requirements of OAR 660-033-0130 and warranted a Goal 3 exception under ORS 469.504[27]. The Certificate Holder does not propose to increase the size of the previously approved WREFIII Site Boundary or propose changes that would undermine the Council's previous findings justifying a Goal 3 exception. The Facility shall continue to comply with all substantive criteria and remain consistent with applicable statewide planning goals; thus, no additional exception to statewide planning goals will be necessary. However, there have been changes to OAR 660-033-0130(5) decision criteria for surrounding lands, which are addressed below.

> *(5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:*
>
> > *(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and*
> >
> > *(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.*

Response: The Certificate Holder previously provided information regarding land use within and applicable to the analysis area (i.e., 0.5 miles), as well as an assessment of OAR 660-033-0130(5)(a) and (b) in Exhibit K of Wheatridge Wind Energy Facility RFA 4[28], and the Council previously found that the Facility complies with the Land Use Standard under OAR 345-022-0030[29] [30]. The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change authorized land uses, alter the approved infrastructure, or configuration of the Facility. For this reason alone, the Council could conclude that the proposed changes in RFA 1 continue to comply with the standards under 660-033-0130 as evaluated under the Council's previous consistency determination of the Land Use Standard.

However, in January 2025, the Department of Land Conservation and Development added a code section, OAR 660-033-0130(5)(c), to clarify the analysis needed to show compliance with OAR 660-033-0130(5)(a) and (b). Since the Certificate Holder did not previously address the language in

[27] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 67
[28] Wheatridge Wind Energy Facility Request for Amendment 4, Exhibit K (July 2019)
[29] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 67
[30] Final Order on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, pp. 25

660-033-0130(5)(c) , the Certificate Holder has opted to directly address OAR 660-033-0130(5)(c) here. The new language from the Department of Land Conservation and Development and the amended response from the Certificate Holder is provided below:

> *(c) For purposes of subsection (a) and (b), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:*
>
> *(A) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;*
>
> *(B) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices; and*
>
> *(C) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.*
>
> *(D) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.*
>
> *(E) For purposes of subsection (a) and (b), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsections (a) and (b).*
>
> *(F) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (a) and (b).*

Response:

Surrounding Lands, Farm Operations and Farm Practices [OAR 660-033-0130(5)(c)(A)]

As shown on Figure 6A, the proposed WREFIII site boundary is entirely within the proposed WTSII site boundary. Therefore, for purposes of evaluating OAR 660-033-0130(5)(c), "surrounding lands" are defined as the Land Use Analysis Area (LUAA), meaning parcels (or portions of parcels) within Morrow County immediately adjacent to the proposed WTSII site boundary and within 0.5 miles of this boundary (shown on Figure 6B as the "Analysis Area"). The Certificate Holder presents one assessment of farm practices in the LUAA, which encompasses both the proposed WTSII and WREFIII site boundaries.

As shown on Figure 6B and described below, the LUAA consists of a mixture of approved solar energy generation facilities, constructed wind energy generation facilities, undeveloped rangeland, and dryland wheat cultivation. There are no forest practices on surrounding lands. The approved Sunstone Solar Project abuts the northern portion of the proposed WTSII site boundary, and the approved Wagon Trail Solar Project site boundary abuts the proposed WTSII site boundary to the southwest. Existing turbines associated with Wheatridge Renewable Energy Facilities I and II are located within the proposed WTSII site boundary and associated "Analysis Area." An inventory of accepted farm practices and other land uses within the 0.5-mile analysis area was completed using publicly available information and aerial imagery from 2023 and 2024, and is provided in Table 6 below.

Table 6. Farm Operations within Surrounding Lands

Landowner	Map and Tax Lot	Acreage within 0.5-mile Analysis Area	Total Tax Lot Acreage	Farm Practices and Other Land Uses (within 0.5-mile Analysis Area)
BENEFIT, SHANNON & COPPOCK, JUDSON; LONEROCK LAND AND TIMBER, LLC	01N26E000002900	349	465	Dryland wheat production, with some habitat lands, residential development, and a wind energy generation turbine. Bisected by Highway 207. No irrigation water rights.
DUNCAN, SUEZANNE & DUNCAN, ROBERT	01N26E000004500	145	852	Dryland wheat production, with some habitat lands, and wind energy generation turbine. No irrigation water rights.
GRIEB FARMS, INC	01N26E000000600	15	636	Dryland wheat production. Within the approved Sunstone Solar Project Site Boundary. No irrigation water rights.
HEIDEMAN, AARON D	01N26E000002801	82	157	Dryland wheat production, with some habitat lands. No irrigation water rights.
HEIDEMAN, AARON D	01N26E000002806	85	157	Dryland wheat production, with some habitat lands. No irrigation water rights.
HEIDEMAN, LOREN A & DELLA K, TRUSTEES	01N26E000002805	167	364	Dryland wheat production, with some habitat lands, and a wind energy generation turbine. No irrigation water rights.
HILL, STEPHEN & HILL, TANA JO; HILL, STEPHEN TRUSTEE ET AL	01N26E000003301	8	8	No farm operation. Residential development. No irrigation water rights.
KARYL SMITH, INC	01N26E000002804	176	288	Dryland wheat production. No irrigation water rights.
KILKENNY LAND COMPANY, LLC	01N25E000000100	98	547	Dryland wheat production, with some habitat lands. Within the approved Wagon Trail Solar Project Site Boundary. Bisected by Little Juniper Lane. No irrigation water rights.
LONEROCK LAND AND TIMBER, LLC	01N26E000003100	169	172	Dryland wheat production. No irrigation water rights.
MONAGLE, JOHN B & PATRICIA ANNE ETAL	01N26E000002500	0.1	160	Dryland wheat production. No irrigation water rights. Within the approved Sunstone Solar Project Site Boundary.
MORROW COUNTY GRAIN GROWERS	01N26E000003000	3	3	Dryland wheat processing. No irrigation water rights.

Landowner	Map and Tax Lot	Acreage within 0.5-mile Analysis Area	Total Tax Lot Acreage	Farm Practices and Other Land Uses (within 0.5-mile Analysis Area)
MUNKERS, SHEILA H ETAL	01N25E000003200	41	476	Dryland wheat production. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N25E000001600	511	1424	Dryland wheat production, with some habitat lands, and wind energy generation turbine. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N25E000001601	3	10	Dryland wheat production, with some habitat lands. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N25E000001700	0.2	314	Dryland wheat production. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N25E000003100	145	316	Dryland wheat production, with some habitat lands. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000000701	126	314	Dryland wheat production. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000000800	48	157	Dryland wheat production. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000001100	353	666	Dryland wheat production, with some habitat lands. Within the approved Wagon Trail Solar Project Site Boundary. Bisected by Little Juniper Ln. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000001102	176	513	Dryland wheat production, with some habitat lands. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000001200	250	343	Dryland wheat production, with some habitat lands. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000001301	127	314	Dryland wheat production. Within the approved Wagon Trail Solar Project Site Boundary. Irrigation water rights: Permit G 5092 - but no water allocated since 1992.
NORTH LEX POWER AND LAND, LLC	01N26E000001500	217	319	Dryland wheat production. Bisected by Highway 207. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000002700	45	452	No farm operation. Undeveloped. No irrigation water rights.

Landowner	Map and Tax Lot	Acreage within 0.5-mile Analysis Area	Total Tax Lot Acreage	Farm Practices and Other Land Uses (within 0.5-mile Analysis Area)
NORTH LEX POWER AND LAND, LLC	01N26E000003200	3	332	Dryland wheat production. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000003300	8	233	Dryland wheat production. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000003400	118	182	Dryland wheat production, with some habitat lands. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
NORTH LEX POWER AND LAND, LLC	01N26E000003600	70	70	Dryland wheat processing and production, with some habitat lands. No irrigation water rights.
OREM, ERIC M & OREM, BRANDI L	01N26E000004400	13	395	Dryland wheat production. No irrigation water rights.
RAUCH, CHRISTIAN & RAUCH, KATHERINE A	01N26E000003201	5	5	No farm operation. Residential development. No irrigation water rights.
RAUCH, STANLEY M ET AL	01N26E000001101	6	6	No farm operation. Residential development. No irrigation water rights.
RJK FAMILY, LLC	01N26E000003500	466	837	Dryland wheat production, with some habitat lands, and wind energy generation turbine. Within approved Wagon Trail Solar Project. No irrigation water rights.
RJK FAMILY, LLC	01N26E000003501	16	16	Dryland wheat production and residential development. No irrigation water rights.
RJK FAMILY, LLC	01N26E000003502	141	303	Dryland wheat production. Within the approved Wagon Trail Solar Project Site Boundary. No irrigation water rights.
STATE OF OREGON	01N26E000003700	4	4	No farm operation. No irrigation water rights.
WILLIAM J DOHERTY RANCH, LLC	01N26E000000400	294	1968	Dryland wheat production. Within the approved Sunstone Solar Project Site Boundary. No irrigation water rights.
WILLIAM J DOHERTY RANCH, LLC	01N26E000000700	4	157	Dryland wheat production. Within the approved Sunstone Solar Project Site Boundary. No irrigation water rights.

Landowner	Map and Tax Lot	Acreage within 0.5-mile Analysis Area	Total Tax Lot Acreage	Farm Practices and Other Land Uses (within 0.5-mile Analysis Area)
WILLIAM J DOHERTY RANCH, LLC	01N26E000001300	403	480	Dryland wheat production. Within the approved Sunstone Solar Project. Irrigation water rights: Permit G 5092 - but no water allocated since 1992.
WILLIAM J DOHERTY RANCH, LLC	01N26E000001700	72	160	Dryland wheat production. Within the approved Sunstone Solar Project Site Boundary. No irrigation water rights.
WILLIAM J DOHERTY RANCH, LLC	01N26E000002400	112	318	Dryland wheat production. Within the approved Sunstone Solar Project Site Boundary. No irrigation water rights.

As described in Table 6, crop cultivation (dryland wheat) and processing (dryland wheat) constitute the "accepted farming practice" for purposes of analysis of this standard.

Potential Impacts to Farm Practices During Facility Construction and Operation [OAR 660-033-0130(5)(c)(B),(D)&(E)]

The following paragraphs address each of the potential impacts from construction and operation[31] of the Facility listed in OAR 660-033-0130(5)(c)(D), with the addition of fire risk and noise.

Traffic

Note that the proposed WREFIII site boundary contains the previously constructed portion of the Facility (operational as of March 2022), and will therefore not result in impacts to farm practices from construction traffic. Some increases in traffic are anticipated during construction of WTSII; however, the volume of truck traffic for the delivery of solar array components will be less that previously approved by the Council for the Facility, given that approximately 1/3 of the Facility (the portion within the proposed WREFIII site boundary) has been constructed. Temporary impacts from construction traffic on road use required for dryland wheat cultivation and processing will be addressed through implementation of a Traffic Management Plan prior to construction, as required by Conditions PRE-LU-06 and PRE-PS-01. Traffic is not expected to be impacted during the long-term operation of the Facility (within both the proposed WREFIII and WTSII site boundaries) because there will be no additional operations employees beyond the 10-15 permanent employees previously analyzed in WWEF RFA4 Exhibit U, and approved by the Council in the Final Order on RFA4 for WWEF[32].

Water Availability and Delivery

There is one irrigation place of use water right within the surrounding lands (Oregon Permit G 5092, discussed in Exhibit K Section 5.7.2 in the Wheatridge Wind Energy Facility Request for Amendment 4).[33] This water right is associated with the land owned by William J Doherty Ranch, LLC and North Lex Power and Land, LLC (tax lots 01N26E000001300 and 01N26E000001301, respectively). Due to its location in the Butter Creek Critical Ground Water Area and associated limitations, this water right has not been used for irrigation since 1992 and is highly unlikely to be allocated water if a request were made. All crops grown within the surrounding lands are dryland crops and do not require irrigation. There are no crops within the surrounding lands supported by water delivery; as a result, water delivery will not be significantly impacted.

As discussed in Section 7.1.17.2, the Certificate Holder provided information regarding water quantities and sources within the approved Site Boundary and other requirements of the Water Rights regulations in Exhibit O of RFA 4 (July 2019). The proposed bifurcation of the site certificate into the proposed WREFIII and WTSII site boundaries , and extension of the construction deadline, do not change construction or operation water usage approved for use at the Facility; note that a

[31] As required by OAR 660-033-0130(5)(c)(E)
[32] Final Order on Request for Amendment 4 for the Wheatridge Wind Energy Facility, November 22, 2019, p. 45-46, 72-73
[33] Wheatridge Wind Energy Facility Request for Amendment 4, Exhibit K (July 2019)

portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022. Water used for construction and operation will be obtained from a local municipality using existing water rights and trucked to the site. Updated water provider correspondence (updated to reflect recently utilized providers for construction of WREFE that are desired for construction of WTSII) has been provided in Attachment 5.

Due to water either being trucked in from off-site and dryland crops within the surrounding lands, there is no expectation that water availability will be significantly impacted.

Weeds and Pests

The Certificate Holder will continue to comply with the existing 2023 Weed Monitoring Treatment Plan (tied to the original WWEF Site Certificate) and will address updates or changes as necessary prior to starting construction of WTSII[34].

Litter and Trespass

A portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022. Waste generated from construction of WTSII will be minimized through detailed estimation of materials needs and through efficient construction practices. Construction of WTSII will not require the use of specialized structures, systems, or equipment for waste management or disposal. Standard construction waste bins will be kept on site to keep construction debris until it is hauled off site. Separate containers for small quantities of hazardous materials, such as oily rags or contained soil from minor spills, will be provided according to the contractor's spill prevention, containment, and countermeasures plan.

The operational portion of the Facility (within the proposed WREFIII site boundary) is, and WTSII will be, designed to operate without replacement parts, but some repair or replacement of electrical, solar, or battery equipment is expected over the life of the Facility. Damaged equipment will be removed and disposed of at the Finley Buttes Landfill, or other approved disposal facility. Waste from the operations and maintenance (O&M) building and other solid waste generated on site will be collected and recycled as feasible. Non-recyclable wastes will be collected and transported to a local landfill. Disposal of materials for routine maintenance and housekeeping, such as lubrication oils and cleaning supplies, will be managed according to the pertinent regulations.

The incorporated communities near the Facility will continue to provide solid waste management services to their respective incorporated areas. Solid waste disposal for the Facility will be provided through a private contract with local commercial haulers. The public landfill nearest to the proposed WREFIII and WTSII Site Boundaries is the Finley Buttes Landfill.

The Certificate Holder has coordinated and will continue to coordinate with the Morrow County Sheriff's Office prior to construction (see Section 7.1.14). Since becoming operational in March 2022, full-time employees visit the Facility (within the proposed WREFIII site boundary) daily. After construction is complete, full-time employees are expected to also visit WTSII daily. The

[34] Per coordination with Morrow County's Weed Supervisor (August 8-11, 2025)

Facility is not open to the public, nor do customers visit the site as part of daily operations. The proposed WREFIII and WTSII Site Boundaries will be entirely fenced with security gates at vehicle entry points and will contain all Facility-related activities.

Reduction in Crop Yields

There is no anticipated reduction in crop yields within the surrounding lands as the Facility components will be entirely enclosed within the perimeter fencing of the proposed WREFIII and WTSII Site Boundaries. The farm operators in the surrounding lands have experience operating alongside the construction of the existing portion of the WREFIII, and both WREFI and II. Furthermore, WTSII will be constructed within the previously approved WREFIII and proposed WTSII Site Boundaries, therefore not damaging crops or reducing crop yields on surrounding lands. Generation of airborne dust during construction of WTSII will be mitigated through application of water on access roads and other areas of ground disturbance, as required by Condition GEN-SR-02. Traffic during construction of WTSII will be managed through implementation of a Traffic Management Plan, as required by Conditions PRE-LU-06 and PRE-PS-01, to prevent disruptions in adjacent farm management schedules, and spread of noxious weeds will be prevented through methods set forth in the existing 2023 Weed Monitoring Treatment Plan[35].

Erosion and Sediment Control

The Certificate Holder will monitor construction stormwater impacts of WTSII in accordance with a NPDES 1200-C construction stormwater permit issued by ODEQ, and an associated ESCP. The ESCP describes BMPs for erosion and sediment control, spill prevention and response procedures, proper disposal procedures, regular maintenance for vehicles and equipment, and employee training on spill prevention. During WREFIII operations, and once WTSII is operational, stormwater runoff will be contained within the proposed WREFIII and WTSII Site Boundaries and infiltrate into the soils. Solar panel washing may occur during the summer and will use quantities of water that will evaporate or will infiltrate into the ground within the immediate vicinity of its use.

Noise

Potential noise impacts were analyzed in Exhibit X of the Wheatridge Wind Energy Facility Request for Amendment 4[36] through an acoustic modeling analysis. The results of the noise analysis indicate compliance with OAR 340-035-0035 at all noise sensitive receptors (e.g., residences). There are no anticipated impacts to agricultural uses from Facility noise given the Facility's compliance with OAR 340-035-0035 and the noise reduction measure provided in Exhibit X that will be considered and incorporated into the Facility's contract specifications. On this basis, the Facility will be compatible with the surrounding area from a noise impact perspective.

Fire Risk

The existing portion of the Facility (within the proposed WREFIII site boundary) is equipped with fire protection equipment in accordance with the Oregon Fire Code, and operates under the Fire

[35] Per coordination with Morrow County's Weed Supervisor (August 8-11, 2025)
[36] Wheatridge Wind Energy Facility Request for Amendment 4, Exhibit X (July 2019)

Event Response protocols of the existing Wheatridge I, II, and III Emergency Action Plan (included in this RFA 1 as Attachment 6). WTSII will also be equipped with fire protection equipment in accordance with the Oregon Fire Code. A Fire Protection and Prevention Plan will be developed for WTSII, and wildfire risk will be managed through the construction and operational WMPs (drafts included in this RFA 1 as Attachments 7 and 8, respectively). Through compliance with fire safety standards and the implementation of a Fire Protection and Prevention Plan, the Certificate Holder will minimize the risk of wildland fire during construction and operation. The construction contractor will be trained in fire prevention awareness and have on-site fire extinguishers to respond to small fires. In the event of a large fire, emergency responders will be dispatched.

Existing roads for the existing portion of the Facility (within the proposed WREFIII site boundary) are, and any new roads needed for WTSII will be sufficiently sized for emergency vehicle access in accordance with 2014 Oregon Fire Code requirements, including Section 503 and Appendix D - Fire Apparatus Access Roads. Specifically, roads will be 16 to 20 feet wide with an internal turning radius of 28 feet and less than 10 percent grade to provide access to emergency vehicles. The fenced areas around the O&M building, and BESS will be graveled, with no vegetation present. Prior to construction of WTSII, fencing and access would be evaluated to ensure emergency responders could easily access both facilities.

A 50-foot fire fuel break has been cleared around the existing WREFII O&M building, which is currently shared by the existing portion of the Facility (within the proposed WREFIII site boundary), and will also be shared by the remainder of the Facility constructed within the proposed WTSII site boundary. A fire fuel break will be cleared around the BESS for WTSII, and BESS-specific fire prevention and control measures will be implemented.

Summary of Potential Impacts to Individual Farm Practices

As described in Table 6, farm practices within the surrounding lands include dryland crop cultivation and processing. These farm practices have continued alongside the construction and operation activities for WREFI, II, and III. None of the impacts discussed above rise to a threshold of significant due to either a lack of impact or mitigation measures implemented to prevent more than minimal impact. The potential impacts either do not impact the farm operations within the surrounding lands or are mitigated such that the impacts remain minimal.

Cumulative Impacts to Farm Operations [OAR 660-033-0130(5)(c)(C)]

As described above in the *Potential Impacts to Farm Practices During Facility Construction and Operation* section*,* none of the impacts have risen to the level significant enough to have an important influence or effect on that operation. Collectively, prevention, mitigation and monitoring efforts discussed above and in Exhibits G, K, O, P, U, V, and X from Wheatridge Wind Energy Facility Request for Amendment 4[37] will alleviate potential impacts from traffic, water availability and delivery, weeds and pests, damage to crops or livestock, litter and trespassing, reduction in crop

[37] Wheatridge Wind Energy Facility Request for Amendment 4, Exhibits G, K, O, P, U, V, and X (July 2019)

yields, flooding, noise, and fire risk. There are no unique farm practices within the surrounding lands.

Further, Site Certificate Condition PRE-LU-04[38] requires the submission of a Covenant Not to Sue for the underlying landowners. This easement binds the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or case of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. Through this easement, farm practices in the surrounding lands are protected from litigation.

Limitations to Conditions [OAR 660-033-0130(5)(c)(F)]

OAR 660-033-0130(5)(c)(F) is directed to the County/ Council and does not require findings from the Certificate Holder.

7.1.6.3 Conclusion and Compliance with Existing Site Certificate Conditions

The proposed change does not affect the Certificate Holder's ability to adhere to the Land Use Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-LU-01 through 4, PRE-LU-01 through 8, CON-LU-01 and 3, and OPR-LU-01 through 6 to address land use protection measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan including setbacks, Morrow County conditional use, zoning, building, electrical, and road approach/right-of-way permits, paint samples, Revegetation Plan, Noxious Weed Control Plan, Covenant Not to Sue, and landowner engagement logs) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction of the facility or phase as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0030. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Land Use Standard.

7.1.7 Protected Areas – OAR 345-022-0040

Updates required since last approval, see below for details.

[38] Wheatridge Wind Energy Facility Final Order on Request for Amendment 4, November 2019, pp. 27

The Council previously found that the Facility complies with the Protected Areas Standard under OAR 345-022-0040.[39] The Protected Areas standard requires the Council to find that, taking into account mitigation, the design, construction, and operation of a facility are not likely to result in significant adverse impacts to any protected area as defined by OAR 345-001-0010. OAR 345-022-0040 was amended in December 2022. The definition of "protected area," which was formerly located in OAR 345-022-0040, was replaced and amended in OAR 345-001-0010. The amendment in OAR 345-001-0010 includes updating the categories of protected areas, removing specific area references and replacing them with references to authorizing law or statute for designation; expanding the list to include Wilderness Study Areas, Special Interest Areas, and special resource management areas administered by a Federal Agency other than the Bureau of Land Management; and additional editorial changes for clarity and consistency.

The Certificate Holder provided information regarding protected areas within the analysis area (i.e., 20 miles, per OAR 345-001-0010(35)(e)), as well as an assessment of noise, traffic, water use/wastewater, and visual impacts and other requirements of the Protected Areas Standard in Exhibit L of RFA 4 (July 2019). The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change protected area impacts, alter the approved infrastructure, or configuration of the Facility; the Council previously found that the Facility will not result in significant adverse impacts for any protected area. There are six defined protected areas within the analysis area (i.e., within 20 miles of proposed WREFIII and WTSII Site Boundaries), all of which are outside of the proposed WREFIII and WTSII Site Boundaries. No new protected areas have been added within the analysis area since RFA 4 approval (November 2019; see Figure 7 and Table 7).[40]

[39] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, p. 76

[40] Note that the Cold Springs National Wildlife Refuge, McNary National Wildlife Refuge, Hat Rock State Park, Irrigon Wildlife Management Area, Power City Wildlife Management Area, Willow Creek Wildlife Management Area, Umatilla Hatchery, Irrigon Hatchery, Three Mile Adult Hold Fish Hatchery, and Oregon State University Agriculture Research and Extension Center are no longer applicable to the 20-mile analysis area (as compared to the RFA4 analysis) and therefore are not included in this updated analysis.

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Table 7. Protected Areas Databases Review

Protected Area, as Defined in OAR 345-001-0010	Protected Area Within Analysis Area	Agency Contact Information	Proposed WREFIII Site Boundary		Proposed WTSII Site Boundary		References
			Direction	Distance (miles)	Direction	Distance (miles)	
(a) A National Park or other unit of the National Park System described under 54 U.S.C. 100501;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, NPS 2025a, USGS 2024
(b) A National Monument established under 54 U.S.C. 320301 or by an act of Congress;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, NPS 2025a, USGS 2024
(c) A Wilderness Area established under 16 U.S.C 1131 et seq. or by an act of Congress;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, USFS 2025a, USFS 2025b, USFS 2025c, USGS 2024, Wilderness Connect 2025
(d) A Wild, Scenic, or Recreational River included in the National Wild and Scenic River System under 16 U.S.C. 1271 et seq.;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, NPS 2025b, National Wild and Scenic Rivers System 2025, USGS 2024
(e) A National Wildlife Refuge included in the National Wildlife Refuge System described under 16 U.S.C. 668dd;	Umatilla National Wildlife Refuge	U.S. Fish and Wildlife Service (USFWS) 72650 Riverview Lane Irrigon, OR 97844 (509) 546-8300 No email listed	N	19.4	N	17.8	Google Earth 2024, USFWS 2025a, USGS 2024
(f) A National Fish Hatchery established under 16 U.S.C. 760aa;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, USFWS 2025b
(g) A National Recreation area, National Scenic area, or Special Resources Management Unit established by an act of Congress;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, USFS 2025a, USFS 2025b, USFS 2025c, USGS 2024
(h) A Wilderness Study Area established under 43 U.S.C. 1782;	None	N/A	N/A	N/A	N/A	N/A	BLM 2025a, Google Earth 2024, USGS 2024
(i) Land designated in a federal land management plan or by an act of Congress as: (A) An Area of Critical Environmental Concern;	Horn Butte Area of Critical Environmental Concern (ACEC)	Bureau of Land Management (BLM) P.O. Box 2965 Portland, OR 97208 (503) 808-6001 Blm_or_so_land_office_mail@blm.gov	NW	19.6	NW	19.0	BLM 2025b, BLM 2025c, BLM 2025d, BLM 2025e, Google Earth 2024, OPRD 2020, USFS 2025b, USGS 2024
	Oregon Trail ACEC, Echo Meadows Interpretive Site		NE	17.6	NE	15.4	
(B) An Outstanding Natural Area;	None	N/A	N/A	N/A	N/A	N/A	
(C) A Research Natural Area;	Boardman Research Natural Area	Bureau of Land Management (BLM) P.O. Box 2965 Portland, OR 97208 (503) 808-6001 Blm_or_so_land_office_mail@blm.gov	NW	7.4	NW	5.9	
(D) An Experimental Forest or Range; or	None	N/A	N/A	N/A	N/A	N/A	

Protected Area, as Defined in OAR 345-001-0010	Protected Area Within Analysis Area	Agency Contact Information	Proposed WREFIII Site Boundary		Proposed WTSII Site Boundary		References
			Direction	Distance (miles)	Direction	Distance (miles)	
(E) A Special Interest Area designated for scenic, geologic, botanic, zoologic, paleontological, archaeological, historic, or recreational values, or combinations of these values;	None	N/A	N/A	N/A	N/A	N/A	
(j) A state park, wayside, corridor, monument, historic, or recreation area under the jurisdiction of the Oregon Parks and Recreation Department;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, OPRD 2025a, USGS 2024
(k) The Willamette River Greenway created under ORS 390.310 to 390.368;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, OPRD 2025b
(L) A natural area listed in the Oregon Register of Natural Areas under ORS 273.581;	Lindsay Prairie Preserve/State Natural Heritage Area	The Nature Conservancy 821 SE 14th Avenue Portland, OR 97214 (503) 802-8100 oregon@tnc.org	NW	2.2	NW	1.4	Google Earth 2024, OPRD 2020, USGS 2024
(m) The South Slough National Estuarine Research Reserve, described under ORS 273.553;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, NOAA 2025a
(n) A State Scenic Waterway designated under ORS 390.805 to 390.925 and related adjacent lands;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, OPRD 2025c, OPRD 2025d, USGS 2024
(o) A state wildlife refuge or management area identified in OAR chapter 635, division 008;	Columbia Basin – Coyote Springs Wildlife Area	ODFW 73471 Mytinger Lane Pendleton, OR 97801 (541) 276-2344 odfw.info@odfw.oregon.gov	N	18.5	N	16.8	Google Earth 2024, ODFW 2025a, USGS 2024
(p) A fish hatchery operated by the Oregon Department of Fish and Wildlife;	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, ODFW 2025b
(q) An agricultural experiment station, experimental area, or research center established by Oregon State University under ORS chapter 567; or	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, OSU 2025a
(r) A research forest established by Oregon State University under ORS 526.215.	None	N/A	N/A	N/A	N/A	N/A	Google Earth 2024, OSU 2025b

The proposed changes do not affect the Certificate Holder's ability to adhere to the Protected Areas Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. There are no previously imposed Council Site Certificate conditions for the Protected Areas Standard; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan including setbacks, relevant noise analyses with sound levels, Traffic Management Plan and associated County correspondence, road-related permits and agreements, stormwater and water sources/permits, NPDES 1200-C Permit, ESCP, and paint samples) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0040. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Protected Areas Standard.

7.1.8 Retirement and Financial Assurance – OAR 345-022-0050

Updates required since last approval, see below for details.

7.1.8.1 Retirement and Site Restoration – OAR 345-022-0050(1) and (2)

The Council previously found that the Facility complies with the Retirement and Financial Assurance Standard under OAR 345-022-0050.[41] The Retirement and Financial Assurance Standard requires the Council to find that, taking into account mitigation, the site can be restored to a useful, non-hazardous condition following permanent cessation of construction or operation of the Facility, and the Certificate Holder has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council. The Certificate Holder provided information regarding retirement and financial assurances applicable to the approved Site Boundary, as well as an assessment of retirement costs and other requirements of the Retirement and Financial Assurance Standard in Exhibit X of RFA 4 (July 2019). The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not alter the approved infrastructure or configuration (and in turn retirement costs) of the Facility; prior to beginning construction of WREFIII, the Certificate Holder provided a cost estimate and bond in an amount equal to the net costs of the Facility retirement, calculated for final design and in an amount that was approved by ODOE (i.e., $3.4 million [fourth quarter 2018 dollars]). The Certificate Holder has provided a separate cost estimate for WTSII (see Attachment 9; $9,474,116.29 fourth quarter 2025 dollars) and will, in turn, submit an updated retirement cost estimate and bond or letter of credit for WTSII

[41] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, p. 31

prior to construction of WTSII according to Conditions PRE-RF-01 and PRE-RF-02 of the WTSII Site Certificate. The Certificate Holder Owner shall remain the same.

The proposed change does not affect the Certificate Holder's ability to adhere to the Retirement and Financial Assurance Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-RF-01, PRE-RF-01 and 2, OPR-RF-01, and RET-RF-01 and 2 to address retirement and financial assurance measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan, retirement estimate and bond) of the relevant Site Certificate Conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. One amendment is proposed to Site Certificate Condition PRE-RF-02 to reflect the updated decommissioning costs for both WREFIII and WTSII (see Section 6 and Attachments 1 and 2 for further detail). The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0050. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Retirement and Financial Assurance Standard.

7.1.8.2 Financial Capability – OAR 345-022-0050(3) and (4)

The opinion of NEER's legal counsel for Wheatridge Solar Energy Center, LLC was provided as part of RFA 1 for WREFII (resubmitted in Attachment 10).[42] Attachment 10 also includes the opinion from NEER's legal counsel indicating that Wagon Trail Energy Center, LLC has the legal authority to construct and operate WTSII without violating its articles of incorporation or similar agreements (as previously provided in the ASC for Wagon Trail Energy Center, LLC).[43]

Prior to beginning construction of WREFIII, the Certificate Holder provided a bond in an amount equal to the net costs of the Facility retirement, calculated for final design and in an amount that was approved by ODOE (i.e., $3.4 million [fourth quarter 2018 dollars]). The bond ensures that adequate funds exist for the retirement of the facilities constructed and for restoration of the site to a useful, non-hazardous condition. The bond will be adjusted annually for inflation according to the Gross Domestic Product Implicit Price Deflator Index. Similarly, a bond or letter of credit for WTSII will be provided prior to construction of WTSII according to Condition PRE-RF-01 and PRE-RF-02 of the WTSII Site Certificate.

[42] Wheatridge Renewable Energy Facility II, Request for Amendment 1, October 2020.
[43] Wagon Trail Solar Project, Application for Site Certificate, Exhibit A, January 2024.

The Council previously found that the Certificate Holder has a reasonable likelihood of obtaining a bond or letter of credit in an amount necessary to retire and restore the Facility, originally calculated at $9.4 million (fourth-quarter 2018 dollars)[44]. The Certificate Holder also obtained a letter from a financial institution (see RFA 4, Attachment M-1; resubmitted as Attachment 11) demonstrating that it has a reasonable likelihood to obtain one or more bonds in an amount equal to or greater than the cost of Facility retirement and restoration. Attachment 11 also includes a prequal letter for Wagon Trail Energy Center, LLC. As noted above, a bond for WREFIII has been provided as part of preconstruction compliance with Conditions PRE-RF-01 and PRE-RF-02, and a bond will be provided during preconstruction of WTSII.

7.1.9 Fish and Wildlife Habitat – OAR 345-022-0060

Updates required since last approval, see below for details.

The Council previously found that the Facility complies with the Fish and Wildlife Habitat Standard under OAR 345-022-0060.[45] The Fish and Wildlife Habitat Standard requires the Council to find that the design, construction, and operation of the facility, taking into account mitigation, are consistent with ODFW's habitat mitigation goals and standards, as set forth in OAR 635-415-0025. This rule creates requirements for mitigating impacts to fish and wildlife habitat, based on the functional quantity and quality of the habitat impacted, as well as the nature, extent, and duration of the impact. The Certificate Holder provided information regarding fish and wildlife habitat (and relevant survey reports) within and applicable to the analysis area (i.e., 0.5 miles), as well as an assessment of habitat impacts and other requirements of the Fish and Wildlife Habitat Standard in Exhibit P of RFA 4 (July 2019). The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change fish and wildlife habitat impacts, alter the approved infrastructure, or configuration of the Facility

Note that the proposed WREFIII site boundary contains the previously constructed portion of the facility (operational since 2022), therefore this section analyzes the proposed WTSII site boundary. The Certificate Holder has reviewed aerial imagery of the proposed WTSII site boundary and the habitat types mapped during WREFII RFA4 appear to be consistent with present conditions (Figure 8A and Figure 8B). Per Site Certificate Condition PRE-FW-01, the Certificate Holder will perform a field-based habitat survey to confirm the habitat types and categories to be affected by WTSII facility components and will not construct any facility components in Category 1 habitat. Table 8 shows disturbance acres by habitat category and subtype within the proposed WTSII site boundary. The Category 1 habitat within the proposed WTSII site boundary is associated with a Washington ground squirrel (WGS; *Urocitellus washingtoni*) colony that was active at the time of preparation of WREFII RFA4. Per Site Certificate Condition PRE-TE-01, that survey data has expired and the Certificate Holder will perform a Washington ground squirrel survey prior to construction to

[44] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, p. 31
[45] Final Order on Request on Request for Amendment 1 for the Wheatridge Renewable Energy Facility II, November 19, 2020, p. 33

determine locations of active ground squirrel colonies. The findings of the Washington ground squirrel survey will inform updated habitat categorization mapping as required by Site Certificate Condition PRE-FW-01. There are no impacts to Category 1 habitat in the proposed WTSII layout.

Table 8. Disturbance Acres by Habitat Category and Subtype within the Proposed WTSII Site Boundary

ODFW Habitat Category	Habitat Subtype	Acres in Site Boundary	Disturbance Acres		
			Temporary	Permanent	Total
1	Grassland-Native Perennial	20.9	–	–	–
Category 1 Total		**20.9**	–	–	–
2	Grassland-Native Perennial	70.7	0.3	1.3	1.6
Category 2 Total		**70.7**	**0.3**	**1.3**	**1.6**
3	Revegetated or Other Planted Grassland	141	0.7	<0.1	0.7
	Grassland-Native Perennial	56.2	0.7	–	0.7
Category 3 Total		**197**	**1.3**	**<0.1**	**1.4**
4	Grassland-Exotic Annual	316	0.7	54	54.8
Category 4 Total		**316**	**0.7**	**54**	**54.8**
6	Developed-Dryland Wheat	1,284	4.5	577	581
	Developed-Other	45.9	1.8	0.8	2.6
Category 6 Total		**1,330**	**6.3**	**578**	**584**
Grand Total		**1,935**	**8.7**	**633**	**642**

Note: Totals in this table may not appear to sum correctly due to rounding. – = no impact; <0.1 = greater than zero but less than 0.05.

Approval of the RFA 1 would not result in any impacts on fish and wildlife habitat that have not previously been addressed by the Council. The approved Site Boundary has been surveyed for fish and wildlife habitat previously (per survey reports provided/approved in Exhibit P of RFA 4 and during preconstruction compliance of WREFIII) and will be surveyed prior to construction of WTSII consistent with existing Site Certificate Conditions (PRE-FW-01 and PRE-TE-01 of the proposed WTSII Site Certificate). The proposed changes would not affect the Council's previous findings of compliance with the Fish and Wildlife Habitat Standard. The Certificate Holder will provide similar compliance submittals (see below) as applicable prior to construction of WTSII. Relevant fish and wildlife habitat-related mitigation plans will be updated during preconstruction compliance for WTSII and include the Habitat Mitigation Plan and Vegetation and Soil Management

Plan.[46] The Certificate Holder has confirmed there are sufficient acres available for use as mitigation for WTSII under the existing conservation easement.

The proposed change does not affect the Certificate Holder's ability to adhere to the Fish and Wildlife Habitat Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-FW-01 and 2, PRE-FW-01 through 5, and CON-FW-01 through 4 to address fish and wildlife habitat protection measures at the Facility. All conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan with environmental constraints/setbacks as applicable, Worker Environmental Awareness Program and associated training records, raptor and habitat survey reports, Habitat Mitigation Plan, Revegetation Plan, Wildlife Mitigation and Monitoring Plan, and Noxious Weed Control Plan) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0060. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Fish and Wildlife Habitat Standard.

7.1.10 Threatened and Endangered Species – OAR 345-022-0070

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Threatened and Endangered Species Standard under OAR 345-022-0070.[47] The Threatened and Endangered Species Standard requires the Council, after consultation with appropriate state agencies, to ensure the design, construction, and operation of the proposed facility, taking into account mitigation, will not cause a significant reduction in the likelihood of survival or recovery of Oregon Department of Agriculture (ODA) or ODFW-listed species. The Certificate Holder provided information regarding threatened and endangered species (and relevant survey reports) within and applicable to the analysis area (i.e., 5 miles), as well as an assessment of species impacts and other requirements of the

[46] Per coordination with Morrow County's Weed Supervisor (August 8-11, 2025), the Certificate Holder will continue to comply with the latest 2023 Weed Monitoring Treatment Plan (tied to the original Wheatridge Facilities' Site Certificate) and will address updates or changes as necessary prior to starting construction of Wagon Trail Solar II.

[47] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, p. 99

Threatened and Endangered Species Standard in Exhibit Q of RFA 4 (July 2019).[48] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change threatened and endangered species impacts, alter the approved infrastructure, or configuration of the Facility.

The Council previously found that the Facility will not result in significant adverse impacts to ODA or ODFW-listed species. The Certificate Holder reviewed updated threatened and endangered species lists from ODFW and ODA and there have been no changes to the threatened and endangered species expected to occur within the analysis area since RFA 4 approval (November 2019). This includes the ODFW-listed mammal, Washington ground squirrel, and ODA-listed plant Lawrence's milkvetch (*Astragalus collinus var. laurentii*).

The approved Site Boundary has been previously surveyed for threatened and endangered species (per survey reports provided/approved in Exhibit P of RFA 4[49] and during preconstruction compliance of WREFIII). The Threatened and Endangered species surveys associated with the Facility have "expired" per established timeframes with ODOE/ODFW. However, existing Site Certificate conditions ensure that updated surveys will be completed prior to construction and that sensitive areas will be avoided in the case of Category 1 Washington ground squirrel habitat (PRE-TE-01) and avoided or mitigated in the case of Laurent's milkvetch (per PRE-TE-03).

With the above understanding, Certificate Holder relied on the findings of previous (now expired) surveys and Council orders (including Site Certificate Conditions PRE-TE-01 and PRE-TE-03) as well as its familiarity with the location and land use characteristics of the Facility to conclude that they can meet the Threatened and Endangered standard. For clarity, the following documents previously provided to ODOE (but now since expired) were used to support the conclusions herein:

1. Attachment P-1 (Gerhardt and Anderson 2014) of Exhibit P in the Wheatridge Wind Energy Facility ASC (2015).
    a. Gerhardt, Rick and B. Anderson. 2014. Ecological Investigations Report for the Wheatridge Wind Energy Project. Prepared for Wheatridge Wind Energy, LLC. September 29, 2014.
2. Attachments P-1 (Tetra Tech 2018) and P-2 (Tetra Tech 2019) of Exhibit P in the Wheatridge Wind Energy Facility RFA4 (2019).
    a. Tetra Tech. 2018. Wheatridge Solar Biological Reconnaissance Report. Prepared for Wheatridge Wind Energy, LLC. June 2018.
    b. Tetra Tech. 2019. Wheatridge 2019 Washington Ground Squirrel Surveys. Technical Memorandum. Submitted to ODOE on May 24, 2019.

[48] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit Q, pp. 287-310)
[49] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit P, Attachments P-1 and P-2, pp. 189-236)

The Site Boundary will be surveyed prior to construction of WTSII consistent with existing Site Certificate Conditions (PRE-TE-01 and PRE-TE-03 of the proposed WTSII Site Certificate). The proposed changes would not affect the Council's previous findings of compliance with the Threatened and Endangered Species Standard. The Certificate Holder will provide similar compliance submittals (see below) as applicable prior to construction of WTSII.

The proposed change does not affect the Certificate Holder's ability to adhere to the Threatened and Endangered Species Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-TE-01 through 3 to address threatened and endangered species protection measures at the Facility. All conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan with environmental constraints/setbacks as applicable, Worker Environmental Awareness Program and associated training records, Washington ground squirrel survey reports, botanical survey reports) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0070. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Threatened and Endangered Species Standard.

7.1.11 Scenic Resources – OAR 345-022-0080

Updates required since last approval, see below for details.

The Council previously found that the Facility complies with the Scenic Resources Standard under OAR 345-022-0080.[50] The Scenic Resource Standard requires the Council to determine that the design, construction, and operation of the proposed Facility will not have a "significant adverse impact" to any significant or important scenic resources in the analysis area. OAR 345-022-0080 was amended in December 2022, with the following changes: removal of a reference to the analysis area, addition of scenic resources identified as significant or important under state or multi-jurisdictional land management plans, and additional editorial changes for clarity and consistency.

The Certificate Holder provided information regarding scenic resources and relevant management plans within and applicable to the analysis area (i.e., 10 miles, per OAR 345-001-0010(35)(b)), as well as an assessment of visual impacts and other requirements of the Scenic Resources Standard in

[50] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, pp. 41

Exhibit R of RFA 4 (July 2019). The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change scenic resource impacts, alter the approved infrastructure, or configuration of the Facility; the Council previously found that the Facility will not result in significant adverse impacts for any significant or important scenic resource. There is one important scenic resource and 11 land management plans applicable to the analysis area (i.e., within 10 miles of the proposed WREFIII and WTSII Site Boundaries)[51]; no new (i.e., non-preexisting and/or evaluated) important scenic resources or land management plans have been added within the analysis area since RFA 4 approval (November 2019).[52,53,54,55] See Figure 9 for scenic resource locations. Some plans have been updated since RFA4; however, none of the plan amendments have changed, added, or removed scenic resources that were deemed as important or significant (see Table 9). Accordingly, no new resources are identified or discussed as a result of this amendment request.

[51] Note that ONHT high-potential sites and segments were deemed by ODOE to not qualify as scenic resources for the recently reviewed Leaning Juniper II B Wind Power Facility (Final Order on Request for Site Certificate Amendment 3 for Leaning Juniper IIB Wind Power Facility, July 2025); therefore, it is proposed that the previously identified ONHT high-potential sites and segments no longer be considered scenic resources for the purposes of this and future Facility amendments (as applicable).

[52] Note that the land use management plans associated with the cities of Heppner, Hermiston, Stanfield, and Echo are no longer applicable to the 10-mile analysis area (as compared to the RFA4 analysis) and therefore are not included in this updated analysis.

[53] Note that the ODOT Oregon Highway Plan and associated scenic resource, Blue Mountain Scenic Byway, were preexisting and are not considered a new plan/resource for the purposes of this analysis. The Blue Mountain Scenic Byway was previously evaluated and approved under the Recreation Standard as part of RFA 4: Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, pp. 108-113.

[54] Note that the ODSL REAMP was preexisting and is not considered a new plan for the purposes of this analysis. As defined in the REAMP, Special Stewardship Lands are the only land category that have any sort of scenic value/protection, none of which are located within the scenic resources analysis area for the Facility (ODSL 2012, page 7).

[55] Note that the OPRD Oregon Natural Areas Plan/Heritage Areas Program was preexisting and is not considered a new plan for the purposes of this analysis. As described in the Final Order on Request for Amendment 1 to the Site Certificate for Wheatridge Renewable Energy Facility East (June 5, 2024), the "Oregon Natural Areas Plan identifies areas with high-quality native ecosystems, rare plant and animal species, and unique geologic formations. The plan includes areas that are designated in other plans as significant or important scenic resources but does not specifically address scenic resources itself."

Table 9. Scenic Resources Review

Applicable Land Use Management Plan	Reference	Scenic Resource in Analysis Area	Updates to Plan since RFA4?
City of Ione - Comprehensive Plan[56]	City of Ione 1987	N/A	No
City of Lexington - Comprehensive Plan[57]	City of Lexington 1979	N/A	No
Morrow County - Comprehensive Plan	Morrow County 2018	N/A	Yes (dated 2016 in RFA4), no changes to scenic resources
Umatilla County - Comprehensive Plan	Umatilla County 2025	N/A	Yes (dated 2017 in RFA4), no changes to scenic resources
Oregon Department of State Lands (ODSL) - Real Estate Asset Management Plan (REAMP)	ODSL 2012	N/A	N/A; plan not previously evaluated
Oregon Department of Transportation (ODOT) - Oregon Highway Plan	ODOT 2023	Blue Mountain Scenic Byway	N/A; plan not previously evaluated
The Nature Conservancy (voluntarily registered State Natural Heritage Area), Oregon Parks and Recreation Department (OPRD) - Oregon Natural Areas Plan	OPRD 2020	N/A	N/A; plan not previously evaluated
National Park Service (NPS) - Oregon Trail Comprehensive and Management Use Plan, Oregon National Historic Trail (ONHT)	NPS 1999	N/A	No
Bureau of Land Management (BLM), Vale District, Baker Resource Area - Baker Resource Management Plan	BLM 1989	N/A	No
U.S. Department of Defense/U.S. Navy - Integrated Natural Resource Management Plan and Integrated Cultural Resource Management Plan for Boardman Bombing Range and Environmental Impact Statement (EIS; Naval Weapons System Training Facility)	81 FR 20627 (Federal Register 2016), U.S. Navy 2012, U.S. Navy 2015	N/A	Yes (EIS dated 2012 in RFA4), no changes to scenic resources
U.S. Forest Service/ODOT - Blue Mountain National Scenic Byway Interpretive Guide	USFS 1993	Blue Mountain Scenic Byway	No

[56] City was contacted to acquire a more recent comprehensive plan; no response was received, thus relying on most current, available online source.
[57] City was contacted to acquire a more recent comprehensive plan; no response was received, thus relying on most current, available online source.

The proposed change does not affect the Certificate Holder's ability to adhere to the Scenic Resources Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-SR-01 and 2 to address scenic resource protection measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan including setbacks, and paint samples) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0080. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Scenic Resources Standard.

7.1.12 Historical, Cultural and Archaeological Resources – OAR 345-022-0090

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Historical, Cultural and Archaeological Resources Standard under OAR 345-022-0090.[58] The Historical, Cultural and Archaeological Resources Standard requires the Council to find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to historic, cultural or archaeological resources. The Certificate Holder provided information regarding historic, cultural and archaeological resources (and relevant survey reports) within the analysis area (i.e., 1 mile), as well as an assessment of resource impacts and other requirements of the Historical, Cultural and Archaeological Resources Standard in Exhibit S of RFA 4 (July 2019).[59] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change historic, cultural and archaeological resource impacts, alter the approved infrastructure, or configuration of the Facility. The Council previously found that the Facility will not result in significant adverse impacts to historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places or other archaeological objects or sites identified under OAR 345-022-0090. The Oregon State Historic Preservation Office's (SHPO) Online Archaeological Records Remote Access and Historic Sites database was reviewed on July 10, 2025, and no new surveys or cultural resources have been

[58] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, p. 107

[59] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit S, pp. 341-358)

documented since Exhibit S of RFA 4 (July 2019) was provided.[60] There have been no changes to the existing conditions for historic, cultural, and archaeological resources within the analysis area since RFA 4 approval (November 2019); the approved Site Boundary has been surveyed for historic, cultural, and archaeological resources (per survey reports provided/approved in Exhibit S of RFA 4[61] and during preconstruction compliance of WREFIII) and the proposed changes would not affect the Council's previous findings of compliance with the Historical, Cultural, and Archaeological Resources Standard. The Certificate Holder will provide similar compliance submittals (see below) as applicable prior to construction of WTSII.

The proposed change does not affect the Certificate Holder's ability to adhere to the Historical, Cultural and Archaeological Resources Standard. Best management practices will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-HC-01 through 3, and CON-HC-01 and 2 to address historic, cultural, and archaeological resource protection measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2). Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan with environmental constraints/setbacks as applicable, Inadvertent Discovery Plan, cultural survey reports, and Worker Environmental Awareness Program and associated training records) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0090. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, is not likely to result in significant adverse impacts on resources protected by the Council's Historic, Cultural and Archaeological Resources standard and will continue to comply with OAR 345-022-0090 and previously adopted Site Certificate conditions.

7.1.13 Recreation – OAR 345-022-0100

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Recreation Standard under OAR 345-022-0100.[62] The Recreation Standard requires the Council to find that the design, construction,

[60] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit S, pp. 341-358)
[61] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit S, Attachment S-1 [CONFIDENTIAL, SUBMITTED UNDER SEPARATE COVER])
[62] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, pp. 114

and operation of a facility will not likely result in significant, adverse impacts to important recreational opportunities. Therefore, the Council's Recreation Standard applies to only those recreation areas that the Council deems important. OAR 345-022-0100 was amended in December 2022, with editorial changes for clarity and consistency. The changes also specify that the amended standards only apply to applications or RFAs filed on or after the effective date of the 2022 amendment.

The Certificate Holder provided information regarding recreation areas within the analysis area (i.e., 5 miles, per OAR 345-001-0010(35)(d)), as well as an assessment of indirect/direct, noise, traffic, and visual impacts and other requirements of the Recreation Standard in Exhibit T of RFA 4 (July 2019).[63] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change recreational opportunity impacts, alter the approved infrastructure, or configuration of the Facility. The Council previously found that the Facility will not result in direct or indirect loss of any of the recreational opportunities identified as important. There are two defined recreational sites (i.e., the Oregon National Historic Trail [ONHT] Boardman High-Potential Segment and Well Springs High-Potential Site; both of which were deemed important) within the analysis area (i.e., within 5 miles of the proposed WREFIII and WTSII Site Boundaries), both of which are outside the proposed WREFIII and WTSII Site Boundaries. No new recreational sites have been added within the analysis area since RFA 4 approval, or changed in importance rankings (November 2019; see Figure 10). [64]

The proposed change does not affect the Certificate Holder's ability to adhere to the Recreation Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. There are no previously imposed Council Site Certificate conditions for the Recreation Standard; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan including setbacks, relevant noise analyses with sound levels, Traffic Management Plan and associated County correspondence, road-related permits and agreements, and paint samples) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0100. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore,

[63] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit T, pp. 359-390)

[64] Note that the Blue Mountain Scenic Byway, ONHT Echo Meadows high-potential site, Willow Creek Dam/Reservoir, Morrow County Fairgrounds, Hager Park, Heritage Park, Heppner City Park, Willow Creek Water Park, Willow Creek RV Park, Willow Creek Country Club, Social Ridge Access Area, Bunker Hill Access Area, and the Rolling Hills Hunting Preserve (Harrison section) are no longer applicable to the 5-mile analysis area (as compared to the RFA4 analysis) and therefore are not included in this updated analysis.

the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Recreation Standard.

7.1.14 Public Services – OAR 345-022-0110

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Public Services Standard under OAR 345-022-0110.[65] The Council's Public Services Standard requires the identification of likely, significant, adverse impacts caused by the Facility on the ability of public and private service providers to supply sewer and sewage treatment, water, stormwater drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools. The Certificate Holder provided information regarding public service providers and measures within and applicable to the analysis area (i.e., 10 miles), and other requirements of the Public Services Standard in Exhibit U of RFA 4 (July 2019).[66] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change public service impacts, alter the approved infrastructure, or configuration of the Facility. The previously evaluated peak number of workers needed during construction and transportation routes[67] will continue to represent a worst-case scenario related to impacts to public services. Updated public utility provider correspondence (as applicable to the WREFIII location/service area) has been provided in Attachment 5.[68]

The proposed change does not affect the Certificate Holder's ability to adhere to the Public Services Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions GEN-PS-01 ad 3, PRE-PS-01 through 7, CON-PS-01, 2, and 5, PRO-PS-02 and 3, and OPR-PS-03 and 4 to address public service measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan, stormwater and water sources/permits, NPDES 1200-C Permit, ESCP, Construction Waste Management Plan, Traffic Management Plan and associated County correspondence, road-related permits and agreements, Emergency Action Plan, Site-Specific Safety Plan, and incident reporting as applicable) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change

[65] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, pp. 44

[66] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit U, pp. 391-440)

[67] Wheatridge Wind Energy Facility, Request for Amendment 4, Exhibit U, July 2019.

[68] Note that the Ione Rural Fire Protection District was contacted multiple times in July-August, 2025. As of September 2025, no response has been provided, likely due to active fire season. However, all other applicable public utilities for the Facility have provided responses.

the Facility's compliance with OAR 345-022-0110 or any public service conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Public Services Standard.

7.1.15 Wildfire Prevention and Risk Mitigation – OAR 345-022-0115

Updates required since last approval, see below for details.

> *(1) To issue a site certificate, the Council must find that, by way of supporting evidence from the applicant, that:*
>
> > *(a) The applicant has adequately characterized wildfire risk within the analysis area using current data from reputable sources, by identifying:*

The Council's Wildfire Prevention and Risk Mitigation Standard requires that the construction and operation of the Facility, taking into account mitigation, not result in significant adverse impacts on areas subject to a heightened risk of wildfire or high-fire consequence areas addressed under OAR 345-022-0115. This section provides an overview of potential wildfire risks from the Facility and outlines recommended steps to mitigate the potential risk.

The existing portion of the Facility (within the proposed WREFIII site boundary) is equipped with fire protection equipment in accordance with the Oregon Fire Code, and operates under the Fire Event Response protocols included in the existing Wheatridge I, II, and III Emergency Action Plan (included in this RFA 1 as Attachment 6). The Certificate Holder has prepared draft Construction and Operational Wildfire Mitigation Plans (WMP) for the proposed WTSII site boundary, provided as Attachments 7 and 8, respectively, to meet OAR 345-022-0115(1)(b).

As shown on Figures 11A through 11G, the proposed WREFIII site boundary is entirely within the proposed WTSII site boundary. Therefore, for purposes of evaluating OAR 345-022-0115(1)(a), the "analysis area" is defined herein as the Wildfire Analysis Area (WAA), which consists of the 1,935-acre proposed WTSII site boundary, and the 359-acre proposed WREFIII site boundary, plus a 0.5-mile buffer. The Certificate Holder presents one assessment of wildfire risk in the WAA, which encompasses both the proposed WTSII and WREFIII site boundaries.

Note that the portion of the Facility within the proposed WREFIII site boundary has been constructed as of March 2022. The Certificate Holder acknowledges the importance of fire prevention design features and ensuring consistency between the portions of the Facility within the proposed WREFIII and WTSII site boundaries. Prior to the construction of WTSII, the Certificate Holder will provide more details of such features and consistency (i.e., fencing and access).

7.1.15.1 Baseline Fire Risk

(A) Baseline wildfire risk, based on factors that are expected to remain fixed for multiple years, including but not limited to topography, vegetation, existing infrastructure, and climate;

The baseline wildfire risk within the WAA is moderate based on the existing vegetation, relatively flat overall topography, existing infrastructure, and a cool, dry climate. The following subsections describe the risks of wildfire for the WAA in further detail.

Topography

The Facility is bisected by OR-207 running southwest to northeast. Other roads within or in the vicinity of the Facility are Strawberry East Road running east to west, Little Juniper Lane running southwest to northeast, and Bombing Range Road running north to south. The Project is located approximately 5 miles northeast of Lexington and approximately 7 miles northwest of Heppner. Slopes within the WAA range from 0 percent to 25 percent (Table 10; Figure 11A).

Table 10. Slope

Slope (degrees)	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
0-25	100	7,450
25-50	0	0
50-75	0	0
Total Acreage	**100%**	**7,450**

Vegetation

As described in Section 7.1.9, the approved Site Boundary has been previously surveyed for fish and wildlife habitat and will be surveyed prior to construction of WTSII consistent with existing Site Certificate conditions. As shown in Figures 8A and 8B, the predominant habitat types are Category 6 Developed Dryland Wheat and Developed Other (68.7 percent of the proposed WTSII site boundary), and Category 4 Exotic Annual Grassland (16.3 percent of the proposed WTSII site boundary). Other notable habitat types at the Facility include Category 3 Developed Revegetated Grassland and Category 1, 2, and 3 Native Perennial Grassland.

The Certificate Holder reviewed wildfire perimeter data between 2018 and 2025 (NIFC 2025) and verified that no wildfires occurred within the Facility that would alter previously mapped habitat categories.

Fuel model groups describe the fire-carrying fuel type of surface fuel. The broad fuel model groups (reflective of vegetation type) are derived from data from the Community Wildfire Protection Plan (CWPP) Planning Tool. Fuel model groups within the wildfire analysis area consist of grass, shrub, and non-burnable (NB) land.

As shown on Figure 11B and described below in Table 11, the majority of the vegetation within the WAA is classified as Fuel Model (FM) 102 – low load, dry climate grass (50.3 percent) and FM 242 – burnable wheat fields (26.4 percent).

Table 11. Fuel Models

Fuel Model #	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
93	0.0	4
99	0.0	3
101	3.5	263
102	50.3	3,750
121	2.5	185
122	5.3	398
123	1.6	118
142	6.9	517
182	0.1	5
183	0.1	7
242	26.4	1,970
251	0.7	50
252	2.4	180
Total Acreage	**100%**	**7,450**

A further discussion of Fuel Model Groups and Fuel Models which describe the composition and characteristics of fire fuels is provided below under the evaluation of Seasonal Fire Risk.

Existing Infrastructure

Existing infrastructure within the WAA includes existing solar and wind energy generation facilities (plus supporting structures), electrical utility infrastructure (substations and aboveground power lines), residences, and farming operations. Paved roads within the wildfire analysis area include OR-207, Strawberry East Road, Little Juniper Lane, and Bombing Range Road. There are several unnamed gravel roads in the area as well.

Climate

Climate data was used for Hepper, Oregon, which is the closest weather station to the WAA. Based on available climate data for Heppner from 1991 to 2020, the driest months on average are July, August, and September (NOAA 2025b). These months have average monthly precipitation rates of 0.31 inches (July), 0.28 inches (August), and 0.43 inches (September). Overall, these months are also the hottest months of the year, with average temperatures of 86.8 degrees Fahrenheit (°F) (July), 86.1°F (August), and 77.3°F (September). The total average annual precipitation for Heppner is 13.09 inches per year (NOAA 2025b). Additionally, Heppner receives approximately 10.7 inches

of snow in the winter months, with the coldest month (December) having approximately 4.3 inches of snowfall, an average maximum temperature of 42.5°F, and an average temperature of 34.9°F (Table 12; NOAA 2025b).

Table 12. Summary of Monthly Normal Temperature and Precipitation at Heppner, OR (1991 – 2020)

Month	Max Temp (°F)	Avg Temp (°F)	Precipitation (inch)
January	43.6	35.6	1.32
February	47.4	38.3	1.07
March	54.7	44.2	1.36
April	60.8	49.3	1.46
May	69.4	56.9	1.71
June	76.6	63.1	1.35
July	86.8	71.0	0.31
August	86.1	70.4	0.28
September	77.3	62.8	0.43
October	63.8	51.7	1.17
November	51.0	41.6	1.37
December	42.5	34.9	1.26
Source: NOAA 2025b			

Burn Probability

Burn probability is the likelihood of a wildfire greater than 250 acres burning a given location based on wildfire simulation modeling. This is an annual burn probability, adjusted to be consistent with the historical annual area burned. The burn probability classes range from non-burnable (a majority of non-burnable fuel types such as water, agriculture, or urban) to very high burn probability, which indicates greater than a 1-in-50 chance of a wildfire greater than 250 acres in a single year.

As shown in Table 13, 98.7 percent of the WAA has a high (1-in-500 to 1-in-100) burn probability, and 1.2 percent of the WAA has a high (1-in-100 to 1-in-50) burn probability (Figure 11C). The remaining acres of the WAA have zero to low burn probability.

Table 13. Burn Probability

Burn Probability	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
0	0.1	4
Low (<= 1-in-10,000)	0.1	4
Low (1-in-10,000 to 1-in-5,000)	0.0	0
Moderate (1-in-5,000 to 1-in-1,000)	0.0	0
Moderate (1-in-1,000 to 1-in-500)	0.0	0
High (1-in-500 to 1-in-100)	98.7	7,356
High (1-in-100 to 1-in-50)	1.2	86
Very High (1-in-50 to 1-in-25)	0.0	0
Total Acreage	**100%**	**7,450**
Note: All quantities may not result in 100 percent due to rounding adjustments.		

7.1.15.2 Seasonal Fire Risk

(B) Seasonal wildfire risk, based on factors that are expected to remain fixed for multiple months but may be dynamic throughout the year, including but not limited to, cumulative precipitation and fuel moisture content;

Precipitation

Refer to Section 7.1.15.1 for an assessment of precipitation within the WAA.

Fuel Moisture Content

Fuel moisture content is a primary variable when observing wildfire behavior. Fuel moisture content "is a measure of the amount of water in a fuel (vegetation) available to a fire and is expressed as a percent of the dry weight of that specific fuel" (NOAA 2025c). Fuel moisture content varies with weather, both seasonally and during short periods. The higher the fuel moisture content, the greater the difficulty for fires to ignite and propagate. Living plants and dead fuels respond differently to weather changes; the drying and wetting processes of dead fuels is such that the moisture content of these fuels is strongly affected by weather changes. These moisture contents are influenced by precipitation, air moisture, air and surface temperatures, wind, cloudiness, as well as by fuel factors such as surface to volume ratio, compactness, and arrangement. Fuel moisture content within the WAA is dependent on current weather conditions, fuel moisture data, and seasonal weather patterns.

Fuel moisture varies with vegetation type. For instance, annual grasses are highly flammable whereas broadleaf vegetation is less flammable (NWCG 2024). Additionally, live evergreen trees and shrubs can burn despite having a moisture content of over 100 percent.

Fuel model groups within the WAA consist of grass, shrubs, and non-burnable land. As shown on Figure 11B and described in Table 11, the majority of the vegetation within the WAA is classified as

Fuel Model (FM) 102 – low load, dry climate grass (50.3 percent) and FM 242 – burnable wheat fields (26.4 percent). The primary carrier of fire in both FM 102 and FM 242 is grass, though small amounts of fine dead fuel may be present (Montana DNRC 2021, Scott and Burgan 2005). The moisture of extinction for this fuel type is low (Scott and Burgan 2005).

Flame Length

Average flame length shows the average length of flames expected, given local fuel and weather conditions (Oregon Explorer 2026). Flame lengths have potential to exceed the mapped values shown, even under normal weather conditions. Flame length is commonly used as a direct visual indication of fire intensity and is a primary factor to consider for firefighter safety and for gauging potential impacts to resources and assets.

As shown in Table 14 and Figure 11D, 5,823 acres (78.2 percent) of the WAA are anticipated to have 2 to 4 foot average flame lengths, 1,016 acres (13.6 percent) are anticipated to have 4 to 6 foot average flame lengths, 484 acres (6.5 percent) are anticipated to have 0 to 2 foot average flame lengths, and 124 acres (1.7 percent) are anticipated to have 8 to 12 foot average flame lengths.

Table 14. Average Flame Length

Average Flame Length (feet)	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
0 - 2	6.5	484
2 - 4	78.2	5,823
4 - 6	13.6	1,016
6 - 8	0.0	0
8 - 12	1.7	124
> 12	0.0	0
No Data	0.1	4
Total Acreage	**100%**	**7,450**
Note: All quantities may not result in 100 percent due to rounding adjustments.		

7.1.15.3 Areas of Heightened Risk

(C) Areas subject to a heightened risk of wildfire, based on the information provided under paragraphs (A) and (B) of this subsection;

Areas of heightened risk are described using the CWPP Planning Tool "Wildfire Risk to Individual Highly Valued Resources" and specifically "Wildfire Risk to Infrastructure and Wildfire Risk to People and Property" (Table 15, Table 16; Figure 11E, Figure 11F; Oregon Explorer 2026). Wildfire Risk to Infrastructure represents the conditional wildfire risk to critical infrastructure, namely energy, communication, transportation infrastructure, as well as other essential facilities. Wildfire Risk to People and Property represents the wildfire risk to residential and non-residential

structures. The risk assessment framework assumes that there are no beneficial impacts of wildfire on infrastructure or structures, so risk is characterized only by the degree of expected loss.

As discussed in Section 7.1.15.1, existing infrastructure within the WAA includes existing solar and wind energy generation facilities (plus supporting structures), electrical utility infrastructure (substations and aboveground power lines), residences, and farming operations. Note that the majority of the WAA does not have high value assets or resources including infrastructure; this is represented under the "no data" risk rating. As shown on Figure 11E, the only areas that have infrastructure data available are generally along Juniper Canyon Road just outside of the WAA and along OR-207. As shown in Table 15, 3.1 percent of the WAA has low expected loss and 5.4 percent of the WAA has high expected loss.

Table 15. Expected Wildfire Risk to Infrastructure

Risk Rating	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
Very High Loss	0.0	0
High Loss	5.4	405
Moderate Loss	0.0	0
Low Loss	3.1	232
No Data[1]	91.5	6,813
Total	**100%**	**7,450**

Note: All quantities may not result in 100 percent due to rounding adjustments.

1. There are no high value assets or resources including infrastructure.

As shown on Figure 11F, the majority of the WAA does not have high value assets or resources including residential and non-residential structures; this is represented under the "no data" risk rating. However, portions of the WAA areas have available data, which show existing residences and farming operations as having low to very high loss.

Table 16. Expected Wildfire Risk to People and Property

Risk Rating	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
Very High Loss	0.4	33
High Loss	0.8	58
Moderate Loss	0.0	1
Low Loss	1.4	104
No Data[1]	97.4	7,254
Total	**100%**	**7,450**

Note: All quantities may not result in 100 percent due to rounding adjustments.

1. There are no high value assets or resources including infrastructure.

7.1.15.4 High-Fire Consequence Areas

(D) High-fire consequence areas, including but not limited to areas containing residences, critical infrastructure, recreation opportunities, timber and agricultural resources, and fire-sensitive wildlife habitat; and

The CWPP data on wildfire risk (Figure 11G) is used to identify high-fire consequence areas (Oregon Explorer 2026). Integrated Expected Wildfire Risk is a representation of cumulative risk at any location based on which highly valued resources and assets (HVRAs) are present, fire intensity, and the likelihood of a fire occurring (burn probability). The integrated risk maps synthesize risk across all resources and assets present at a specific location, and the result is either net beneficial or net adverse impacts. Areas that do not have data available represent that not all resources and assets are present at every location, and the integrated wildfire risk class at a specific location reflects only the resources and assets located there.

The percentage of the WAA that falls into each Fire Risk Rating is identified in Table 17 and displayed on Figure 11G. The WAA has a 41.4 percent high loss rating, 31.6 percent moderate loss rating, 8.8 percent low loss rating, and 5.5 percent very high loss rating. As shown on Figure 11G, the areas with high and very high-risk ratings are generally along OR-207 and in areas with existing solar and wind power generating infrastructure.

Table 17. Integrated Expected Wildfire Risk

Risk Rating	Percent of Wildfire Analysis Area	Acres of Wildfire Analysis Area
Very High Loss	5.5	412
High Loss	41.4	3,082
Moderate Loss	31.6	2,355
Low Loss	8.8	653
Neutral	2.3	174
Low Benefit	0.0	0
Moderate Benefit	0.0	0
High Benefit	0.0	0
No Data[1]	10.4	775
Total	**100%**	**7,450**

Note: All quantities may not result in 100 percent due to rounding adjustments.

1. There are no highly valued resources or assets (such as critical infrastructure, developed recreation, or housing unit density) mapped in the area, or simulated wildfires did not burn the area due to low historical occurrence/absence of burnable fuel (G).

7.1.15.5 Data Sources and Methods

(E) All data sources and methods used to model and identify risks and areas under paragraphs (A) through (D) of this subsection.

Data from the CWPP Planning Tool (Oregon Explorer 2026) was used for the analyses provided in response to OAR 345-022-0115(1)(a). The CWPP tool provides a range of data for fire behavior and

effects to help communities assess wildfire risk in their area. The following Oregon CWPP datasets were used throughout this analysis (Oregon Explorer 2026):

- Burn probability;
- Average flame length;
- Hazard to potential structures;
- Risk to infrastructure;
- Integrated expected wildfire risk;
- Risk to people and property;
- Slope; and
- Fuel models.

7.1.15.6 Wildfire Mitigation Plan

(b) That the proposed facility will be designed, constructed, and operated in compliance with a Wildfire Mitigation Plan approved by the Council. The Wildfire Mitigation Plan must, at a minimum:

(A) Identify areas within the site boundary that are subject to a heightened risk of wildfire, using current data from reputable sources, and discuss data and methods used in the analysis;

(B) Describe the procedures, standards, and time frames that the applicant will use to inspect facility components and manage vegetation in the areas identified under subsection (a) of this section;

(C) Identify preventative actions and programs that the applicant will carry out to minimize the risk of facility components causing wildfire, including procedures that will be used to adjust operations during periods of heightened wildfire risk;

(D) Identify procedures to minimize risks to public health and safety, the health and safety of responders, and damages to resources protected by Council standards in the event that a wildfire occurs at the facility site, regardless of ignition source; and

(E) Describe methods the applicant will use to ensure that updates of the plan incorporate best practices and emerging technologies to minimize and mitigate wildfire risk.

(2) The Council may issue a site certificate without making the findings under section (1) if it finds that the facility is subject to a Wildfire Protection Plan that has been approved in compliance with OAR chapter 860, division 300.

(3) This Standard does not apply to the review of any Application for Site Certificate or Request for Amendment that was determined to be complete under OAR 345-015-0190 or 345-027-0363 on or before the effective date of this rule.

Response: The existing portion of the Facility (within the proposed WREFIII site boundary) is equipped with fire protection equipment in accordance with the Oregon Fire Code, and operates under the Fire Event Response protocols included in the existing Wheatridge I, II, and III Emergency Action Plan (included in this RFA 1 as Attachment 6).

The Certificate Holder has prepared draft Construction and Operational Wildfire Mitigation Plans (WMP) for the proposed WTSII site boundary, provided as Attachments 7 and 8, respectively, to meet OAR 345-022-0115(1)(b).

7.1.15.7 Wildfire Risk Assessment Conclusion

Per the data reviewed and presented here, wildfire risk and consequences of fire in the WAA are typical for the vegetation type and fire regime encountered in Morrow County. Assets that could currently be impacted include existing solar and wind facility structures, residential structures, agricultural areas and farming operations, and roads. If a wildfire did ignite near those assets, they could be at risk. After construction of the Facility, the number of assets at risk such as the solar arrays and associated infrastructure within the WAA would increase. It is anticipated that due to existing infrastructure, high burn probability, moderate expected intensity as measured by average flame length, fuels, weather, and topography, that post-construction overall fire risk would be moderate to high.

The proposed bifurcation of the approved Facility site boundary into the proposed WREFIII and WTSII site boundaries does not change wildfire risk, alter the approved infrastructure (including BMPs/measures/procedures), or configuration of the Facility. There are no new potential sources of wildfire that will be generated from the construction and operation of the Facility; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan including relevant setbacks, fire training records, Emergency Action Plan, relevant fire district correspondence, and incident reporting as applicable) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction of the facility or phase as applicable. There are no previously imposed Council Site Certificate conditions for the Wildfire Prevention and Risk Mitigation regulation; however, the Certificate Holder proposes to add PRE-WF-01, CON-WF-01, PRO-WF-01, and OPR-WF-01 to the WTSII Site Certificate to address wildfire risk (see Section 6 and Attachment 2 for further detail). RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will comply with the Wildfire Prevention and Risk Mitigation Standard.

7.1.16 Waste Minimization – OAR 345-022-0120

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Waste Minimization Standard under OAR 345-022-0120.[69] The Council's Waste Minimization Standard requires that solid waste and wastewater are minimized during construction and operation of the Facility, and that plans are enforced to recycle, reuse, and properly manage waste generated at the Facility. The Certificate Holder provided information regarding waste types and control measures applicable to the approved Site Boundary and other requirements of the Waste Minimization Standard in Exhibit W of RFA 4 (July 2019).[70] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change waste production or sources, alter the approved infrastructure, or configuration of the Facility. The Facility will continue to adhere to requirements imposed by the Morrow County Solid Waste Management Ordinance, specifically those applicable to post-construction phases, including covering and securing of waste products hauled during operations and providing waste amounts/types to the Morrow County Watershed. There are no new types of solid waste that will be generated from the operation of the Facility that were not previously reviewed by the Council for the Facility.

The proposed change does not affect the Certificate Holder's ability to adhere to the Waste Minimization Standard. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-WM-01 and 2, and CON-WM-01 to address waste minimization measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2); note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan and Construction Waste Management Plan) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-022-0120 or any waste minimization conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Waste Minimization Standard.

7.1.17 State and Local Laws and Regulations – OAR 345-022-0160

7.1.17.1 Wetlands and Other Jurisdictional Waters– OAR 345-022-0160(1)(a)

No analysis updates required since last approval/nonapplicable to this amendment request.

[69] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, pp. 126

[70] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit V, pp. 441-454)

The Council previously found that the Facility complies with the Removal-Fill Law.[71] The Oregon Removal-Fill Law (Oregon Revised Statues [ORS] 196.795 through ORS 196.990) and Oregon Department of State Lands regulations (OAR Chapter 141) require a removal-fill permit if 50 cubic yards or more of material is removed, filled, or altered within any "waters of the state." The Certificate Holder provided information regarding the need for a removal-fill permit, as well as an assessment of jurisdictional waters and other requirements of the Water Rights regulations in Exhibit J of RFA 4 (July 2019); no wetlands or jurisdictional waters were found to occur within the approved Site Boundary.[72] A removal-fill permit was not needed for WREFIII because WREFIII did not temporarily or permanently impact waters of the state such that a removal-fill permit was required; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of a final design site plan with environmental constraints/setbacks as applicable) of the relevant Site Certificate conditions and is undergoing operations compliance. WTSII is not anticipated to require a removal-fill permit. There are no previously imposed Council Site Certificate conditions for the Removal-Fill Law. The proposed split of the Facility does not change the Facility's compliance with the Removal-Fill Law. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Removal-Fill Law.

7.1.17.2 Water Requirements – OAR 345-022-0160(1)(b)

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Water Rights regulations.[73] Under ORS Chapter 537 and OAR Chapter 690, the Oregon Water Resources Department administers the appropriation of water rights and regulates the use of the water resources of the state. The Certificate Holder provided information regarding water quantities and sources within the approved Site Boundary and other requirements of the Water Rights regulations in Exhibit O of RFA 4 (July 2019).[74] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not change construction or operation water usage approved for use at the Facility; note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval or water sources/permits) of the relevant Site Certificate

[71] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, p. 141
[72] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibit-J.pdf (Exhibit J, entire document)
[73] Final Order on Request for Amendment 4 to the Site Certificate for the Wheatridge Wind Energy Facility East, November 2019, pp. 142
[74] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit O, pp. 113-138)

conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. Updated water provider correspondence (updated to reflect recently utilized providers for construction of WREFE that are desired for construction of the remainder of WREFIII) has been provided in Attachment 5.

There are no previously imposed Council Site Certificate conditions for the Water Rights regulations, however, the Certificate Holder proposes to add PRE-WR-01 and CON-WR-01 to the Site Certificate for identification of water sources and associated agreements (see Section 6 and Attachment 2 for further detail). The proposed split of the Facility and construction deadline extension does not change the Facility's compliance regarding the Water Rights regulations (and does not require a groundwater permit, surface water permit, or water right transfer). RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Water Rights regulations.

7.1.17.3 Noise Control Regulations – OAR 345-022-0160(2)

Updates required since last approval, see below for details.

The Council previously found that the Facility complies with the Noise Control Regulations under OAR 340-035-0035.[75] The proposed division of the Facility into WTSII and WREFIII and construction deadline extension does not alter the approved infrastructure or configuration (and in turn noise sources/sound levels) of the Facility. The Certificate Holder provided noise control sources and measures within and applicable to the approved Site Boundary as well as an assessment of noise levels and addressed compliance with the Oregon Department of Environmental Quality noise regulations in Exhibit X of RFA 4 (July 2019); no noise exceedances were found and thus no noise waivers were required. See Figure 12 (and confidential Attachment 12 for relevant landowner information/modeled operational noise information for each noise sensitive receptor [NSR]) for locations of relevant NSRs within one mile of the Facility; note that no additional NSRs were found since previous review/approval by the Council and no changes to previously approved infrastructure (and in turn, any noise-emitting components and associated operational sound levels) are proposed as part of this amendment. As demonstrated in Attachment 12, all identified NSRs are in compliance with the ODEQ noise control standards including the revised provisions of OAR 340-035-0035. This compliance is achieved by utilizing the allowable assumed ambient default sound level of 26 dBA and employing executed waivers to address any exceedances of the 10 dBA ambient antidegradation standard. Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has completed preconstruction and construction compliance (including submission/approval of the

[75] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, p. 50

relevant noise analyses with sound levels, no noise waivers were required) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction, including a noise analysis and pursuit of any noise waivers for current noise sensitive receptors/residence locations based on the final Facility design at the time of preconstruction compliance.

The proposed change does not affect the Certificate Holder's ability to adhere to the Noise Control Regulations. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-NC-01, CON-NC-01, and OPR-NC-01 through 3 to address noise control measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2). The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 340-035-0035 or any noise control conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Noise Control Regulations.

7.2 Applicable Division 24 Standards

7.2.1 Siting Standards for Transmission Lines – OAR 345-024-0090

No analysis updates required since last approval/nonapplicable to this amendment request.

The Council previously found that the Facility complies with the Siting Standards for Transmission Lines under OAR 345-024-0090.[76] The Certificate Holder provided information regarding transmission lines and safety measures within and applicable to the approved Site Boundary, as well as an assessment electric and magnetic fields and other requirements of the Siting Standards for Transmission Lines in Exhibit AA of RFA 4 (July 2019); all transmission and collection lines were found to be within the state limits for electric fields.[77] The proposed change does not affect the Certificate Holder's ability to adhere to the Siting Standards for Transmission Lines and no changes are proposed to the intraconnection transmission line. BMPs will continue to be implemented for the facilities, as proposed, as required through the relevant Site Certificate conditions. The Council previously adopted Site Certificate Conditions PRE-TL-01, CON-TL-01, and OPR-TL-01 to address the transmission line measures at the Facility; all conditions or portions of the conditions are applicable to one or both facilities as proposed (as listed in Table 2). Note that a portion of the Facility (within the proposed WREFIII site boundary) is operational as of March 2022 and thus has

[76] Final Order on Request for Amendment 5 to the Site Certificate for the Wheatridge Wind Energy Facility, May 2020, p. 45

[77] https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-07-01-WRW-RFA4-Exhibits-K-CC.pdf (Exhibit AA, pp. 509-552)

completed preconstruction and construction compliance (including submission/approval of a final design site plan including setbacks and correspondence with Oregon Public Utility Commission) of the relevant Site Certificate conditions and is undergoing operations compliance. Similar compliance submittals for WTSII will be provided prior to construction as applicable. The proposed split of the Facility and construction deadline extension does not change the Facility's compliance with OAR 345-024-0090 or any transmission line siting conditions (see Table 2) in the Site Certificate. RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility. RFA 1 seeks to divide the Facility into two separate facilities within the approved Site Boundary, and extend the construction deadline. Therefore, the Council may find that the Facility, as amended by RFA 1, will continue to comply with the Siting Standards for Transmission Lines.

8.0 Property Owners Located within or Adjacent to the Site of the Facility – OAR 345-027-0360(1)(g)

OAR 345-027-0360(1)(g) A list of the names and mailing addresses of property owners, as described in this rule:

(A) The list must include all owners of record, as shown on the most recent property tax assessment roll, of property located:

(i) Within 100 feet of property which the subject of the request for amendment, where the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of property which is the subject of the request for amendment, where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 500 feet of property which is the subject of the request for amendment, where the subject property is within a farm or forest zone.

(B) In addition to incorporating the list in the request for amendment, the applicant must submit the list to the Department in an electronic format acceptable to the Department.

A list of the names and mailing addresses of property owners located within 500 feet of the property underlying the area subject to RFA 1 is provided in Attachment 13. The Certificate Holder requested the most recent property tax assessment roll from the Morrow County Assessor's office and the property owner information provided in Attachment 13 reflects information received on February 13, 2026.

9.0 Relevant Evidence Previously Submitted to ODOE – OAR 345-027-0360(3)

OAR 345-027-0360(3) The certificate holder may rely upon evidence previously submitted to the Department in the application for site certificate and/or previous request for amendment, or evidence that is otherwise included in the Department's record on the facility if:

(a) The certificate holder explains how the evidence is relevant to and remains accurate for purposes of the requested amendment;

(b) The certificate holder updates the evidence and related analysis regarding any data, facts or additional information obtained or learned since the evidence was last submitted to the Department; and

(c) The certificate holder submits the previously relied upon evidence and any updates to the Department with its preliminary request for amendment.

To address applicable standards, the Certificate Holder updated the analyses and compliance discussions for this RFA. Where necessary, the Certificate Holder provided new evidence. Otherwise, as indicated in Section 7, any standards that 1), do not require analysis updates since last approval have been marked "no analysis updates required since last approval/nonapplicable to this amendment request", and 2), rely on previous analyses and evidence have footnoted hyperlinks to relevant RFA 4 analyses/evidence. Where noted, RFA 4[78] analyses/evidence are relevant to and remain accurate for the purposes of the requested amendment; this is due to the fact that RFA 1 does not seek to enlarge the approved Site Boundary, micrositing corridor, or physical components of the Facility, and there is no change to the previously approved facilities from what was originally authorized for the Facility.

10.0 Conclusion

This amendment request demonstrates that the proposed division of the Facility and extension of the construction deadline comply with all applicable laws and Council standards. For the reasons stated above, the Certificate Holder respectfully requests approval of RFA 1.

11.0 References

BLM (Bureau of Land Management). 1989. Baker Resource Management Plan Record of Decision, Rangeland Program Summary (RPS). BLM Vale District Office, Baker Resource Area. July 1989. https://www.blm.gov/sites/default/files/Baker_RMP.pdf.

[78] https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WRW.aspx

BLM. 2025a. Wilderness and Wildness Study Areas. Accessed October 2025. https://www.blm.gov/programs/national-conservation-lands/wilderness.

BLM. 2025b. Areas of Critical Environmental Concern. Accessed October 2025. https://www.blm.gov/programs/planning-and-nepa/planning-101/special-planning-designations/acec-s.

BLM. 2025c. Oregon and Washington National Conservation Lands. Accessed October 2025. https://www.blm.gov/programs/national-conservation-lands/oregon-washington.

BLM. 2025d. Oregon Similarly Designated Areas. Accessed October 2025. https://www.blm.gov/programs/national-conservation-lands/ncas-and-similar-designations/oregon-washington.

BLM. 2025e. BLM National Data. Accessed October 2025. https://experience.arcgis.com/experience/9a89ee80c604431e8f8d939a186fbdbb#widget_6=layer_visibility:%7B%22widget_6-dataSource_2%22%3A%7B%22widget_6-dataSource_2-BLM_Natl_VRI_Inventories_2045%22%3Atrue%7D%7D,active_datasource_id:dataSource_2,center:-12990797.593022615%2C5655049.022547009%2C102100,scale:5750911.168189914,rotation:0,viewpoint:%7B%22rotation%22%3A0%2C%22scale%22%3A5750911.168189914%2C%22targetGeometry%22%3A%7B%22spatialReference%22%3A%7B%22latestWkid%22%3A3857%2C%22wkid%22%3A102100%7D%2C%22x%22%3A-12990797.593022615%2C%22y%22%3A5655049.022547009%7D%7D.

City of Ione. 1987. City of Ione Comprehensive Plan. June. https://www.oregon.gov/lcd/CPU/Pages/Adopted-Plan-Amendments.aspx.

City of Lexington. 1979. City of Lexington Comprehensive Plan Technical Report. Lexington, Oregon. June 1979. https://scholarsbank.uoregon.edu/xmlui/handle/1794/9346.

DOGAMI (Oregon Department of Geology and Mineral Industries.). 2021. SLIDO-2: Statewide Landslide Information Database for Oregon, SLIDO-4.4 November 29, 2021. https://www.oregon.gov/dogami/slido/pages/index.aspx.

DOGAMI. 2025a. Oregon HazVu: Statewide Geohazards Viewer. Accessed August 2025. https://gis.dogami.oregon.gov/maps/hazvu/.

DOGAMI. 2025b. HV/TsunamiInundationLine (MapServer). GIS data. Accessed October 2025. https://gis.dogami.oregon.gov/arcgis/rest/services/HV/TsunamiInundationLine/MapServer.

Federal Register. 2016. Notice of Availability of Record of Decision for the Final Environmental Impact Statement for Military Readiness Activities at the Naval Weapons Systems Training Facility Boardman, Oregon. A Notice by the Navy Department on 04/08/2016. https://www.federalregister.gov/documents/2016/04/08/2016-08130/notice-of-availability-of-record-of-decision-for-the-final-environmental-impact-statement-

for#:~:text=The%20Department%20of%20the%20Navy,SUPPLEMENTARY%20INFORMATION.

FEMA (Federal Emergency Management Agency). 2025. FEMA National Flood Hazard Layer. https://www.fema.gov/national-flood-hazard-layer-nfhl.

Google Earth. 2024. Imagery Date: 3/22/2024.

Montana DNRC (Montana Department of Natural Resources and Conservation). 2021. Standard Fire Behavior Fuel Models. https://www.arcgis.com/home/item.html?id=1d88114c76544c1c9314e848fd58d8a0. Accessed January 2026.

Morrow County. 2018. Morrow County, Oregon Comprehensive Plan. Acknowledged by the LCDC January 30, 1986. Morrow County Planning Department. Heppner, Oregon. Last amended June 2018. https://www.co.morrow.or.us/planning/page/comprehensive-plan.

NIFC (National Interagency Fire Center). 2025. WFIGS Interagency Fire Perimeters. Available at: https://data-nifc.opendata.arcgis.com/datasets/nifc::wfigs-interagency-fire-perimeters/about. Accessed June 2025.

NOAA (National Oceanic and Atmospheric Administration). 2025a. South Slough National Estuarine Research Reserve. Accessed October 2025. https://coast.noaa.gov/nerrs/reserves/south-slough.html.

NOAA 2025b. U.S. Climate Normals Quick Access. Station: Condon, OR US USC00351765 . Available at: https://www.ncei.noaa.gov/access/us-climate-normals/#dataset=normals-monthly&timeframe=30&station=USC00351765. Accessed June 2025.

NOAA. 2025c. Dead Fuel Moisture. Available online at: https://www.ncei.noaa.gov/access/monitoring/dyk/deadfuelmoisture#:~:text=Fuel%20m Accessed June 2025.

NPS (National Park Service). 1999. Oregon Trail Comprehensive Management and Land Use Plan https://www.nps.gov/oreg/getinvolved/upload/Comprehensive_Management_Plan-508.pdf.

NPS. 2025a. Oregon, Find a Park. October 2025. https://www.nps.gov/state/or/index.htm.

NPS. 2025b. Wild and Scenic Rivers. Accessed October 2025. https://nps.maps.arcgis.com/apps/View/index.html?appid=ff42a57d0aae43c49a88daee0e353142.

NRCS (National Resources Conservation Service). 2025. USDA Web Soil Survey database and map viewer. https://websoilsurvey.nrcs.usda.gov/app/.

National Wild and Scenic Rivers System. 2025. Oregon. Accessed October 2025. https://rivers.gov/.

NWCG (National Wildfire Coordinating Group). 2024. Fuels: Surface Fuel Model Descriptions. Available online at: https://www.nwcg.gov/publications/pms437/fuels/surface-fuel-model-descriptions. Accessed June 2025.

ODFW (Oregon Department of Fish and Wildlife). 2025a. Visit ODFW Wildlife Areas. https://myodfw.com/visit-odfw-wildlife-areas.

ODFW. 2025b. Visit ODFW Hatcheries. https://myodfw.com/visit-odfw-hatcheries.

ODOT. 2023. 1999 Oregon Highway Plan, Including Amendments November 1999 through January 2023. https://www.oregon.gov/odot/Planning/Documents/OHP.pdf.

ODSL (Oregon Department of State Lands). 2012. Real Estate Asset Management Plan. February 2012. https://www.oregon.gov/dsl/lands/Documents/DSL_REAMP.pdf.

OPRD (Oregon Parks and Recreation Department). 2020. Draft Oregon Natural Areas Plan. https://inr.oregonstate.edu/sites/inr.oregonstate.edu/files/2020_nap_draft.pdf.

OPRD. 2025a. Find a Park. https://stateparks.oregon.gov/index.cfm?do=visit.find.

OPRD. 2025b. Willamette River Greenway and Water Trail. https://stateparks.oregon.gov/index.cfm?do=park.profile&parkId=194.

OPRD. 2025c. List of Scenic Waterways. Accessed October 2025. https://www.oregon.gov/oprd/bwt/pages/ssw-list.aspx.

OPRD. 2025d. Oregon State Scenic Waterway Water Courses. Accessed October 2025. https://www.arcgis.com/home/webmap/viewer.html?url=https%3A%2F%2Fmaps.prd.state.or.us%2Farcgis%2Frest%2Fservices%2FAdmin_boundaries%2FAD_SCENIC_WATERWAYS%2FFeatureServer%2F0&source=sd.

Oregon Explorer. 2026. Oregon CWPP Planning Tool. Available online at: https://oregon-explorer.apps.geocortex.com/webviewer/?app=fccd4dfc5a974213aa1fa6a01b9c07e1&viewer=wildfireplanning. Accessed January 2026.

OSU (Oregon State University). 2025a. Research and Experiment Stations. https://agsci.oregonstate.edu/home/outreach/research-experiment-stations#experiment.

OSU. 2025b. Welcome to the OSU Research Forests. https://cf.forestry.oregonstate.edu/.

Scott, Joe H., Burgan, Robert E. 2005. "Standard Fire Behavior Fuel Models: A Comprehensive Set for Use with Rothermel's Surface Fire Spread Model." Accessed August 2025. https://www.fs.usda.gov/rm/pubs_series/rmrs/gtr/rmrs_gtr153.pdf.

Umatilla County. 2025. Umatilla County Comprehensive Plan. Umatilla County Department of Land Use Planning. 1983, Amended. Revision Date: April 29, 2025. https://www.co.umatilla.or.us/fileadmin/user_upload/Planning/Umatilla_County_Ccomp_Plan.pdf.

USFS (U.S. Forest Service). 1993. Blue Mountain National Scenic Byway Interpretive Guide. Umatilla National Forest, USDA Forest Service. November 1993.

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/16585/bluemountainnationalscenicbywayinterpretiveguide.pdf.

USFS. 2025a. Experimental Forests and Ranges. April 30, 2025. https://research.fs.usda.gov/forestsandranges.

USFS. 2025b. Interactive Visitor Map. Accessed October 2025. https://www.fs.usda.gov/ivm/index.html?minx=-13645989&miny=5667056&maxx=-13467126&maxy=5768870&exploremenu=no.

USFS. 2025c. Wildernesses in the Pacific Northwest. Accessed October 2025. https://www.fs.usda.gov/detail/r6/specialplaces/?cid=stelprdb5227694.

USFWS (U.S. Fish and Wildlife Service). 2025a. Our Facilities. Accessed October 2025. https://www.fws.gov/our-facilities?type=%5B%22National%20Wildlife%20Refuge%22%5D.

USFWS. 2025b. Visit National Fish Hatcheries. Accessed October 2025. https://www.fws.gov/visit-us/hatcheries?type=%5B%22National%20Fish%20Hatchery%22%5D.

USGS (U.S. Geological Survey). 2022a. National Seismic Hazard Model. March 2022. https://www.usgs.gov/programs/earthquake-hazards/science/national-seismic-hazard-model.

USGS. 2022b. U.S. Quaternary Faults, Interactive U.S Fault Map. September 2022. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

USGS. 2024. Gap Analysis Project (GAP) 2024, Protected Areas Database of the United States (PAD-US) 4.0: U.S. Geological Survey data release, https://doi.org/10.5066/P96WBCHS.

USGS. 2025. Earthquakes (NEIC). Accessed October 2025. https://www.usgs.gov/programs/earthquake-hazards/earthquakes.

U.S. Navy. 2012. Environmental Assessment, Integrated Natural Resources Management Plan for Naval Weapons Systems Training Facility Boardman, Boardman, Oregon. U.S. Navy, naval Facilities Engineering Command Northwest and Naval Air Station Whidbey Island.

U.S. Navy. 2015. Naval Weapons Systems Training Facility Boardman Environmental Impact Statement. http://www.nwstfboardmaneis.com/.

Wilderness Connect. 2025. Wilderness Areas of the United States. Accessed October 2025. https://umontana.maps.arcgis.com/apps/webappviewer/index.html?id=a415bca07f0a4bee9f0e894b0db5c3b6.

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Figures

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1
Existing Site Boundaries

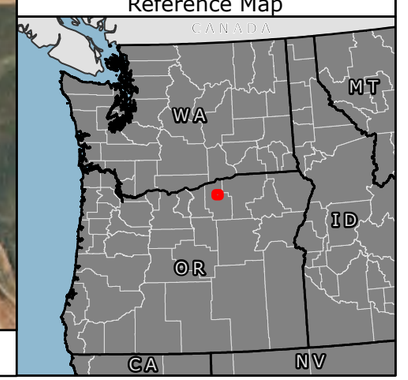
MORROW COUNTY, OR

- Existing Wheatridge Renewable Energy Facility III Site Boundary
- Existing Wheatridge Renewable Energy Facility II Site Boundary
- Existing Wheatridge Renewable Energy Facility I Site Boundary
- Existing Wagon Trail Solar Project Site Boundary
- Existing Wheatridge East Renewable Energy Facility Site Boundary

TETRA TECH

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Reference Map



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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 2
Proposed Site Boundary

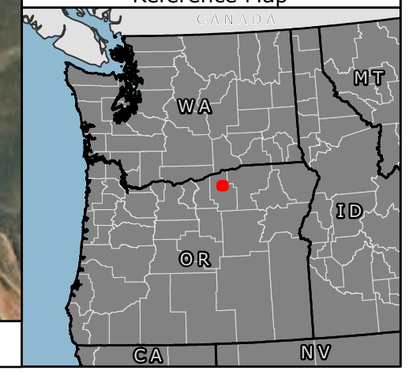
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Proposed Wheatridge Renewable Energy Facility III Site Boundary

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Wheatridge Renewable Energy Facility III
Request for Amendment 1

Figure 3
Proposed Site Boundary

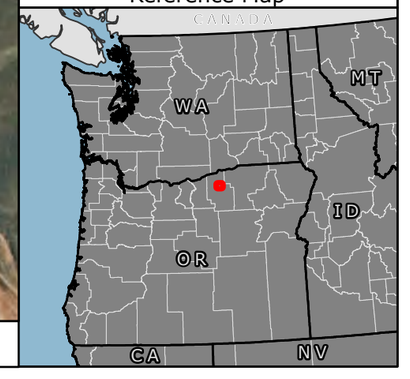
MORROW COUNTY, OR

Proposed Wagon Trail Solar II Site Boundary

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 4A
Historical
Earthquakes and Faults

MORROW COUNTY, OR

WASHINGTON

OREGON

Yakima County
Klickitat County
Franklin County
Benton County
Walla Walla County
Columbia County
Wallowa County
Umatilla County
Morrow County
Union County
Sherman County
Gilliam County
Wasco County
Wheeler County
Grant County
Jefferson County

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

Analysis Area (50-mile buffer)

State Boundary

County Boundary

Quaternary Faults and Associated Folds

Age

- Late Quaternary
- Latest Quaternary
- Middle and Late Quaternary
- Undifferentiated Quaternary

Class B

Historical Earthquakes

Magnitude

- 2.5 - 2.7
- 2.7 - 3.2
- 3.2 - 3.6
- 3.6 - 3.9
- 3.9 - 5.0

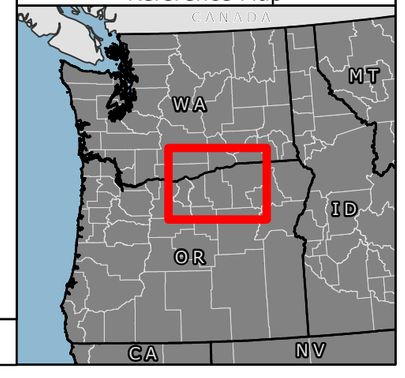
MMI (Intensity)

- II
- III
- IV

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NEXTera ENERGY RESOURCES

Reference Map



1:700,000

WGS 1984 UTM Zone 10N

0 10 20 30 40 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 4B
Seismic Risk

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

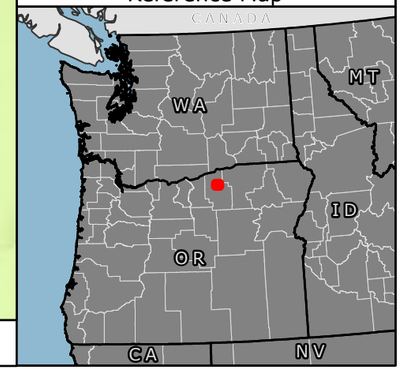
Cascadia Earthquake Expected Shaking

- Violent
- Severe
- Very Strong
- Strong
- Moderate
- Light

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Reference Map



1:35,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

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Wheatridge Renewable Energy Facility III
Request for Amendment 1

Figure 4C
Flood Hazards

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

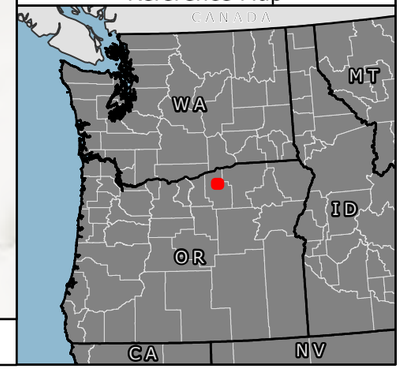
Proposed Wagon Trail Solar II Site Boundary

100-Year Floodplain

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Reference Map



1:35,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 4D
Landslide Hazards

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

Deposits

Fan

Landslide Hazard

Low

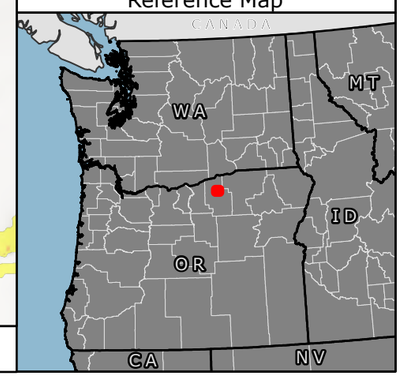
Moderate

High

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Reference Map



1:35,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 5
Soils

MORROW COUNTY, OR

- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary

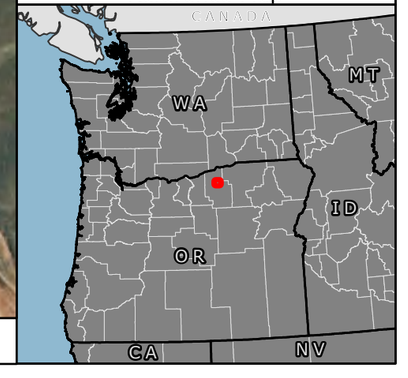
Map Unit Name

- 13E, Gravden very gravelly loam, 20 to 40 percent slopes
- 28E, Lickskillet very stony loam, 7 to 40 percent slopes
- 45A, Ritzville silt loam, 0 to 2 percent slopes
- 45B, Ritzville silt loam, 2 to 7 percent slopes
- 45C, Ritzville silt loam, 7 to 12 percent slopes
- 47E, Ritzville silt loam, 20 to 40 percent south slopes
- 71B, Warden silt loam, 2 to 5 percent slopes
- 75B, Willis silt loam, 2 to 5 percent slopes
- 75C, Willis silt loam, 5 to 12 percent slopes
- 78, Xeric Torriorthents, nearly level

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NEXTera ENERGY RESOURCES

Reference Map



1:28,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 6A
Zoning

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

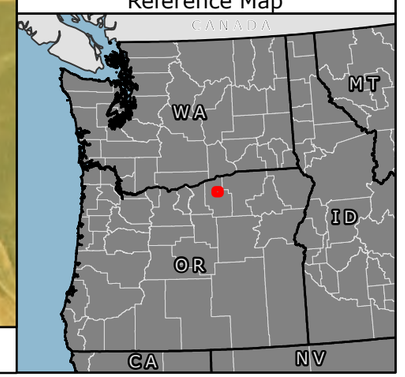
Morrow County Zoning

Exclusive Farm Use

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Reference Map



1:28,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 6B
Surrounding Lands

MORROW COUNTY, OR

01N26E000001100
01N25E000000100
01N26E000000600
01N26E000001301
01N26E000000400
01N26E000000701
01N26E000000800
01N26E000000700
01N26E000001101
01N26E000001700
01N26E000001102
01N26E000001500
01N25E000001700
01N26E000001300
01N26E000001200
01N26E000003100
01N26E000002400
01N25E000001600
01N26E000002500
01N26E000002804
01N26E000002700
01N26E000002805
01N25E000001601
01N26E000002900
01N26E000003200
01N26E000003000
01N26E000003600
01N26E000003201
01N25E000003100
01N26E000003301
01N26E000003700
01N25E000003200
01N26E000002801
01N26E000003300
01N26E000003400
01N26E000003502
01N26E000002806
01N26E000003501
01N26E000004400
01N26E000003500
01N26E000004500

- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary
- Analysis Area (0.5 mile Buffer)
- Taxlot Boundary
- Approved Sunstone Solar Project Site Boundary*
- Existing Wagon Trail Solar Project Site Boundary*
- Turbines**
- Water Rights

Land Use

- Agriculture (not irrigated)
- Habitat Lands

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*Site Boundary clipped to only depict portions within the 0.5-mile analysis area. Portions outside the 0.5-mile analysis area and within the proposed Wheatridge Renewable Energy Facility III and the Wagon Trail Solar II site boundaries are excluded.

**Combination of existing wind turbines for the following facilities:
-Wheatridge Renewable Energy Facility I
-Wheatridge Renewable Energy Facility II

Reference Map



1:35,000 WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

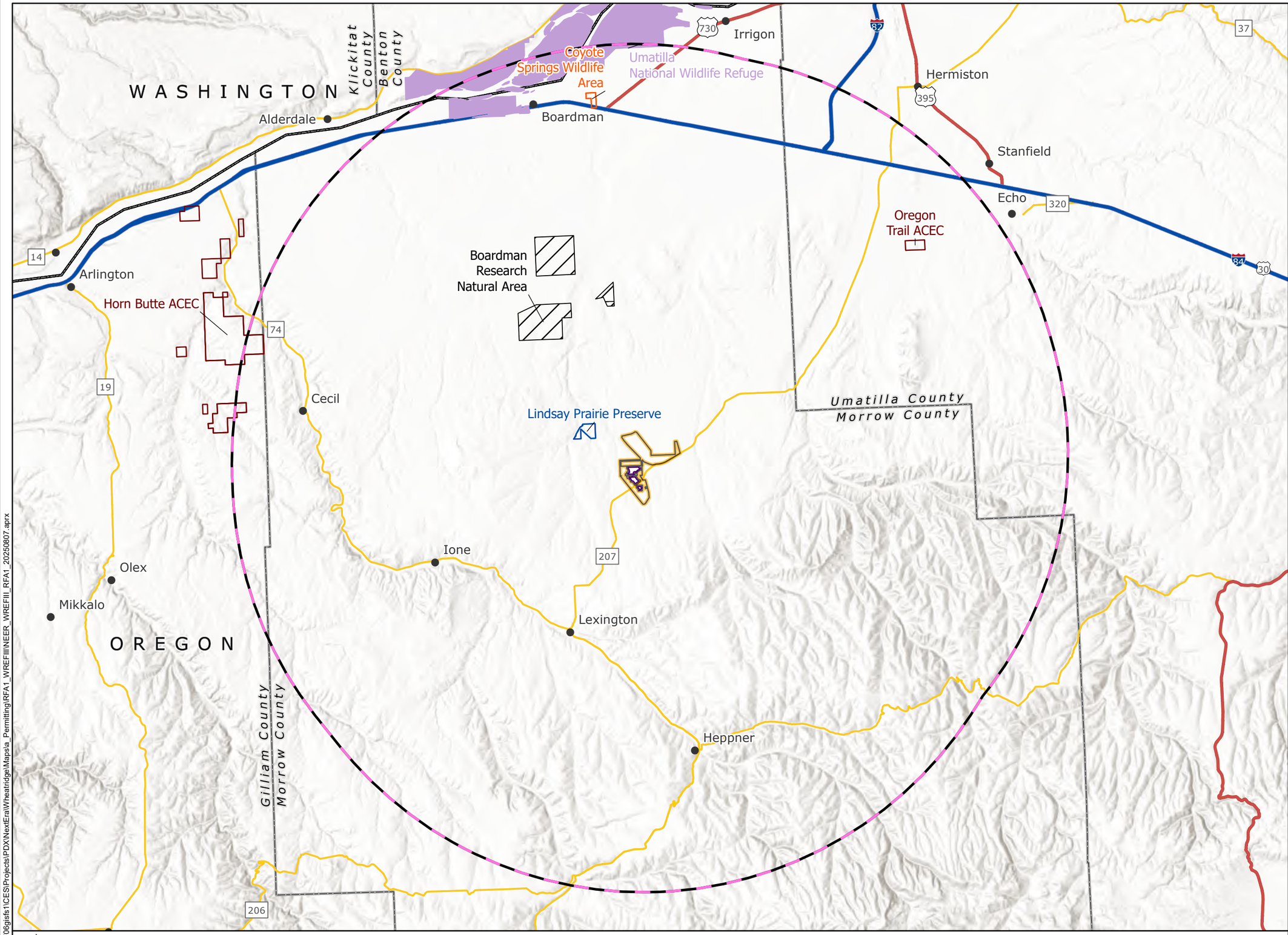
NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 7
Protected Areas

MORROW COUNTY, OR



- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Wagon Trail Solar II Proposed Site Boundary
- Analysis Area (20-mile Buffer)
- County Boundary
- State Boundary
- City/Town
- Interstate Highway
- US Highway
- State Highway

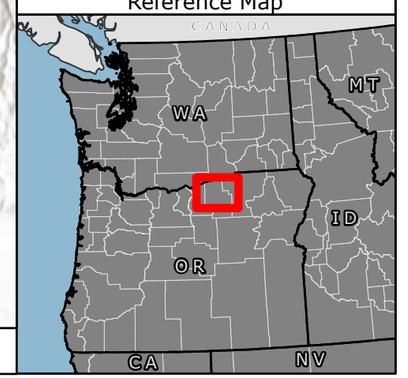
Protected Areas

- National Wildlife Refuge (USFWS)
- Area of Critical Environmental Concern (BLM)
- Research Natural Area
- State Wildlife Refuge or Management Area (ODFW)
- State Natural Heritage Area

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NEXTera ENERGY RESOURCES

Reference Map



1:300,000

WGS 1984 UTM Zone 10N

0 4 8 12 16 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 8A
Habitat Types

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

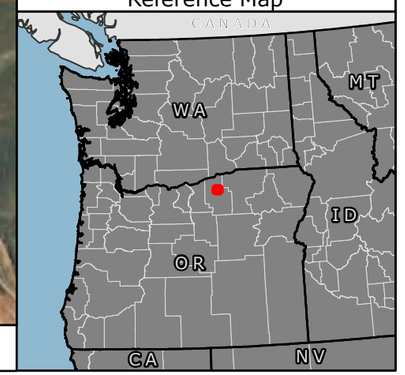
Habitat Type, Habitat Sub-Type

- Developed,Dryland Wheat
- Developed,Other
- Developed,Revegetated or Other Planted Grassland
- Grassland,Exotic Annual
- Grassland,Native Perennial

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:28,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 8B
Habitat Categories

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

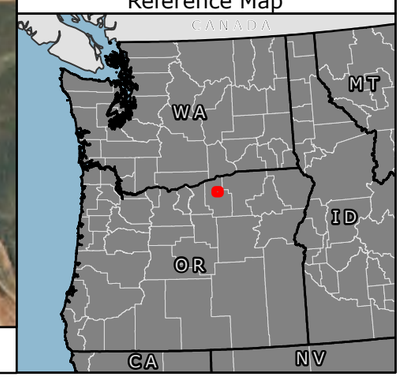
Habitat Category

- 1
- 2
- 3
- 4
- 6

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NEXTera ENERGY RESOURCES

Reference Map



1:28,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 9
Scenic Resources

MORROW COUNTY, OR

Umatilla County
Morrow County

Cecil
Ione
Lexington
74
207

- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary
- Analysis Area (10-mile Buffer)
- City/Town
- State Highway
- County Boundary
- Boardman Bombing Range
- Blue Mountain National Scenic Byway

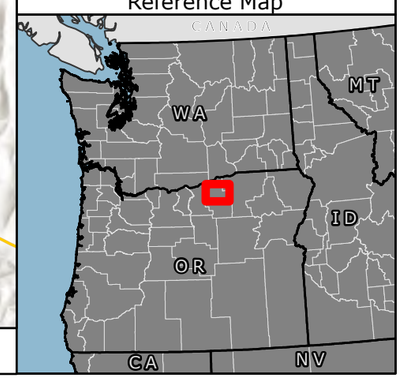
Surface Mangement Agency

- Bureau of Land Managment (BLM)
- State Lands

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:170,000

WGS 1984 UTM Zone 10N

0 4 8 12 16 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 10
Recreation Opportunities

MORROW COUNTY, OR

Well Springs Interpretive Site

Rolling Hills Hunting Preserve

74

207

0

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

Analysis Area (5-mile Buffer)

State Highway

Federal

Boardman Bombing Range

Oregon Trail

Blue Mountain National Scenic Byway

National Register Historic Place

Private

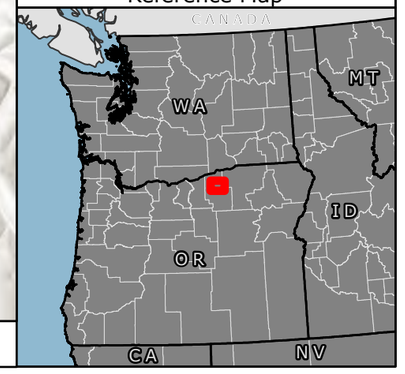
Other Site

Hunting Range

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:100,000

WGS 1984 UTM Zone 10N

0 2 4 6 8 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11A
Slope

MORROW COUNTY, OR

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

Analysis Area (0.5 mile Buffer)

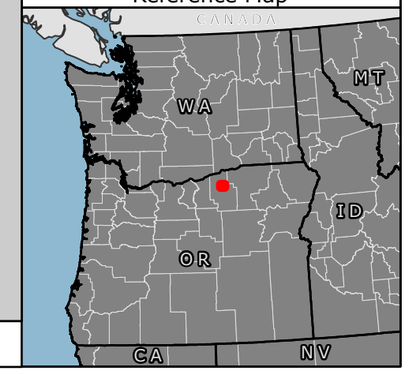
Slope

0 - 25

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:35,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11B
Fuel Models

MORROW COUNTY, OR

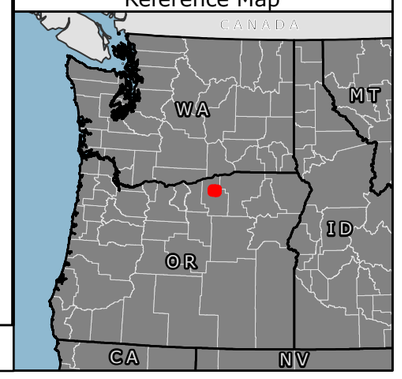
- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

Fuel Model
- 93
- 99
- 101
- 102
- 121
- 122
- 123
- 141
- 142
- 181
- 182
- 183
- 242
- 251
- 252

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11C
Burn Probability

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

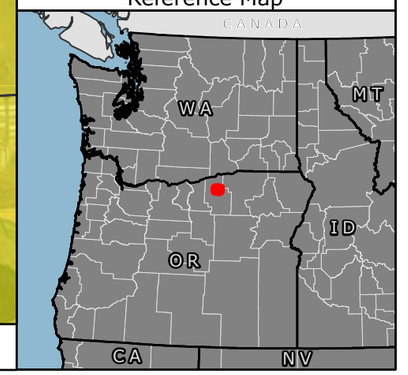
Burn Probability

- 0
- 0 - 0.0001 Low (<= 1-in-10,000)
- 0.002 - 0.01 High (1-in-500 to 1-in-100)
- 0.01 - 0.02 High (1-in-100 to 1-in-50)

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Doherty Rd
Lower Sand Hollow Rd
Melville Rd
Bombing Range Rd
Barak Martin Rd N
Juniper Canyon Rd
Lexington-Echo Hwy
Strawberry Ln
Barclay Ln
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cutsforth Rd
207

1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11D
Average Flame Length

MORROW COUNTY, OR

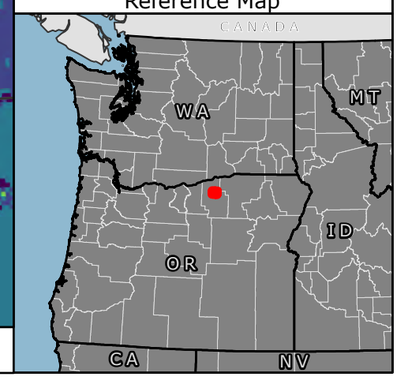
- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

Average Flame Length
- 0 - 2 ft.
- 2 - 4 ft.
- 4 - 6 ft.
- 6 - 8 ft.
- 8 - 12 ft.

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Grieb Ln
Little Juniper Ln
Grieb-Wood Rd
Canyon Rd
Bombing Range Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Kemp Rd
Beach Ln
Baseline Ln
Cutsforth Rd
Juniper Canyon Rd
Dotarog Rd
Melville Rd
Lower Sand Hollow Rd
Barclay Ln
Sand Hollow Rd
Myers Ln
207
578

1:40,000 WGS 1984 UTM Zone 11N 0 0.5 1 1.5 2 Miles NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11E
Expected Risk
to Infrastructure

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

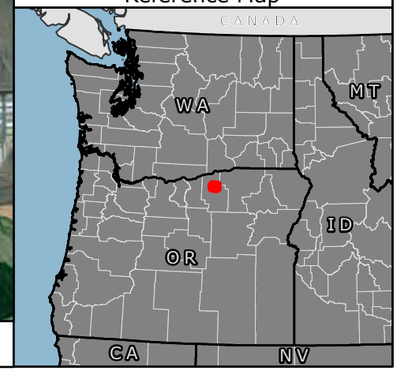
Expected Risk to Infrastructure

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Bombing Range Rd
Dobrinsky Rd
Lower Sand Hollow Rd
Melville Rd
Juniper Canyon Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Barclay Ln
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cusforth Rd
207

1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III
Request for Amendment 1

Figure 11F
Expected Risk
to People and Property

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

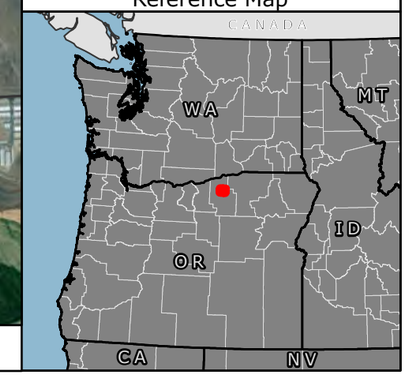
Expected Risk to People and Property

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Bombing Range Rd
Dobbarjay Rd
Melville Rd
Lower Sand Hollow Rd
Juniper Canyon Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Kemp Rd
Barclay Ln
Sand Hollow Rd
Beach Ln
Myers Ln
Baseline Ln
Cusforth Rd
207
578

1:40,000

WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 11G
Integrated Expected Wildfire Risk

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

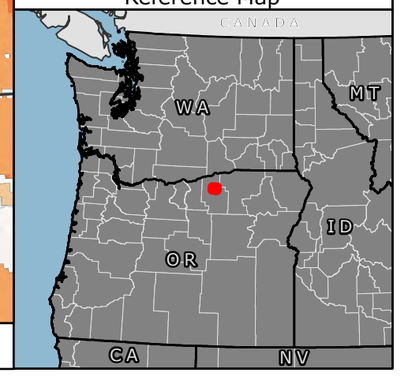
Integrated Expected Wildfire Risk

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss
- Neutral

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Doherty Rd
Lower Sand Hollow Rd
Melville Rd
Bombing Range Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Juniper Canyon Rd
Barclay Ln
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cutsforth Rd
207

1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

\\tt.local\GIS\US\CES\Projects\PDX\NextEra\WheatridgeMaps\a_Permitting_RAI\Exhibit_M\NEER_WREFIII_RAI_Exhibit_M_20260121.aprx

Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 12
Noise Sensitive Receptors

MORROW COUNTY, OR

- Existing Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary
- Analysis Area (1-mile Buffer)
- Wagon Trail Solar II Solar Array
- Wheatridge Renewable Energy Facility III Solar Array
- DC Battery Storage
- Inverters

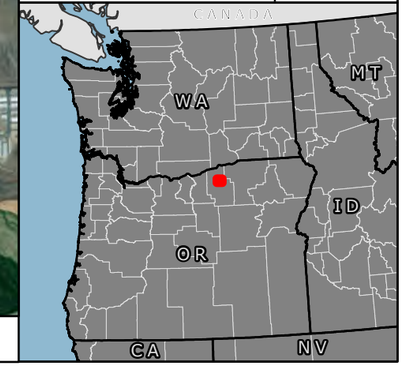
Noise Sensitive Receptor

- Participant
- Non-Participant

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:40,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

\\tt.local\GIS\US\CES\Projects\PDX\NextEra\WheatridgeMaps\a_Permitting\RFA1_WREFIII_RAIsNEER_WREFIII_RFA1_RAI_20260119.aprx

Attachment 1. Wheatridge Renewable Energy Facility III Redlined Site Certificate

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ENERGY FACILITY SITING COUNCIL

OF THE

STATE OF OREGON

Site Certificate for the

Wheatridge Renewable Energy Facility III

ISSUANCE DATES

Site Certificate	**November 19, 2020**
First Amended Site Certificate	**TBD**

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WHEATRIDGE RENEWABLE ENERGY FACILITY III SITE CERTIFICATE

Attachments

Attachment A	Facility Site Boundary Map

Acronyms and Abbreviations

ASC	Application for Site Certificate
BMP	Best Management Practice
Council or EFSC	Oregon Energy Facility Siting Council
Department or ODOE	Oregon Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
ESCP	Erosion and Sediment Control Plan
HMP	Habitat Mitigation Plan
NEER	NextEra Energy Resources, LLC
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
OAR	Oregon Administrative Rule
ODFW	Oregon Department of Fish and Wildlife
ORS	Oregon Revised Statute
NRHP	National Register of Historic Places
WGS	Washington Ground Squirrel
WMMP	Wildlife Monitoring and Mitigation Plan
WREFI	Wheatridge Renewable Energy Facility I
WREFII	Wheatridge Renewable Energy Facility II
WREFIII	Wheatridge Renewable Energy Facility III
WREFE	Wheatridge Renewable Energy Facility East

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 Wheatridge Solar Energy Center, LLC (certificate holder), a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (NEER, certificate holder owner). As authorized under Oregon Revised Statue (ORS) Chapter 469, the Council issues this site certificate authorizing certificate holder to construct, operate and retire the Wheatridge Renewable Energy Facility III (facility) at the below described site within Morrow 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)).

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 approved for the Wheatridge Wind Energy Facility, incorporated herein by this reference: (1) the *Final Order on the Application for Site Certificate for the Wheatridge Wind Energy Facility* issued on April 28, 2017 (hereafter, *Final Order on the Application*); (2) *Final Order on Request for Transfer* issued on July 27, 2017; (3) *Final Order on Request for Amendment 3* issued on November 16, 2018; (4) *Final Order on Request for Amendment 2* issued on December 14, 2018; *Final Order on Request for Amendment 4* issued on November 22, 2019; and (5) *Final Order on Request for Amendment 5* issued May 22, 2020. In addition, 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 approved for the Wheatridge Renewable Energy Facility II (WREFII), incorporated herein by this reference: (1) *Final Order on Request for Amendment 1* issued November 19, 2020.

In interpreting this site certificate, any ambiguity will be clarified by reference to the following documents approved for WREFII, in order of priority: (1) *Final Order on Request for Amendment 1;* and for the Wheatridge Wind Energy Facility, in order of priority: (2) *Final Order on Request for Amendment 5;* (3) *Final Order on Request for Amendment 4;* (4) *Final Order on Request for Amendment 2*; (5) *Final Order on Request for Amendment 3*; (6) *Final Order on Request for Amendment 1*; (7) *Final Order on the Application*, and (6) 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)).

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.

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 345-027-0410 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.

2.0 Facility Location

The Wheatridge Renewable Energy Facility III (WREFIII), is a solar facility generating up to ~~1~~50 MW of solar energy. The energy facility and its related or supporting facilities are located within Morrow County. The site boundary, as defined in OAR 345-001-0010, encompasses approximately 3592~~,294~~ acres of private land and includes ~~two~~ solar array facilities and distributed energy storage~~-~~ within micrositing

corridors, related or supporting facilities, including 34.5 kV collector lines above or below ground within a perimeter fence and outside a fenced area ~~in two routes~~, service roads, ~~5 acre substation,~~ and 1541 ~~1~~ distributed battery storage sites for lithium-ion batteries proposed by the certificate holder, as approved by the Council.[1] Shared (WREFI, WREFII and WREFIII) Related or Supporting Facilities is discussed further in Section 3.3 below.

WREFIII components are located entirely within Morrow County, bisected by Oregon Highway 207, approximately 5 miles northeast of Lexington and approximately 7 miles northwest of Heppner. Previously approved facility components that are shared between WREFII and WREFIII include a collector substation, access roads, temporary laydown areas and the O&M building, all of which are reflected in both WREFII and WREFIII site certificates. WREFE does not share any related or supporting facilities with WREFII or WREFIII, however would include areas of overlapping site boundary. Portions of the 230-kV Intraconnection Line may have overlapping site boundaries with WREFI, WREFII, and WREFIII.

2.1 Site Boundary

The site boundary encompasses a total of 3592,294 ~~2~~ acres of privately owned land. Table 1 identifies the Public Land Survey System sections in which the site boundary is located.

Table 1. Location of Site Boundary by Township, Range and Section

Township	Range	Section(s)
~~1N~~	~~25E~~	~~13, 24~~
1N	26E	~~6, 7, 8, 9, 10, 16, 17,~~ 18, 19~~, 20, 21, 29, 30~~

For this facility, the certificate holder requested that the site boundary represent the "micrositing corridor" for the placement of facility components 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 Council permits final siting flexibility within a micrositing corridor when the certificate holder demonstrates that requirements of all applicable standards have been satisfied by adequately evaluating the entire corridor and location of facility components anywhere within the corridor.

2.2 Micrositing Corridors

The certificate holder requested flexibility to locate components of the energy facility and its related or supporting facilities within a micrositing corridor to allow adjustment of the specific location of components, while establishing outer boundaries of potential construction for purposes of evaluating potential impacts.

Micrositing corridors for solar facility components, as presented in Figure 1 *Solar Micrositing Corridors* of this amended site certificate~~, include the area for Solar Array 1 and Solar Array 2~~, which includes private access roads, service roads, a 34.5 kV collection system, gates and perimeter security fence.

[1] Energy facility site, as defined in OAR 345-001-0010(54), means all land upon which an energy facility is located or proposed to be located.

3.0 Facility Description

The facility includes solar energy generation components, each with related or supporting facilities. The energy generation capacity of the facility at full build out by the specified construction completion deadlines is ~~1~~50 MW. Solar energy facility components are further described in Section 3.2 and 3.2.1 of this site certificate.

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

3.1 Solar Energy Facility Components

The construction commencement deadline for the ~~1~~50 MW solar energy facility and its related or supporting facilities must begin by November 22, 2022 (under General Standard Condition 1 (GEN-GS-01) and construction of these components must be completed on or before November 22, 2025 (under General Standard Condition 2 (GEN-GS-02).

Solar energy facility components are ~~include up to two solar arrays~~ located ~~within Wheatridge West,~~ entirely within Morrow County, on Exclusive Farm Use zoned land. The solar arrays consist of photovoltaic panels mounted onto tracking modules and arranged in strings within the solar micrositing corridors. Strings of modules are connected by electrical collector lines and inverters that convert the direct current power generated by panels to alternating current power. Transformers placed near the inverters step up power to 34.5 kV for transmission to the WREFII~~Wheatridge West~~ substation. The maximum layout including total number of modules, configuration, dimensions, total energy generating capacity and mounting system of solar array components shall be substantially as described in Request for Amendment 4.

Photovoltaic Modules and Racking

Each solar module is approximately 6 feet by 3 feet, placed on a nonspecular, galvanized steel rack. Each set of approximately 70 racked modules is mounted approximately 5 feet off the ground on a single-axis tracker that would rotate 60 degrees to the east and west. Each tracker is supported by steel posts; post depth varies depending on soil conditions, but the posts are typically placed 8 feet below the surface. The maximum of height of the modules at full tilt would be approximately 16 feet.

Combiner Boxes, Inverters and Transformers

The current produced by solar modules is in the form of direct current (DC). Within each module block, several DC electrical conduits (cables on the back of the modules) aggregate electricity produced from each of the modules into a combiner box. Approximately 18 combiner boxes are located throughout each module block for a total of approximately 348~~740~~ combiner boxes. The photovoltaic modules are arranged into blocks, with each block connecting via collector lines to approximately 154~~1~~ modular inverter enclosures. Inverters convert DC current into alternating current (AC) power to then be transmitted to the grid. The inverter AC output voltage (480 volts) is stepped up to a higher voltage (34.5 kilovolts [kV]) by approximately 154~~1~~ pad-mounted transformers designed to integrate with the inverter.

3.1.1 Related or Supporting Facility to Solar Energy Facility Components

Related or supporting facilities associated with the solar facility must begin construction by the dates described in General Standard Condition 1 (GEN-GS-01) and construction must be completed, substantially as described below, by the deadline stated in General Standard Condition 2 (GEN-GS-02).

Electrical Collection System

Electricity generated from the solar energy facility components are aggregated via underground 34.5 kV cables to an above- or belowground 34.5 kV collector line that interconnect to WREFIIWheatridge West collector substation. Underground AC electrical cables are buried to a minimum of 3 feet. Overhead collector lines are supported by a wooden or steel monopole structure, with foundations extending 6 feet in depth and structure height of approximately 60 feet above ground. The collection system also includes up to 13 miles of underground two 34.5 kV collector line. routes outside of the perimeter fenceline; one route extends approximately 2.32 miles from Solar Array 1 to Wheatridge West collector substation. The second collector line interconnects Solar Array 1 to Solar Array 2 and extends approximately 0.66 miles along Bombing Range Road.

Service Roads, Gates, and Fencing

Service roads, approximately 16-feet wide and 3.2 miles total, located within and around the perimeter of the proposed solar arrays, and within the solar micrositing corridors, to facilitate access for construction and maintenance purposes. Vegetation is cleared and maintained along perimeter roads to provide a vegetation clearance area extending 100-feet wide for fire safety. Internal roads are all-weather, compacted gravel and approximately 20 feet wide, with an internal turning radius of 28 feet.
Vegetation maintenance along solar array interior roads includes mowing to a height no more than 3 inches.

The perimeter service road is bordered by a 7 or 8-foot-high chain-link security fence. There is also a locked security entrance gates to allow vehicle and pedestrian access.

Wheatridge West Collector Substation Expansion

Wheatridge West collector substation (by Strawberry Lane) includes 10 acres, 5 of which accommodate electrical equipment such as an additional transformer, switches, protective relay and metering equipment needed to handle the power generated by the solar energy facility components.

Battery Storage System Sites – Distributed Locations (AC Coupled)

Solar energy facility components include approximately 1541 distributed sites of sites of lithium-ion batteries housed within concrete containers or similar containment throughout and within the solar array fencelines. Each container measures up to 12 feet wide, 36 feet long and 10 feet tall. Lithium-ion battery storage systems are modular systems. Each module contains multiple smaller battery cells, each measuring up to 3.2 by 7 centimeters. Modules are contained in anchored racks within the concrete containers; typically, each rack houses 12 battery modules along with a switchgear assembly. Cooling equipment is located either on top of the concrete containers or along the side.

3.2 Shared (WREFI, WREFII, ~~and~~ WREFIII, and Wagon Trail Solar II) Related or Supporting Facilities

Previously approved facility components that are shared between WREFII and WREFIII include a collector substation, access roads, temporary laydown areas and the O&M building, all of which are reflected in both WREFII and WREFIII site certificates. WREFE does not share any related or supporting facilities with WREFII or WREFIII, however would include areas of overlapping site boundary. Portions of the 230-kV Intraconnection Line may have overlapping site boundaries with WREFI, WREFII, ~~and~~ WREFIII, and Wagon Trail Solar II. Sharing of facility components, or use by multiple facilities, is allowable in the EFSC process when the compliance obligation and applicable regulatory requirements for the shared facilities is adequately covered under the relevant/applicable~~both~~ site certificates, including under normal operational circumstances, ceasing/termination of operation, emergencies and compliance issues or violations.

The certificate holder is authorized to share related or supporting facilities with the WREFI and WREFII facilities, including the Intraconnection Line, WREFII~~Wheatridge West~~ collector substation, O&M building, temporary laydown areas, and access roads. These related or supporting facilities are ~~also~~ included in both WREFI and WREFII site certificates. The certificate holder is also authorized to share related or supporting facilities with Wagon Trail Solar II, including access roads. Compliance with site certificate conditions and EFSC standards which apply to these shared related or supporting facilities are split accordingly~~shared~~ between certificate holders and their associated site certificates. In accordance with Organizational Expertise Condition 11, if either certificate holder substantially modifies a shared related or supporting facility or ceases facility operation, the applicable/relevant ~~both~~ certificate holder~~s~~ is~~are~~ obligated to submit an amendment determination request or request for amendment to the Department to determine the appropriate process for evaluating the change and ensuring full regulatory coverage under each site certificate, or remaining site certificate if either is terminated, in the future.

Additionally, each certificate holder is obligated to demonstrate to the Department that a "Common Facilities Agreement" or similarly legally binding agreement has been fully executed between certificate holders to ensure approval and agreement of access to the shared resources has been obtained prior to operation of shared facilities.

4.0 Site Certificate Conditions

4.1 Condition Format

The conditions in Sections 4.2 through 4.7 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.)[2]. The table below presents a "key" for phase of implementation:

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

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.

This site certificate contains conditions initially imposed in the Wheatridge Wind Energy Facility site certificate, as approved in April 2017, and amended in July 2017 (AMD1), November (AMD2) and December 2018 (AMD3), November 2019 (AMD4), and May 2020 (AMD5). Site certificate conditions include a bracketed citation (e.g. [Final Order on ASC (2017), AMD2 (2018), AMD4 (2019)]) which provides reference to the Council order imposing or amending the condition. Bracketed citations dated 2017 through May 2020 represent conditions imposed or amended under the Wheatridge Wind Energy Facility site certificate; bracketed citations dated after May 2020 represent conditions imposed or amended under the Wheatridge Renewable Energy Facility II site certificate.

[2] 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.

4.2 General Conditions (GEN): Design, Construction and Operations

Condition Number	General (GEN) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
GEN-GS-01	The certificate holder shall begin construction of solar facility components and its related or supporting facilities, as approved the Fourth Amended Site Certificate, by November 22, 2022). On or before November 22, 2022, the certificate holder shall provide written notification to the Department that it has met the construction commencement deadline. Construction is defined in OAR 345-001-0010. [Final Order on ASC (2017), General Standard Condition 1; AMD2 (2018); AMD4 (2019); AMD1 (2020)] [Mandatory Condition OAR 345-025-0006(4)
GEN-GS-02	The certificate holder shall complete construction of solar facility components and its related or supporting facilities, as approved the Fourth Amended Site Certificate, by November 22, 2025. On or before November 22, 2025, the certificate holder shall promptly notify the Department of the date of completion of construction. [Final Order on ASC (2017), General Standard Condition 2 (2018); AMD2 (2018); AMD4 (2019); AMD1 (2020)] [Mandatory Condition OAR 345-025-0006(4)
GEN-GS-03	The certificate holder shall design, construct, operate, and retire the facility: a. Substantially as described in the site certificate; 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; and c. In compliance with all applicable permit requirements of other state agencies. [Final Order on ASC (2017), Mandatory Condition 2] [OAR 345-025-0006(3)]
~~GEN-GS-04~~	~~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 wind energy facilities, transmission lines or pipelines, 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:~~ ~~a. 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 or pipeline occurs during the certificate holder's negotiations to acquire construction rights on another part of the site; or~~ ~~b. The certificate holder would construct and operate part of a wind energy facility on that part of the site even if other parts of the facility were modified by amendment of the site certificate or were not built.~~ ~~[Final Order on ASC (2017), Mandatory Condition 3] [OAR 345-025-0006(5)]~~
GEN-GS-05	If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder shall, as soon as possible, submit a written report to the department describing the impact on the facility and any affected site certificate conditions. [Final Order on ASC (2017), Mandatory Condition 6] [OAR 345-025-0000(6)]

GEN-GS-06	The Council shall include as conditions in the site certificate all representations in the site certificate application and supporting record the Council deems to be binding commitments made by the applicant.

	[Final Order on ASC (2017), Mandatory Condition 5] [OAR 345-025-0006(10)]
GEN-GS-07	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. [Final Order on ASC (2017), Mandatory Condition 6] [OAR 345--025-0006(11)]
GEN-GS-08	The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety 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. For coastal sites, this also includes tsunami hazards and seismically-induced coastal subsidence. [Final Order on ASC (2017), Mandatory Condition 7] [OAR 345-025-0006(12)]
GEN-GS-09	The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries 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 Department of Geology and Mineral Industries and the Building Codes Division and to propose mitigation actions. [Final Order on ASC (2017), Mandatory Condition 8] [OAR 345-025-0006(13)]
GEN-GS-10	The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries 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 Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Final Order on ASC (2017), Mandatory Condition 9] [OAR 345-025-0006(14)]
GEN-GS-11	Before any transfer of ownership 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. [Final Order on ASC (2017), Mandatory Condition 10] [OAR 345-025-0006(15)]
GEN-GS-12	Deleted in *Final Order on Amendment 1* dated November 2020 [Final Order on ASC (2017), Site Specific Condition 1; AMD1 (2020)] [OAR 345-025-0010(5)]]
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
GEN-OE-01	Any matter of non-compliance under the site certificate is the responsibility of the certificate holder. Any notice of violation issued under the site certificate will be issued to the certificate holder. Any civil penalties under the site certificate will be levied on the certificate holder. [Final Order on ASC (2017), Organizational Expertise Condition 5]
GEN-OE-02	In addition to the requirements of OAR 345-026-0170, within 72 hours after discovery of incidents or circumstances that violate the terms or conditions of the site certificate, the certificate holder must report the conditions or circumstances to the department. [Final Order on ASC (2017), Organizational Expertise Condition 6]
GEN-OE-03	During facility construction and operation, the certificate holder shall report to the Department, within 7 days, any change in the corporate structure of the parent company, NextEra Energy

	Resources, LLC. The certificate holder shall report promptly to the Department any change in its access to the resources, expertise, and personnel of NextEra Energy Resources, LLC. [Final Order on AMD1 (2017), Organizational Expertise Condition 9]
GEN-OE-04	The certificate holder shall: a. Prior to and during construction, as applicable, provide evidence to the Department that a contractual agreement has been obtained for transport and disposal of battery and battery waste by a licensed hauler and requires the third-party to comply with all applicable laws and regulations, including applicable provisions of 49 CFR 173.185. b. Prior to transporting and disposing of battery and battery waste during facility operations, provide evidence to the Department that a contractual agreement has been obtained for transport and disposal of battery and battery waste by a licensed hauler and requires the third-party to comply with all applicable laws and regulations, including applicable provisions of 49 CFR 173.185. [Final Order on AMD2 (2018), Organizational Expertise Condition 10]
GEN-OE-05	The certificate holder is authorized to operationally share related or supporting facilities including the Intraconnection Line, WREFII~~Wheatridge West~~ collector substation, O&M building, access roads, temporary staging areas, all of which are governed either under the~~both~~ WREFI~~, and~~ WREFII, WREFIII, or Wagon Trail Solar II site certificates. a. Within 30 days of use by ~~both~~ certificate holders of the shared facilities, the certificate holder must provide evidence to the Department that the certificate holders of the shared facilities have an executed agreement for shared use of any constructed shared facilities. The Shared Use Agreements must allow operation and maintenance personnel and contractors access to the shared facilities of WREFI, WREFII, WREFIII or Wagon Trail Solar II. ~~b. If WREFI, WREFII propose to substantially modify any of the shared facilities listed in sub(a) of this condition, each certificate holder shall submit an amendment determination request or request for site certificate amendment to obtain a determination from the Department on whether a site certificate amendment is required or to process an amendment for both site certificates in order to accurately account for any significant change in the decommissioning amount required under Retirement and Financial Assurance Condition 5.~~ ~~c. Prior to facility decommissioning or if facility operations cease, each certificate holder shall submit an amendment determination request or request for site certificate amendment to document continued ownership and full responsibility, including coverage of full decommissioning amount of the shared facilities in the bond or letter of credit pursuant to Retirement and Financial Assurance Condition 5, for the operational facility, if facilities are decommissioned at different times.~~ [Final Order on AMD5 (2020); Organizational Expertise Condition 11; AMD1 (2020)

STANDARD: STRUCTURAL (SS) [OAR 345-022-0020]	
GEN-SS-01	The certificate holder shall design, engineer, and construct the facility in accordance with the current versions of the latest International Building Code, Oregon Structural Specialty Code, and building codes as adopted by the State of Oregon at the time of construction. [Final Order on ASC (2017), Structural Standard Condition 2]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
GEN-LU-01	The certificate holder shall design the facility to comply with the following setback distances in Morrow County: a-d. Deleted in Final Order on Amendment 1 dated November 2020. e. Solar facility components shall be setback: 20 feet from property fronting on a local minor collector road rights of way; 30 feet from property fronting on a major collector road right of way; and 80 feet from an arterial road right of way, unless other provisions for combining access are provided and approved by the county. f. East and west sides of solar facility components shall be setback 20 feet from adjacent land uses except that on corner lots or parcels the side yard on the street side shall be a minimum of 30 feet. g. North side of solar facility components shall be setback a minimum of 25 feet from any abutting property or taxlot. [Final Order on ASC (2017), Land Use Condition 1; AMD3 (2018); AMD4 (2019); AMD5 (2020); AMD1 (2020)]
GEN-LU-02	During design and construction of the facility, the certificate holder shall: a. Obtain an access permit for changes in access on Morrow County roads; and b. Improve or develop private access roads impacting intersections with Morrow County roads in compliance with Morrow County access standards. [Final Order on ASC (2017), Land Use Condition 4]
GEN-LU-03	During design and construction, the certificate holder shall implement the following actions on all meteorological towers approved through the site certificate: a. Paint the towers in alternating bands of white and red or aviation orange; or b. Install aviation lighting as recommended by the Federal Aviation Administration. [Final Order on ASC (2017), Land Use Condition 9]
GEN-LU-04	The certificate holder shall design and construct the facility using the minimum land area necessary for safe construction and operation. The certificate holder shall: a. Locate access roads ~~and temporary construction laydown and staging areas~~ to minimize disturbance of farming practices; b. Deleted in *Final Order on Amendment 1* dated November 2020. c. Site solar array collector lines, if aboveground, within or adjacent to an existing road, railroad or transmission line right-of-way; parallel to an existing transmission corridor; or co-located with existing transmission line or each other, unless not technically feasible due to lack of availability, geographic constraints, engineering limitations, or other reasons as agreed upon by the Department consistent with this condition. d. Bury underground communication and electrical lines within the area disturbed by temporary road widening, where possible. [Final Order on ASC (2017), Land Use Condition 11; AMD4 (2019); AMD1 (2020)]
GEN-LU-05 - 10	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Conditions 14, 16, 20, 22, 24 and 28]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	

GEN-RF-01	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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 1] [Mandatory Condition OAR 345-025-0006(7)]
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
GEN-FW-01	During construction and operation, the certificate holder shall impose a 20 mile per hour speed limit on new and improved private access roads, which have been approved as a related and supporting facility to the energy facility. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 2]
GEN-FW-02	The certificate holder shall construct all overhead collector and transmission intraconnection lines in accordance with the latest Avian Power Line Interaction Committee design standards, and shall only install permanent meteorological towers that are unguyed. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 6]
STANDARD: SCENIC RESOURCES (SR) [OAR 345-022-0080]	
GEN-SR-01	To reduce visual impacts associated with lighting facility structures, other than lighting on structures subject to the requirements of the Federal Aviation Administration or the Oregon Department of Aviation, the certificate holder shall implement the following measures: a. Outdoor night lighting at the ~~collector substations and~~ battery storage systems must be i. The minimum number and intensity required for safety and security; ii. Directed downward and inward within the facility to minimize backscatter and offsite light trespass; and iii. Have motion sensors and switches to keep lights turned off when not needed. [Final Order on ASC (2017), Scenic Resources Condition 1, AMD2 (2018); AMD1 (2020)
GEN-SR-02	The certificate holder shall: a. Design and construct the battery storage systems to be generally consistent with the character of agricultural buildings used by farmers or ranchers in the area, and the buildings shall be finished in a neutral color to blend with the surrounding landscape; b-c. Deleted in Final Order on Amendment 1 dated November 2020. d. Finish ~~substation structures and~~ battery storage systems utilizing neutral colors to blend with the surrounding landscape; e. Minimize use of lighting and design lighting to prevent offsite glare; f. Not display advertising or commercial signage on any part of the proposed facility; g. Limit vegetation clearing and ground disturbance to the minimum area necessary to safely and efficiently install the facility equipment; h. Water access roads and other areas of ground disturbance during construction, as needed, to avoid the generation of airborne dust; and i. Restore and revegetate temporary impact areas as soon as practicable following completion of construction. [Final Order on ASC (2017), Scenic Resources Condition 2, AMD2 (2018), AMD1 (2020)]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
GEN-PS-01	During construction and operation, the certificate holder shall coordinate with its solid waste handler to provide the information solicited through the Oregon Department of Environmental Quality's Recycling Collector Survey to the Morrow County waste shed representative on an annual basis. [Final Order on ASC (2017), Public Services Condition 5]

GEN-PS-02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Condition 11]
GEN-PS-03	Prior to construction and operation of the facility, , the certificate holder must provide employee fire prevention and response training that includes instruction on facility fire hazards, fire safety, emergency notification procedures, use of fire safety equipment, and fire safety rules and regulations. The certificate holder shall notify the department and the first-response agencies listed in the Emergency Management Plan developed to comply with Public Services Condition 13 at least 30 days prior to the annual training to provide an opportunity to participate in the training. Equivalent training shall be provided to new employees or subcontractors working on site that are hired during the fire season. The certificate holder must retain records of the training and provide them to the department upon request. [Final Order on ASC (2017), Public Services Condition 18]
GEN-PS-04	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on AMD2 (2018), Public Services Condition 23]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
GEN-WF-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 3]
~~GEN-WF-02~~	~~The certificate holder shall notify the department and the Morrow County Planning Department within 72 hours of any accidents including mechanical failures on the site associated with construction or operation of the facility that may result in public health or safety concerns.~~ ~~[Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 5; AMD1 (2020)]~~

4.3 Pre-Construction (PRE) Conditions

Condition Number	Pre-Construction (PRE) Conditions
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
PRE-OE-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department of the identity and qualifications of the major design, engineering and construction contractor(s) for the facility. The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities. The certificate holder shall report to the department any changes of major contractors. [Final Order on ASC (2017), Organizational Expertise Condition 1; AMD1 (2020)]
PRE-OE-02	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department of the identity and qualifications of the construction manager to demonstrate that the construction manager is qualified in environmental compliance and has the capability to ensure compliance with all site certificate conditions. [Final Order on ASC (2017), Organizational Expertise Condition 2, AMD1 (2020)]
PRE-OE-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall contractually require all construction contractors and subcontractors involved in the construction of the facility to 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. [Final Order on ASC (2017), Organizational Expertise Condition 3, AMD1 (2020)]
PRE-OE-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department before conducting any work on the site that does not qualify as surveying, exploration, or other activities to define or characterize the site. The notice must include a description of the work and evidence that its value is less than $250,000 or evidence that the certificate holder has satisfied all conditions that are required prior to beginning construction. [Final Order on ASC (2017), Organizational Expertise Condition 4, AMD1 (2020)]
PRE-OE-05	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder must provide the department and Morrow County with the name(s) and location(s) of the aggregate source and evidence of the source's county permit(s). [Final Order on ASC (2017), Organizational Expertise Condition 7, AMD1 (2020)]
PRE-OE-06	The certificate holder must: a. Prior to construction of solar facility components approved in the Fourth Amended Site Certificate, provide to the Department a list of all third-party permits that would normally be governed by the site certificate and that are necessary for construction and operation (e.g. Water Pollution Control Facilities Permit, Air Contaminant Discharge Permit, Limited Water Use License). Once obtained, the certificate holder shall provide copies of third-party permits to the Department. b. During construction and operation, promptly report to the Department if any third-party permits referenced in sub(b) of this condition have been cited for a Notice of Violation. [Final Order on ASC (2017), Organizational Expertise Condition 8; AMD4 (2019); AMD5 (2020), AMD1 (2020)]

STANDARD: STRUCTURAL (SS) [OAR 345-022-0020]	
PRE-SS-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder must: a. Submit a protocol to the Department and Oregon Department of Geology & Mineral Industries (DOGAMI), for review, with the applicable codes, standards, and guidelines to be used, and proposed geotechnical work to be conducted for the site-specific geotechnical investigation report. b. Following receipt and review of Department and DOGAMI comments on the protocol per (a), the certificate holder shall conduct a site-specific geological and geotechnical investigation, and shall report its findings to DOGAMI and the department. The report shall be used by the certificate holder in final facility layout and design. The department shall review, in consultation with DOGAMI, and confirm that the investigation report includes an adequate assessment of the following information: • Subsurface soil and geologic conditions of the site boundary • Define and delineate geological and geotechnical hazards, and means to mitigate these hazards • Geotechnical design criteria and data for the foundations of ~~substations, O&M buildings,~~ battery storage systems, roads, and other related and supporting facilities • Design data for installation of underground and overhead collector lines, and overhead transmission lines • Investigation of specific areas with potential for slope instability and landslide hazards. Landslide hazard evaluation shall be conducted by LIDAR and field work, as recommended by DOGAMI • Investigations of the swell and collapse potential of loess soils within the site boundary. [Final Order on ASC (2017), Structural Standard Condition 1; AMD2 (2018), AMD1 (2020)]
PRE-SS-02	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1, an investigation of all potentially active faults within the site boundary. The investigation shall include a description of the potentially active faults, their potential risk to the facility, and any additional mitigation that will be undertaken by the certificate holder to ensure safe design, construction, and operation of the facility. [Final Order on ASC (2017), Structural Standard Condition 3; AMD5 (2020), AMD1 (2020)]
PRE-SS-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1 an investigation of specific areas with potential for slope instability and shall site solar arrays appropriate to avoid potential hazards. The landslide hazards shall be investigated and mapped before final facility layout and design. The landslide hazard evaluation shall be conducted by a combination of LIDAR and field work. [Final Order on ASC (2017), Structural Standard Condition 4, AMD1 (2020)]
PRE-SS-04	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1, an investigation of the swell and collapse potential of loess soil in the site boundary. Based on the results of the investigation, the certificate holder shall include mitigation measures including, as necessary, over-excavating and replacing loess soil with structural fill, wetting and compacting, deep foundations, or avoidance of specific areas. [Final Order on ASC (2017), Structural Standard Condition 5, AMD1 (2020)]

STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]

PRE-SP-01	Prior to beginning construction, the certificate holder shall provide a copy of a DEQ-approved construction Spill Prevention Control and Countermeasures (SPCC) plan, to be implemented during facility construction. The SPCC plan shall include the measures described in Exhibit I of ASC and in the final order approving the site certificate. [Final Order on ASC (2017), Soil Protection Condition 3]
PRE-SP-02	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that the final Revegetation Plan includes a program to protect and restore agricultural soils temporarily disturbed during facility construction. As described in the final order, agriculture soils shall be properly excavated, stored, and replaced by soil horizon. Topsoil shall be preserved and replaced. The Revegetation Plan shall be finalized pursuant to Fish and Wildlife Habitat Condition 11. [Final Order on ASC (2017), Soil Protection Condition 4, AMD1 (2020)]
PRE-SP-03	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Soil Protection Condition 7]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
PRE-LU-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall complete the following: a. Pay the requisite fee and obtain a Zoning Permit from Morrow County for all facility components sited in Morrow County; and b. Obtain all other necessary local permits, including building permits. c. Provide the county with a building permit application, a third party technical report which includes: 1. Evaluates fire hazards and; 2. Presents mitigation and recommendations for a fire suppression system designed for the battery storage systems. d. The certificate holder shall provide copies of the third-party technical report and issued permits to the Department. [Final Order on ASC (2017), Land Use Condition 3; AMD2 (2018)]
PRE-LU-02	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall pay the requisite fee and obtain a Conditional Use Permit as required under Morrow County Zoning Ordinance Article 6 Section 6.015. [Final Order on ASC (2017), Land Use Condition 5, AMD1 (2020)]
PRE-LU-03	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare a Weed Control Plan that is consistent with Morrow County weed control requirements to be approved by the department. The department shall consult with Morrow County and ODFW. The final plan must be submitted to the department no less than 30 days prior to the beginning of construction. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. [Final Order on ASC (2017), Land Use Condition 6; AMD5 (2020), AMD1 (2020)]
PRE-LU-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall record in the real property records of Morrow County a Covenant Not to Sue with regard to generally accepted farming practices on adjacent farmland. [Final Order on ASC (2017), Land Use Condition 7, AMD1 (2020)]

PRE-LU-05	Prior to beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall consult with surrounding landowners and lessees and shall consider proposed measures to reduce or avoid any adverse impacts to farm practices on surrounding lands and to avoid any increase in farming costs during construction and operation of the facility. Prior to beginning construction, the certificate holder shall provide evidence of this consultation to the department and Morrow County. [Final Order on ASC (2017), Land Use Condition 12; AMD5 (2020), AMD1 (2020)]
PRE-LU-06	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall work with the Morrow County Road Department to identify specific construction traffic related concerns, and develop a traffic management plan that specifies necessary traffic control measures to mitigate the effects of the temporary increase in traffic. The certificate holder must provide a copy of the traffic management plan to the department and Morrow County, and must implement the traffic management plan during construction. [Final Order on ASC (2017), Land Use Condition 13, AMD1 (2020)]
PRE-LU-07	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 15; AMD2 (2018)]
PRE-LU-08	Prior to facility construction of the facility, facility component or phase, as applicable, the certificate holder shall install gates and no trespassing signs at all private access roads established or improved for the purpose of facility construction and operation if requested by the underlying landowner. [Final Order on ASC (2017), Land Use Condition 18; AMD4 (2019), AMD1 (2020)]
PRE-LU-09	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 21]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
PRE-RF-01	Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council, a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition. The certificate holder shall maintain a bond or letter of credit in effect at all times until the facility has been retired. The Council may specify different amounts for the bond or letter of credit during construction and during operation of the facility. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 4, AMD1] [Mandatory Condition OAR 345-025-0006(8)]

PRE-RF-02	Before beginning construction of solar energy facility components or its related or supporting facilities, 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 initial bond or letter of credit amount for the solar facility components is $~~39~~.4 million dollars (Q4 2018 dollars), to be adjusted to the date of issuance based on the line items and unit costs presented in Table 4 of the *Final Order on Amendment 4* (November 2019), and adjusted on an annual basis thereafter, as described in sub-paragraph (2) of this condition: 1. The certificate holder may adjust the amount of the initial bond or letter of credit based on the final design configuration of the facility. Any revision to the restoration costs should be adjusted to the date of issuance as described in (2) and subject to review and approval by the Council. 2. The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation: i. Adjust the amount of the bond or letter of credit (expressed in Q4 2018 dollars for solar facility components)) to present value, using the U.S. Gross Domestic Product Implicit 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 2018 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 2018 dollars to present value. ii. Round the result total to the nearest $1,000 to determine the financial assurance amount. 3. The certificate holder shall use an issuer of the bond or letter of credit approved by the Council. 4. The certificate holder shall use a form of bond or letter of credit approved by the Council. The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under OAR 345-026-0080. The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 5; AMD2 (2018); AMD4 (2019); AMD5 (2020), AMD1 (2020)
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	

PRE-FW-01	Prior to final site design and facility layout, the certificate holder shall conduct a field-based habitat survey to confirm the habitat categories of all areas that will be affected by facility components, as well as the locations of any sensitive resources such as active raptor and other bird nests. The survey shall be planned in consultation with the department and ODFW, and survey protocols shall be confirmed with the department and ODFW. Following completion of the field survey, and final layout design and engineering, the certificate holder shall provide the department and ODFW a report containing the results of the survey, showing expected final location of all facility components, the habitat categories of all areas that will be affected by facility components, and the locations of any sensitive resources. The report shall also include an updated version of Table FW-1 Potential Temporary and Permanent Impacts by Habitat Category and Type of the final order, showing the acres of expected temporary and permanent impacts to each habitat category, type, and sub-type. The pre-construction survey shall be used to complete final design, facility layout, and micrositing of facility components. As part of the report, the certificate holder shall include its impact assessment methodology and calculations, including assumed temporary and permanent impact acreage for all facility components. ~~If construction laydown yards are to be retained post construction, due to a landowner request or otherwise, the construction laydown yards must be calculated as permanent impacts, not temporary.~~ In classifying the affected habitat into habitat categories, the certificate holder shall consult with the department and ODFW. The certificate holder shall not begin construction of the facility until the habitat assessment, categorization, and impact assessment has been approved by the department, in consultation with ODFW. The certificate holder shall not construct any facility components within areas of Category 1 habitat and shall avoid temporary disturbance of Category 1 habitat. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 1, AMD1 (2020)]
PRE-FW-02	Prior to construction of the facility, the certificate holder shall finalize and implement the Wildlife Monitoring and Mitigation Plan (WMMP) provided in Attachment F-1 of the *Final Order on Request for Amendment 1 of Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), based on the final facility design, as approved by the department in consultation with ODFW. a. The final WMMP must be submitted and ODOE's concurrence received prior to the beginning of construction. ODOE shall consult with ODFW on the final WMMP. The certificate holder shall implement the requirements of the approved WMMP during all phases of construction and operation of the facility. b. The WMMP may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council ("Council"). Such amendments may be made without amendment of the site certificate. The Council authorizes the Department to agree to amendments to this plan. The Department shall notify the Council of all amendments, and the Council retains the authority to approve, reject, or modify any amendment of the WMMP agreed to by the Department. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 4; AMD5 (2020), AMD1 (2020)]
PRE-FW-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall flag all environmentally sensitive areas as restricted work zones. Restricted work zones shall include but not be limited to areas with sensitive or protected plant species, including candidate species, wetlands and waterways that are not authorized for construction impacts, areas with seasonal restrictions, and active state sensitive species bird nests. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 8, AMD1 (2020)]

PRE-FW-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare and receive approval from the department of a final Habitat Mitigation Plan, substantially as presented in Attachment C-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020). The final Habitat Mitigation Plan shall be based on the final facility design and shall be approved by the department in consultation with ODFW. The Council retains the authority to approve, reject or modify the final HMP. a. The final Habitat Mitigation Plan and the department's approval must be received prior to beginning construction. The department shall consult with ODFW on the final plan. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. b. The certificate holder shall calculate the size of the habitat mitigation area according to the final design configuration of the facility and the estimated areas of habitat affected in each habitat category, in consultation with the department, as per the pre-construction survey results and impact assessment calculations called for in Fish and Wildlife Habitat Condition 1. c. The certificate holder shall acquire the legal right to create, enhance, maintain, and protect the habitat mitigation area, as long as the site certificate is in effect, by means of an outright purchase, conservation easement or similar conveyance and shall provide a copy of the documentation to the department prior to the start of construction. Within the habitat mitigation area, the certificate holder shall improve the habitat quality as described in the final Habitat Mitigation Plan. d. The certificate holder shall provide a habitat assessment of the habitat mitigation area, based on a protocol approved by the Department in consultation with ODFW, which includes methodology, habitat map and available acres by habitat category and subtype in tabular format. e. The final HMP shall include an implementation schedule for all mitigation actions, including securing the conservation easement, conducting the ecological uplift actions at the habitat mitigation area, revegetation and restoration of temporarily impacted areas, and monitoring. The mitigation actions shall be implemented according to the following schedule, as included in the HMP: i. Restoration and revegetation of temporary construction-related impact area shall be conducted as soon as possible following construction. ii. The certificate holder shall obtain legal authority to conduct the required mitigation work at the compensatory habitat mitigation site before commencing construction. The habitat enhancement actions at the compensatory habitat mitigation site shall be implemented concurrent with construction. f. The final HMP shall include a monitoring and reporting program for evaluating the effectiveness of all mitigation actions, including restoration of temporarily impacted areas and ecological uplift actions at the habitat mitigation area. g. The final HMP shall include mitigation in compliance with the Council's Fish and Wildlife Habitat standard, including mitigation for temporary impacts to Category 4 habitat (shrub-steppe habitat); and, mitigation for all Category 2 habitat impacts that meet the mitigation
	goal of no net loss of habitat quality or quantity, plus a net benefit of habitat quality or quantity. h. The final HMP may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council ("Council"). Such amendments may be made without amendment of the site certificate. The Council authorizes the Department to agree to amendments to this plan. The Department shall notify the Council of all amendments, and the Council retains the authority to approve, reject, or modify any amendment of this plan agreed to by the Department. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 10, AMD1 (2020)]

PRE-FW-05	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare and receive approval of a final Revegetation Plan, provided as Attachment D-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), from the Department, in consultation with Morrow County and ODFW. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 11; AMD5 (2020), AMD1 (2020)]
STANDARD: THREATENED AND ENDANGERED SPECIES (TE) [OAR 345-022-0070]	
PRE-TE-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall determine the boundaries of Category 1 Washington ground squirrel habitat. The certificate holder shall hire a qualified professional biologist who has experience in detection of Washington ground squirrel to conduct pre-construction surveys using a survey protocol approved by the department in consultation with ODFW. The biologist shall survey all areas of suitable habitat within 1,000 feet of any ground disturbing activity. Ground disturbing activity refers to any potential impact, whether permanent or temporary. The protocol surveys shall be conducted in the active squirrel season (March 1 to May 31) prior to construction commencement. The protocol survey is valid for three years. If construction begins within three years of conducting the protocol survey, but not within one year of the protocol survey, the certificate holder shall conduct a pre-construction survey only within areas of suitable Washington ground squirrel habitat where ground disturbing activity would occur. The certificate holder shall provide written reports of the surveys to the department and to ODFW and shall identify the boundaries of Category 1 Washington ground squirrel (WGS) habitat. The certificate holder shall not begin construction within suitable habitat until the identified boundaries of Category 1 WGS habitat have been approved by the department, in consultation with ODFW. The certificate holder shall avoid any permanent or temporary disturbance in all Category 1 WGS habitat. The certificate holder shall ensure that these sensitive areas are correctly marked with exclusion flagging and avoided during construction. [Final Order on ASC (2017), Threatened and Endangered Species Condition 1, AMD1 (2020)]
PRE-TE-02	In accordance with Fish and Wildlife Habitat Condition 4, prior to construction, the certificate holder shall finalize and implement the Wildlife Monitoring and Mitigation Plan (WMMP) provided in Attachment F-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), based on the final facility design, as approved by the department in consultation with ODFW. The final WMMP shall include a program to monitor potential impacts from facility operation on Washington ground squirrel. Monitoring shall be of any known colonies and shall be completed on the same schedule as the raptor nest monitoring for the facility. The monitoring surveys shall include returning to the known colonies to determine occupancy and the extent of the colony as well as a general explanation of the amount of use at the colony. If the colony is not found within the known boundary of the historic location a survey 500 feet out from the known colony will be conducted to determine if the colony has shifted over time. Any new colonies that are located during other monitoring activities, such as raptor nest monitoring surveys, shall be documented and the extent of those colonies should be delineated as well. These newly discovered colonies shall also be included in any future WGS monitoring activities. [Final Order on ASC (2017), Threatened and Endangered Species Condition 2]

PRE-TE-03	To avoid potential impacts to Laurent's milkvetch, the certificate holder must: i. Conduct preconstruction plant surveys for Laurent's milkvetch within 100-feet of temporary and permanent disturbance from all facility components, unless extent of survey area within suitable habitat from temporary and permanent disturbance is otherwise agreed upon by the Department on consultation with Oregon Department of Agriculture. If the species is found to occur, the certificate holder must install protection flagging around the plant population and avoid any ground disturbance within this zone. ii. Ensure that any plant protection zone established under (i) above is included on construction plans showing the final design locations. iii. If herbicides are used to control weeds, the certificate holder shall follow the manufacturer's guidelines in establishing a buffer area around confirmed populations of Laurent's milkvetch. Herbicides must not be used within the established buffers. iv. If avoidance cannot be maintained, the certificate holder may request that the Department consider an avoidance exception, authorized through Council concurrence as further described below. The exception request must include an impact assessment and mitigation plan for the affected species including but not be limited to: • Literature review and/or field studies that inform the current status of the species within the survey area or region, if survey area does not contain sufficient information to develop a statistically viable approach for determining impact significance; • A description of the individual(s) or population(s) identified within the survey area that would be avoided and impacted; • An evaluation of facility impacts on the survival or recovery of the species, in accordance with the Threatened and Endangered Species standard; • Proposed mitigation measures such as: funded studies that improve understanding of reproductive biology and pollination; development of seed germination, propagation, and transplanting protocols; and/or, compensatory mitigation project including conservation easement(s) and species propagation, protection, and habitat enhancement measures, and/or other proposed mitigation measures that would benefit the affected species. • The Department's review and determination of the exception request shall be conducted in consultation with the Oregon Department of Agriculture, or a third-party consultant. The Department's determination on the exception request must be concurred with by Council. Council retains authority to reject, modify or concur with the exception request. [Final Order on ASC (2017), Threatened and Endangered Species Condition 3; AMD3 (2018); AMD4 (2019)]
STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]	
PRE-HC-01	Before beginning construction, the certificate holder shall provide to the department a map showing the final design locations of all components of the facility, the areas that will be temporarily disturbed during construction and the areas that were surveyed in 2018-2020 for historic, cultural, and archaeological resources. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 1, AMD1 (2020)]
PRE-HC-02	Before beginning construction, the certificate holder shall mark the buffer areas established under Historic, Cultural, and Archeological Resources Condition 3 for all identified historic, cultural, or archaeological resource sites (including those of unknown age) on construction maps and drawings

	as "no entry" areas. A copy of current maps and drawings must be maintained onsite during construction and made available to the department upon request. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 2, AMD1 (2020)]
PRE-HC-03	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that a qualified archeologist, as defined in OAR 736-051-0070, trains construction contractors on how to identify sensitive historic, cultural, and archaeological resources present onsite and on measures to avoid accidental damage to identified resource sites. Records of such training must be maintained onsite during construction, and made available to the department upon request. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 4, AMD1 (2020)]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
PRE-PS-01	Prior to construction, the certificate holder shall prepare a Traffic Management Plan that includes the procedures and actions described in this order and the mitigation measures identified in ASC Exhibit U, Section 3.5.4. The plan shall be approved by the department in consultation with the appropriate transportation service providers. The plan shall be maintained onsite and implemented throughout construction of the facility. In addition, the certificate holder shall include the following information in the plan: a. Procedures to provide advance notice to all affected local jurisdictions and adjacent landowners of construction deliveries and the potential for heavy traffic on local roads; b. A policy of including traffic control procedures in contract specifications for construction of the facility; c. Procedures to maintain at least one travel lane at all times to the extent reasonably possible so that roads will not be closed to traffic because of construction vehicles; d. A policy of ensuring that no equipment or machinery is parked or stored on any county road whether inside or outside the site boundary. The certificate holder may temporarily park equipment off the road but within county rights-of-way with the approval of the Morrow County Public Works Department; e. A policy to encourage and promote carpooling for the construction workforce; and f. Procedures to keep state highways and county roads free of gravel that may be tracked out on intersecting roads at facility access points. [Final Order on ASC (2017), Public Services Condition 6, AMD1 (2020)]
PRE-PS-02	Before beginning construction, the certificate holder must enter into Road Use Agreements with the Morrow County Public Works Departments. The Agreements must include, at a minimum, a pre-construction assessment of road surfaces under Morrow County jurisdiction, construction monitoring, and post-construction inspection and repair. A copy of the Road Use Agreements with Morrow County must be submitted to the department before beginning construction. If required by Morrow County, the certificate holder shall post bonds to ensure funds are available to repair and maintain roads affected by the facility. [Final Order on ASC (2017), Public Services Condition 7, AMD1 (2020)]
PRE-PS-03	The certificate holder shall design and construct new access roads and private road improvements to standards approved by Morrow County. Where modifications of county roads are necessary, the certificate holder shall construct the modifications entirely within the county road rights-of-way and in conformance with county road design standards subject to the approval of the Morrow County Public Works Department. [Final Order on ASC (2017), Public Services Condition 8, AMD1 (2020)]
PRE-PS-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall:

	a. Complete the Federal Aviation Administration (FAA) Notice Criteria Tool for solar facility coordinates to determine applicability of the FAA 7460 filing. If the FAA Notice Criteria Tool requires FAA filing, the certificate holder will submit to the FAA and the Oregon Department of Aviation an FAA Form 7460-1 Notice of Proposed Construction or Alteration. b. Submit to the Oregon Department of Aviation the solar facility coordinates for purposes of an aeronautical study and determination. If the Department, in consultation with the Oregon Department of Aviation, determines that the facility would adversely impact an airport's ability to provide service by obstructing the airport's primary or horizontal surface, the department, in consultation with the Oregon Department of Aviation and the certificate holder, shall determine appropriate mitigation, if any, prior to construction. [Final Order on ASC (2017), Public Services Condition 9; AMD1 (2020)]
PRE-PS-05	Prior to construction, the certificate holder shall prepare an Emergency Management Plan that includes the procedures and actions described in this order and in ASC Exhibit U. The certificate holder shall submit the plan to ODOE for review and approval in consultation with the appropriate local fire protection districts (including the City of Heppner Volunteer Fire Department and Ione Rural Fire Protection District) prior to construction. The plan shall be maintained onsite and implemented throughout construction and operation of the facility. Any updates to the plan shall be provided to the department within 30 days. All onsite workers shall be trained on the fire prevention and safety procedures contained in the plan prior to working on the facility. Additional information that shall be included in the plan: a. Current contact information of at least two facility personnel available to respond on a 24-hour basis in case of an emergency on the facility site. The contact information must include name, telephone number(s), physical location, and email address for the listed contact(s). An updated list must be provided to the fire protection agencies immediately upon any change of contact information. A copy of the contact list, and any updates as they occur, must also be provided to the Department, along with a list of the agencies that received the contact information. b. Identification of agencies that participated in developing the plan; c. Identification of agencies that are designated as first response agencies or are included in any mutual aid agreements with the facility; d. A list of any other mutual aid agreements or fire protection associations in the vicinity of the facility; e. Contact information for each agency listed above; f. Communication protocols for both routine and emergency events and the incident command system to be used in the event a fire response by multiple agencies is needed at the facility; g. Access and fire response at the facility site during construction and operations. Fire response plans during construction should address regular and frequent communication amongst the agencies regarding the number and location of construction sites within the site boundary, access roads that are completed and those still under construction, and a temporary signage system until permanent addresses and signs are in place; h. The designated meeting location in case of evacuation; i. Staff training requirements; and j. Copies of mutual aid, fire protection association, or other agreements entered into concerning fire protection at the facility site. [Final Order on ASC (2017), Public Services Condition 13, AMD1 (2020)]

PRE-PS-06	Before beginning construction, the certificate holder shall develop and implement, or require its contractors to develop and implement, a site health and safety plan that informs workers and others onsite about first aid techniques and what to do in case of an emergency. The health and safety plan will include preventative measures, important telephone numbers, the locations of onsite fire extinguishers, and the names, locations and contact information of nearby hospitals. All onsite workers shall be trained in safety and emergency response, as per the site health and safety plan. The site health and safety plan must be updated on an annual basis, maintained throughout the construction and operations and maintenance phases of the facility, and available upon request by the department. [Final Order on ASC (2017), Public Services Condition 20, AMD1 (2020)]
PRE-PS-07	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that all construction workers are certified in first aid, cardio pulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). The certificate holder must retain records of the certifications and provide them to the department upon request. The certificate holder shall also ensure that an AED is available onsite at all times that construction activities are occurring. [Final Order on ASC (2017), Public Services Condition 21, AMD1 (2020)]
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
PRE-WM-01	Prior to construction, the certificate holder shall develop a construction waste management plan, to be implemented during all phases of facility construction, which includes at a minimum the following details: a. Specification of the number and types of waste containers to be maintained at construction sites and construction yards b. Description of waste segregation methods for recycling or disposal. c. Names and locations of appropriate recycling and waste disposal facilities, collection requirements, and hauling requirements to be used during construction. The certificate holder shall maintain a copy of the construction waste management plan onsite and shall provide to the department a report on plan implementation in the 6-month construction report required pursuant to OAR 345-026-0080(1)(a). [Final Order on ASC (2017), Waste Minimization Condition 2, AMD1 (2020)]
PRE-WM-02	Prior to construction, the certificate holder shall investigate and confirm that no surfaces waters, shallow groundwater, or drinking water sources will be adversely impacted by the usage of concrete washout water in the foundations of facility components, and shall submit an investigation report to the department. Prior to construction, the department, in consultation with DEQ, shall review the results of the investigation report and shall verify that the plan to dispose of concrete washout water in the foundations of facility components is unlikely to adversely impact surface waters, shallow groundwater, or drinking water sources. The applicant's investigation shall be based on the anticipated final facility layout and design. If the results of the investigation show that the proposed concrete washout water disposal method would cause adverse impacts to surface water, shallow groundwater, or drinking water sources, the applicant shall propose mitigation measures to reduce potential impacts, for review and approval by the department in consultation with DEQ, prior to construction. [Final Order on ASC (2017), Waste Minimization Condition 3, AMD1 (2020)]

STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
PRE-TL-01	Prior to construction, the certificate holder shall schedule a time to brief the OPUC Safety, Reliability, and Security Division (Safety) Staff as to how it will comply with OAR Chapter 860, Division 024 during design, construction, operations, and maintenance of the facilities. [Final Order on ASC (2017), Siting Standard Condition 2]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
PRE-NC-01	Prior to construction, the certificate holder shall provide to the department: a. Information that identifies the final design locations of all facility components to be built at the facility; b. The maximum sound power level for the facility components including transformers (~~substation and~~ solar array), invertors, battery storage cooling system selected for the facility based on manufacturers' warranties or confirmed by other means acceptable to the department; c. The results of the noise analysis of the final facility design performed in a manner consistent with the requirements of OAR 340-035-0035(1)(b)(B) (iii)(IV) and (VI). The analysis must demonstrate to the satisfaction of the department that the total noise generated by the facility (including transformers, and inverters and battery storage cooling systems) would meet the ambient noise degradation test and maximum allowable test at the appropriate measurement point for all potentially-affected noise sensitive properties, or that the certificate holder has obtained the legally effective easement or real covenant for expected exceedances of the ambient noise degradation test described (d) below. d. For each noise-sensitive property where the certificate holder relies on a noise waiver to demonstrate compliance in accordance with OAR 340-035-0035(1)(b)(B)(iii)(III), a copy of the legally effective easement or real covenant pursuant to which the owner of the property authorizes the certificate holder's operation of the facility to increase ambient statistical noise levels L_{10} and L_{50} by more than 10 dBA at the appropriate measurement point. The legally effective easement or real covenant must: include a legal description of the burdened property (the noise sensitive property); be recorded in the real property records of the county; expressly benefit the property on which the solar energy facility is located; expressly run with the land and bind all future owners, lessees or holders of any interest in the burdened property; and not be subject to revocation without the certificate holder's written approval. [Final Order on ASC (2017), Noise Control Condition 2; AMD3 (2018), AMD1 (2020)]

4.4 Construction (CON) Conditions

Condition Number	Construction (CON) Conditions
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
CON-SP-01	During construction, the certificate holder shall conduct all work in compliance with a final Erosion and Sediment Control Plan (ESCP) that is satisfactory to the Oregon Department of Environmental Quality as required under the National Pollutant Discharge Elimination System Construction Stormwater Discharge General Permit 1200-C. [Final Order on ASC (2017), Soil Protection Condition 1]
CON-SP-02	During construction, the erosion and sediment control best management practices and measures as described in ASC Exhibit I, Section 5.2 and listed in the final order approving the site certificate shall be included and implemented as part of the final ESCP. [Final Order on ASC (2017), Soil Protection Condition 2]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
CON-LU-01	During construction, the certificate holder shall comply with the following requirements: a. Construction vehicles shall use previously disturbed areas including existing roadways and tracks. ~~b. Temporary construction yards and laydown areas shall be located within the future footprint of permanent structures to the extent practicable.~~ c. New, permanent roadways will be the minimum width allowed while still being consistent with safe use and satisfying county road and safety standards. d. Underground communication and electrical lines will be buried within the area disturbed by temporary road widening to the extent practicable. [Final Order on ASC (2017), Land Use Condition 8]
CON-LU-02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 17]
CON-LU-03	During construction, the certificate holder shall install the electrical cable collector system underground, where practicable. In agricultural areas, the collector system lines must be installed at a depth of 3 feet or deeper as necessary to prevent adverse impacts on agriculture operations. In all other areas, the collector system lines must be installed a minimum of 3 feet where practicable. [Final Order on ASC (2017), Land Use Condition 19]
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
CON-FW-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 3; AMD4]

<table>
<tr>
<td>CON-FW-02</td>
<td>Prior to construction, the certificate holder shall develop a construction plan that demonstrates construction activities within 0.25-mile of previously identified active nest sites are scheduled to avoid the sensitive nesting and breeding season. Previously identified active nest sites are those identified through the pre-construction raptor nest survey as required through Condition PRE-FW-01 and may also include any previously identified active nest sites from previous surveys.

During construction within the time periods listed below, the certificate holder shall implement buffer zones around active nest sites of the species listed below. Active nest sites shall be identified based on the Condition PRE-FW-01 pre-construction nest survey and be monitored during construction by a biological monitor, both of which shall be based on a protocol approved by the Department in consultation with ODFW-specifying methodology and frequency of monitoring. No ground-disturbing activities within the buffer zone shall occur during the seasonal restrictions. The construction workforce and facility employees must be provided maps with the locations of the buffer zones and be instructed to avoid ground-disturbing activity within the buffer zone during construction activities.

<table>
<tr><td></td><td></td><td></td></tr>
<tr><td>Western burrowing owl</td><td>0.25 mile</td><td>April 1 to August 15</td></tr>
<tr><td>Ferruginous hawk</td><td>0.25 mile</td><td>March 15 to August 15</td></tr>
<tr><td>Swainson’s hawk</td><td>0.25 mile</td><td>April 1 to August 15</td></tr>
</table>

If avoidance within the buffer restrictions cannot be maintained, the certificate holder may request approval from the Department in consultation with ODFW on a mitigation and conservation strategy for condition compliance.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 5; AMD3 (2018); AMD4 (2019)]</td>
</tr>
<tr>
<td>CON-FW-03</td>
<td>During construction, the certificate holder shall employ a qualified environmental professional to provide environmental training to all personnel prior to working onsite, related to sensitive species present onsite, precautions to avoid injuring or destroying wildlife or sensitive wildlife habitat, exclusion areas, permit requirements and other environmental issues. All personnel shall be given clear maps showing areas that are off-limits for construction, and shall be prohibited from working outside of the areas in the site boundary that have been surveyed and approved for construction. The certificate holder shall instruct construction personnel to report any injured or dead wildlife detected while on the site to the appropriate onsite environmental manager. Records of completed training shall be maintained onsite and made available to the department upon request.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 7]</td>
</tr>
<tr>
<td>CON-FW-04</td>
<td>During construction, the certificate holder shall employ at a minimum one environmental inspector to be onsite daily. The environmental inspector shall oversee permit compliance and construction, and ensure that known sensitive environmental resources are protected. The environmental inspector shall prepare a weekly report during construction, documenting permit compliance and documenting any corrective actions taken. Reports shall be kept on file and available for inspection by the department upon request.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 9]</td>
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</table>

STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]	
CON-HC-01	Prior to construction activities, the certificate holder must flag or otherwise mark a 200-foot avoidance buffer around historic archaeological sites, as identified by the maps and drawings prepared in accordance with Historic, Cultural, and Archeological Resources Conditions 1 and 2. No disturbance is allowed within the buffer zones unless resources assumed likely NRHP eligible (e.g. 6B2H-MC-ISO-17, WRII-BB-IS-01, WRII-DM-04) are concurred not likely National Register of Historic Places (NRHP) eligible through SHPO review or a Historic, Cultural, and Archaeological Resources mitigation plan is submitted and accepted by the Department and SHPO which includes measures such as: additional archival and literature review; video media publications; public interpretation funding; or other form of compensatory mitigation deemed appropriate by the Department, in consultation with SHPO. For historic archaeological sites, an archeological monitor must be present if construction activities are required within 200-feet of sites identified as potentially eligible for listing on the NRHP unless otherwise agreed to by the Department and SHPO. The certificate holder may use existing private roads within the buffer areas but may not widen or improve private roads within the buffer areas. The no-entry restriction does not apply to public road rights-of-way within buffer areas. Flagging or marking must be removed immediately upon cessation of activities in the area that pose a threat of disturbance to the site being protected. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 3; AMD4 (2019)]
CON-HC-02	During construction, the certificate holder shall ensure that construction personnel cease all ground-disturbing activities in the immediate area if any archeological or cultural resources are found during construction of the facility until a qualified archeologist can evaluate the significance of the find. The certificate holder shall notify the department and the Oregon State Historic Preservation Office (SHPO) of the find. If ODOE, in consultation with SHPO, determines that the resource meets the definition of an archaeological object, archaeological site, or is eligible or likely to be eligible for listing on the (NRHP), the certificate holder shall, in consultation with the department, SHPO, interested Tribes and other appropriate parties, make recommendations to the Council for mitigation, including avoidance, field documentation and data recovery. The certificate holder shall not restart work in the affected area until the department, in consultation with SHPO, agree that the certificate holder has demonstrated that it has complied with archeological resources protection regulations. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 5]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
CON-PS-01	During construction, the certificate holder shall include the following additional measures in the construction waste management plan required by Waste Minimization Condition 2: a. Recycling steel and other metal scrap. b. Recycling wood waste. c. Recycling packaging wastes such as paper and cardboard. d. Collecting non-recyclable waste for transport to a local landfill by a licensed waste hauler or by using facility equipment and personnel to haul the waste. Waste hauling by facility personnel within Morrow County shall be performed in compliance with the Morrow County Solid Waste Management Ordinance, which requires that all loads be covered and secured. e. Segregating all hazardous and universal wastes such as used 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 and universal wastes.

	f. Discharging concrete truck rinse-out within foundation holes, completing truck wash-down off-site, and burying other concrete waste as fill on-site whenever possible. [Final Order on ASC (2017), Public Services Condition 3]
CON-PS-02	During construction of the facility, the certificate holder shall provide for 24-hour on-site security, and shall establish effective communications between on-site security personnel and the Morrow County Sheriff's Office. [Final Order on ASC (2017), Public Services Condition 10, AMD1 (2020)]
CON-PS-03 - 04	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Conditions 14 and 16]
CON-PS-05	During construction the certificate holder must maintain an area clear of vegetation for fire prevention around construction sites, including towers and any areas where work includes welding, cutting, grinding, or other flame- or spark-producing operations. [Final Order on ASC (2017), Public Services Condition 17, AMD1 (2020)]
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
CON-WM-01	During construction, the certificate holder shall require construction contractors to complete the following for any off-site disposal of excess soil during construction activities: a. Obtain and provide the certificate holder with a signed consent agreement between contractor and the party receiving the earth materials authorizing the acceptance and disposal of the excess soil; and, b. Confirm that all disposal sites have been inspected and approved by the certificate holder's environmental personnel to ensure that sensitive environmental resources, such as wetlands or high quality habitats, would not be impacted. The certificate holder shall maintain copies of all signed consent agreements and disposal site inspection and approvals onsite and shall provide to the department in the 6-month construction report required pursuant to OAR 345-026-0080(1)(a). [Final Order on ASC (2017), Waste Minimization Condition 1]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
CON-WF-01 and -02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Conditions 1 and 4]
STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
CON-TL-01	During construction, the certificate holder shall take reasonable steps to reduce or manage human exposure to electromagnetic fields and submit verification to the Department, including: a. Constructing all aboveground collector and transmission lines at least 200 feet from any residence or other occupied structure, measured from the centerline of the transmission line. b. Constructing all aboveground 34.5-kV transmission lines with a minimum clearance of 25 feet from the ground. c. Constructing all aboveground 230-kV transmission lines with a minimum clearance of 30 feet from the ground. d. Developing and implementing a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, irrigation systems, 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 (OAR 345-025-0010(4)).

	e. Providing to landowners a map of underground, with any applicable NESC demarking for underground facilities, and overhead transmission lines on their property and advising landowners of possible health and safety risks from induced currents caused by electric and magnetic fields. f. Designing and maintaining all transmission lines so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public. g. Deleted in *Final Order on Amendment 1* dated November 2020. h. Designing and maintaining all transmission lines so that induced voltages during operation are as low as reasonably achievable. i. Designing, constructing and operating the transmission line in accordance with the requirements of the version of the National Electrical Safety Code that is most current at the time that final engineering of each of these components is completed (OAR 345-025-0010(4)). j. Implement a safety protocol to ensure adherence to NESC grounding requirements [Final Order on ASC (2017), Siting Standard Condition 1; AMD4 (2019), AMD1 (2020)]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
CON-NC-01	During construction, to reduce construction noise impacts at nearby residences, the certificate holder shall: a. Establish and enforce construction site and access road speed limits; b. Utilize electrically-powered equipment instead of pneumatic or internal combustion powered equipment, where feasible; c. Locate material stockpiles and mobile equipment staging, parking, and maintenance areas as far as practicable away from noise sensitive properties; d. Utilize noise-producing signals, including horns, whistles, alarms, and bells for safety warning purposes only; e. Equip all noise-producing construction equipment and vehicles using internal combustion engines with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment; and, f. Establish a noise complaint response system. All construction noise complaints will be logged within 48 hours of issuance. The construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to the start of construction that will allow for resolution of noise problems that cannot be resolved by the site supervisor in a reasonable period of time. Records of noise complaints during construction must be made available to authorized representatives of the department upon request. [Final Order on ASC (2017), Noise Control Condition 1]

4.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Operational (PRO) Conditions
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	

PRO-SP-01	Prior to beginning facility operation, the certificate holder shall provide the Department a copy of an operational SPCC plan, if required per DEQ's Hazardous Waste Program. If an SPCC plan is not required, the certificate holder shall prepare and submit to the Department for review and approval an operational Spill Prevention and Management plan. The Spill Prevention and Management Plan shall include at a minimum the following procedures and BMPs:
	• Procedures for oil and hazardous material emergency response consistent with OAR 340, Division 100-122 and 142
	• Procedures demonstrating compliance with all applicable local, state, and federal environmental laws and regulations for handling hazardous materials used onsite in a manner that protects public health, safety, and the environment
	• Current inventory (type and quantity) of all hazardous materials stored onsite, specifying the amounts at the ~~each O&M building, substation and~~ battery storage system components
	• Restriction limiting onsite storage of diesel fuel or gasoline
	• Requirement to store lubricating and dielectric oils in quantities equal to or greater than 55-gallons in qualified oil-filled equipment
	• Preventative measures and procedures to avoid spills
	  ○ Procedures for chemical storage
	  ○ Procedures for chemical transfer
	  ○ Procedures for chemical transportation
	  ○ Procedures for fueling and maintenance of equipment and vehicles
	  ○ Employee training and education
	• Clean-up and response procedures, in case of an accidental spill or release
	• Proper storage procedures
	• Reporting procedures in case of an accidental spill or release
	[Final Order on ASC (2017), Soil Protection Condition 5; AMD2 (2017)]

STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
PRO-PS-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Condition 15, AMD1 (2020)]
PRO-PS-02	Before beginning operation of the facility, the certificate holder must provide a final site plan to the identified fire protection districts and first-responders included in the Emergency Management Plan. [Final Order on ASC (2017), Public Services Condition 19, AMD1 (2020)]
PRO-PS-03	Prior to operation, the certificate holder must ensure that operations personnel remain current in their first aid/CPR/AED certifications throughout the operational life of the facility. The certificate holder must retain records of the certifications and provide them to the department upon request. The certificate holder shall also ensure that an AED is available onsite at all times that operations and maintenance personnel are at the facility. [Final Order on ASC (2017), Public Services Condition 22]

4.6 Operational (OPR) Conditions

Condition Number	Operational (OPR) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
OPR-GS-01	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. 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. [Final Order on ASC (2017), Mandatory Condition 1] [OAR 345-025-0006(2)]]
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
OPR-SP-01	During facility operation, the certificate holder shall: a. Routinely inspect and maintain all facility components including roads, pads, and other facility components and, as necessary, maintain or repair erosion and sediment control measures and reduce potential facility contribution to erosion. b. Restrict vehicles to constructed access roads, and ensure material laydown or other maintenance activities occur within graveled areas to avoid unnecessary compaction, erosion, or spill risk to the area surrounding the facility. c. If in order to serve the operational needs of the energy facility, or related and supporting facilities, the certificate holder intends to substantially modify an existing road or construct a new road, the certificate holder must submit and receive Council approval of an amendment to the site certificate prior to the modification or construction. [Final Order on ASC (2017), Soil Protection Condition 6, AMD1 (2020)]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
OPR-LU-01	Within one month of commencement of commercial operation, the certificate holder shall submit an as-built survey for each construction phase that demonstrates compliance with the setback requirements in Land Use Condition 1 to the department and Morrow County. [Final Order on ASC (2017), Land Use Condition 2]
OPR-LU-02	During operation of the facility, the certificate holder shall restore areas that are temporarily disturbed during facility maintenance or repair activities using the same methods and monitoring procedures described in the final Revegetation Plan referenced in Fish and Wildlife Habitat Condition 11. [Final Order on ASC (2017), Land Use Condition 10]
OPR-LU-03	Before beginning decommissioning activities, the certificate holder must provide a copy of the final retirement plan to Morrow County. [Final Order on ASC (2017), Land Use Condition 23, AMD1 (2020)]
OPR-LU-04	Before beginning electrical production, the certificate holder shall prepare an Operating and Facility Maintenance Plan (Plan) and submit the Plan to the department for approval in consultation with Morrow County. [Final Order on ASC (2017), Land Use Condition 25, AMD1 (2020)]

OPR-LU-05	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 26]
OPR-LU-06	Prior to facility retirement, the certificate holder must include the following minimum restoration activities in the proposed final retirement plan it submits to the Council pursuant to OAR 345-025-0006(9) or its equivalent: 1. Dismantle aboveground equipment and remove concrete pads to a depth of at least three feet below the surface grade. 2. Remove underground collection and communication cables that are buried less than three feet in depth and are deemed by Council to be a hazard or a source of interference with surface resource uses. 3. Deleted in *Final Order on Amendment 1* dated November 2020. 4. Remove and restore private access roads unless the landowners directs otherwise. 5. Following removal of facility components, grade disturbed areas as close as reasonably possible to the original contours and restore soils to a condition compatible with farm uses or other resources uses. 6. Revegetate disturbed areas in consultation with the land owner and in a manner consistent with the final Revegetation Plan referenced in Fish and Wildlife Habitat Condition 11. 7. If the landowner wishes to retain certain facilities, provide a letter from the land owner that identifies the roads, cleared pads, fences, gates and other improvements to be retained and a commitment from the land owner to maintain the identified facilities for farm or other purposes permitted under the applicable zone. [Final Order on ASC (2017), Land Use Condition 27, AMD1 (2020)]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
OPR-RF-01	During facility operation, the certificate holder shall: a. Conduct monthly inspections of the battery storage systems, in accordance with manufacturer specifications. The certificate holder shall maintain documentation of inspections, including any corrective actions, and shall submit copies of inspection documentation in its annual report to the Department. b. Provide evidence in its annual report to the Department of active property coverage under its commercial business insurance from high loss-catastrophic events, including but not limited to, onsite fire or explosion. [Final Order on AMD2 (2018), Retirement and Financial Assurance Condition 6]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
OPR-PS-01 - 02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Conditions 1 and 2]
OPR-PS-03	a. Prior to operation, the certificate holder shall submit to the Department for approval its Operational Waste Management Plan that includes but is not limited to the following: 1. Onsite handling procedure for operational replacement of damaged, defective or recalled lithium-ion batteries. The procedure shall identify applicable 49 CFR 173.185 provisions and address, at a minimum, onsite handling, packaging, interim storage, and segregation requirements. 2. Training employees to handle, replace, and store damaged, defective or recalled lithium-ion batteries; minimize and recycle solid waste. 3. Recycling paper products, metals, glass, and plastics. 4. Recycling used oil and hydraulic fluid. 5. Collecting non-recyclable waste for transport to a local landfill by a licensed waste hauler or by using facility equipment and personnel to haul the waste. Waste hauling by

	facility personnel within Morrow County shall be performed in compliance with the Morrow County Solid Waste Management Ordinance, Section 5.000 Public Responsibilities, 5.010 Transportation of Solid Waste and 5.030 Responsibility for Propose Disposal of Hazardous Waste which requires that all loads be covered and secured and that operators be responsible for hazardous waste disposal in accordance with applicable regulatory requirements. 6. Segregating all hazardous and universal, non-recyclable wastes such as used oil, oily rags and oil-absorbent materials, mercury-containing lights, lithium-ion batteries, lead-acid and nickel-cadmium batteries, and replaced, damaged, defective or recalled lithium-ion batteries for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous and universal wastes. b. During operation, the certificate holder shall implement the approved Operational Waste Management Plan. [Final Order on ASC (2017), Public Services Condition 4; AMD2 (2018)]
OPR-PS-04	During operation, the certificate holder shall ensure that appropriate law enforcement agency personnel have an up-to-date list of the names and telephone numbers of facility personnel available to respond on a 24-hour basis in case of an emergency at the facility site. [Final Order on ASC (2017), Public Services Condition 12]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
~~OPR-WF-01~~	~~During operation, the certificate holder shall ensure each facility substation and battery storage systems are enclosed with appropriate fencing and locked gates to protect the public from electrical hazards.~~ ~~[Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 2; AMD2 (2018)~~
STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
OPR-TL-01	During operation, the certificate holder shall: (1) Update the OPUC Safety Staff as to how the operator will comply with OAR Chapter 860, Division 024 on an ongoing basis considering future operations, maintenance, emergency response, and alterations until facility retirement. (2) File the following required information with the Commission: a. 758.013 Operator of electric power line to provide Public Utility Commission with safety information; availability of information to public utilities. (1) Each person who is subject to the Public Utility Commission's authority under ORS 757.035 and who engages in the operation of an electric power line as described in ORS 757.035 must provide the commission with the following information before January 2 of each even-numbered year: i. The name and contact information of the person that is responsible for the operation and maintenance of the electric power line, and for ensuring that the electric power line is safe, on an ongoing basis; and ii. The name and contact information of the person who is responsible for responding to conditions that present an imminent threat to the safety of employees, customers and the public. iii. In the event that the contact information described in subsection (1) of this section changes or that ownership of the electric power line changes, the person who engages in the operation of the electric

	power line must notify the commission of the change as soon as practicable, but no later than within 90 days. iv. If the person described in subsection (1) of this section is not the public utility, as defined in ORS 757.005, in whose service territory the electric power line is located, the commission shall make the information provided to the commission under subsection (1) of this section available to the public utility in whose service territory the electric power line is located. [2013 c.235 §3] (3) Provide OPUC Safety Staff with: a. Maps and Drawings of routes and installation of electrical supply lines showing: • Transmission lines and structures (over 50,000 Volts) • Distribution lines and structures - differentiating underground and overhead lines (over 600 Volts to 50,000 Volts) • Substations, roads and highways • Plan and profile drawings of the transmission lines (and name and contact information of responsible professional engineer). [Final Order on ASC (2017), Siting Standard Condition 3]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
OPR-NC-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Noise Control Condition 3]
OPR-NC-02	During operation, the certificate holder shall maintain a complaint response system to address noise complaints. The certificate holder shall notify the department within two working days of receiving a noise complaint related to the facility. The notification should include, but is not limited to, the date the certificate holder received the complaint, the nature of the complaint, the complainant's contact information, the location of the affected property, and any actions taken, or planned to be taken, by the certificate holder to address the complaint. [Final Order on ASC (2017), Noise Control Condition 4]
OPR-NC-03	During operation, in response to a complaint from the owner of a noise sensitive property regarding noise levels from the facility, the Council may require the certificate holder to monitor and record the statistical noise levels to verify that the certificate holder is operating in compliance with the noise control regulations. The monitoring plan must be reviewed and approved by the department prior to implementation. The cost of such monitoring, if required, shall be borne by the certificate holder. [Final Order on ASC (2017), Noise Control Condition 5]

4.7 Retirement Conditions (RET)

Condition Number	Retirement (RET) Conditions
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
RET-RF-01	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 345-025-0006(9). 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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 2] [Mandatory Condition OAR 345-025-0006(9)]
RET-RF-02	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 345-025-0006(9), the Council must 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 section (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 must pay any additional cost necessary to restore the site to a useful, nonhazardous condition. After completion of site restoration, the Council must 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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 3] [Mandatory Condition OAR 345-025-0006(16)]

5.0 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.

6.0 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.

7.0 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 Wheatridge Solar Energy Center, LLC (certificate holder), a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (certificate holder owner).

ENERGY FACILITY SITING COUNCIL

Hanley Jenkins, II

By: Hanley Jenkins, II (Dec 2, 2020 12:43 PST)

Hanley Jenkins, II, Chair

Oregon Energy Facility Siting Council

Date: Dec 2, 2020

WHEATRIDGE SOLAR ENERGY CENTER, LLC

By: _____

Matthew Handel, Vice President Development, NextEra Energy Resources, LLC on behalf of Wheatridge Solar Energy Center, LLC

Date: 12/10/2020

Attachment A
WREFIII Site Boundary Map

Attachment 2. Wagon Trail Solar II Redlined Site Certificate

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ENERGY FACILITY SITING COUNCIL

OF THE

STATE OF OREGON

Site Certificate for the Wagon Trail Solar II~~Wheatridge Renewable Energy Facility III~~

ISSUANCE DATE

Site Certificate **TBD~~November 19, 2020~~**

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Attachments

Attachment A	Facility Site Boundary Map

Acronyms and Abbreviations

ASC	Application for Site Certificate
BMP	Best Management Practice
Council or EFSC	Oregon Energy Facility Siting Council
Department or ODOE	Oregon Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
ESCP	Erosion and Sediment Control Plan
HMP	Habitat Mitigation Plan
NEER	NextEra Energy Resources, LLC
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
OAR	Oregon Administrative Rule
ODFW	Oregon Department of Fish and Wildlife
ORS	Oregon Revised Statute
NRHP	National Register of Historic Places
WGS	Washington Ground Squirrel
WMMP	Wildlife Monitoring and Mitigation Plan
WREFI	Wheatridge Renewable Energy Facility I
WREFII	Wheatridge Renewable Energy Facility II
WREFIII	Wheatridge Renewable Energy Facility III
WREFE	Wheatridge Renewable Energy Facility East

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 Wagon Trail~~Wheatridge Solar~~ Energy Center, LLC (certificate holder), a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (NEER, certificate holder owner). As authorized under Oregon Revised Statue (ORS) Chapter 469, the Council issues this site certificate authorizing certificate holder to construct, operate and retire the Wagon Trail Solar II ~~Wheatridge Renewable Energy Facility III~~ (facility) at the below described site within Morrow 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)).

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 approved for the Wheatridge Wind Energy Facility, incorporated herein by this reference: (1) the *Final Order on the Application for Site Certificate for the Wheatridge Wind Energy Facility* issued on April 28, 2017 (hereafter, *Final Order on the Application*); (2) *Final Order on Request for Transfer* issued on July 27, 2017; (3) *Final Order on Request for Amendment 3* issued on November 16, 2018; (4) *Final Order on Request for Amendment 2* issued on December 14, 2018; *Final Order on Request for Amendment 4* issued on November 22, 2019; and (5) *Final Order on Request for Amendment 5* issued May 22, 2020. In addition, 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 approved for the Wheatridge Renewable Energy Facility II (WREFII), incorporated herein by this reference: (1) *Final Order on Request for Amendment 1* issued November 19, 2020.

In interpreting this site certificate, any ambiguity will be clarified by reference to the following documents approved for WREFII, in order of priority: (1) *Final Order on Request for Amendment 1;* and for the Wheatridge Wind Energy Facility, in order of priority: (2) *Final Order on Request for Amendment 5;* (3) *Final Order on Request for Amendment 4;* (4) *Final Order on Request for Amendment 2*; (5) *Final Order on Request for Amendment 3*; (6) *Final Order on Request for Amendment 1*; (7) *Final Order on the Application*, and (6) 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)).

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.

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 345-027-0410 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.

2.0 Facility Location

~~The~~ Wagon Trail Solar II ~~Wheatridge Renewable Energy Facility III (WREFIII),~~ is a solar facility generating up to 1~~05~~0 MW of solar energy. The energy facility and its related or supporting facilities are located within Morrow County. The site boundary, as defined in OAR 345-001-0010, encompasses approximately 1,935~~2,294~~ acres of private land and includes ~~two~~ solar array facilities and distributed energy storage~~-~~ within micrositing

corridors, related or supporting facilities, including 34.5 kV collector lines above or below ground within a perimeter fence and outside a fenced area ~~in two routes~~, service roads, ~~5 acre substation,~~ and 2641~~0~~ distributed battery storage sites for lithium-ion batteries proposed by the certificate holder, as approved by the Council.[1] Shared (WREFI, WREFII and WREFIII) Related or Supporting Facilities is discussed further in Section 3.3 below.

WREFIII components are located entirely within Morrow County, bisected by Oregon Highway 207, approximately 5 miles northeast of Lexington and approximately 7 miles northwest of Heppner. Previously approved facility components that are shared between WREFII and WREFIII include a collector substation, access roads, temporary laydown areas and the O&M building, all of which are reflected in both WREFII and WREFIII site certificates. WREFE does not share any related or supporting facilities with WREFII or WREFIII, however would include areas of overlapping site boundary. Portions of the 230-kV Intraconnection Line may have overlapping site boundaries with WREFI, WREFII, and WREFIII.

2.1 Site Boundary

The site boundary encompasses a total of 1,935~~2,294~~ acres of privately owned land. Table 1 identifies the Public Land Survey System sections in which the site boundary is located.

Table 1. Location of Site Boundary by Township, Range and Section

Township	Range	Section(s)
1N	25E	13, 24
1N	26E	6, 7, 8, 9, 10, 16, 17, 18, 19, 20, ~~21,~~ 29, 30

For this facility, the certificate holder requested that the site boundary represent the "micrositing corridor" for the placement of facility components 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 Council permits final siting flexibility within a micrositing corridor when the certificate holder demonstrates that requirements of all applicable standards have been satisfied by adequately evaluating the entire corridor and location of facility components anywhere within the corridor.

2.2 Micrositing Corridors

The certificate holder requested flexibility to locate components of the energy facility and its related or supporting facilities within a micrositing corridor to allow adjustment of the specific location of components, while establishing outer boundaries of potential construction for purposes of evaluating potential impacts.

Micrositing corridors for solar facility components, as presented in Figure 1 *Solar Micrositing Corridors* of this amended site certificate~~, include the area for Solar Array 1 and Solar Array 2~~, which includes private access roads, service roads, a 34.5 kV collection system, gates and perimeter security fence.

[1] Energy facility site, as defined in OAR 345-001-0010(54), means all land upon which an energy facility is located or proposed to be located.

3.0 Facility Description

The facility includes solar energy generation components, each with related or supporting facilities. The energy generation capacity of the facility at full build out by the specified construction completion deadlines is 1050 MW. Solar energy facility components are further described in Section 3.2 and 3.2.1 of this site certificate.

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

3.1 Solar Energy Facility Components

The certificate holder will begin pre-construction compliance on any remaining phase or phases at least 12 months before the amended construction completion deadline of November 22, 2028 ~~construction commencement deadline~~ for the 1050 MW solar energy facility and its related or supporting facilities ~~must begin by November 22, 2022~~ (under General Standard Condition 1 (GEN-GS-01). ~~and c~~Construction of these components must be completed on or before November 22, 2028~~5~~ (under General Standard Condition 2 (GEN-GS-02).

Solar energy facility components are ~~include up to two solar arrays~~ located ~~within Wheatridge West,~~ entirely within Morrow County, on Exclusive Farm Use zoned land. The solar arrays consist of photovoltaic panels mounted onto tracking modules and arranged in strings within the solar micrositing corridors. Strings of modules are connected by electrical collector lines and inverters that convert the direct current power generated by panels to alternating current power. Transformers placed near the inverters step up power to 34.5 kV for transmission to the WREFII~~Wheatridge West~~ substation. The maximum layout including total number of modules, configuration, dimensions, total energy generating capacity and mounting system of solar array components shall be substantially as described in Request for Amendment 4.

Photovoltaic Modules and Racking

Each solar module is approximately 6 feet by 3 feet, placed on a nonspecular, galvanized steel rack. Each set of approximately 70 racked modules is mounted approximately 5 feet off the ground on a single-axis tracker that would rotate 60 degrees to the east and west. Each tracker is supported by steel posts; post depth varies depending on soil conditions, but the posts are typically placed 8 feet below the surface. The maximum of height of the modules at full tilt would be approximately 16 feet.

Combiner Boxes, Inverters and Transformers

The current produced by solar modules is in the form of direct current (DC). Within each module block, several DC electrical conduits (cables on the back of the modules) aggregate electricity produced from each of the modules into a combiner box. Approximately 18 combiner boxes are located throughout each module block for a total of approximately 392~~740~~ combiner boxes. The photovoltaic modules are arranged into blocks, with each block connecting via collector lines to approximately 2641 ~~modular inverter enclosures~~. Inverters convert DC current into alternating current (AC) power to then be transmitted to the grid. The inverter AC output voltage (480 volts) is stepped up to a higher voltage (34.5 kilovolts [kV]) by approximately 2641 pad-mounted transformers designed to integrate with the inverter.

3.1.1 Related or Supporting Facility to Solar Energy Facility Components

Related or supporting facilities associated with the solar facility must begin construction by the dates described in General Standard Condition 1 (GEN-GS-01) and construction must be completed, substantially as described below, by the deadline sta~~bl~~ted in General Standard Condition 2 (GEN-GS-02).

Electrical Collection System

Electricity generated from the solar energy facility components are aggregated via underground 34.5 kV cables to an above- or belowground 34.5 kV collector line that interconnect to WREFII~~Wheatridge West~~ collector substation. Underground AC electrical cables are buried to a minimum of 3 feet. Overhead collector lines are supported by a wooden or steel monopole structure, with foundations extending 6 feet in depth and structure height of approximately 60 feet above ground. The collection system also includes up to two 34.5 kV collector line routes outside of the perimeter fenceline; one route extends approximately 2.32 miles from Wagon Trail Solar II~~Solar Array 1~~ to WREFII~~Wheatridge West~~ collector substation. The second collector line interconnects Wagon Trail Solar II~~Solar Array 1~~to WREFIII~~Solar Array 2~~ and extends approximately 0.66 miles along Bombing Range Road.

Service Roads, Gates, and Fencing

Service roads, approximately 16-feet wide and 8.7 miles total, located within and around the perimeter of the proposed solar arrays, and within the solar micrositing corridors, to facilitate access for construction and maintenance purposes. Vegetation is cleared and maintained along perimeter roads to provide a vegetation clearance area extending 100-feet wide for fire safety. Internal roads are all-weather, compacted gravel and approximately 20 feet wide, with an internal turning radius of 28 feet.
Vegetation maintenance along solar array interior roads includes mowing to a height no more than 3 inches.

The perimeter service road is bordered by a 7 or 8-foot-high chain-link security fence. There is also a locked security entrance gates to allow vehicle and pedestrian access.

~~*Wheatridge West Collector Substation Expansion*~~

~~Wheatridge West collector substation (by Strawberry Lane) includes 10 acres, 5 of which accommodate electrical equipment such as an additional transformer, switches, protective relay and metering equipment needed to handle the power generated by the solar energy facility components.~~

Battery Storage System Sites – Distributed Locations (AC Coupled)

Solar energy facility components include approximately 26~~41~~ distributed sites of sites of lithium-ion batteries housed within concrete containers or similar containment throughout and within the solar array fencelines. Each container measures up to 12 feet wide, 36 feet long and 10 feet tall. Lithium-ion battery storage systems are modular systems. Each module contains multiple smaller battery cells, each measuring up to 3.2 by 7 centimeters. Modules are contained in anchored racks within the concrete containers; typically, each rack houses 12 battery modules along with a switchgear assembly. Cooling equipment is located either on top of the concrete containers or along the side.

3.2 Shared (WREFI, WREFII, ~~and~~ WREFIII, and Wagon Trail Solar II) Related or Supporting Facilities

Previously approved facility components that are shared between WREFII and Wagon Trail Solar II~~REFIII~~ include a collector substation, access roads, temporary laydown areas and the O&M building, all of which are reflected in both WREFII and Wagon Trail Solar II~~REFIII~~ site certificates. WREFE does not share any related or supporting facilities with WREFII or WREFIII, however would include areas of overlapping site boundary. Portions of the 230-kV Intraconnection Line may have overlapping site boundaries with WREFI, WREFII, ~~and~~ WREFIII, and Wagon Trail Solar II. Sharing of facility components, or use by multiple facilities, is allowable in the EFSC process when the compliance obligation and applicable regulatory requirements for the shared facilities is adequately covered under the relevant/applicable~~both~~ site certificates, including under normal operational circumstances, ceasing/termination of operation, emergencies and compliance issues or violations.

The certificate holder is authorized to share related or supporting facilities with the WREFI and WREFII facilities, including the Intraconnection Line, WREFII~~Wheatridge West~~ collector substation, O&M building, temporary laydown areas, and access roads. These related or supporting facilities are ~~also~~ included in both WREFI and WREFII site certificates. The certificate holder is also authorized to share related or supporting facilities with WREFIII, including access roads. Compliance with site certificate conditions and EFSC standards which apply to these shared related or supporting facilities are split accordingly~~shared~~ between certificate holders and their associated site certificates. In accordance with Organizational Expertise Condition 11, if either certificate holder substantially modifies a shared related or supporting facility or ceases facility operation, the applicable/relevant ~~both~~ certificate holder~~s~~ is~~are~~ obligated to submit an amendment determination request or request for amendment to the Department to determine the appropriate process for evaluating the change and ensuring full regulatory coverage under each site certificate, or remaining site certificate if either is terminated, in the future.

Additionally, each certificate holder is obligated to demonstrate to the Department that a "Common Facilities Agreement" or similarly legally binding agreement has been fully executed between certificate holders to ensure approval and agreement of access to the shared resources has been obtained prior to operation of shared facilities.

4.0 Site Certificate Conditions

4.1 Condition Format

The conditions in Sections 4.2 through 4.7 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.)[2]. The table below presents a "key" for phase of implementation:

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

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.

This site certificate contains conditions initially imposed in the Wheatridge Wind Energy Facility site certificate, as approved in April 2017, and amended in July 2017 (AMD1), November (AMD2) and December 2018 (AMD3), November 2019 (AMD4), and May 2020 (AMD5). Site certificate conditions include a bracketed citation (e.g. [Final Order on ASC (2017), AMD2 (2018), AMD4 (2019)]) which provides reference to the Council order imposing or amending the condition. Bracketed citations dated 2017 through May 2020 represent conditions imposed or amended under the Wheatridge Wind Energy Facility site certificate; bracketed citations dated after May 2020 represent conditions imposed or amended under the Wheatridge Renewable Energy Facility II site certificate.

[2] 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.

4.2 General Conditions (GEN): Design, Construction and Operations

Condition Number	General (GEN) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
GEN-GS-01	The certificate holder will begin pre-construction compliance on any remaining phase or phases at least 12 months before the amended construction completion deadline of November 22, 2028 ~~shall begin construction of solar facility components and its related or supporting facilities, as approved the Fourth Amended Site Certificate, by November 22, 2022). On or before November 22, 2022, the certificate holder shall provide written notification to the Department that it has met the construction commencement deadline. Construction is defined in OAR 345-001-0010~~. [Final Order on ASC (2017), General Standard Condition 1; AMD2 (2018); AMD4 (2019); AMD1 (2020)] [Mandatory Condition OAR 345-025-0006(4)
GEN-GS-02	The certificate holder shall complete construction of solar facility components and its related or supporting facilities~~, as approved in the Fourth Amended Site Certificate,~~ by November 22, 20285~~5~~. On or before November 22, 20285~~5~~, the certificate holder shall promptly notify the Department of the date of completion of construction. [Final Order on ASC (2017), General Standard Condition 2 (2018); AMD2 (2018); AMD4 (2019); AMD1 (2020)] [Mandatory Condition OAR 345-025-0006(4)
GEN-GS-03	The certificate holder shall design, construct, operate, and retire the facility: a. Substantially as described in the site certificate; 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; and c. In compliance with all applicable permit requirements of other state agencies. [Final Order on ASC (2017), Mandatory Condition 2] [OAR 345-025-0006(3)]
~~GEN-GS-04~~	~~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 wind energy facilities, transmission lines or pipelines, 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:~~ ~~a. 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 or pipeline occurs during the certificate holder's negotiations to acquire construction rights on another part of the site; or~~ ~~b. The certificate holder would construct and operate part of a wind energy facility on that part of the site even if other parts of the facility were modified by amendment of the site certificate or were not built.~~ ~~[Final Order on ASC (2017), Mandatory Condition 3] [OAR 345-025-0006(5)]~~
GEN-GS-05	If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder shall, as soon as possible, submit a written report to the department describing the impact on the facility and any affected site certificate conditions. [Final Order on ASC (2017), Mandatory Condition 6] [OAR 345-025-0000(6)]
GEN-GS-06	The Council shall include as conditions in the site certificate all representations in the site certificate application and supporting record the Council deems to be binding commitments made by the applicant.

	[Final Order on ASC (2017), Mandatory Condition 5] [OAR 345-025-0006(10)]
GEN-GS-07	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. [Final Order on ASC (2017), Mandatory Condition 6] [OAR 345--025-0006(11)]
GEN-GS-08	The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety 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. For coastal sites, this also includes tsunami hazards and seismically-induced coastal subsidence. [Final Order on ASC (2017), Mandatory Condition 7] [OAR 345-025-0006(12)]
GEN-GS-09	The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries 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 Department of Geology and Mineral Industries and the Building Codes Division and to propose mitigation actions. [Final Order on ASC (2017), Mandatory Condition 8] [OAR 345-025-0006(13)]
GEN-GS-10	The certificate holder shall notify the department, the State Building Codes Division and the Department of Geology and Mineral Industries 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 Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Final Order on ASC (2017), Mandatory Condition 9] [OAR 345-025-0006(14)]
GEN-GS-11	Before any transfer of ownership 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. [Final Order on ASC (2017), Mandatory Condition 10] [OAR 345-025-0006(15)]
GEN-GS-12	Deleted in *Final Order on Amendment 1* dated November 2020 [Final Order on ASC (2017), Site Specific Condition 1; AMD1 (2020)] [OAR 345-025-0010(5)]]
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
GEN-OE-01	Any matter of non-compliance under the site certificate is the responsibility of the certificate holder. Any notice of violation issued under the site certificate will be issued to the certificate holder. Any civil penalties under the site certificate will be levied on the certificate holder. [Final Order on ASC (2017), Organizational Expertise Condition 5]
GEN-OE-02	In addition to the requirements of OAR 345-026-0170, within 72 hours after discovery of incidents or circumstances that violate the terms or conditions of the site certificate, the certificate holder must report the conditions or circumstances to the department. [Final Order on ASC (2017), Organizational Expertise Condition 6]
GEN-OE-03	During facility construction and operation, the certificate holder shall report to the Department, within 7 days, any change in the corporate structure of the parent company, NextEra Energy

	Resources, LLC. The certificate holder shall report promptly to the Department any change in its access to the resources, expertise, and personnel of NextEra Energy Resources, LLC. [Final Order on AMD1 (2017), Organizational Expertise Condition 9]
GEN-OE-04	The certificate holder shall: a. Prior to and during construction, as applicable, provide evidence to the Department that a contractual agreement has been obtained for transport and disposal of battery and battery waste by a licensed hauler and requires the third-party to comply with all applicable laws and regulations, including applicable provisions of 49 CFR 173.185. b. Prior to transporting and disposing of battery and battery waste during facility operations, provide evidence to the Department that a contractual agreement has been obtained for transport and disposal of battery and battery waste by a licensed hauler and requires the third-party to comply with all applicable laws and regulations, including applicable provisions of 49 CFR 173.185. [Final Order on AMD2 (2018), Organizational Expertise Condition 10]
GEN-OE-05	The certificate holder is authorized to operationally share related or supporting facilities including the Intraconnection Line, WREFII~~Wheatridge West~~ collector substation, O&M building, access roads, temporary staging areas, all of which are governed either under the~~both~~ WREFI~~, and~~ WREFII, WREFIII, or Wagon Trail Solar II site certificates. a. Within 30 days of use by ~~both~~ certificate holders of the shared facilities, the certificate holder must provide evidence to the Department that the certificate holders of the shared facilities have an executed agreement for shared use of any constructed shared facilities. The Shared Use Agreements must allow operation and maintenance personnel and contractors access to the shared facilities of WREFI, WREFII, WREFIII or Wagon Trail Solar II. ~~b. If WREFI, WREFII propose to substantially modify any of the shared facilities listed in sub(a) of this condition, each certificate holder shall submit an amendment determination request or request for site certificate amendment to obtain a determination from the Department on whether a site certificate amendment is required or to process an amendment for both site certificates in order to accurately account for any significant change in the decommissioning amount required under Retirement and Financial Assurance Condition 5.~~ ~~c. Prior to facility decommissioning or if facility operations cease, each certificate holder shall submit an amendment determination request or request for site certificate amendment to document continued ownership and full responsibility, including coverage of full decommissioning amount of the shared facilities in the bond or letter of credit pursuant to Retirement and Financial Assurance Condition 5, for the operational facility, if facilities are decommissioned at different times.~~ [Final Order on AMD5 (2020); Organizational Expertise Condition 11; AMD1 (2020)]

STANDARD: STRUCTURAL (SS) [OAR 345-022-0020]	
GEN-SS-01	The certificate holder shall design, engineer, and construct the facility in accordance with the current versions of the latest International Building Code, Oregon Structural Specialty Code, and building codes as adopted by the State of Oregon at the time of construction. [Final Order on ASC (2017), Structural Standard Condition 2]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
GEN-LU-01	The certificate holder shall design the facility to comply with the following setback distances in Morrow County: a-d. Deleted in Final Order on Amendment 1 dated November 2020. e. Solar facility components shall be setback: 20 feet from property fronting on a local minor collector road rights of way; 30 feet from property fronting on a major collector road right of way; and 80 feet from an arterial road right of way, unless other provisions for combining access are provided and approved by the county. f. East and west sides of solar facility components shall be setback 20 feet from adjacent land uses except that on corner lots or parcels the side yard on the street side shall be a minimum of 30 feet. g. North side of solar facility components shall be setback a minimum of 25 feet from any abutting property or taxlot. [Final Order on ASC (2017), Land Use Condition 1; AMD3 (2018); AMD4 (2019); AMD5 (2020); AMD1 (2020)]
GEN-LU-02	During design and construction of the facility, the certificate holder shall: a. Obtain an access permit for changes in access on Morrow County roads; and b. Improve or develop private access roads impacting intersections with Morrow County roads in compliance with Morrow County access standards. [Final Order on ASC (2017), Land Use Condition 4]
GEN-LU-03	During design and construction, the certificate holder shall implement the following actions on all meteorological towers approved through the site certificate: a. Paint the towers in alternating bands of white and red or aviation orange; or b. Install aviation lighting as recommended by the Federal Aviation Administration. [Final Order on ASC (2017), Land Use Condition 9]
GEN-LU-04	The certificate holder shall design and construct the facility using the minimum land area necessary for safe construction and operation. The certificate holder shall: a. Locate access roads ~~and temporary construction laydown and staging areas~~ to minimize disturbance of farming practices; b. Deleted in *Final Order on Amendment 1* dated November 2020. c. Site solar array collector lines, if aboveground, within or adjacent to an existing road, railroad or transmission line right-of-way; parallel to an existing transmission corridor; or co-located with existing transmission line or each other, unless not technically feasible due to lack of availability, geographic constraints, engineering limitations, or other reasons as agreed upon by the Department consistent with this condition. d. Bury underground communication and electrical lines within the area disturbed by temporary road widening, where possible. [Final Order on ASC (2017), Land Use Condition 11; AMD4 (2019); AMD1 (2020)]
GEN-LU-05 - 10	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Conditions 14, 16, 20, 22, 24 and 28]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	

GEN-RF-01	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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 1] [Mandatory Condition OAR 345-025-0006(7)]
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
GEN-FW-01	During construction and operation, the certificate holder shall impose a 20 mile per hour speed limit on new and improved private access roads, which have been approved as a related and supporting facility to the energy facility. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 2]
GEN-FW-02	The certificate holder shall construct all overhead collector and transmission intraconnection lines in accordance with the latest Avian Power Line Interaction Committee design standards, and shall only install permanent meteorological towers that are unguyed. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 6]
STANDARD: SCENIC RESOURCES (SR) [OAR 345-022-0080]	
GEN-SR-01	To reduce visual impacts associated with lighting facility structures, other than lighting on structures subject to the requirements of the Federal Aviation Administration or the Oregon Department of Aviation, the certificate holder shall implement the following measures: a. Outdoor night lighting at the ~~collector substations and~~ battery storage systems must be i. The minimum number and intensity required for safety and security; ii. Directed downward and inward within the facility to minimize backscatter and offsite light trespass; and iii. Have motion sensors and switches to keep lights turned off when not needed. [Final Order on ASC (2017), Scenic Resources Condition 1, AMD2 (2018); AMD1 (2020)
GEN-SR-02	The certificate holder shall: a. Design and construct the battery storage systems to be generally consistent with the character of agricultural buildings used by farmers or ranchers in the area, and the buildings shall be finished in a neutral color to blend with the surrounding landscape; b-c. Deleted in Final Order on Amendment 1 dated November 2020. d. Finish ~~substation structures and~~ battery storage systems utilizing neutral colors to blend with the surrounding landscape; e. Minimize use of lighting and design lighting to prevent offsite glare; f. Not display advertising or commercial signage on any part of the proposed facility; g. Limit vegetation clearing and ground disturbance to the minimum area necessary to safely and efficiently install the facility equipment; h. Water access roads and other areas of ground disturbance during construction, as needed, to avoid the generation of airborne dust; and i. Restore and revegetate temporary impact areas as soon as practicable following completion of construction. [Final Order on ASC (2017), Scenic Resources Condition 2, AMD2 (2018), AMD1 (2020)]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
GEN-PS-01	During construction and operation, the certificate holder shall coordinate with its solid waste handler to provide the information solicited through the Oregon Department of Environmental Quality's Recycling Collector Survey to the Morrow County waste shed representative on an annual basis. [Final Order on ASC (2017), Public Services Condition 5]

GEN-PS-02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Condition 11]
GEN-PS-03	Prior to construction and operation of the facility, , the certificate holder must provide employee fire prevention and response training that includes instruction on facility fire hazards, fire safety, emergency notification procedures, use of fire safety equipment, and fire safety rules and regulations. The certificate holder shall notify the department and the first-response agencies listed in the Emergency Management Plan developed to comply with Public Services Condition 13 at least 30 days prior to the annual training to provide an opportunity to participate in the training. Equivalent training shall be provided to new employees or subcontractors working on site that are hired during the fire season. The certificate holder must retain records of the training and provide them to the department upon request. [Final Order on ASC (2017), Public Services Condition 18]
GEN-PS-04	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on AMD2 (2018), Public Services Condition 23]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
GEN-WF-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 3]
~~GEN-WF-02~~	~~The certificate holder shall notify the department and the Morrow County Planning Department within 72 hours of any accidents including mechanical failures on the site associated with construction or operation of the facility that may result in public health or safety concerns.~~ ~~[Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 5; AMD1 (2020)]~~

4.3 Pre-Construction (PRE) Conditions

Condition Number	Pre-Construction (PRE) Conditions
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
PRE-OE-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department of the identity and qualifications of the major design, engineering and construction contractor(s) for the facility. The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities. The certificate holder shall report to the department any changes of major contractors. [Final Order on ASC (2017), Organizational Expertise Condition 1; AMD1 (2020)]
PRE-OE-02	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department of the identity and qualifications of the construction manager to demonstrate that the construction manager is qualified in environmental compliance and has the capability to ensure compliance with all site certificate conditions. [Final Order on ASC (2017), Organizational Expertise Condition 2, AMD1 (2020)]
PRE-OE-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall contractually require all construction contractors and subcontractors involved in the construction of the facility to 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. [Final Order on ASC (2017), Organizational Expertise Condition 3, AMD1 (2020)]
PRE-OE-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall notify the department before conducting any work on the site that does not qualify as surveying, exploration, or other activities to define or characterize the site. The notice must include a description of the work and evidence that its value is less than $250,000 or evidence that the certificate holder has satisfied all conditions that are required prior to beginning construction. [Final Order on ASC (2017), Organizational Expertise Condition 4, AMD1 (2020)]
PRE-OE-05	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder must provide the department and Morrow County with the name(s) and location(s) of the aggregate source and evidence of the source's county permit(s). [Final Order on ASC (2017), Organizational Expertise Condition 7, AMD1 (2020)]
PRE-OE-06	The certificate holder must: a. Prior to construction of solar facility components approved in the Fourth Amended Site Certificate, provide to the Department a list of all third-party permits that would normally be governed by the site certificate and that are necessary for construction and operation (e.g. Water Pollution Control Facilities Permit, Air Contaminant Discharge Permit, Limited Water Use License). Once obtained, the certificate holder shall provide copies of third-party permits to the Department. b. During construction and operation, promptly report to the Department if any third-party permits referenced in sub(b) of this condition have been cited for a Notice of Violation. [Final Order on ASC (2017), Organizational Expertise Condition 8; AMD4 (2019); AMD5 (2020), AMD1 (2020)]
STANDARD: STRUCTURAL (SS) [OAR 345-022-0020]	

PRE-SS-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder must: a. Submit a protocol to the Department and Oregon Department of Geology & Mineral Industries (DOGAMI), for review, with the applicable codes, standards, and guidelines to be used, and proposed geotechnical work to be conducted for the site-specific geotechnical investigation report. b. Following receipt and review of Department and DOGAMI comments on the protocol per (a), the certificate holder shall conduct a site-specific geological and geotechnical investigation, and shall report its findings to DOGAMI and the department. The report shall be used by the certificate holder in final facility layout and design. The department shall review, in consultation with DOGAMI, and confirm that the investigation report includes an adequate assessment of the following information: • Subsurface soil and geologic conditions of the site boundary • Define and delineate geological and geotechnical hazards, and means to mitigate these hazards • Geotechnical design criteria and data for the foundations of ~~substations, O&M buildings,~~ battery storage systems, roads, and other related and supporting facilities • Design data for installation of underground and overhead collector lines, and overhead transmission lines • Investigation of specific areas with potential for slope instability and landslide hazards. Landslide hazard evaluation shall be conducted by LIDAR and field work, as recommended by DOGAMI • Investigations of the swell and collapse potential of loess soils within the site boundary. [Final Order on ASC (2017), Structural Standard Condition 1; AMD2 (2018), AMD1 (2020)]
PRE-SS-02	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1, an investigation of all potentially active faults within the site boundary. The investigation shall include a description of the potentially active faults, their potential risk to the facility, and any additional mitigation that will be undertaken by the certificate holder to ensure safe design, construction, and operation of the facility. [Final Order on ASC (2017), Structural Standard Condition 3; AMD5 (2020), AMD1 (2020)]
PRE-SS-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1 an investigation of specific areas with potential for slope instability and shall site solar arrays appropriate to avoid potential hazards. The landslide hazards shall be investigated and mapped before final facility layout and design. The landslide hazard evaluation shall be conducted by a combination of LIDAR and field work. [Final Order on ASC (2017), Structural Standard Condition 4, AMD1 (2020)]
PRE-SS-04	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall include as part of the geotechnical investigation required per Structural Standard Condition 1, an investigation of the swell and collapse potential of loess soil in the site boundary. Based on the results of the investigation, the certificate holder shall include mitigation measures including, as necessary, over-excavating and replacing loess soil with structural fill, wetting and compacting, deep foundations, or avoidance of specific areas. [Final Order on ASC (2017), Structural Standard Condition 5, AMD1 (2020)]

STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
PRE-SP-01	Prior to beginning construction, the certificate holder shall provide a copy of a DEQ-approved construction Spill Prevention Control and Countermeasures (SPCC) plan, to be implemented during facility construction. The SPCC plan shall include the measures described in Exhibit I of ASC and in the final order approving the site certificate. [Final Order on ASC (2017), Soil Protection Condition 3]
PRE-SP-02	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that the final Revegetation Plan includes a program to protect and restore agricultural soils temporarily disturbed during facility construction. As described in the final order, agriculture soils shall be properly excavated, stored, and replaced by soil horizon. Topsoil shall be preserved and replaced. The Revegetation Plan shall be finalized pursuant to Fish and Wildlife Habitat Condition 11. [Final Order on ASC (2017), Soil Protection Condition 4, AMD1 (2020)]
PRE-SP-03	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Soil Protection Condition 7]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
PRE-LU-01	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall complete the following: a. Pay the requisite fee and obtain a Zoning Permit from Morrow County for all facility components sited in Morrow County; and b. Obtain all other necessary local permits, including building permits. c. Provide the county with a building permit application, a third party technical report which includes: 1. Evaluates fire hazards and; 2. Presents mitigation and recommendations for a fire suppression system designed for the battery storage systems. d. The certificate holder shall provide copies of the third-party technical report and issued permits to the Department. [Final Order on ASC (2017), Land Use Condition 3; AMD2 (2018)]
PRE-LU-02	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall pay the requisite fee and obtain a Conditional Use Permit as required under Morrow County Zoning Ordinance Article 6 Section 6.015. [Final Order on ASC (2017), Land Use Condition 5, AMD1 (2020)]
PRE-LU-03	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare a Weed Control Plan that is consistent with Morrow County weed control requirements to be approved by the department. The department shall consult with Morrow County and ODFW. The final plan must be submitted to the department no less than 30 days prior to the beginning of construction. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. [Final Order on ASC (2017), Land Use Condition 6; AMD5 (2020), AMD1 (2020)]
PRE-LU-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall record in the real property records of Morrow County a Covenant Not to Sue with regard to generally accepted farming practices on adjacent farmland. [Final Order on ASC (2017), Land Use Condition 7, AMD1 (2020)]

PRE-LU-05	Prior to beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall consult with surrounding landowners and lessees and shall consider proposed measures to reduce or avoid any adverse impacts to farm practices on surrounding lands and to avoid any increase in farming costs during construction and operation of the facility. Prior to beginning construction, the certificate holder shall provide evidence of this consultation to the department and Morrow County. [Final Order on ASC (2017), Land Use Condition 12; AMD5 (2020), AMD1 (2020)]
PRE-LU-06	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall work with the Morrow County Road Department to identify specific construction traffic related concerns, and develop a traffic management plan that specifies necessary traffic control measures to mitigate the effects of the temporary increase in traffic. The certificate holder must provide a copy of the traffic management plan to the department and Morrow County, and must implement the traffic management plan during construction. [Final Order on ASC (2017), Land Use Condition 13, AMD1 (2020)]
PRE-LU-07	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 15; AMD2 (2018)]
PRE-LU-08	Prior to facility construction of the facility, facility component or phase, as applicable, the certificate holder shall install gates and no trespassing signs at all private access roads established or improved for the purpose of facility construction and operation if requested by the underlying landowner. [Final Order on ASC (2017), Land Use Condition 18; AMD4 (2019), AMD1 (2020)]
PRE-LU-09	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 21]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
PRE-RF-01	Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council, a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition. The certificate holder shall maintain a bond or letter of credit in effect at all times until the facility has been retired. The Council may specify different amounts for the bond or letter of credit during construction and during operation of the facility. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 4, AMD1] [Mandatory Condition OAR 345-025-0006(8)]
PRE-RF-02	Before beginning construction of solar energy facility components or its related or supporting facilities, 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 initial bond or letter of credit amount for the solar facility components is $9.54 million dollars (Q4 202518 dollars), to be adjusted to the date of issuance based on the line items and unit costs presented in Table 4 of the *Final Order on Amendment 4* (November 2019), and adjusted on an annual basis thereafter, as described in sub-paragraph (2) of this condition: 1. The certificate holder may adjust the amount of the initial bond or letter of credit based on the final design configuration of the facility. Any revision to the restoration costs should be adjusted to the date of issuance as described in (2) and subject to review and approval by the Council. 2. The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation: i. Adjust the amount of the bond or letter of credit (expressed in Q4 202518 dollars for solar facility components)) to present value, using the U.S. Gross Domestic Product Implicit 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 202518 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 2018 dollars to present value. ii. Round the result total to the nearest $1,000 to determine the financial assurance amount. 3. The certificate holder shall use an issuer of the bond or letter of credit approved by the Council. 4. The certificate holder shall use a form of bond or letter of credit approved by the Council. The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under OAR 345-026-0080. The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 5; AMD2 (2018); AMD4 (2019); AMD5 (2020), AMD1 (2020)]
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
PRE-FW-01	Prior to final site design and facility layout, the certificate holder shall conduct a field-based habitat survey to confirm the habitat categories of all areas that will be affected by facility components, as well as the locations of any sensitive resources such as active raptor and other bird nests. The survey shall be planned in consultation with the department and ODFW, and survey protocols shall be confirmed with the department and ODFW. Following completion of the field survey, and final layout design and engineering, the certificate holder shall provide the department and ODFW a report containing the results of the survey, showing expected final location of all facility components, the habitat categories of all areas that will be affected by facility components, and the locations of any sensitive resources. The report shall also include an updated version of Table FW-1 Potential Temporary and Permanent Impacts by Habitat Category and Type of the final order, showing the acres of expected temporary and permanent impacts to each habitat category, type, and sub-type. The pre-construction survey shall be used to complete final design, facility layout, and micrositing of facility components. As part of the report, the certificate holder shall include its impact assessment methodology and calculations, including assumed temporary and permanent impact acreage for all facility components. ~~If construction laydown yards are to be retained post-construction, due to a landowner request or otherwise, the construction laydown yards must be calculated as permanent impacts, not temporary.~~ In classifying the affected habitat into habitat categories, the certificate holder shall consult with the department and ODFW. The certificate holder shall not begin construction of the facility until the habitat assessment, categorization, and impact assessment has been approved by the department, in consultation with ODFW. The certificate holder shall not construct any facility components within areas of Category 1 habitat and shall avoid temporary disturbance of Category 1 habitat. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 1, AMD1 (2020)]
PRE-FW-02	Prior to construction of the facility, the certificate holder shall finalize and implement the Wildlife Monitoring and Mitigation Plan (WMMP) provided in Attachment F-1 of the *Final Order on Request for Amendment 1 of Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), based on the final facility design, as approved by the department in consultation with ODFW. a. The final WMMP must be submitted and ODOE's concurrence received prior to the beginning of construction. ODOE shall consult with ODFW on the final WMMP. The certificate holder shall implement the requirements of the approved WMMP during all phases of construction and operation of the facility. b. The WMMP may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council ("Council"). Such amendments may be made without amendment of the site certificate. The Council authorizes the Department to agree to amendments to this plan. The Department shall notify the Council of all amendments,

	and the Council retains the authority to approve, reject, or modify any amendment of the WMMP agreed to by the Department. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 4; AMD5 (2020), AMD1 (2020)]
PRE-FW-03	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall flag all environmentally sensitive areas as restricted work zones. Restricted work zones shall include but not be limited to areas with sensitive or protected plant species, including candidate species, wetlands and waterways that are not authorized for construction impacts, areas with seasonal restrictions, and active state sensitive species bird nests. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 8, AMD1 (2020)]
PRE-FW-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare and receive approval from the department of a final Habitat Mitigation Plan, substantially as presented in Attachment C-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020). The final Habitat Mitigation Plan shall be based on the final facility design and shall be approved by the department in consultation with ODFW. The Council retains the authority to approve, reject or modify the final HMP. a. The final Habitat Mitigation Plan and the department's approval must be received prior to beginning construction. The department shall consult with ODFW on the final plan. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. b. The certificate holder shall calculate the size of the habitat mitigation area according to the final design configuration of the facility and the estimated areas of habitat affected in each habitat category, in consultation with the department, as per the pre-construction survey results and impact assessment calculations called for in Fish and Wildlife Habitat Condition 1. c. The certificate holder shall acquire the legal right to create, enhance, maintain, and protect the habitat mitigation area, as long as the site certificate is in effect, by means of an outright purchase, conservation easement or similar conveyance and shall provide a copy of the documentation to the department prior to the start of construction. Within the habitat mitigation area, the certificate holder shall improve the habitat quality as described in the final Habitat Mitigation Plan. d. The certificate holder shall provide a habitat assessment of the habitat mitigation area, based on a protocol approved by the Department in consultation with ODFW, which includes methodology, habitat map and available acres by habitat category and subtype in tabular format. e. The final HMP shall include an implementation schedule for all mitigation actions, including securing the conservation easement, conducting the ecological uplift actions at the habitat mitigation area, revegetation and restoration of temporarily impacted areas, and monitoring. The mitigation actions shall be implemented according to the following schedule, as included in the HMP: i. Restoration and revegetation of temporary construction-related impact area shall be conducted as soon as possible following construction. ii. The certificate holder shall obtain legal authority to conduct the required mitigation work at the compensatory habitat mitigation site before commencing construction. The habitat enhancement actions at the compensatory habitat mitigation site shall be implemented concurrent with construction. f. The final HMP shall include a monitoring and reporting program for evaluating the effectiveness of all mitigation actions, including restoration of temporarily impacted areas and ecological uplift actions at the habitat mitigation area. g. The final HMP shall include mitigation in compliance with the Council's Fish and Wildlife Habitat standard, including mitigation for temporary impacts to Category 4 habitat (shrub-steppe habitat); and, mitigation for all Category 2 habitat impacts that meet the mitigation

	goal of no net loss of habitat quality or quantity, plus a net benefit of habitat quality or quantity. h. The final HMP may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council ("Council"). Such amendments may be made without amendment of the site certificate. The Council authorizes the Department to agree to amendments to this plan. The Department shall notify the Council of all amendments, and the Council retains the authority to approve, reject, or modify any amendment of this plan agreed to by the Department. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 10, AMD1 (2020)]
PRE-FW-05	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall prepare and receive approval of a final Revegetation Plan, provided as Attachment D-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), from the Department, in consultation with Morrow County and ODFW. The certificate holder shall implement the requirements of the approved plan during all phases of construction and operation of the facility. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 11; AMD5 (2020), AMD1 (2020)]
STANDARD: THREATENED AND ENDANGERED SPECIES (TE) [OAR 345-022-0070]	
PRE-TE-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall determine the boundaries of Category 1 Washington ground squirrel habitat. The certificate holder shall hire a qualified professional biologist who has experience in detection of Washington ground squirrel to conduct pre-construction surveys using a survey protocol approved by the department in consultation with ODFW. The biologist shall survey all areas of suitable habitat within 1,000 feet of any ground disturbing activity. Ground disturbing activity refers to any potential impact, whether permanent or temporary. The protocol surveys shall be conducted in the active squirrel season (March 1 to May 31) prior to construction commencement. The protocol survey is valid for three years. If construction begins within three years of conducting the protocol survey, but not within one year of the protocol survey, the certificate holder shall conduct a pre-construction survey only within areas of suitable Washington ground squirrel habitat where ground disturbing activity would occur. The certificate holder shall provide written reports of the surveys to the department and to ODFW and shall identify the boundaries of Category 1 Washington ground squirrel (WGS) habitat. The certificate holder shall not begin construction within suitable habitat until the identified boundaries of Category 1 WGS habitat have been approved by the department, in consultation with ODFW. The certificate holder shall avoid any permanent or temporary disturbance in all Category 1 WGS habitat. The certificate holder shall ensure that these sensitive areas are correctly marked with exclusion flagging and avoided during construction. [Final Order on ASC (2017), Threatened and Endangered Species Condition 1, AMD1 (2020)]
PRE-TE-02	In accordance with Fish and Wildlife Habitat Condition 4, prior to construction, the certificate holder shall finalize and implement the Wildlife Monitoring and Mitigation Plan (WMMP) provided in Attachment F-1 of the *Final Order on Amendment 1 of the Wheatridge Renewable Energy Facility II Site Certificate* (November 2020), based on the final facility design, as approved by the department in consultation with ODFW. The final WMMP shall include a program to monitor potential impacts from facility operation on Washington ground squirrel. Monitoring shall be of any known colonies and shall be completed on the same schedule as the raptor nest monitoring for the facility. The monitoring surveys shall include returning to the known colonies to determine occupancy and the extent of the colony as well as a general explanation of the amount of use at the colony. If the colony is not found within the known boundary of the historic location a survey 500 feet out from the known colony will be conducted to determine if the colony has shifted over time. Any new colonies that are located during other monitoring activities, such as raptor nest monitoring surveys, shall be documented and the extent of those colonies should be delineated as

	well. These newly discovered colonies shall also be included in any future WGS monitoring activities. [Final Order on ASC (2017), Threatened and Endangered Species Condition 2]
PRE-TE-03	To avoid potential impacts to Laurent's milkvetch, the certificate holder must: i. Conduct preconstruction plant surveys for Laurent's milkvetch within 100-feet of temporary and permanent disturbance from all facility components, unless extent of survey area within suitable habitat from temporary and permanent disturbance is otherwise agreed upon by the Department on consultation with Oregon Department of Agriculture. If the species is found to occur, the certificate holder must install protection flagging around the plant population and avoid any ground disturbance within this zone. ii. Ensure that any plant protection zone established under (i) above is included on construction plans showing the final design locations. iii. If herbicides are used to control weeds, the certificate holder shall follow the manufacturer's guidelines in establishing a buffer area around confirmed populations of Laurent's milkvetch. Herbicides must not be used within the established buffers. iv. If avoidance cannot be maintained, the certificate holder may request that the Department consider an avoidance exception, authorized through Council concurrence as further described below. The exception request must include an impact assessment and mitigation plan for the affected species including but not be limited to: • Literature review and/or field studies that inform the current status of the species within the survey area or region, if survey area does not contain sufficient information to develop a statistically viable approach for determining impact significance; • A description of the individual(s) or population(s) identified within the survey area that would be avoided and impacted; • An evaluation of facility impacts on the survival or recovery of the species, in accordance with the Threatened and Endangered Species standard; • Proposed mitigation measures such as: funded studies that improve understanding of reproductive biology and pollination; development of seed germination, propagation, and transplanting protocols; and/or, compensatory mitigation project including conservation easement(s) and species propagation, protection, and habitat enhancement measures, and/or other proposed mitigation measures that would benefit the affected species. • The Department's review and determination of the exception request shall be conducted in consultation with the Oregon Department of Agriculture, or a third-party consultant. The Department's determination on the exception request must be concurred with by Council. Council retains authority to reject, modify or concur with the exception request. [Final Order on ASC (2017), Threatened and Endangered Species Condition 3; AMD3 (2018); AMD4 (2019)]
STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]	
PRE-HC-01	Before beginning construction, the certificate holder shall provide to the department a map showing the final design locations of all components of the facility, the areas that will be temporarily disturbed during construction and the areas that were surveyed in 2018-2020 for historic, cultural, and archaeological resources. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 1, AMD1 (2020)]
PRE-HC-02	Before beginning construction, the certificate holder shall mark the buffer areas established under Historic, Cultural, and Archeological Resources Condition 3 for all identified historic, cultural, or archaeological resource sites (including those of unknown age) on construction maps and drawings

	as "no entry" areas. A copy of current maps and drawings must be maintained onsite during construction and made available to the department upon request. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 2, AMD1 (2020)]
PRE-HC-03	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that a qualified archeologist, as defined in OAR 736-051-0070, trains construction contractors on how to identify sensitive historic, cultural, and archaeological resources present onsite and on measures to avoid accidental damage to identified resource sites. Records of such training must be maintained onsite during construction, and made available to the department upon request. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 4, AMD1 (2020)]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
PRE-PS-01	Prior to construction, the certificate holder shall prepare a Traffic Management Plan that includes the procedures and actions described in this order and the mitigation measures identified in ASC Exhibit U, Section 3.5.4. The plan shall be approved by the department in consultation with the appropriate transportation service providers. The plan shall be maintained onsite and implemented throughout construction of the facility. In addition, the certificate holder shall include the following information in the plan: a. Procedures to provide advance notice to all affected local jurisdictions and adjacent landowners of construction deliveries and the potential for heavy traffic on local roads; b. A policy of including traffic control procedures in contract specifications for construction of the facility; c. Procedures to maintain at least one travel lane at all times to the extent reasonably possible so that roads will not be closed to traffic because of construction vehicles; d. A policy of ensuring that no equipment or machinery is parked or stored on any county road whether inside or outside the site boundary. The certificate holder may temporarily park equipment off the road but within county rights-of-way with the approval of the Morrow County Public Works Department; e. A policy to encourage and promote carpooling for the construction workforce; and f. Procedures to keep state highways and county roads free of gravel that may be tracked out on intersecting roads at facility access points. [Final Order on ASC (2017), Public Services Condition 6, AMD1 (2020)]
PRE-PS-02	Before beginning construction, the certificate holder must enter into Road Use Agreements with the Morrow County Public Works Departments. The Agreements must include, at a minimum, a pre-construction assessment of road surfaces under Morrow County jurisdiction, construction monitoring, and post-construction inspection and repair. A copy of the Road Use Agreements with Morrow County must be submitted to the department before beginning construction. If required by Morrow County, the certificate holder shall post bonds to ensure funds are available to repair and maintain roads affected by the facility. [Final Order on ASC (2017), Public Services Condition 7, AMD1 (2020)]
PRE-PS-03	The certificate holder shall design and construct new access roads and private road improvements to standards approved by Morrow County. Where modifications of county roads are necessary, the certificate holder shall construct the modifications entirely within the county road rights-of-way and in conformance with county road design standards subject to the approval of the Morrow County Public Works Department. [Final Order on ASC (2017), Public Services Condition 8, AMD1 (2020)]
PRE-PS-04	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall:

	a. Complete the Federal Aviation Administration (FAA) Notice Criteria Tool for solar facility coordinates to determine applicability of the FAA 7460 filing. If the FAA Notice Criteria Tool requires FAA filing, the certificate holder will submit to the FAA and the Oregon Department of Aviation an FAA Form 7460-1 Notice of Proposed Construction or Alteration. b. Submit to the Oregon Department of Aviation the solar facility coordinates for purposes of an aeronautical study and determination. If the Department, in consultation with the Oregon Department of Aviation, determines that the facility would adversely impact an airport's ability to provide service by obstructing the airport's primary or horizontal surface, the department, in consultation with the Oregon Department of Aviation and the certificate holder, shall determine appropriate mitigation, if any, prior to construction. [Final Order on ASC (2017), Public Services Condition 9; AMD1 (2020)]
PRE-PS-05	Prior to construction, the certificate holder shall prepare an Emergency Management Plan that includes the procedures and actions described in this order and in ASC Exhibit U. The certificate holder shall submit the plan to ODOE for review and approval in consultation with the appropriate local fire protection districts (including the City of Heppner Volunteer Fire Department and Ione Rural Fire Protection District) prior to construction. The plan shall be maintained onsite and implemented throughout construction and operation of the facility. Any updates to the plan shall be provided to the department within 30 days. All onsite workers shall be trained on the fire prevention and safety procedures contained in the plan prior to working on the facility. Additional information that shall be included in the plan: a. Current contact information of at least two facility personnel available to respond on a 24-hour basis in case of an emergency on the facility site. The contact information must include name, telephone number(s), physical location, and email address for the listed contact(s). An updated list must be provided to the fire protection agencies immediately upon any change of contact information. A copy of the contact list, and any updates as they occur, must also be provided to the Department, along with a list of the agencies that received the contact information. b. Identification of agencies that participated in developing the plan; c. Identification of agencies that are designated as first response agencies or are included in any mutual aid agreements with the facility; d. A list of any other mutual aid agreements or fire protection associations in the vicinity of the facility; e. Contact information for each agency listed above; f. Communication protocols for both routine and emergency events and the incident command system to be used in the event a fire response by multiple agencies is needed at the facility; g. Access and fire response at the facility site during construction and operations. Fire response plans during construction should address regular and frequent communication amongst the agencies regarding the number and location of construction sites within the site boundary, access roads that are completed and those still under construction, and a temporary signage system until permanent addresses and signs are in place; h. The designated meeting location in case of evacuation; i. Staff training requirements; and j. Copies of mutual aid, fire protection association, or other agreements entered into concerning fire protection at the facility site. [Final Order on ASC (2017), Public Services Condition 13, AMD1 (2020)]

PRE-PS-06	Before beginning construction, the certificate holder shall develop and implement, or require its contractors to develop and implement, a site health and safety plan that informs workers and others onsite about first aid techniques and what to do in case of an emergency. The health and safety plan will include preventative measures, important telephone numbers, the locations of onsite fire extinguishers, and the names, locations and contact information of nearby hospitals. All onsite workers shall be trained in safety and emergency response, as per the site health and safety plan. The site health and safety plan must be updated on an annual basis, maintained throughout the construction and operations and maintenance phases of the facility, and available upon request by the department. [Final Order on ASC (2017), Public Services Condition 20, AMD1 (2020)]
PRE-PS-07	Before beginning construction of the facility, facility component or phase, as applicable, the certificate holder shall ensure that all construction workers are certified in first aid, cardio pulmonary resuscitation (CPR), and the use of an automated external defibrillator (AED). The certificate holder must retain records of the certifications and provide them to the department upon request. The certificate holder shall also ensure that an AED is available onsite at all times that construction activities are occurring. [Final Order on ASC (2017), Public Services Condition 21, AMD1 (2020)]
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
PRE-WM-01	Prior to construction, the certificate holder shall develop a construction waste management plan, to be implemented during all phases of facility construction, which includes at a minimum the following details: a. Specification of the number and types of waste containers to be maintained at construction sites and construction yards b. Description of waste segregation methods for recycling or disposal. c. Names and locations of appropriate recycling and waste disposal facilities, collection requirements, and hauling requirements to be used during construction. The certificate holder shall maintain a copy of the construction waste management plan onsite and shall provide to the department a report on plan implementation in the 6-month construction report required pursuant to OAR 345-026-0080(1)(a). [Final Order on ASC (2017), Waste Minimization Condition 2, AMD1 (2020)]
PRE-WM-02	Prior to construction, the certificate holder shall investigate and confirm that no surfaces waters, shallow groundwater, or drinking water sources will be adversely impacted by the usage of concrete washout water in the foundations of facility components, and shall submit an investigation report to the department. Prior to construction, the department, in consultation with DEQ, shall review the results of the investigation report and shall verify that the plan to dispose of concrete washout water in the foundations of facility components is unlikely to adversely impact surface waters, shallow groundwater, or drinking water sources. The applicant's investigation shall be based on the anticipated final facility layout and design. If the results of the investigation show that the proposed concrete washout water disposal method would cause adverse impacts to surface water, shallow groundwater, or drinking water sources, the applicant shall propose mitigation measures to reduce potential impacts, for review and approval by the department in consultation with DEQ, prior to construction. [Final Order on ASC (2017), Waste Minimization Condition 3, AMD1 (2020)]

STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
PRE-TL-01	Prior to construction, the certificate holder shall schedule a time to brief the OPUC Safety, Reliability, and Security Division (Safety) Staff as to how it will comply with OAR Chapter 860, Division 024 during design, construction, operations, and maintenance of the facilities. [Final Order on ASC (2017), Siting Standard Condition 2]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
PRE-NC-01	Prior to construction, the certificate holder shall provide to the department: a. Information that identifies the final design locations of all facility components to be built at the facility; b. The maximum sound power level for the facility components including transformers (~~substation and~~ solar array), invertors, battery storage cooling system selected for the facility based on manufacturers' warranties or confirmed by other means acceptable to the department; c. The results of the noise analysis of the final facility design performed in a manner consistent with the requirements of OAR 340-035-0035(1)(b)(B) (iii)(IV) and (VI). The analysis must demonstrate to the satisfaction of the department that the total noise generated by the facility (including transformers, and inverters and battery storage cooling systems) would meet the ambient noise degradation test and maximum allowable test at the appropriate measurement point for all potentially-affected noise sensitive properties, or that the certificate holder has obtained the legally effective easement or real covenant for expected exceedances of the ambient noise degradation test described (d) below. d. For each noise-sensitive property where the certificate holder relies on a noise waiver to demonstrate compliance in accordance with OAR 340-035-0035(1)(b)(B)(iii)(III), a copy of the legally effective easement or real covenant pursuant to which the owner of the property authorizes the certificate holder's operation of the facility to increase ambient statistical noise levels L_{10} and L_{50} by more than 10 dBA at the appropriate measurement point. The legally effective easement or real covenant must: include a legal description of the burdened property (the noise sensitive property); be recorded in the real property records of the county; expressly benefit the property on which the solar energy facility is located; expressly run with the land and bind all future owners, lessees or holders of any interest in the burdened property; and not be subject to revocation without the certificate holder's written approval. [Final Order on ASC (2017), Noise Control Condition 2; AMD3 (2018), AMD1 (2020)]
PRE-WF-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the Construction Wildfire Mitigation Plan, as provided in Attachment X to the Final Order on RFA1. The final Construction Wildfire Mitigation Plan shall be submitted to the Department for review and approval. [Wildfire Prevention and Risk Mitigation Condition 1]
PRE-WR-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall: Identify all water-related needs and estimate daily and annual water demand for each construction phase, as applicable. Provide excerpts of agreements or other similar conveyance from the water providing entity to the Department demonstrating that construction activities will be adequately and legally served by service providers or third-party permits. [Water Rights Condition 1]

4.4 Construction (CON) Conditions

Condition Number	Construction (CON) Conditions
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
CON-SP-01	During construction, the certificate holder shall conduct all work in compliance with a final Erosion and Sediment Control Plan (ESCP) that is satisfactory to the Oregon Department of Environmental Quality as required under the National Pollutant Discharge Elimination System Construction Stormwater Discharge General Permit 1200-C. [Final Order on ASC (2017), Soil Protection Condition 1]
CON-SP-02	During construction, the erosion and sediment control best management practices and measures as described in ASC Exhibit I, Section 5.2 and listed in the final order approving the site certificate shall be included and implemented as part of the final ESCP. [Final Order on ASC (2017), Soil Protection Condition 2]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
CON-LU-01	During construction, the certificate holder shall comply with the following requirements: a. Construction vehicles shall use previously disturbed areas including existing roadways and tracks. ~~b. Temporary construction yards and laydown areas shall be located within the future footprint of permanent structures to the extent practicable.~~ c. New, permanent roadways will be the minimum width allowed while still being consistent with safe use and satisfying county road and safety standards. d. Underground communication and electrical lines will be buried within the area disturbed by temporary road widening to the extent practicable. [Final Order on ASC (2017), Land Use Condition 8]
CON-LU-02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 17]
CON-LU-03	During construction, the certificate holder shall install the electrical cable collector system underground, where practicable. In agricultural areas, the collector system lines must be installed at a depth of 3 feet or deeper as necessary to prevent adverse impacts on agriculture operations. In all other areas, the collector system lines must be installed a minimum of 3 feet where practicable. [Final Order on ASC (2017), Land Use Condition 19]
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
CON-FW-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Fish and Wildlife Habitat Condition 3; AMD4]

<table>
<tr><td>CON-FW-02</td><td>Prior to construction, the certificate holder shall develop a construction plan that demonstrates construction activities within 0.25-mile of previously identified active nest sites are scheduled to avoid the sensitive nesting and breeding season. Previously identified active nest sites are those identified through the pre-construction raptor nest survey as required through Condition PRE-FW-01 and may also include any previously identified active nest sites from previous surveys.

During construction within the time periods listed below, the certificate holder shall implement buffer zones around active nest sites of the species listed below. Active nest sites shall be identified based on the Condition PRE-FW-01 pre-construction nest survey and be monitored during construction by a biological monitor, both of which shall be based on a protocol approved by the Department in consultation with ODFW-specifying methodology and frequency of monitoring. No ground-disturbing activities within the buffer zone shall occur during the seasonal restrictions. The construction workforce and facility employees must be provided maps with the locations of the buffer zones and be instructed to avoid ground-disturbing activity within the buffer zone during construction activities.

<table><tr><td></td><td></td><td></td></tr><tr><td>Western burrowing owl</td><td>0.25 mile</td><td>April 1 to August 15</td></tr><tr><td>Ferruginous hawk</td><td>0.25 mile</td><td>March 15 to August 15</td></tr><tr><td>Swainson’s hawk</td><td>0.25 mile</td><td>April 1 to August 15</td></tr></table>
If avoidance within the buffer restrictions cannot be maintained, the certificate holder may request approval from the Department in consultation with ODFW on a mitigation and conservation strategy for condition compliance.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 5; AMD3 (2018); AMD4 (2019)]</td></tr>
<tr><td>CON-FW-03</td><td>During construction, the certificate holder shall employ a qualified environmental professional to provide environmental training to all personnel prior to working onsite, related to sensitive species present onsite, precautions to avoid injuring or destroying wildlife or sensitive wildlife habitat, exclusion areas, permit requirements and other environmental issues. All personnel shall be given clear maps showing areas that are off-limits for construction, and shall be prohibited from working outside of the areas in the site boundary that have been surveyed and approved for construction. The certificate holder shall instruct construction personnel to report any injured or dead wildlife detected while on the site to the appropriate onsite environmental manager. Records of completed training shall be maintained onsite and made available to the department upon request.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 7]</td></tr>
<tr><td>CON-FW-04</td><td>During construction, the certificate holder shall employ at a minimum one environmental inspector to be onsite daily. The environmental inspector shall oversee permit compliance and construction, and ensure that known sensitive environmental resources are protected. The environmental inspector shall prepare a weekly report during construction, documenting permit compliance and documenting any corrective actions taken. Reports shall be kept on file and available for inspection by the department upon request.
[Final Order on ASC (2017), Fish and Wildlife Habitat Condition 9]</td></tr>
</table>

STANDARD: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]	
CON-HC-01	Prior to construction activities, the certificate holder must flag or otherwise mark a 200-foot avoidance buffer around historic archaeological sites, as identified by the maps and drawings prepared in accordance with Historic, Cultural, and Archeological Resources Conditions 1 and 2. No disturbance is allowed within the buffer zones unless resources assumed likely NRHP eligible (e.g. 6B2H-MC-ISO-17, WRII-BB-IS-01, WRII-DM-04) are concurred not likely National Register of Historic Places (NRHP) eligible through SHPO review or a Historic, Cultural, and Archaeological Resources mitigation plan is submitted and accepted by the Department and SHPO which includes measures such as: additional archival and literature review; video media publications; public interpretation funding; or other form of compensatory mitigation deemed appropriate by the Department, in consultation with SHPO. For historic archaeological sites, an archeological monitor must be present if construction activities are required within 200-feet of sites identified as potentially eligible for listing on the NRHP unless otherwise agreed to by the Department and SHPO. The certificate holder may use existing private roads within the buffer areas but may not widen or improve private roads within the buffer areas. The no-entry restriction does not apply to public road rights-of-way within buffer areas. Flagging or marking must be removed immediately upon cessation of activities in the area that pose a threat of disturbance to the site being protected. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 3; AMD4 (2019)]
CON-HC-02	During construction, the certificate holder shall ensure that construction personnel cease all ground-disturbing activities in the immediate area if any archeological or cultural resources are found during construction of the facility until a qualified archeologist can evaluate the significance of the find. The certificate holder shall notify the department and the Oregon State Historic Preservation Office (SHPO) of the find. If ODOE, in consultation with SHPO, determines that the resource meets the definition of an archaeological object, archaeological site, or is eligible or likely to be eligible for listing on the (NRHP), the certificate holder shall, in consultation with the department, SHPO, interested Tribes and other appropriate parties, make recommendations to the Council for mitigation, including avoidance, field documentation and data recovery. The certificate holder shall not restart work in the affected area until the department, in consultation with SHPO, agree that the certificate holder has demonstrated that it has complied with archeological resources protection regulations. [Final Order on ASC (2017), Historic, Cultural, and Archeological Resources Condition 5]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
CON-PS-01	During construction, the certificate holder shall include the following additional measures in the construction waste management plan required by Waste Minimization Condition 2: a. Recycling steel and other metal scrap. b. Recycling wood waste. c. Recycling packaging wastes such as paper and cardboard. d. Collecting non-recyclable waste for transport to a local landfill by a licensed waste hauler or by using facility equipment and personnel to haul the waste. Waste hauling by facility personnel within Morrow County shall be performed in compliance with the Morrow County Solid Waste Management Ordinance, which requires that all loads be covered and secured. e. Segregating all hazardous and universal wastes such as used 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 and universal wastes.

	f. Discharging concrete truck rinse-out within foundation holes, completing truck wash-down off-site, and burying other concrete waste as fill on-site whenever possible. [Final Order on ASC (2017), Public Services Condition 3]
CON-PS-02	During construction of the facility, the certificate holder shall provide for 24-hour on-site security, and shall establish effective communications between on-site security personnel and the Morrow County Sheriff's Office. [Final Order on ASC (2017), Public Services Condition 10, AMD1 (2020)]
CON-PS-03 - 04	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Conditions 14 and 16]
CON-PS-05	During construction the certificate holder must maintain an area clear of vegetation for fire prevention around construction sites, including towers and any areas where work includes welding, cutting, grinding, or other flame- or spark-producing operations. [Final Order on ASC (2017), Public Services Condition 17, AMD1 (2020)]
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
CON-WM-01	During construction, the certificate holder shall require construction contractors to complete the following for any off-site disposal of excess soil during construction activities: a. Obtain and provide the certificate holder with a signed consent agreement between contractor and the party receiving the earth materials authorizing the acceptance and disposal of the excess soil; and, b. Confirm that all disposal sites have been inspected and approved by the certificate holder's environmental personnel to ensure that sensitive environmental resources, such as wetlands or high quality habitats, would not be impacted. The certificate holder shall maintain copies of all signed consent agreements and disposal site inspection and approvals onsite and shall provide to the department in the 6-month construction report required pursuant to OAR 345-026-0080(1)(a). [Final Order on ASC (2017), Waste Minimization Condition 1]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
CON-WF-01 and -02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Conditions 1 and 4]
STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
CON-TL-01	During construction, the certificate holder shall take reasonable steps to reduce or manage human exposure to electromagnetic fields and submit verification to the Department, including: a. Constructing all aboveground collector and transmission lines at least 200 feet from any residence or other occupied structure, measured from the centerline of the transmission line. b. Constructing all aboveground 34.5-kV transmission lines with a minimum clearance of 25 feet from the ground. c. Constructing all aboveground 230-kV transmission lines with a minimum clearance of 30 feet from the ground. d. Developing and implementing a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, irrigation systems, 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 (OAR 345-025-0010(4)).

	e. Providing to landowners a map of underground, with any applicable NESC demarking for underground facilities, and overhead transmission lines on their property and advising landowners of possible health and safety risks from induced currents caused by electric and magnetic fields. f. Designing and maintaining all transmission lines so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public. g. Deleted in *Final Order on Amendment 1* dated November 2020. h. Designing and maintaining all transmission lines so that induced voltages during operation are as low as reasonably achievable. i. Designing, constructing and operating the transmission line in accordance with the requirements of the version of the National Electrical Safety Code that is most current at the time that final engineering of each of these components is completed (OAR 345-025-0010(4)). j. Implement a safety protocol to ensure adherence to NESC grounding requirements [Final Order on ASC (2017), Siting Standard Condition 1; AMD4 (2019), AMD1 (2020)]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
CON-NC-01	During construction, to reduce construction noise impacts at nearby residences, the certificate holder shall: a. Establish and enforce construction site and access road speed limits; b. Utilize electrically-powered equipment instead of pneumatic or internal combustion powered equipment, where feasible; c. Locate material stockpiles and mobile equipment staging, parking, and maintenance areas as far as practicable away from noise sensitive properties; d. Utilize noise-producing signals, including horns, whistles, alarms, and bells for safety warning purposes only; e. Equip all noise-producing construction equipment and vehicles using internal combustion engines with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment; and, f. Establish a noise complaint response system. All construction noise complaints will be logged within 48 hours of issuance. The construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to the start of construction that will allow for resolution of noise problems that cannot be resolved by the site supervisor in a reasonable period of time. Records of noise complaints during construction must be made available to authorized representatives of the department upon request. [Final Order on ASC (2017), Noise Control Condition 1]
CON-WF-01	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 Condition 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 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. [Wildfire Prevention and Risk Mitigation Condition 2]

CON-WR-01	During construction of the facility, facility component or phase, as applicable, if a water right, limited water use license or water rights transfer is needed and would not be obtained by a third-party, submit and obtain approval of the applicable water permit through the site certificate amendment process. [Water Rights Condition 2]

4.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Operational (PRO) Conditions
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	

PRO-SP-01	Prior to beginning facility operation, the certificate holder shall provide the Department a copy of an operational SPCC plan, if required per DEQ's Hazardous Waste Program. If an SPCC plan is not required, the certificate holder shall prepare and submit to the Department for review and approval an operational Spill Prevention and Management plan. The Spill Prevention and Management Plan shall include at a minimum the following procedures and BMPs:
	• Procedures for oil and hazardous material emergency response consistent with OAR 340, Division 100-122 and 142
	• Procedures demonstrating compliance with all applicable local, state, and federal environmental laws and regulations for handling hazardous materials used onsite in a manner that protects public health, safety, and the environment
	• Current inventory (type and quantity) of all hazardous materials stored onsite, specifying the amounts at the ~~each O&M building, substation and~~ battery storage system components
	• Restriction limiting onsite storage of diesel fuel or gasoline
	• Requirement to store lubricating and dielectric oils in quantities equal to or greater than 55-gallons in qualified oil-filled equipment
	• Preventative measures and procedures to avoid spills
	  ○ Procedures for chemical storage
	  ○ Procedures for chemical transfer
	  ○ Procedures for chemical transportation
	  ○ Procedures for fueling and maintenance of equipment and vehicles
	  ○ Employee training and education
	• Clean-up and response procedures, in case of an accidental spill or release
	• Proper storage procedures
	• Reporting procedures in case of an accidental spill or release
	[Final Order on ASC (2017), Soil Protection Condition 5; AMD2 (2017)]

STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
PRO-PS-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Condition 15, AMD1 (2020)]
PRO-PS-02	Before beginning operation of the facility, the certificate holder must provide a final site plan to the identified fire protection districts and first-responders included in the Emergency Management Plan. [Final Order on ASC (2017), Public Services Condition 19, AMD1 (2020)]
PRO-PS-03	Prior to operation, the certificate holder must ensure that operations personnel remain current in their first aid/CPR/AED certifications throughout the operational life of the facility. The certificate holder must retain records of the certifications and provide them to the department upon request. The certificate holder shall also ensure that an AED is available onsite at all times that operations and maintenance personnel are at the facility. [Final Order on ASC (2017), Public Services Condition 22]
PRO-WF-01	Prior to operation, the certificate holder shall finalize the operational Wildfire Mitigation Plan (WMP) included as Attachment X to the Final Order on RFA1. [Wildfire Prevention and Risk Mitigation Condition 3]

4.6 Operational (OPR) Conditions

Condition Number	Operational (OPR) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
OPR-GS-01	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. 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. [Final Order on ASC (2017), Mandatory Condition 1] [OAR 345-025-0006(2)]]
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
OPR-SP-01	During facility operation, the certificate holder shall: a. Routinely inspect and maintain all facility components including roads, pads, and other facility components and, as necessary, maintain or repair erosion and sediment control measures and reduce potential facility contribution to erosion. b. Restrict vehicles to constructed access roads, and ensure material laydown or other maintenance activities occur within graveled areas to avoid unnecessary compaction, erosion, or spill risk to the area surrounding the facility. c. If in order to serve the operational needs of the energy facility, or related and supporting facilities, the certificate holder intends to substantially modify an existing road or construct a new road, the certificate holder must submit and receive Council approval of an amendment to the site certificate prior to the modification or construction. [Final Order on ASC (2017), Soil Protection Condition 6, AMD1 (2020)]
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
OPR-LU-01	Within one month of commencement of commercial operation, the certificate holder shall submit an as-built survey for each construction phase that demonstrates compliance with the setback requirements in Land Use Condition 1 to the department and Morrow County. [Final Order on ASC (2017), Land Use Condition 2]
OPR-LU-02	During operation of the facility, the certificate holder shall restore areas that are temporarily disturbed during facility maintenance or repair activities using the same methods and monitoring procedures described in the final Revegetation Plan referenced in Fish and Wildlife Habitat Condition 11. [Final Order on ASC (2017), Land Use Condition 10]
OPR-LU-03	Before beginning decommissioning activities, the certificate holder must provide a copy of the final retirement plan to Morrow County. [Final Order on ASC (2017), Land Use Condition 23, AMD1 (2020)]
OPR-LU-04	Before beginning electrical production, the certificate holder shall prepare an Operating and Facility Maintenance Plan (Plan) and submit the Plan to the department for approval in consultation with Morrow County. [Final Order on ASC (2017), Land Use Condition 25, AMD1 (2020)]

OPR-LU-05	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Land Use Condition 26]
OPR-LU-06	Prior to facility retirement, the certificate holder must include the following minimum restoration activities in the proposed final retirement plan it submits to the Council pursuant to OAR 345-025-0006(9) or its equivalent: 1. Dismantle aboveground equipment and remove concrete pads to a depth of at least three feet below the surface grade. 2. Remove underground collection and communication cables that are buried less than three feet in depth and are deemed by Council to be a hazard or a source of interference with surface resource uses. 3. Deleted in *Final Order on Amendment 1* dated November 2020. 4. Remove and restore private access roads unless the landowners directs otherwise. 5. Following removal of facility components, grade disturbed areas as close as reasonably possible to the original contours and restore soils to a condition compatible with farm uses or other resources uses. 6. Revegetate disturbed areas in consultation with the land owner and in a manner consistent with the final Revegetation Plan referenced in Fish and Wildlife Habitat Condition 11. 7. If the landowner wishes to retain certain facilities, provide a letter from the land owner that identifies the roads, cleared pads, fences, gates and other improvements to be retained and a commitment from the land owner to maintain the identified facilities for farm or other purposes permitted under the applicable zone. [Final Order on ASC (2017), Land Use Condition 27, AMD1 (2020)]
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
OPR-RF-01	During facility operation, the certificate holder shall: a. Conduct monthly inspections of the battery storage systems, in accordance with manufacturer specifications. The certificate holder shall maintain documentation of inspections, including any corrective actions, and shall submit copies of inspection documentation in its annual report to the Department. b. Provide evidence in its annual report to the Department of active property coverage under its commercial business insurance from high loss-catastrophic events, including but not limited to, onsite fire or explosion. [Final Order on AMD2 (2018), Retirement and Financial Assurance Condition 6]
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0110]	
OPR-PS-01 - 02	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Public Services Conditions 1 and 2]
OPR-PS-03	a. Prior to operation, the certificate holder shall submit to the Department for approval its Operational Waste Management Plan that includes but is not limited to the following: 1. Onsite handling procedure for operational replacement of damaged, defective or recalled lithium-ion batteries. The procedure shall identify applicable 49 CFR 173.185 provisions and address, at a minimum, onsite handling, packaging, interim storage, and segregation requirements. 2. Training employees to handle, replace, and store damaged, defective or recalled lithium-ion batteries; minimize and recycle solid waste. 3. Recycling paper products, metals, glass, and plastics. 4. Recycling used oil and hydraulic fluid. 5. Collecting non-recyclable waste for transport to a local landfill by a licensed waste hauler or by using facility equipment and personnel to haul the waste. Waste hauling by

	facility personnel within Morrow County shall be performed in compliance with the Morrow County Solid Waste Management Ordinance, Section 5.000 Public Responsibilities, 5.010 Transportation of Solid Waste and 5.030 Responsibility for Propose Disposal of Hazardous Waste which requires that all loads be covered and secured and that operators be responsible for hazardous waste disposal in accordance with applicable regulatory requirements. 6. Segregating all hazardous and universal, non-recyclable wastes such as used oil, oily rags and oil-absorbent materials, mercury-containing lights, lithium-ion batteries, lead-acid and nickel-cadmium batteries, and replaced, damaged, defective or recalled lithium-ion batteries for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous and universal wastes. b. During operation, the certificate holder shall implement the approved Operational Waste Management Plan. [Final Order on ASC (2017), Public Services Condition 4; AMD2 (2018)]
OPR-PS-04	During operation, the certificate holder shall ensure that appropriate law enforcement agency personnel have an up-to-date list of the names and telephone numbers of facility personnel available to respond on a 24-hour basis in case of an emergency at the facility site. [Final Order on ASC (2017), Public Services Condition 12]
STANDARD: PUBLIC HEALTH AND SAFETY FOR WIND FACILITIES (WF) [OAR 345-024-0010]	
~~OPR-WF-01~~	~~During operation, the certificate holder shall ensure that each facility substation and battery storage systems are enclosed with appropriate fencing and locked gates to protect the public from electrical hazards.~~ ~~[Final Order on ASC (2017), Public Health and Safety Standards for Wind Facilities Condition 2; AMD2 (2018)]~~
STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (TL) [OAR 345-024-0090]	
OPR-TL-01	During operation, the certificate holder shall: (1) Update the OPUC Safety Staff as to how the operator will comply with OAR Chapter 860, Division 024 on an ongoing basis considering future operations, maintenance, emergency response, and alterations until facility retirement. (2) File the following required information with the Commission: a. 758.013 Operator of electric power line to provide Public Utility Commission with safety information; availability of information to public utilities. (1) Each person who is subject to the Public Utility Commission's authority under ORS 757.035 and who engages in the operation of an electric power line as described in ORS 757.035 must provide the commission with the following information before January 2 of each even-numbered year: i. The name and contact information of the person that is responsible for the operation and maintenance of the electric power line, and for ensuring that the electric power line is safe, on an ongoing basis; and ii. The name and contact information of the person who is responsible for responding to conditions that present an imminent threat to the safety of employees, customers and the public. iii. In the event that the contact information described in subsection (1) of this section changes or that ownership of the electric power line changes, the person who engages in the operation of the electric

	power line must notify the commission of the change as soon as practicable, but no later than within 90 days. iv. If the person described in subsection (1) of this section is not the public utility, as defined in ORS 757.005, in whose service territory the electric power line is located, the commission shall make the information provided to the commission under subsection (1) of this section available to the public utility in whose service territory the electric power line is located. [2013 c.235 §3] (3) Provide OPUC Safety Staff with: a. Maps and Drawings of routes and installation of electrical supply lines showing: • Transmission lines and structures (over 50,000 Volts) • Distribution lines and structures - differentiating underground and overhead lines (over 600 Volts to 50,000 Volts) • Substations, roads and highways • Plan and profile drawings of the transmission lines (and name and contact information of responsible professional engineer). [Final Order on ASC (2017), Siting Standard Condition 3]
STANDARD: NOISE CONTROL REGULATION (NC) [OAR 345-035-0035]	
OPR-NC-01	Deleted in *Final Order on Amendment 1* dated November 2020. [Final Order on ASC (2017), Noise Control Condition 3]
OPR-NC-02	During operation, the certificate holder shall maintain a complaint response system to address noise complaints. The certificate holder shall notify the department within two working days of receiving a noise complaint related to the facility. The notification should include, but is not limited to, the date the certificate holder received the complaint, the nature of the complaint, the complainant's contact information, the location of the affected property, and any actions taken, or planned to be taken, by the certificate holder to address the complaint. [Final Order on ASC (2017), Noise Control Condition 4]
OPR-NC-03	During operation, in response to a complaint from the owner of a noise sensitive property regarding noise levels from the facility, the Council may require the certificate holder to monitor and record the statistical noise levels to verify that the certificate holder is operating in compliance with the noise control regulations. The monitoring plan must be reviewed and approved by the department prior to implementation. The cost of such monitoring, if required, shall be borne by the certificate holder. [Final Order on ASC (2017), Noise Control Condition 5]
OPR-WF-01	During operation, the certificate holder shall: a. Implement the Operational Wildfire Mitigation Plan finalized under Condition PRO-WF-01. b. Every 5 years after the first operational year, 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. c. 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. [Wildfire Prevention and Risk Mitigation Condition 4]

4.7 Retirement Conditions (RET)

Condition Number	Retirement (RET) Conditions
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
RET-RF-01	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 345-025-0006(9). 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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 2] [Mandatory Condition OAR 345-025-0006(9)]
RET-RF-02	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 345-025-0006(9), the Council must 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 section (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 must pay any additional cost necessary to restore the site to a useful, nonhazardous condition. After completion of site restoration, the Council must 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. [Final Order on ASC (2017), Retirement and Financial Assurance Condition 3] [Mandatory Condition OAR 345-025-0006(16)]

5.0 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.

6.0 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.

7.0 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 Wagon Trail~~Wheatridge Solar~~ Energy Center, LLC (certificate holder), a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (certificate holder owner).

ENERGY FACILITY SITING COUNCIL

Hanley Jenkins, II

By: Hanley Jenkins, II (Dec 2, 2020 12:43 PST)

Hanley Jenkins, II, Chair

Oregon Energy Facility Siting Council

Date: Dec 2, 2020

WHEATRIDGE SOLAR ENERGY CENTER, LLC

By: _____

Matthew Handel, Vice President Development, NextEra Energy Resources, LLC on behalf of Wheatridge Solar Energy Center, LLC

Date: 12/10/2020

Attachment A

Wagon Trail Solar II ~~WREFIII~~

Site Boundary Map

Attachment 3a. WREFIII and Wagon Trail Solar II Articles of Incorporation

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Secretary of State
Corporation Division
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327

Phone:(503)986-2200
www.filinginoregon.com

Registry Number: 1496903-98
Type: FOREIGN LIMITED LIABILITY COMPANY

Next Renewal Date: 11/19/2019

WHEATRIDGE SOLAR ENERGY CENTER, LLC
700 UNIVERSE BLVD ATTN CORP GOV
JUNO BEACH FL 33408

Acknowledgment Letter

The document you submitted was recorded as shown below. Please review and verify the information listed for accuracy.

Document
APPLICATION FOR AUTHORITY

Filed On
11/19/2018

Jurisdiction
DELAWARE

Name
WHEATRIDGE SOLAR ENERGY CENTER, LLC

Principal Place of Business
700 UNIVERSE BLVD
JUNO BEACH FL 33408

Registered Agent
CORPORATION SERVICE COMPANY
1127 BROADWAY ST NE STE 310
SALEM OR 97301

Mailing Address
700 UNIVERSE BLVD ATTN CORP GOV
JUNO BEACH FL 33408

KERJON
ACK
11/19/2018

Application for Authority to Transact Business - Foreign Limited Liability Company

Secretary of State - Corporation Division - 255 Capitol St. NE, Suite 151 - Salem, OR 97310-1327 – sos.oregon.gov/business - Phone: (503) 986-2200

REGISTRY NUMBER: 1496903-98
For office use only

FILED
NOV 19 2018
OREGON
SECRETARY OF STATE
For office use only

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record. We must release this information to all parties upon request and it will be posted on our website.

Please Type or Print Legibly in **Black** Ink. Attach Additional Sheet if Necessary.

1) NAME: Wheatridge Solar Energy Center, LLC

NOTE: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C."). Must be identical to the name of record in home jurisdiction.

2) REGISTRY NUMBER IN HOME JURISDICTION 20187631868

OR: CERTIFICATE OF EXISTENCE ☐ (ATTACHED)

(Please provide a web-verifiable registry number from the entity's home jurisdiction. Certain states, such as Delaware and New Jersey, do not provide status information online. Entities from such places must instead attach an official certificate of existence, current within 60 days of delivery to this office.)

3) DATE OF ORGANIZATION: 11/14/2018

DURATION, IF NOT PERPETUAL: Perpetual

4) STATE OR COUNTRY OF ORGANIZATION: Delaware

5) THIS FOREIGN LIMITED LIABILITY COMPANY SATISFIES THE REQUIREMENTS OF ORS 63.714(3).

6) NAME OF OREGON REGISTERED AGENT: Corporation Service Company

7) REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS:

(Must be an Oregon Street Address; which is identical to the registered agent's business office.)

1127 Broadway Street NE, Suite 310
Salem, OR 97301

8) ADDRESS OF PRINCIPAL OFFICE OF THE BUSINESS:

700 Universe Blvd.
Juno Beach, FL 33408

9) ADDRESS WHERE THE DIVISION MAY MAIL NOTICES:

700 Universe Blvd, Attn Corp Gov
Juno Beach, FL 33408

10) HOW WILL THIS LIMITED LIABILITY COMPANY BE MANAGED?

☒ This LLC will be member-managed by one or more members.
☐ This LLC will be manager-managed by one or more managers.

11) EXECUTION: (At least one member or manager must sign.)

I declare as an authorized signer, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any members, managers, employees or agents of the limited liability company. This filing has been examined by me and is, to the best of my knowledge and belief true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment or both.

Signature:	Printed Name:	Title:
Melissa A. Plotsky	Melissa A. Plotsky	Secretary

CONTACT NAME: (To resolve questions with this filing.)
Angela Ewers

PHONE NUMBER: (Include area code.)
561/304-5923

FEES

Required Processing Fee $275

Processing Fees are nonrefundable. Please make check payable to "Corporation Division."

Free copies are available at sos.oregon.gov/business, using the Business Name Search program.

Delaware

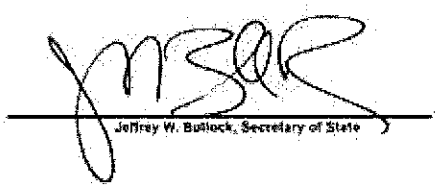
The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "WHEATRIDGE SOLAR ENERGY CENTER, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SIXTEENTH DAY OF NOVEMBER, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "WHEATRIDGE SOLAR ENERGY CENTER, LLC" WAS FORMED ON THE FOURTEENTH DAY OF NOVEMBER, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.





7147263 8300

SR# 20187681965

Authentication: 203916843

Date: 11-16-18

You may verify this certificate online at corp.delaware.gov/authver.shtml

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "WAGON TRAIL ENERGY CENTER, LLC" AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

CERTIFICATE OF FORMATION, FILED THE FIFTEENTH DAY OF MAY, A.D. 2023, AT 4:05 O`CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID LIMITED LIABILITY COMPANY, "WAGON TRAIL ENERGY CENTER, LLC".





7462594 8100H
SR# 20233680389

Authentication: 204326916
Date: 10-06-23

You may verify this certificate online at corp.delaware.gov/authver.shtml

STATE OF DELAWARE

LIMITED LIABILITY COMPANY CERTIFICATE OF FORMATION OF

WAGON TRAIL ENERGY CENTER, LLC

The undersigned, an authorized natural person, for the purpose of forming a limited liability company under the provisions and subject to the requirements of the laws of the State of Delaware (including Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company") is **Wagon Trail Energy Center, LLC**.

SECOND: The address of the registered office and the name and address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are:

NextEra Registered Agency, LLC
1100 N. Market Street, 4th Floor
Wilmington, Delaware 19890

Executed this 15th day of May, 2023.

By: Jason B. Pear
An Authorized Person

State of Delaware
Secretary of State
Division of Corporations
Delivered 04:05 PM 05/15/2023
FILED 04:05 PM 05/15/2023
SR 20232061015 - File Number 7462594

LIMITED LIABILITY COMPANY AGREEMENT

OF

WAGON TRAIL ENERGY CENTER, LLC

This Limited Liability Company Agreement of Wagon Trail Energy Center, LLC, a Delaware limited liability company, is made and entered into on May 15, 2023, by ESI Energy, LLC, a Delaware limited liability company, as the original Member.

The Member has authorized the execution of a Certificate of Formation of the Company and the filing thereof with the Secretary of State of the State of Delaware for the purpose of forming the Company as a limited liability company pursuant to and in accordance with the Act (as hereinafter defined).

Accordingly, the Member hereby agrees as follows:

ARTICLE I - DEFINITIONS

Except as otherwise expressly provided herein, or unless the context otherwise requires, capitalized terms not otherwise defined shall have the meaning set forth in this Article I when used herein, as follows:

"Act" - The Delaware Limited Liability Company Act (6 Del. C. section 18-101, et. seq.) as amended from time to time.

"Agreement" – This Limited Liability Company Agreement, including exhibits and attachments (if any), as originally executed and as may be subsequently amended from time to time.

"Certificate" - The Certificate of Formation of the Company, as adopted and amended from time to time by the Member.

"Company" – Wagon Trail Energy Center, LLC, a Delaware limited liability company formed under and pursuant to the Act and other relevant laws of the State of Delaware, and owned and operated pursuant to the terms of this Agreement.

"Electronic Transmission" - Any form of communication not directly involving the physical transmission of paper that creates a record that may be retained, retrieved, and reviewed by a recipient thereof and that may be directly reproduced in paper form by such a recipient through an automated process.

"Limited Liability Company Interest" – Means a Member's share of the profits and losses of a limited liability company and a Member's right to receive distributions of the limited liability company's assets.

"Member" - The Person signatory hereto and any other Person who may subsequently be admitted as a Member of the Company pursuant to the terms of this Agreement. The singular term "Member" as defined herein shall also include the plural term "Members", if applicable.

"Officer" - Any individual appointed by the Member to serve as an officer of the Company, which individual shall be assigned a title and shall have the right, power, and authority to manage and oversee the day-to-day operations of the Company as set forth in Article VIII hereof. The singular term "Officer" as defined herein shall also include the plural term "Officers", if applicable.

"Person" - Means a natural person, partnership (whether general or limited), limited liability company, trust (including a common law trust, business trust, statutory trust, voting trust or any other form of trust), estate, association (including any group, organization, co-tenancy, plan, board, council or committee), corporation, government (including a country, state, county or any other governmental subdivision, agency or instrumentality), custodian, nominee or any other individual or entity (or series thereof) in its own or any representative capacity, in each case, whether domestic or foreign. The singular term "Person" as defined herein shall also include the plural term "Persons", if applicable.

ARTICLE II - ORGANIZATION OF THE COMPANY

Section 2.1 Name. The name of the limited liability company is "Wagon Trail Energy Center, LLC".

Section 2.2 Certificate of Formation. Jason B. Pear was authorized by the Member to execute and cause the Certificate of Formation to be filed and is an authorized person within the meaning of the Act. Jason B. Pear has executed the Certificate of Formation and caused the Certificate to be filed with the Secretary of State of the State of Delaware and, upon the filing thereof, the Company was formed. Upon the formation of the Company, the powers of Jason B. Pear as an authorized person ceased and the Member thereupon became, and is hereby designated as, an authorized person within the meaning of the Act.

Section 2.3 Qualification. The Company, acting through the Member or acting through any of the Company's Officers, shall execute, deliver and file any certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in any and all jurisdictions in which the Company may wish to conduct business.

Section 2.4 Purpose; Powers. The purpose for which the Company is formed is the transaction of any or all lawful business for which a limited liability company may be formed under the Act. The Company shall have all powers, which are provided to a limited liability company under the Act, which are related to such purpose and necessary, convenient or advisable to accomplish such purpose.

Section 2.5 Term. The term of the Company commenced on the date of filing of the Certificate and shall continue until the Company is dissolved. The Company shall continue as a separate legal entity until the cancellation of the Certificate of Formation.

Section 2.6 Principal Place of Business. The principal place of business of the Company shall be located at 700 Universe Boulevard, Juno Beach, Florida 33408, or at such other location or locations as may hereafter be determined by the Member.

Section 2.7 Registered Agent. The name and address of the registered agent of the Company in the State of Delaware is:

NextEra Registered Agency, LLC
1100 N. Market Street
4th Floor
Wilmington, DE 19890

The Member may, in its sole and absolute discretion, change the registered agent to another Person who qualifies as a registered agent under the Act.

ARTICLE III - MEMBERSHIP

Section 3.1 Member. There shall be at least one Member of the Company. The name and mailing address of the Member is as follows:

Name	Address
ESI Energy, LLC	700 Universe Blvd Juno Beach, Florida 33408

Section 3.2 Meetings; Actions by Written Consent. The Member may conduct meetings by means of conference telephone or other communications equipment so long as all Persons participating in the meeting can hear one another. On any matter that is to be voted on, consented to or approved by the Member, action may be taken without a meeting, without prior notice and without a vote if consented to, in writing or by Electronic Transmission, by the Member having not less than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which the Member entitled to vote thereon was present and voted. A consent transmitted by Electronic Transmission by the Member or by a Person authorized to act on behalf of the Member shall be deemed to be written and signed for purposes of this Section.

Section 3.3 Other Business. The Member may engage in or possess an interest in other business ventures (unconnected with the Company) of every kind and description, independently or with others. The Company shall not have any rights to any income or profit derived from any such other business venture of the Member.

Section 3.4 Action with Respect to Ownership of Other Entities. Unless otherwise determined by the Member, the President, any Vice President and the Treasurer of the Company shall each have the power to vote and to otherwise act on behalf of the Company, in person or by proxy, at any meeting of holders, or with respect to any action of holders, of any other domestic or foreign corporation, limited liability company or partnership in which the Company may hold securities, membership or other ownership interests and otherwise to exercise any and all rights and powers that the Company may possess by reason of its ownership of interests in such other entity.

ARTICLE IV - LIMITED LIABILITY

Except as otherwise provided by the Act, the debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company, and the Member shall not be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a Member.

ARTICLE V - CAPITAL

Section 5.1 Capital Contributions. The Member is deemed admitted as the Member of the Company upon Member's execution and delivery of this Agreement. The Member has contributed $100.00 to the Company.

Section 5.2 Additional Capital Contributions. The Member is not required to make additional capital contributions to the Company. However, the Member may make additional capital contributions to the Company in its discretion.

ARTICLE VI - DISTRIBUTIONS TO MEMBER

Distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member. Notwithstanding the preceding sentence or any other provision to the contrary contained in this Agreement, the Company shall not make a distribution to the Member on account of its interest in the Company if such distribution would violate Section 18-607 of the Act or other applicable law.

ARTICLE VII - MANAGEMENT

Section 7.1 Member Management. In accordance with Section 18-402 of the Act, management of the Company shall vest in the Member.

Section 7.2 Management Rights and Authority. The Member shall have the power to do any and all acts necessary, convenient or incidental to or for the furtherance of the purposes described herein, including all powers, statutory or otherwise, possessed by members of a limited liability company under the laws of the State of Delaware to the extent such powers are consistent with the terms of this Agreement and are appropriate or useful in carrying out the purposes of the Company as set forth in this Agreement, including, without limitation, the power:

(i) To borrow money and, as security therefor, to mortgage, pledge or otherwise encumber any and all assets of the Company, including the rights of the Company under any agreements;

(ii) To cause to be paid all amounts due and payable by the Company to any Person and to collect all amounts due to the Company; and to make contributions to subsidiaries of the Company to be used to pay amounts due or to become due and payable by the subsidiaries;

(iii) To employ or cause a subsidiary of Company to employ such agents, employees, managers, accountants, attorneys, consultants and other Persons, necessary or appropriate to carry out the business and affairs of the Company or subsidiary, and to pay such fees, expenses, salaries, wages and other compensation to such Person as the Member shall determine;

(iv) To pay, extend, renew, modify, adjust, submit to arbitration, prosecute, defend or compromise, upon such terms as the Member may determine and upon such evidence as it may deem sufficient, any obligation, suit, liability, cause of action or claim, including taxes, either in favor of or against the Company or any subsidiary thereof;

(v) To pay any and all fees and to make any and all expenditures which the Member deems necessary or appropriate in connection with the organization of the Company and subsidiaries, the management of the affairs of the Company and subsidiaries and the carrying out of its obligations and responsibilities under this Agreement and the Act, and to enforce all rights of the Company;

(vi) To take all actions, undertake all obligations and responsibilities and exercise all rights and privileges which the Company, as the member, shareholder or partner of any subsidiary, has under its organizational documents and the law under which such subsidiary is organized, including, but not limited to, making, on behalf of the Company, contributions to and accepting on behalf of the Company, distributions from subsidiaries;

(vii) To prosecute, protect and defend or cause to be protected and defended all patents, patent rights, trade names, trademarks and service marks, and all applications with respect thereto, which may be held by the Company or a subsidiary thereof and to take all reasonable and necessary actions to protect the secrecy of and the proprietary rights with respect to any trade secrets, know-how, secret processes or other proprietary information and to prosecute and defend all rights of the Company or a subsidiary in connection therewith;

(viii) To enter into, execute, acknowledge and deliver any and all contracts, agreements or other instruments necessary or appropriate to carry on the business of the Company as set forth herein;

(ix) To cause to be paid any and all taxes, charges and assessments that may be levied, assessed or imposed upon any of the assets of the Company, or that arise as a result of the activities of the Company, unless the same are contested by the Company in good faith;

(x) To file all applications by the Company for, or accept, necessary permits, licenses and other governmental approvals, or any amendment to or withdrawal or termination of such applications or governmental approvals;

(xi) To establish and maintain one or more accounts for the Company in such financial institutions as the Member may from time to time designate pursuant to the Company's banking resolutions;

(xii) To make distributions to the Member;

(xiii) To cause the Company to make or revoke any of the elections under the United States Internal Revenue Code of 1986, as amended, that are made at the Company level and to cause the Company to request and obtain interpretative or exemptive advice and orders from federal and state regulatory authorities;

(xiv) To maintain liability and casualty insurance in amounts and with coverages consistent with prudent commercial standards and with insurers of recognized responsibility;

(xv) To invest funds not immediately needed in the operation of the business;

(xvi) To borrow funds from the Member or any of Member's affiliates;

(xvii) To acquire and dispose of real, personal, intangible and mixed property and interests herein; and

(xviii) To appoint Officers who shall manage the Company.

ARTICLE VIII – OFFICERS

The Member may, from time to time as it deems advisable, appoint Officers of the Company and assign in writing titles (including without limitation President, Vice President, Secretary, and Treasurer) to any such Officer. Unless otherwise determined by the Member, the Officers shall have the power to bind the Company in all transactions, subject to contrary provisions or limitations in this Agreement or action by the Member. The Member may delegate its powers and authorities to any of these Officers or other authorized representatives. The Officers of the Company shall be each of the persons listed below opposite the offices to which he or she is hereby appointed, to serve as such until his or her successor shall have been appointed or until his or her earlier resignation, retirement, removal from office, or death.

Name:	Title:
Matthew Roskot	President
Christopher H. Zajic	Vice President & Treasurer
Michael H. Dunne	Vice President
John Di Donato	Vice President
Matthew S. Handel	Vice President
Anthony Pedroni	Vice President
Vincent J. Scrima	Vice President
Charlotte B. Anderson	Secretary
Jason B. Pear	Assistant Secretary
Angela Ewers	Assistant Secretary

ARTICLE IX - EXCULPATION AND INDEMNIFICATION

Section 9.1 Exculpation. Neither the Member nor any Officer shall be liable to the Company, or to any other Person who is a party to or otherwise bound by this Agreement, for any loss, damage or claim incurred by reason of any act or omission performed or omitted by the Member or Officer in good faith on behalf of the Company and in a manner reasonably believed to be within the scope of the authority conferred on the Member or Officer by this Agreement, except that the Member or Officer shall be liable for any such loss, damage or claim incurred by reason of its, his or her willful misconduct.

Section 9.2 Indemnification. To the full extent permitted by applicable law and this Agreement, the Member and each Officer shall be entitled to indemnification from the Company for any loss, damage or claim incurred by such Member or Officer by reason of any act or omission performed or omitted by such Member or Officer in good faith on behalf of the Company and in a manner reasonably believed to be within the scope of the authority conferred on the Member or Officer by this Agreement, except that neither the Member nor the Officer shall be entitled to be indemnified in respect of any loss, damage or claim incurred by it, him or her by reason of willful misconduct with respect to such acts or omissions; *provided, however*, that any indemnity under this Section shall be provided out of and to the extent of Company assets only, and the Member shall have no personal liability on account thereof. The Company may purchase and maintain insurance on behalf of any Member or Officer against any liability asserted and incurred by any Member or Officer to the extent the Company would have the power to indemnify them against such liability under the provision of this Agreement and the laws of Delaware.

ARTICLE X - RESIGNATION AND ASSIGNMENTS

Section 10.1 Resignation of Member. The Member may resign from the Company as provided in this Section and upon satisfaction of the provisions of this Section. If the Member is permitted to resign pursuant to this Article, such resignation shall not be effective until a new Member shall be admitted to the Company in the place and stead of the resigning Member. Any admission shall be deemed effective when such new Member shall have executed an instrument signifying its agreement to be bound by the terms and conditions of this Agreement, at which time the resigning Member shall cease to be a Member of the Company. A resignation will not result in dissolution of the Company.

Section 10.2 Assignment of Limited Liability Company Interest. The Member may assign its Limited Liability Company Interest in the Company in whole or in part, and such an assignment will not dissolve the Company. If the Member transfers its entire Limited Liability Company Interest pursuant to this Section, the transferee shall be admitted to the Company as the Member and shall exercise all the rights and powers of the transferor Member (the "Transferor") upon the execution by the transferee of an instrument signifying its agreement to be bound by the terms and conditions of this Agreement. Such admission shall be deemed effective upon such execution, and, immediately following such admission, the Transferor shall cease to be the Member. A pledge of, grant of security interest in, lien against, or other encumbrance in or against any or all of a Member's Limited Liability Company Interest shall neither cause the Member to cease to be a Member nor to cease to have the power to exercise any rights or powers of a Member.

ARTICLE XI – DISSOLUTION/BANKRUPTCY

Section 11.1 Dissolution. The Company shall dissolve, and its affairs shall be wound up, upon the first to occur of the following: (a) the written consent of the Member, (b) the dissolution of the Member or the occurrence of any other event which involuntarily terminates the continued membership of the Member in the Company unless the business of the Company is continued in a manner permitted by the Act and this Agreement, or (c) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

In the event of any occurrence resulting in the termination of the continued membership of the last remaining Member of the Company, the personal representative of the last remaining Member (or any other Person designated by such personal representative) shall be obligated to agree in writing to continue the Company and to the admission of such personal representative or designated Person as a Member of the Company and such Person shall automatically be admitted as a Member of the Company, effective as of the occurrence of the event resulting in the termination of the continued membership of the last remaining Member.

In the event of dissolution, the Company shall conduct only such activities as are necessary to wind up its affairs (including the sale of the assets of the Company in an orderly manner), and the assets of the Company shall be applied in the manner, and in the order of priority, set forth in Section 18-804 of the Act.

Section 11.2 Bankruptcy. The bankruptcy or other event described in Section 18-304 of the Act with respect to the Member will not cause such Member to cease to be a Member of the Company and, upon the occurrence of such an event, the business of the Company shall continue without dissolution.

ARTICLE XII - MISCELLANEOUS

Section 12.1 Entire Agreement. This Agreement constitutes the entire agreement of the Member with respect to the subject matter hereof.

Section 12.2 Amendments. This Agreement may not be modified, altered, supplemented, or amended except pursuant to a written agreement executed and delivered by the Member.

Section 12.3 Severability. Each provision of this Agreement shall be considered separable and if for any reason any provision or provisions herein are determined to be invalid, unenforceable, or illegal under any existing or future law, such invalidity, unenforceability, or illegality shall not impair the operation of or affect those portions of this Agreement, which are valid, enforceable, and legal.

Section 12.4 Status Under the Uniform Commercial Code. Limited Liability Company Interests shall be deemed to be securities governed by Article 8 of the Uniform Commercial Code as in effect from time to time in the State of Delaware. The Limited Liability Company Interests are not evidenced by certificates, and will not be evidenced by certificates. The Company is not authorized to issue certificated interests. The Company will keep a register of Limited Liability Company Interests, in which it will record all transfers of Limited Liability Company Interests.

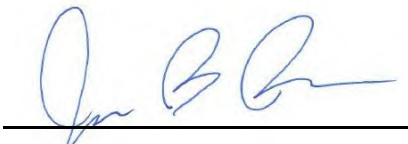
Section 12.5 Governing Law. The terms of this Agreement and the laws of the State of Delaware (without regard to principles of conflicts of law) shall govern the operation of this Company. In the event of a direct conflict between the provisions of this Agreement and the mandatory provisions of the Act, such mandatory provisions of the Act shall be controlling.

Section 12.6 Headings. The captions, definitions, and table of contents in this Agreement are inserted solely for convenience of reference and shall not affect its interpretation and in no way define or describe the scope of the Agreement or the intent of any provisions thereof.

[SIGNATURE APPEARS ON NEXT PAGE]

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Agreement on the day and year first written above.

ESI ENERGY, LLC, Sole Member

By: 

Jason B. Pear
Assistant Secretary

Attachment 3b. Letter of Organizational Support for Wagon Trail Solar II

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Docusign Envelope ID: 84F069F7-4355-458F-AF42-B5CB2D32D5AE

WAGON TRAIL ENERGY CENTER, LLC
700 Universe Blvd.
Juno Beach, FL 33408

January 29, 2026

Oregon Department of Energy
Energy Siting Division
550 Capital St. NE
Salem, OR 97301

To Whom it May Concern,

As described in the Request for Amendment 1 for the Wheatridge Renewable Energy Facility III (WREFIII) Site Certificate, Wagon Trail Solar II ("Facility"), Wagon Trail Energy Center, LLC is a wholly- owned indirect subsidiary of NextEra Energy Resources, LLC.

With this letter, Wagon Trail Energy Center, LLC and NextEra Energy Resources, LLC confirm that Wagon Trail Energy Center, LLC will have access to sufficient resources and expertise to construct, own, operate, and maintain the Facility, which resources and expertise may be obtained as services provided by NextEra Energy Resources, LLC or an affiliate thereof on terms and conditions that will ensure the availability of such resources and expertise to Wagon Trail Energy Center, LLC as and when needed to ensure safe and reliable operation of the Facility.

Thank you in advance for your consideration of this matter.

Very truly yours,

DocuSigned by:
F5C968BD9C2148B...
Anthony Pedroni
Vice President
Wagon Trail Energy Center, LLC

DocuSigned by:
F5C968BD9C2148B...
Anthony Pedroni
Vice President
NextEra Energy Resources, LLC

Attachment 4. Morrow County Planning Department Correspondence

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From: Tamra Mabbott
To: Grace, Jordan
Cc: McClain, Leslie; Jim Bagley; Corey Sweeney
Subject: Re: Wheatridge 3 Solar Site Certificate Amendment
Date: Friday, August 8, 2025 10:42:48 AM
Attachments: image001.png
image002.png

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Your assumption is correct.
The Weed Department has a new protocol on coordination of the Weed Mitigation Plan implementation.
I recommend you contact Corey Sweeney, Weed Supervisor.
Tamra

From: Grace, Jordan <jordan.grace@tetratech.com>
Sent: Friday, August 8, 2025 10:22 AM
To: Tamra Mabbott <tmabbott@morrowcountyor.gov>
Cc: McClain, Leslie <Leslie.McClain@tetratech.com>; Jim Bagley <jbagley@morrowcountyor.gov>
Subject: RE: Wheatridge 3 Solar Site Certificate Amendment

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Hi Tamra,

Thanks for your input. Would it be safe to say no new criteria would apply? And that none of the previously analyzed criteria have substantively changed? (aside from the renumbering you mention in the EFU section)

Jordan Grace (he/him) | Environmental Planner
Direct **+1 (503) 727-8074** | Mobile **+1 (714) 580-9006** | jordan.grace@tetratech.com

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From: Tamra Mabbott <tmabbott@morrowcountyor.gov>
Sent: Friday, August 8, 2025 10:12 AM
To: Grace, Jordan <jordan.grace@tetratech.com>
Cc: McClain, Leslie <Leslie.McClain@tetratech.com>; Jim Bagley <jbagley@morrowcountyor.gov>
Subject: Re: Wheatridge 3 Solar Site Certificate Amendment

You don't often get email from tmabbott@morrowcountyor.gov. Learn why this is important

⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Hello Jordan - thank you. Confirming receipt of your email.

County has not adopted new solar siting criteria. However, we made numerous code updates to the EFU section, and the numbering has changed.

Here is a link to the EFU Section of the MCZO:
https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/8881/3.010_efu_01082025.pdf

Please let myself of Jim Bagley know if you have any questions.
Cordially, Tamra

From: Grace, Jordan <jordan.grace@tetratech.com>
Sent: Thursday, August 7, 2025 5:45 PM
To: Tamra Mabbott <tmabbott@morrowcountyor.gov>
Cc: McClain, Leslie <Leslie.McClain@tetratech.com>; Jim Bagley <jbagley@morrowcountyor.gov>
Subject: RE: Wheatridge 3 Solar Site Certificate Amendment

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Hi Tamra, below is the email I tried sending to you earlier in the week (after I left my voicemail) but it bounced back. I tried sending again to another email address and it didn't bounce back, but it sounds like it didn't come through on your end.

I'm writing to follow up on the voicemail I left for you earlier today. I'm working on a request for amendment to the Oregon Department of Energy (ODOE) for the Wheatridge Energy Facility III (Solar). This project is in Morrow County and certificate holder is requesting two things: (1) split the constructed/operational portion of the facility from the undeveloped portion of the facility and create two separate Site Certificates (no new area added); and (2) Extend the construction deadline for the remaining portion of the facility.

As part of the request for amendment process, we need to confirm if there have been substantive changes to the applicable criteria of the Morrow County Zoning Ordinance (MCZO) and the Morrow County Comprehensive Plan (MCCP) that apply to a solar energy generation facility with battery storage in the EFU zone. The last time the MCZO and MCCP were analyzed in relation to the facility was in July 2019. The applicable substantive criteria identified by ODOE in final order are listed below (these were taken directly from page 33 of the Final Order).

Our ask if for you to please:
(1) review the criteria listed below and let us know if these provisions have changed (or if new

applicable provisions have been added); and

(2) confirm if the Sections of the MCZO and MCCP list below have been updated or changed since July 2019?

The versions of the MCZO and MCCP previously analyzed were as follows:

- Morrow County Zoning Ordinance. Most recently amended and readopted on August 1, 2016. Accessed here: http://www.co.morrow.or.us/planning/page/zoning-ordinance.
- Morrow County Comprehensive Plan. Most recently amended and made effective on July 31, 2016. Accessed here: http://www.co.morrow.or.us/planning/page/comprehensive-plan.

Applicable substantive criteria identified in July 2019:

- ***Morrow County Zoning Ordinance***:
  - MCZO 1.050 Zoning Permit
  - MCZO 3.010 Exclusive Farm Use, EFU
    - Section C, Conditional Uses
    - Section M, Yards
    - Section N, Transportation Impacts
  - MCZO 6.020. General Criteria
  - MCZO 6.025. Resource Zone Standards for Approval
  - MCZO 6.030. General Conditions
  - MCZO 6.040. Permit Improvements

- ***Morrow County Comprehensive Plan:***
  - Goal 3 Agricultural Lands Element – Policies 1 and 4
  - Goal 9 Economic Element – Policies 2A
  - Goal 13 Energy Conservation Element – Policies 2, 3 and 9

Thank you very much for your time and consideration, and please let me know if a brief call or meeting would be helpful.

Apologies for any confusion. I'm available tomorrow for a follow-up call as needed, please let me know what times work best for you.

Thank you,

Jordan Grace (he/him) | Environmental Planner
Direct **+1 (503) 727-8074** | Mobile **+1 (714) 580-9006** | jordan.grace@tetratech.com

---

From: Tamra Mabbott <tmabbott@morrowcountyor.gov>
Sent: Thursday, August 7, 2025 2:19 PM
To: Grace, Jordan <jordan.grace@tetratech.com>
Cc: McClain, Leslie <leslie.mcclain@tetratech.com>; Jim Bagley <jbagley@morrowcountyor.gov>
Subject: Wheatridge 3 Solar Site Certificate Amendment

Some people who received this message don't often get email from tmabbott@morrowcountyor.gov. Learn why this is important
⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or

attachments. ⚠

Hello Jordan - I returned your phone call today. I was not sure what organization you represent but I was able to ascertain that you work with Tetratech. Jim and I were on a call today with Sarah Esterson and, she shared your contact.

I will be out of the office on vacation next week and will not have cell service so I'm following up here.

It would be helpful if you could follow up with an email and describe the changes you expect to file with EFSC. I believe those changes will be fairly straightforward in terms of county involvement, however, we would like to understand the changes and have an opportunity to follow up with specific steps.

Please send your email to me and to Jim Bagley (copied above).

I look forward to working with you.
Tamra

From: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>
Sent: Thursday, August 7, 2025 2:12 PM
To: Tamra Mabbott <tmabbott@morrowcountyor.gov>
Subject: Jordan Grace's Contact Info (Tetra Tech)

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Jordan Grace (he/him) | Environmental Planner
Direct **+1 (503) 727-8074** | Mobile **+1 (714) 580-9006** | jordan.grace@tetratech.com

Sarah T. Esterson
Senior Policy Advisor
550 Capitol St. NE | Salem, OR 97301
P: 503-385-6128
1-800-221-8035
Stay connected!

Attachment 5. Public Utility Letters

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From:	Michael Hughes
To:	Gulick, Kristen
Cc:	Boardman Fire; Suzanne Gray
Subject:	Re: Boardman Fire Rescue District Agreement with the Wheatridge Renewable Energy Facility III
Date:	Thursday, July 31, 2025 12:17:22 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Hi Kristen,

As I indicated in my 2022 letter, BFRD will continue to provide emergency services and fire response in conjunction with other local fire agencies to Wheatridge.

Respectfully,

Mike Hughes
Fire Chief
Boardman Fire Rescue District
911 Tatone Street
Boardman, OR 97818
Office: 541-481-3473
Cell: 541-561-2464

> On Jul 31, 2025, at 12:04 PM, Gulick, Kristen <Kristen.Gulick@tetratech.com> wrote:
>
> Hello,
> I am contacting you on behalf of the Wheatridge Renewable Energy Facility III solar project (WREFIII). WREFIII is collocated and operated by the same owners (NextEra) as the various other operational Wheatridge Renewable Energy Facilities (Wheatridge) in Morrow County, Oregon. A portion of WREFIII is currently operational, 50-megawatts [MW] of solar energy generation, with related or supporting facilities including a battery energy storage system; the remaining, approved 100-MW of solar energy generation has yet to be constructed. More information on WREFIII can be found here: https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WREFIII.aspx.
>
> Correspondence was last received from you in 2018 and 2022 regarding the Wheatridge facilities, confirming that the Boardman Fire Rescue District will be able to provide fire protection services to the now operational Wheatridge facilities. Please see attached records of correspondence. Therefore, we are

hoping you could provide an updated letter confirming that you can provide the same services for WREFIII.

Tetra Tech is under contract to NextEra through the Oregon Dept. of Energy's (ODOE) permitting process. To this end, we will provide to ODOE evidence of consultation with local municipalities that we have been in contact regarding fire protection services for the construction of WREFIII. At this point in the process, NextEra is not required to have entered into a contract with the Boardman Fire Rescue District, we just need to demonstrate to ODOE that we have been in consultation with the Boardman Fire Rescue District and that yes, you are able to provide fire protection services, as well as any constraints you may have (e.g., high angle, confined space rescue). Any letter from you to me on this subject does not constitute a contract and you are under no obligation to supply fire protection services for the facility.

If you could please provide an updated letter addressing the WREFIII as soon as possible, that would be greatly appreciated. It can be a statement on your letterhead with your signature if you like, or even a reply to this email.

Thanks in advance,

Kristen Gulick, MS (she/her) | Senior Associate Environmental Scientist/Planner | Tetra Tech
Mobile (**541) 740-3316** | kristen.gulick@tetratech.com

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Climate positive and carbon negative by 2030. Read more

<image005.png>

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<Attachment U-2. Boardman Fire.pdf>
<Boardman Rural Fire Protection District Agreement.pdf>



Echo Rural



Fire Protection District

PO Box 59

Echo OR 97826

8/6/2025

To Whom It May Concern:

The Echo Rural Fire Protection District does not have any concerns with the Wheatridge Renewable Energy Facility III with the notations that Echo RFPD does not provide high angle rescues or confined space rescues. We will respond to any fires or provide initial emergency response if required.

Echo RFPD also requests that if any structures are required for the project that 100 foot vegetation free zone be maintained around the structures. TetraTech has indicated that a vegetation management program around structures would be added to their overall site management processes. The project is in a high-risk zone for wildland fires and will be subject to Oregon Senate Bill 762 as it is implemented for defensible space requirements.

Sincerely,

Chief Delbert Gehrke

Echo Rural Fire Protection District

MORROW COUNTY SHERIFF

325 Willow View Drive • P.O. Box 159
Heppner, Oregon 97836
Phone: (541) 676-5317
Fax: (541) 676-5577

John A. Bowles, Sheriff
Brian L. Snyder, Undersheriff

To: Kristen Gulick

From: John A. Bowles, Sheriff

RE: Wheatridge Renewable Energy Facility III (WREFIII)

The Morrow County Sheriff's Office is the primary Law Enforcement agency in which the Wheatridge Renewable Energy Facility III (WREFIII) is located. This project is in a low to medium-sized crime area in our county.

The Sheriff's Office will respond appropriately and as necessary to all complaints that come from the WREFIII project. We do not expect this project to adversely affect the Morrow County Sheriff's Office in terms of additional workload.

John A. Bowles

John A. Bowles, Sheriff

Morrow County Sheriff's Office

From: Jocelyn Jones
To: Gulick, Kristen
Subject: Re: Finley Buttes Landfill Agreement with the Wheatridge Renewable Energy Facility III
Date: Thursday, August 7, 2025 8:35:05 AM

You don't often get email from jocelyn.jones@wasteconnections.com. Learn why this is important

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Good Morning Kristen,
Yes Finley Buttes is still able to accept the quantities proposed. Finley has a proposed life span of 175 more years.

Jocelyn

On Aug 7, 2025, at 8:29 AM, Gulick, Kristen <Kristen.Gulick@tetratech.com> wrote:

Hello,
I just wanted to follow up on the status of this request. Please let me know as soon as you can. Thanks in advance!

Sincerely,

Kristen Gulick, MS (she/her) | Senior Associate Environmental Scientist/Planner | Tetra Tech
Mobile (**541) 740-3316** | kristen.gulick@tetratech.com

<image001.png>

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Climate positive and carbon negative by 2030. Read more

<image005.png>

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From: Gulick, Kristen

Sent: Thursday, July 31, 2025 9:19 AM
To: Jocelynr@wcnx.org
Subject: Finley Buttes Landfill Agreement with the Wheatridge Renewable Energy Facility III

Hello,
I am contacting you on behalf of the Wheatridge Renewable Energy Facility III solar project (WREFIII). WREFIII is collocated and operated by the same owners (NextEra) as the various other operational Wheatridge Renewable Energy Facilities (Wheatridge) in Morrow County, Oregon. A portion of WREFIII is currently operational, 50-megawatts [MW] of solar energy generation, with related or supporting facilities including a battery energy storage system; the remaining, approved 100-MW of solar energy generation has yet to be constructed. More information on WREFIII can be found here: https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WREFIII.aspx.

Correspondence was last received from you in 2018 and 2022 regarding the Wheatridge facilities, confirming that the Finley Buttes Landfill will be able to accommodate the waste produced by the now operational Wheatridge facilities. Please see attached records of correspondence. Therefore, we are hoping you could provide an updated letter confirming that you can still accommodate the waste of WREFIII (non-hazardous waste), conservatively updated to be 14,000 cubic yards of waste during construction. This is our current, conservative, estimate of waste anticipated for construction of the remaining portion of WREFIII over a 12-month period.

Tetra Tech is under contract to NextEra through the Oregon Dept. of Energy's (ODOE) permitting process. To this end, we will provide to ODOE evidence of consultation with local municipalities that we have been in contact regarding waste services for the construction of WREFIII. At this point in the process, NextEra is not required to have entered into a contract with the Finley Buttes Landfill, we just need to demonstrate to ODOE that we have been in consultation with the Finley Buttes Landfill and that yes, you are able to provide waste services, as well as any constraints you may have. Any letter from you to me on this subject does not constitute a contract and you are under no obligation to supply waste services for the facility.

If you could please provide an updated letter addressing the WREFIII as soon as possible, that would be greatly appreciated. It can be a statement on your letterhead with your signature if you like, or even a reply to this email. A mention of when the landfill is projected to reach capacity would be great to include, for WREFIII has an anticipated lifespan of up to 50 years, which would include retirement and decommission waste disposal.

Thanks in advance,

Kristen Gulick, MS (she/her) | Senior Associate Environmental Scientist/Planner | Tetra Tech
Mobile (**541) 740-3316** | kristen.gulick@tetratech.com

<image001.png>

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<Attachment U-1. Finley Butte Landfill.pdf>
<1Finley Butte Landfill Agreement.pdf>

August 5, 2025

Kristen Gulick, MS
Senior Associate Environmental Scientist/Planner
Tetra Tech

Dear Ms. Gulick,

Today, on behalf of NextEra Energy Resources, you inquired about purchasing water from the City of Ione, Oregon for construction of the remaining portion of WREFIII (i.e., Wagon Trail Solar II), starting 2026 or later. Your conservative estimate was for the purchase of 36,300,000 gallons of water over a construction period of one year.

From June 1, 2024 - May 31, 2025, the city sold approximately 44,000,000 gallons in commercial water sales. Water purchased for the Wheatridge Renewable Energy Facility East wind project by subcontractors was approximately 37,000,000 gallons of water. The $44,000,000 amount includes approximately 6,000,000 sold to an ongoing construction project that will be completed by the end of 2025 and approximately 1,000,000 to a city contracted construction firm which will be completed by April 2026.

The total water used from June 1, 2025 to May 31, 2025 was approximately 600,000,000 gallons which includes: commercial, residential, business, and city usage. So, 36,300,000 gallons over one year should fit well within our parameters. We have no seasonal restrictions or constraints.

This water source is from a municipal well; therefore, the city is able to sell its water to any consumer. See attached for the State of Oregon Water Certificate for this well.

On behalf of the City of Ione, we would like to thank you for your inquiries regarding our water sales. If you have any questions or concerns, please contact me at 541-422-7414 or 541-561-8116.

Respectfully,

Elizabeth Peterson, City Administrator
T: (541) 422-7414
C: (541) 561-8116

Attachments: 2

STATE OF OREGON

COUNTY OF MORROW

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF IONE
PO BOX 107
IONE OR 97843

confirms the right to use the waters of TWO WELLS for MUNICIPAL USE.

This right was perfected under Permit G-7877. The date of priority is NOVEMBER 10, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 1.33 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the wens, being 1.04 CUBIC FEET PER SECOND from Well I and 0.29 CUBIC FEET PER SECOND from well 2.

The well is located as follows:

Twp	Rn2	Mer	Sec	O-Q	Survey Coordinates
IS	24 E	WM	3	SESW	550 FEET NORTH AND 2000 FEET EAST FROM SW CORNER, SECTJON 3 (WELL 1)
1 S	24 E	WM	4	SW SE	290 FEET NORTH AND 2110 FEET WEST FROM SE CORNER, SECTION 4 (WELL 2)

A description of the place of use to which this right is appurtenant is as follows:

Twp	**Rog**	**Mer**	**Sec**	O-Q
1 S	24 E	WM	3	SWSW
I S	24 E	WM	3	SESW
1 S	24 E	WM	4	SESW
I S	24 E	WM	4	SWSE
1 S	24 E	WM	4	SESE
1 S	24 E	WM	9	NENE
1 S	24 E	WM	9	NWNE
1 S	24 E	WM	9	NENW
IS	24 E	WM	10	NENW
1 S	24 E	WM	IO	NWNW

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WJTNESS the signature of the Water Resources Director, affixed DEC **O 1 2006**

Phillip C. Ward, Director

 Recorded in State Record of Water Right Certificates numbered 82854.

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED
OCT 6 1977
WATER RESOURCES DEPT.
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print) (Do not write above this line)

MORR 11

State Well No. 1S/24E-3CC

State Permit No.

(1) OWNER:
Name IONE CITY OF
Address IONE ORE

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☑
Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☑
12 " Diam. from +2 ft. to -25 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:
Perforated? ☐ Yes ☑ No.
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:
Well screen installed? ☐ Yes ☑ No
Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☐ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used PORTLAND CEMENT
Well sealed from land surface to 25' ft.
Diameter of well bore to bottom of seal 15 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 22 sacks
How was cement grout placed?
Was a drive shoe used? ☐ Yes ☑ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County MORROW Driller's well number
SW ¼ SW ¼ Section 3 T. 1S R. 24EW W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found ft.
Static level 35 ft. below land surface. Date 7-14-77
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 10 "
Depth drilled 675 ft. Depth of completed well 675 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. **Report each change in position of Static Water Level and indicate principal water-bearing strata.**

MATERIAL	From	To	SWL
SOIL	0	9	
GRAVEL	9	16	
BASALT Black /ss	16	50	
" Black	50	65	
" " /ss	65	130	
" Black	130	325	
" " /ss	325	330	
" Black	330	475	
" Black /ss	475	490	
" Black	490	555	
" Black /ss	555	580	
" GREY	580	660	
" Black /ss	660	670	
" Black	670	675	

Work started 7-9 1977 Completed 7-13 1977
Date well drilling machine moved off of well 7-14 1977

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Jerry Burd (Drilling Machine Operator) Date 7-14, 1977
Drilling Machine Operator's License No. 933

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Jerry Burd Well Drilling (Person, firm or corporation) (Type or print)
Address 5543 SW Douglas Dr Pendleton Ore
[Signed] Jerry Burd (Water Well Contractor)
Contractor's License No. 544 Date 7-14, 1977

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

From: Larry Hess
To: Gulick, Kristen
Subject: RE: WREF3
Date: Tuesday, August 5, 2025 12:13:18 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png

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Kristen

The town would be willing to sell water for the project during construction, a rough estimate though I am being conservative on this amount could be around 1 million gallons a month with seasonal constraints during the summer most commonly July and august. Our water number G-15027

Thank You,

Lawrence Hess

Public Utilities / Maintenance
Town of Lexington
425 F St.
Lexington, Or 97839

Town Hall 541-989-8515
Cell # 541-561-7767
maintenance@lexingtonoregon.com

From: Gulick, Kristen <Kristen.Gulick@tetratech.com>
Sent: Tuesday, August 5, 2025 12:03 PM
To: Larry Hess <maintenance@lexingtonoregon.com>
Subject: RE: WREF3

Hi Lawrence,
Thank you for such a quick response! To hopefully provide a bit more context, construction of the remaining portion of WREFIII is not anticipated to begin until 2026 or later. Thus, the size of tankers, finalized water quantities, etc. won't be confirmed/determined until prior to construction. Similarly, no water is being purchased at this point, that will also be pursued prior to construction of the project (pricing I'd anticipate would be different at that time). For

this stage, we just wanted to inquire to see if the City of Lexington would potentially be willing to provide water during construction of this project, including a rough estimate for water amount/quantity, any foreseeable constraints (e.g., seasonal constraints during the summer, etc.), and any relevant water right #s. This is to demonstrate to ODOE that we have been in consultation with various public utilities that may provide services to the project once construction begins. Note that even if the quantity is less than the 36.3 mgal in a 12-month construction period, that is certainly acceptable; we just need to show the approximate maximum that Lexington may be willing to supply, if that makes sense.

Let me know if you have any further questions! Otherwise, a response to this email with this information would be sufficient to satisfy ODOE's requirements at this stage in the project.

Kristen Gulick, MS (she/her) | Senior Associate Environmental Scientist/Planner | Tetra Tech
Mobile (**541) 740-3316** | kristen.gulick@tetratech.com



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From: Larry Hess <maintenance@lexingtonoregon.com>
Sent: Tuesday, August 5, 2025 11:52 AM
To: Gulick, Kristen <Kristen.Gulick@tetratech.com>
Subject: WREF3

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⚠ **CAUTION:** This email originated from an external sender. Verify the source before opening links or attachments. ⚠

Good Morning Kristen

I have read over your email and will need to put forth such a large water contract before the Town council for approval. Will your contractors be utilizing 200 gallon pup as before or will larger tankers be utilized?

Currently I do not have the numbers on whether or not the town could supply all of your projects need but will work on immediately, The Town could most certainly supply water for the project. Our Town council will convene on august 12th and I will have the requested information on the agenda for discussion.

Thank You,

Lawrence Hess

Public Utilities / Maintenance
Town of Lexington
425 F St.
Lexington, Or 97839

Town Hall 541-989-8515
Cell # 541-561-7767
maintenance@lexingtonoregon.com

From: Gulick, Kristen
To: officemgr@lexingtonoregon.com; lexington.oregon@gmail.com
Subject: City of Lexington Agreement with the Wheatridge Renewable Energy Facility III
Date: Monday, August 4, 2025 12:25:00 PM
Attachments: WREFE_PRE-OE-07_City of Lexington Approval.pdf
image001.png
image002.png
image003.png
image004.png
image005.png
WREFE_PRE-OE-07_Town of Lexington Water Application.pdf

Please forward to: Larry Hess, Lexington Maintenance if needed

Hello,
I am contacting you on behalf of the Wheatridge Renewable Energy Facility III solar project (WREFIII). WREFIII is collocated and operated by the same owners (NextEra) as the various other Wheatridge facilities (Wheatridge) in Morrow County, Oregon. A portion of WREFIII is currently operational, 50-megawatts [MW] of solar energy generation, with related or supporting facilities including a battery energy storage system; the remaining, approved 100-MW of solar energy generation has yet to be constructed. More information on WREFIII can be found here: https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WREFIII.aspx.

The City of Lexington provided water for the recently constructed Wheatridge Renewable Energy Facility East wind project, which is adjacent to WREFIII; Please see attached records of the associated water purchase agreement. Therefore, we are hoping you could provide a letter stating that you would be willing to also provide water for construction of the remainder of WREFIII, as well as the amount you would be willing to provide. We currently estimate a maximum of 36.3 million gallons; This is our current, conservative, estimate of water use anticipated for construction of the remaining portion of WREFIII over a 12-month period. Please advise if you can provide greater water quantities.

Tetra Tech is under contract to NextEra through the Oregon Dept. of Energy's (ODOE) permitting process. To this end, we will provide to ODOE evidence of consultation with local municipalities that we have been in contact regarding water supply for the construction of WREFIII. At this point in the process, NextEra is not required to have entered into a contract with the City of Lexington, we just need to demonstrate to ODOE that we have been in consultation with City of Lexington and that yes, you are licensed to supply water to NextEra, how much, your water right permit number(s), and any seasonal constraints. Any letter from you to me on this subject does not constitute a contract and you are under no obligation to supply water for the facility, we just need to demonstrate to ODOE that you have water to sell and that we could use City of Lexington as a water supplier if we, at a later date, come to an agreement to do so.

If you could please provide an updated letter addressing the WREFIII as soon as possible, that would be greatly appreciated. It can be a statement on your letterhead with your signature if you like, or even a reply to this email.

Thanks,

Kristen Gulick, MS (she/her) | Senior Associate Environmental Scientist/Planner | Tetra Tech
Mobile (**541) 740-3316** | kristen.gulick@tetratech.com

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Attachment 6. Wheatridge I, II, and III Emergency Action Plan

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This is a copy of the CONTROLLED document.
Documents are required to be verified current with PGD Operational Model prior to use.

1.0 DOCUMENT STORAGE AND INFORMATION

1.1. The Wheatridge Emergency Action Plan is stored in the OPMODEL

2.0 REVISION HISTORY

Rev #	Revision Description	Approved By Position / Title	Effective Date
2	Yearly update per Emergency Action Plan Quality Review Check List	Quinten Hilbert WSM	4/23/2021
3	Update to Appendix 3 “Physical Security Event”	Will Rosenboom RWSM	4/28/2022
4	Update WSM from Will Rosenboom to Shane Wait	Shane Wait Wind Site Manager	6/29/2022
5	Updated Physical Security Event Section with new links to Suspicious Substance Guidelines	Lauren Stoube – Emergency Response Team	8/2/2022
6	Added Solar and Bess Verbiage	Charles Thomsen WTL	12/9/22
7	Annual EAP Update 2023	Charles Thomsen WSM	3/7/23

3.0 PURPOSE AND SCOPE

3.1. The purpose of this Emergency Action Plan is to establish the planned response actions that will be taken by personnel at the Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) including its Solar and battery storage area if applicable in the event of an emergency situation. These actions are intended to minimize health risks to plant personnel and people in the surrounding community, as well as minimize adverse impacts to the environment.

3.2. This plan serves as guidance intended to be a “living” document such that revisions over time, based on experiences, will continue to increase the speed of identification of threats and decrease response time. This plan applies to all employees, contractors, vendors and visitors performing work at NextEra Energy Resources facilities in the United States and Spain.

Note: Each plant/site will maintain a sign in / sign out list for visitors and contractors. This is critical so that in the event of an emergency, the plant will be able to accurately determine if all personnel are accounted for. All employees, contractors and visitors should have a picture ID so in the event of an accident or illness, the identity of the injured can quickly be determined (Site management may elect to require names on hard hats in place of the picture ID).

4.0 REFERENCES AND COMMITMENTS

1. OSHA 29 CFR 1910.38 (Emergency Action Plans)
2. OSHA 29 CFR 1910 Appendix to subpart E
3. PGD Hurricane Management (“White Paper”)
4. SMS 247 - Severe Weather Guidelines
5. SMS 222 – Fire Protection Plan Procedure

6. SMS 209 - Health and Safety Inspections
7. SMS 214 - Personal Protective Equipment (PPE)
8. NEE-SAF-1610 Electric Shock
9. Corporate Security - Drone
10. Wildfire Mitigation Plan

5.0 DEFINITIONS

5.1. AED – Automated External Defibrillator
5.2. CPR – Cardiopulmonary Resuscitation
5.3. EAP – Emergency Action Plan
5.4. FCC – FCC
5.5. O&M – Operations and Maintenance
5.6. OSHA – Occupational Safety and Health Administration
5.7. PGD – Power Generation Division
5.8. PPE – Personal Protective Equipment
5.9. ROCC – Renewable Operations Control Center
5.10. SMS – Safety Management System
**Who to contact based on technology

Technology	Contact	Office Phone
Fossil	FCC	(561) 851-8990
Pipeline		
Thermal Solar		
Wind	ROCC	(561) 694-3636
PV Solar		
DG		
Battery Storage		

6.0 PREREQUISITES AND INITIAL CONDITIONS

6.1. Power Generation Division requires the use of Personal Protective Equipment (PPE). SMS 214 provide a standardized method to define requirements for PPE. The requirements for PPE are dictated based upon the expected hazards of the work. During emergencies, prudent judgment is required as conditions that may pose a risk to safety may be amplified by the nature of the event. Teammates are expected to STOP and evaluate risks associated with the situation to ensure mitigation of safety hazard to self and others in the vicinity. PPE Hazard Assessment Forms should be used as part of emergency drills to help assess the need for additional special protection during emergency situations.

7.0 RECORDS

7.1. Paper copies of this Emergency Action Plan shall be maintained locally on site easily accessible to all at normally occupied locations:

1. The Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) O&M Building

2. The Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) everyone drive

3. The Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) Control House – utilize alternate location if NERC-CIP entrance hinders access to the plan

7.2. An electronic copy of this plan shall also be accessible on the facility's LAN and in the PGD OpModel.

7.3. This Emergency Action Plan shall be reviewed upon implementation, whenever revisions are made, and at least annually by the Site Emergency Primary or Alternate Facility Coordinator.

8.0 PROCEDURE

8.1. Statement of Compliance

1. This Emergency Action Plan was prepared by NextEra Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS).

2. Thus, I hereby state that the NextEra Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) has evaluated the requirements of all applicable State and Federal Laws and recognize that this Plan has been prepared in accordance with the requirements therein.

x Charles Thomsen

Name: Charles Thomsen

Title: Wind Site Manager

Site: Wheatridge Renewable Energy Facility

Date: 3/7/2023

8.2. Designation of Facility Emergency Coordinators

3. It will be site/plant policy that the Facility Representative (as formally designated to the Oregon State Emergency Response Commission in the facility's 40 CFR 355.30(b) notification letter) will be known as the "Facility Emergency Coordinator" for the purposes of defining roles in this Emergency Action Plan.

4. Alternate personnel may serve as the Facility Emergency Coordinator when necessary.

Primary Facility Emergency Coordinator:

Charles Thomsen Wind Site Manager

Alternate Facility Emergency Coordinator:

Jana Lehn	Wind Tech Leader / Qualified Reliever

5. Personnel who may be contacted for further information or explanation of duties under this plan are as follows:

Clay Horne	Regional Wind Site Manager

8.3. Training

1. All NextEra Energy Resources employees at the site shall receive training on this Emergency Action Plan whenever it is modified or on an annual basis.

2. Employees shall also be trained when this Plan is initially implemented.

3. If the facility has an alarm system, each plant employee, visitor and contractor shall understand the types of local plant alarms and what they are expected to do in the event of each alarm. The plant safety team must assure that the alarms are audible at all plant buildings and locations.

4. Contractors and visitors shall receive the PGD and site-specific Contractor and Visitor Orientation to be informed of site emergency procedure alarms, muster areas and evacuation procedures before they begin work on the site for the first time; and at least annually thereafter. They need to be on site to get the orientation A listing of contractors with current training on this Emergency Action Plan will be maintained at the facility for reference purposes.

8.4. Facility Location Information for Outside Emergency Responders

1. The Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) O&M building is located at 72322 Strawberry Lane, Lexington, Oregon, 97839.

2. Outside responders can gain access to the facility from Strawberry Lane.

   The entrance road is Strawberry Lane

8.5. Fire Responder Information

1. Name of Local Fire Department: Lexington Fire Department

2. Address of Local Fire Department:

Lexington Volunteer Fire Department

150 W Main ST

Lexington, OR 97839

3. Distance from the site: 11 miles / Distance from the site 14 minutes

4. Volunteer Fire Department OR Regular (Fully manned 24/7): Volunteer

Phone number: (541) 989-8515

8.6. General Emergency Procedure

1. This Plan was developed for the following plausible contingencies that could transpire at the facility:

    a. Natural Disaster /Severe Weather Event (APPENDIX 1)
    b. Fire Response Event (APPENDIX 2)
    c. Physical Security Event (APPENDIX 3)
    d. Cyber Security Event (APPENDIX 4)
    e. Capacity/Transmission Event (APPENDIX 5)
    f. Environmental Event (APPENDIX 6)
    g. Gas Pipeline Event (APPENDIX 7)
    h. Oil Pipeline Event (APPENDIX 8)
    i. Pandemic Event (APPENDIX 9)
    j. Immediate Site Evacuation Procedure (APPENDIX 10)
    k. Delayed Site Evacuation Procedure (APPENDIX 11)
    l. Designated Egress Routes & Muster Areas for Evacuations (APPENDIX 12)
    m. Personnel Injuries and Serious Health Conditions (APPENDIX 13)

2. It shall be the responsibility of the site leader to assess a developing emergency and initiate the appropriate actions in this plan to protect personnel, the surrounding environment, and plant equipment from adverse damages.

3. In the event of an emergency where personnel shall be protected, the following actions will be immediately performed:

    a. Contact 911 immediately.
    b. Ensure that the following are also contacted:

Title	**Name**	**Office Phone**	**Cell Phone**	**Home Phone**
Site Leader	Charles Thomsen	509-386-4308	509-386-4308	N/A
Emergency Coordinator	Jana Lehn	541-256-0587	541-256-0587	N/A
FCC	N/A	(561) 694-3600	N/A	N/A
ROCC	N/A	(561) 694-3636	N/A	N/A
Security Operations	N/A	(561) 694-5000	N/A	N/A

4. Any work-related permits in effect shall be immediately voided, and personnel involved in such work shall cease all activities.

5. All sources of ignition, including hot work, burning cigarettes, portable tools and motor vehicles shall be immediately secured.

6. Based upon the type and extent of the emergency, the site leader shall assess whether an evacuation should be initiated.

7. The following criteria should be considered in rendering a decision to conduct an evacuation of the facility:

    a. The affected parts of the facility and severity of the emergency.

    c. Restrictions in Egress routes caused by the emergency.

    d. Wind direction (if the emergency involves gases/vapors)

    e. Sustained wind speed is greater than 40 mph

    f. People currently located at the facility (day shift, night/weekend shift, visitors/contractors, etc.)

    g. If the Site/Plant Leader determines that a facility evacuation is necessary, he/she must determine which type of evacuation to direct.

8. The following sections describe the types of evacuations that can be performed:

    1) Immediate Site Evacuation

        i. This type of evacuation would be used only in the event of an emergency grave enough to warrant immediate evacuation of all personnel.

        ii. In this type of evacuation, operating area personnel shall evacuate without regard for shutdown of plant systems or for placing plant systems in the safest mode possible.

        iii. This type of evacuation shall only be utilized if the safety of personnel in operating areas is in immediate and severe danger, such that any delay in evacuating could result in deaths or injuries to personnel.

        iv. The production leader will designate production technicians to assist with the evacuation of any employee, visitor or contractor who may have special needs that could limit their ability to evacuate safely.

    2) Delayed Site Evacuation

        i. This type of evacuation would be used in a serious emergency situation where non-essential personnel (those not involved in plant operations or emergency coordination) are immediately evacuated as a precaution, and essential personnel remain in operating areas to perform a controlled shutdown of the facility prior to evacuating.

        ii. It is anticipated that this would be the primary type of evacuation used in response to serious emergencies at the facility.

This is a copy of the CONTROLLED document.
Documents are required to be verified current with PGD Operational Model prior to use.

iii. The Site/Plant Leader and/or Facility Emergency Coordinator must assess whether or not the prevailing circumstances warrant keeping essential personnel in plant operating areas to perform a controlled shutdown of the facility.

iv. If personnel will not be exposed to unnecessary danger to perform facility shutdown and/or place the facility into a safe condition, then this is the preferred type of evacuation, as opposed to an Immediate Site Evacuation.

9. Although the Site Leader or Emergency Coordinator may initially designate an evacuation to be a Delayed Site Evacuation, they shall always be mindful conditions may change rapidly, and result in the need to call for an immediate Site Evacuation.

10. If the Site/Plant Leader (or Facility Emergency Coordinator, as appropriate) determines that an evacuation is necessary, he/she shall ensure that a sounding of the plant alarm is initiated.

    a. In this case, an evacuation alarm will be sounded, and all employees/visitors accounted for.

    b. The Site Leader or Emergency Coordinator shall designate an employee(s) to assist in evacuation of any employee, visitor, or contractor who may have special needs that could limit their ability to evacuate safely

11. If an evacuation has been directed, and following the sounding of the evacuation alarm, the Site/Plant Leader shall ensure that instructions for evacuation are communicated to personnel over the site/plant radio system. These instructions should include the following items at a minimum:

    a. The type of evacuation to be performed (Immediate Site Evacuation or Delayed Site Evacuation)

    b. The nature of the emergency

    c. The location(s) of the emergency

    d. Any egress routes that should not be used by evacuating personnel (if known and applicable)

12. If an evacuation has been ordered, personnel shall follow one of the following evacuation procedures, as appropriate, based upon the direction of the Site/Plant Leader and/or Facility Emergency Coordinator:

    a. Immediate Site Evacuation Procedure (APPENDIX 10)

    b. Delayed Site Evacuation Procedure (APPENDIX 11)

    c. Perform the appropriate follow-up per the appendices listed on 8.5.1 above.

8.7. Emergency Action Plan Annual Drills

1. It is the responsibility of the Site Leader to ensure FOUR Emergency Action Plan Drills are performed each year.

2. Emergency Action Plan Drills are to be held quarterly to ensure all site teammates have gone through at least one drill per year
   a. The type and content of drill (full functional drill, table top, etc.) will be determined by the site leader based on current needs. Suggested drill type list.
   b. At least one of the quarterly drills SHALL be a fire drill

3. In addition to performing the drills, the Emergency Action Plan must be reviewed for accuracy.

   a. Make updates as required and forward revised plan to the Plant / Site emergency coordinator. As applicable, concurrently update the iRAMF application to reflect any Emergency Action Plan changes.
      b. Ensure site team has been trained on any changes.

4. Each drill's content will be determined by the site leader based on current needs.

5. Every site should have (and practice) an alternate emergency evacuation path. The type of drill (table top, full functional drill, etc.) will be determined by the site leader based on current needs, but it must include a documented evacuation of the O&M / service building.

6. The targeted drill response time is less than 4 minutes, monitor and record the response time to determine if all employees responded in a timely manner.

7. Every site should have an identified off site muster area.

8. Each site shall contact the ROCC/FCC as part of the drill. (See Technology Table in section 5.0 Definitions)

9. A roster of drill attendees and date of drill will be filed with sites' Emergency Action Plan documents

10. Any gaps or action items that are a result of the drill will be identified, resolved, fully documented, and filed with the sites' Emergency Action Plan documents.

Note: That MAXIMO is to be used to document actual tasks to be completed to close gaps.

End of Procedure

APPENDIX 1 NATURAL DISASTER / SEVERE WEATHER EVENT

1. Natural emergencies considered in this procedure are associated with weather disturbances such as tornadoes, flooding, hurricanes, blizzards, high wind conditions, earthquakes, wildfires and severe thunderstorms. Flooding waters, lightning, high winds and heavy rains may be detrimental to the employees and/or equipment and structures at the facility. Warnings about developing weather emergencies are issued by local radio stations or tracked by onsite weather systems. These warnings should provide adequate information of the approach of weather-related emergency conditions. The Plant Leader at the facility has several means to monitor these weather-related emergencies. These include:

    - Internet access to weather-related web-sites;
    - AM/FM radio to monitor local news stations
    - Weather Sentry
    - PGDAPPS WeatherSentry Online

2. When information is received that a severe weather watch has been issued for the facility area the following actions shall be taken:

    a. Site Leader shall notify the General Manager.
    b. General Manager shall make a determination about whether or not the plant should be shut down due to the weather situation.
    c. Personnel shall seek indoor shelter in the plant in a designated secure location, or other reinforced structure. Personnel should remain indoors if the severe weather is affecting the immediate area of the facility.

Note: Earthquake preparedness - At Home - At Work - At Play: Earthquake Safety Checklist

3. In the event of a natural disaster / severe weather event, where advance warning is known, such as a hurricane, blizzard, etc. the plant / site personnel shall closely coordinate with the PGD Emergency Response Coordinator, during pre and post event activities.

4. In the event of a severe weather / natural earth process event such as a severe thunderstorm, high wind conditions, earthquake, etc. where advance warning may not be known, the plant / site shall refer to the site specific operating plans to take the actions necessary to assure the safety of all employees and the public. Additionally, site personnel will take reasonable action to prepare for the event to address environmental exposure and the securing of equipment, consistent with the event conditions. However, under no circumstances are personnel to place themselves in harm's way.

5. The following list represents actions that should be taken at the site in order for it to be secured The listing is not intended to be all inclusive and will vary in applicability pending advance warning of the on-set of the event.

    - Ensure all personnel evacuate towers if lightning is in the area or if there are other unsafe conditions that warrant climbing to be unsafe.
    - Ensure site personnel are safe and accounted for.
    - Review staffing levels and arrange for additional staffing "Storm Riders" as applicable
    - Secure plant equipment as necessary and as weather conditions permit, noting to properly follow established guidelines to safeguard personnel while working outdoors in

preparation for severe weather. Reference the Wind Speed Matrix in SMS 247 - Severe Weather Guidelines to assess preparation work conditions.

- Seek safe shelter. If in your vehicle in winter, ensure survival kit and enough gas is in place.
- Ensure all portable equipment is stored indoors.
- Ensure that switchgear, load center, and tower doors are closed and latched.
- Ensure that the building doors are closed and latched.
- Place all trashcans in locations not exposed to weather.
- Make a general housekeeping inspection and ensure that all loose objects and debris that could potentially become airborne are secured or inside.
- Ensure all radios are fully charged.
- Secure all CONEX Storage buildings.
  Note: Use caution when using self-locking CONEX box as a teammate(s) may get trapped from the inside.
- Monitor the weather conditions.
- Ensure that there is an ice plan for walkways
- Ensure all compartments accessory doors and closed and latched.
- Ensure all sump pumps are in good working condition.
- Ensure the proper condition and location of all mobile and gantry cranes, hoists, and booms.
- Test the DC emergency and other back-up systems

6. Person in charge or his/her designee will

   - Monitor the weather radio, TV or other monitoring equipment, and report any changes in the situation that could affect plant / site personnel and / or equipment to the Person in Charge.
   - Ensure sustained wind speeds are not greater than 39 mph before sending personnel outside plant buildings
   - Sound plant alarm system if a tornado or other similar severe weather warning is issued.
   - Follow instructions from the Person in Charge in the case of equipment shutdown is necessary.
   - Notify the FCC of the potential of a severe weather / natural earth process event.

7. Operations:

   - Operate the plant consistent with instructions provided from the Transmission Operator (TOP). If, the instructions cannot be followed, i.e. safety, environmental, reliability, etc. immediately notify the Transmission Operator to discuss and alternative operating actions. Document discussions in the Operators log.
   - When conditions are “forecasted” such high winds associated with a hurricane, or other related conditions such as floods and / or storm surge, considerations for equipment shutdown should be taken consistent with the PGD Hurricane Management Plan (“White Paper”) and site specific operating plans.

Note: The decision to remove units from service will be discussed between Plant Management / Person in charge, the PGD Emergency Response Coordinator, appropriate VP of Operation in conjunction with the respective Transmission Operator, to produce the operation plan for the plant.

PGD Emergency Preparedness SharePoint Page

APPENDIX 2 FIRE EVENT RESPONSE

This appendix describes measures the site shall take to prevent or minimize potential fire severity and to safely respond to a fire emergency. Refer to SMS 222 Fire Prevention and Life Safety.

In the event that a fire occurs, the safe and expedient response actions are essential to protect the health, life, and safety of personnel, the environment, and minimize equipment damage. Sites shall have a list and location map of fire extinguishers.

Person in Charge (PIC) Responsibilities

The PIC shall determine the following:

1. Need to muster or evacuate personnel

    a) In this event, teammates shall remain in muster location until the “all clear” is issued by Unified Command or the PIC

2. Equipment or activities to be shutdown, stopped, or isolated

3. IF Renewable Site - Report Fire to ROCC

4. IF Fossil, Instruct Control Room to notify local Fire Rescue and EMS

    OR IF Renewable Site - PIC will notify local Fire Rescue and EMS

    a) In the event local Fire Rescue or EMS is dispatched, designate site personnel to escort Fire Rescue, EMS, and HAZMAT to the fire location and provide specific information about equipment, hazardous chemicals, electrical sources, fuels, lithium-ion batteries, or other risks. NOTE: Fire Rescue once on site, shall then assume situational control.

    b) Refer to off-normal procedures for specific actions as applicable.

RACE Protocol

A person discovering a fire shall follow the **RACE** protocol as described below:

Rescue anyone in danger (only if safe to attempt);

Alarm, call the ROCC (via plant phone, cell, or 2-way radio) to report the fire: Person in Charge (PIC) shall make the determination to call 911 and sound the alarm

Report the following:

1. Explain the location and cause, if known, of fire
2. List the injuries, if any, that have occurred
3. Relay any actions, if any, that have been taken to extinguish an incipient stage fire

Contain the fire (only if safe to do so)

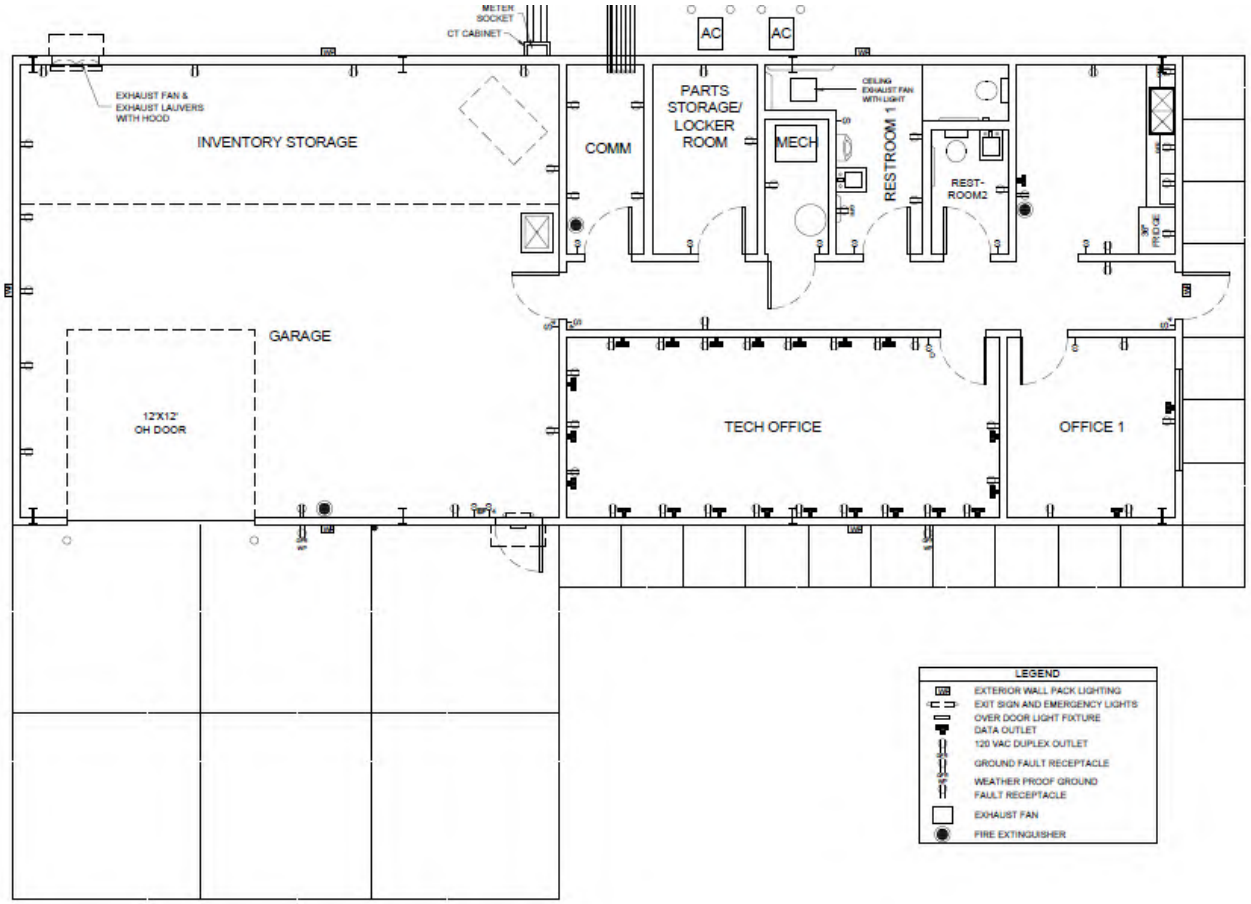
Extinguish the incipient stage fire (only if trained and it is safe to do so)

A person discovering a fire in an incipient stage shall choose to attempt extinguishing the fire only if the following two criteria are met:

1. Fire can be extinguished or controlled with 1 portable fire extinguisher, and
2. They perceive an adequate level of safety to extinguish the fire

Note: Fire-fighting efforts beyond incipient stage shall be performed by only local Fire Rescue

Fire Extinguisher Deployment Plot



Attachment 1, List of Major Fire Hazards

Wheatridge Renewable Energy Facility I (WREFI), Wheatridge Renewable Energy Facility II (WREFII) and Wheatridge Renewable Energy Facility III (Solar and BESS) Major Fire Hazards Risk Management

List of all major fire hazards, proper handling and storage procedures for hazardous materials, potential ignition sources and their control, and the type of fire protection equipment necessary to control each major hazard

Fire Hazard	Location	Handling/Storage Procedures	Potential Ignition Source	Ignition Source Control Method	Fire Protection
Trash	Warehouse	Properly stored trash containers	Smoking, any hot work	No smoking in shop, hot work permit requirements	Class ABC Fire Extinguisher
Oily Debris/Oil	Oil Storage Building	Properly grounded drums, no hot work	Static, spontaneous combustion	No smoking in area, no mixing chemicals/cleaners, grounded drums	Class ABC Fire Extinguisher
Propane Tank (building supply)	Behind O&M building	No Smoking or hot work anywhere near propane tank	Smoking, hot work	No smoking sign, flammable gas sign	Class ABC Fire Extinguisher/Fire Department
Propane tank storage cage	Near O&M garage door	Locked and closed at all times, remove tanks only for immediate use	Smoking, hot work	No smoking sign	Class ABC Fire Extinguisher
Flammable Cabinet	O&M Shop	Only store approved chemicals and ensure charcoal filters are in place	Smoking, hot work, improper grounding	Signage on flam cabinet, proper grounding	Class ABC Fire Extinguisher
Batteries	Containment Building	Cover terminals and label accumulation date	Spontaneous if grounded	Cover terminals and do not smoke or introduce ignition source	Class ABC Fire Extinguisher
Solar Batteries	Battery Skids	Follow Samsung Battery Handling and storage procedures	Spontaneous if heat parameters are exceeded or become grounded	Follow handling and storage procedures and maintain HVAC systems	Dry Chemical suppression – do not attempt to extinguish once fire is past incipient stage

Note: Fire extinguishers shall only to be used for small incipient stage fires. Only trained firefighters shall attempt to mitigate a fire that is beyond the incipient stage. Portable fire extinguishers are classified according to their size and intended use on four classes of fires. The general operating instructions can be remembered by the letters P-A-S-S.

Pull the pin at top of the extinguisher (that keeps the handle from being pressed)
Aim the nozzle toward the base of the fire
Squeeze the handle to discharge the agent inside (15-30 seconds of discharge time)
Sweep the nozzle back and forth at base of the flames to disperse the extinguishing agent

Fire Classifications

Class A - Fires involving ordinary combustible materials (e.g., wood, cloth, paper, many plastics) Water as a cooling or quenching effect to reduce temperature of burning material below ignition temperature.

Class B - Fires involving flammable liquids and gases. Smothering or blanketing effect of oxygen exclusion is effective.

Class C - Fires involving energized electrical equipment. always attempt to de-energize high voltage circuits and treat as a Class A or B fire depending upon the fuel involved.

Class D - Fires including combustible metals such as magnesium, titanium, and potassium. Extremely high temperature of burning metals makes water and other common extinguishing agents ineffective.

Class K - Fires involving cooking products (fats, grease, oils). These extinguishers work on the principle of saponification.

Special Risks

Special risks include sites with anhydrous ammonia and lithium-ion batteries. These sites shall develop additional safety measures to include:

1. Hazard signage (conforming to SMS 270 Safety Signs, Barriers, and Equipment Tags) at site access point(s) on each battery storage building

2. Maintain fire detection and fire extinguishing systems in operable condition

3. Develop and maintain hazard specific procedures (i.e. off-normal procedures) for managing fire events

This is a copy of the CONTROLLED document.
Documents are required to be verified current with PGD Operational Model prior to use.

APPENDIX 3 PHYSICAL SECURITY EVENT

The purpose of this document is to describe the roles, responsibilities, and the associated actions in response to PHYSICAL SECURITY incidents, which includes but is not limited to INTRUSION, DRONES, BOMB THREATS, SABOTAGE, VANDALISM, TERRORISM or OTHER security events at a PGD facility.

Physical Security Definitions:

1. **Bomb Threat:** A threat, usually verbal or written, to detonate an explosive or incendiary device to cause property damage, death, or injuries, whether or not such a device actually exists.
2. **Facility:** A set of electrical equipment that operates as a single Bulk Electric System Element (e.g., a line, a generator, a shunt compensator, transformer, etc.)
3. **Intrusion:** The unauthorized / illegal entrance to a facility.
4. **Sabotage**: A willful and malicious act with the apparent intent of disrupting normal operations of PGD facilities; specifically, for generation and transmission facilities, a willful and malicious act with the apparent intent of interrupting or reducing production of power plants or transmission facilities. Examples include but are not limited to suspicious packages, bomb threats; unusual occurrences suspected or determined to be caused by physical, cyber or communication attacks that could affect electric power system reliability.
5. **Suspicious Substance:** Includes powders and liquids that present a threat of human exposure to harmful agents. A suspicious substance could also be a package and should be considered for explosives and radioactivity.
    - **NOTE:** If the site identifies a suspicious substance or package they shall follow the Corporate Suspicious Substance Response Guidelines
6. **Vandalism**: The intentional destruction of PGD property. Examples include but are not limited to defacing company property, breaking windows, placing glue into locks, tire slashing, damaging a physical security system, and damaging a computer system.

Person/site experiencing the potential Physical Security incident:

All PGD employees have an obligation to report Physical Security events, including disturbances and/or unusual occurrences on PGD facilities that are suspected or known to be an act of / or actual occurrence of intrusion, receipt of a bomb threat, known or suspected acts of sabotage or vandalism, etc. The person discovering/witnessing the potential Physical Security incident shall immediately report the incident to:

1. Your immediate Supervisor
2. Security Operations at 561-694-5000

If the incident involves a Power Generation Division generating facility, then the following additional contacts must also be made:

3. FCC/ROCC
4. Local Law Enforcement
5. FPL System Operator if the incident is at an FPL facility (305-442-5744)

During the report describe what you have discovered/witnessed and the location of the affected facilities to include the items outlined below, as available:

a) Date and time of the incident

b) Description of the incident
c) Likely target
d) Number of people involved
e) Suspect and/or vehicle information
f) Type of equipment or material used for the activity
g) Generation capacity affected in Megawatts
h) Was there an actual or suspected physical attack that could cause a major impact to the Bulk Electrical System (e.g. generator, transformer, fuel supply)?
i) Was there any destruction of any security systems (cameras, badge readers, security barriers, locks) or any of its components?
j) Was there any actual or suspected cyber or communication attack that could impact the Bulk Electrical System adequacy or vulnerability? (See the Cyber Security Response section for more details regarding Cyber Security events)
k) Are there mitigation measures in place to correct the event?
l) Name and contact number for the point of contact

Has local law enforcement been notified by the reporting person/site? If yes, provide the contact information and case number if available. If not, work with Security Operations to determine the need to contact local law enforcement.

RECOGNIZING ACTS OF TERRORISM, HOSTILE INTRUDER & SIGNS OF POTENTIAL VIOLENCE

If a Hostile Intruder enters the Wheatridge Renewable Energy Facility I (WREFI) and Wheatridge Renewable Energy Facility II (WREFII), each person shall quickly determine the most reasonable way to protect his/her own life. Visitors and contractors are likely to follow the lead of employees and managers during a hostile intruder situation.

During such an event, each person shall take the following actions, accordingly:

1. EVACUATE
   - Have an escape route and plan in mind
   - Leave your belongings behind
   - Keep hands visible

2. HIDE OUT
   - Hide in area out of intruder's view
   - Block entry to your hiding place and lock the doors
   - Mute or turn off your cell phone

3. TAKE ACTION (As last resort and only when your life is in imminent danger)
   - Attempt to incapacitate the intruder
   - Act with physical aggression and throw items at the intruder

Note: Keep cell phones on mute/vibrate

4. Call 911 when it is safe to do so.

For additional information refer to Corporate Security Policy, Procedure #NEE-SEC-1720. Hostile Intruder Response Procedure.

An active shooter may be a current or former employee, or an outsider. Call Security Operations Center (SOC) at 561 694- 5000 if is believe an employee exhibits potentially violent behavior.

For employees, Indicators of potentially violent behavior may include one of the following:

- Increased use of alcohol and/or illegal drugs
- Unexplained increase in absenteeism, and/or vague physical complaints
- Depression/Withdrawal; Increased talk of problems at home
- Increased severe mood swings, noticeably unstable or emotional responses
- Increase in unsolicited comments about violence, firearms, other dangerous weapons and crimes

For additional information refer to Corporate Security Safe and Secure Workplace Policies, Procedure #NEE-SEC-1768

In the event that the site receives threatening correspondence either by phone or by other means of communications, the following actions should be performed immediately:

1. Actions by the person receiving the threat:

    a. Gather as much information as possible from the person making the threat.
    b. If the threat is via written correspondence, place the correspondence in a location in which it will not be touched or otherwise disturbed until police can be contacted.
    c. If the threat is being made verbally (phone, or other), communicate and obtain information from the individual making the threat for as long as possible. For phone threats note the time of the call, do not interrupt the caller and describe the tone of voice as well as any background sounds.
    d. Inform the Site/Plant Leader and/or General Manager of the situation.
    e. Contact Security Operations Center (SOC) at 561-694-5000
    f. Contact local law enforcement, as applicable (e.g. 911)
    g. Contact the (FCC) at 561-694-3600 or (ROCC) at 561-694-6363 (See Technology Table in section 5.0 Definitions)
    h. Communicate the Physical Security Event to all on-site personnel.
    i. Document / update the event in the Service Request application in Maximo.
    j. Refer to the PGD Sabotage Reporting procedure at: NEE-SEC-1764 - Security Notifications and Event Reporting
    k. This document should be consulted in order to assure adherence to the latest definitions and reporting instructions for sabotage and vandalism.
    l. Refer to the following procedure: PGD NERC Disturbance and Security Event Reporting EOP-004 Operating Plan

2. During the report describe what you have discovered/witnessed and the location of the affected facilities to include the items outlined below, as available:

    - The date and time of the incident
    - Description of the incident
    - Likely target
    - Number of people involved
    - Suspect and/or vehicle information
    - Type of equipment or material used for the activity
    - Generation capacity affected in Megawatts

- Was there an actual or suspected physical attack that could cause a major impact to the Bulk Electrical System (e.g. generator, transformer, fuel supply)?
- Was there any destruction of any security systems (cameras, badge readers, security barriers, locks) or any of its components?
- Was there any actual or suspected cyber or communication attack that could impact the Bulk Electrical System adequacy or vulnerability? (See the Cyber Security Response section for more details regarding Cyber Security events)
- Are there mitigation measures in place to correct the event?
- The name and contact number for the point of contact

3. The Plant Leader and/or General Manager may consider any or all the following actions to take in response to the threat situation, depending upon the circumstances of the threat:

    - Order an evacuation of the facility
    - Never use radios or use cell phones near a suspected bomb
    - Call 911 for Police or Fire Assistance if they have not already been notified
    - Arrange for additional security personnel for the facility.
    - Direct plant personnel to commence a controlled shutdown of the facility.
    - Direct searches to be performed on vehicles entering the facility.

Note: The latest version of the corporate bomb threat report may be found through the following link: Bomb Threat Form

Refer to the following procedure: NEE-SEC-1760 – Responding to Bomb Threats

In case of an evacuation due to a bomb threat, please refer to the information below to maintain a safe distance.



Note: At the first sign of a potential intruder trespassing into an accessible tall structure at the site, immediately proceed to back off, observe from a safe distance and call Corporate Security as well as the Local Law Enforcement. Law enforcement responders are trained to protect and serve their communities. Emergency responders from the local law enforcement department may require a quick training/briefing to safely enter and climb the structure (if applicable) as well as fall protection

equipment. After they provide a verbal command to the potential intruder(s), they may need access the structure. To the extent possible, facilitate their ability to enter without interfering with their efforts.

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APPENDIX 4 - CYBER SECURITY EVENT

Detection:

1. Site personnel may take the role of a First Responder when they become aware of a cyber-incident or the potential for a cyber-incident from any of the following sources:
   - System page/email alert to an administrator/operator.
   - Employee or BU that first recognizes a potential incident that needs to be reported to NEE Security Operations Center.
   - Notification from the ROCC
   - Business Unit contacted by external agency: e.g., NERC, FERC, SERC, another outside source.
   - Outside source Notification may come as part of NEE's Security Notifications and Event Reporting Policy (NEE-SEC-1764 - Security Notifications and Event Reporting).
   -
2. Site must quickly assess if event is a cyber incident. This may require support from the ROCC, IT, Fleet Teams, Vendors, Information Security, etc. If this cannot be quickly determined, site must assume incident is cyber related and proceed with Response.

Response:

3. Site coordinates with ROCC makes the unit safe or stabilizes the unit as needed for the protection of personnel, environment and equipment, and plans the recovery if appropriate.

Use chart below for guidance of actions based on observations and/or unit conditions

Potential Operator Actions	Observations/Unit Conditions
Monitor Only	• Event appears to impact only corporate business applications and functions (IT only) • Units are not behaving erratic • All noted indications appear normal and appropriate (can validate using local indicators)
Place site in local SCADA control *(off AGC)*	• Notification of system compromise from the ROCC • Unit not responding to remote AGC setpoints or moving without AGC setpoint changes
Disconnect Control network from the IT network *(Island the site)* *Use your sites Off Normal Event procedure* ***"OT Disconnect Procedure"*** *for details to help identify locations of the network devices needed for OT disconnection* ***Possibly remove all units from service***	• Loss of local HMI's (if applicable) • Plant SCADA Networks slow/unresponsive • Multiple wind turbine/inverter trips with no obvious root cause • Suspected/abnormal alarms and/or unit indications • Loss of ability to control from ROCC using SCADA (Non-Responsive) • Observed unauthorized remote control of local SCADA servers • Under the directive of IT/CSIRP/I&C Fleet/ROCC/Renewables Fleet Teams

- First Responder should be prepared to describe the incident in detail to the Security Operations Center (SOC). The First Responder is not required to investigate and determine if the event is an actual cyber security incident.

- First Responder shall notify their Immediate Supervisor and the ROCC

4. Site Communicates to the appropriate parties which will trigger our Cyber Security Incident Response Plan (CSIRP), via available mode of communication (e.g. Cell phones, Satellite phones, Harris Radios, etc.).

a. Immediate Supervisor

b. Security Operations Center (561-694-5000) or the ITSC (305-552-4357)

c. Plant General or Regional Manager

d. ROCC (FPDC will release awareness notification)

- ROCC will follow PGD-JB-FPDC-ON 1315181201 NERC Security and Event Reporting EOP-004-2 Operating Plan for cyber-attack reporting purposes

e. Local Emergency Services, if appropriate

5. Plant shall follow directions as provided by Corporate CSIRP Team.

If possible, preserve current state of cyber devices for forensic evidence (e.g. don't disconnect, reset, reboot or power cycle) unless instructed to do so

Recovery:

6. Recovery instructions will be provided post event by Corporate CSIRP Team with EOSS support.

APPENDIX 5 CAPACITY / TRANSMISSION EVENT

Plant Site Roles and Responsibilities

1. Site Leader, ROCC Operator, or Person receiving CAPACITY SHORTFALL

   a. If the communication of a Capacity Short-Fall is for informational purposes and no Operator action is required the individual receiving the communication shall notify the ROCC, Site Leader/Plant Leader or other person in charge providing the information outlined below as available.

b. If the communication of a Capacity Short-Fall requires Operator Action the ROCC Operator or Person receiving a CAPACITY SHORTFALL notification from the respective Transmission Operator or other Reliability Entity e.g. Balancing Authority, Reliability Coordinator, shall immediately comply with directive / operating instructions received from the Transmission Operator or provide an explanation as to why the directive / operation instruction cannot be performed e.g., safety, environmental, reliability, regulatory, etc.

c. Three-part communication with the Reliability Entity shall be used and the communication shall be logged. The ROCC, Site Leader / Plant Leader or other person in charge shall be contacted and provided the information outlined below as available.
    1) Content of communication from the Reliability Entity
    2) Name of individual who called
    3) Time of call
    4) The general communication received, or the directive / operating instruction received.

2. Site leader/Plant Leader or other Person in Charge

    a. In response to receiving a CAPACITY SHORTFALL communication, the Site leader/Plant Leader or other Person in Charge will:

        1) Validate the notification with Transmission Operator if appropriate
        2) Validate the notification with the ROCC
        3) Once validated, Direct the CRO to follow the notification instructions
        4) Communicate the notification to site management

    b. If site management is not available, communicate directly with the Operations VP.
    c. For a NEER facility also contact project business management and ensure that other facility agreements are not violated. It is recommended that the potential for Transmission Operator requests should be vetted and documented before commercial operation of the facility.

        1) Communicate notification to the ROCC
        2) Prepare and review procedures for maximizing output and energy conservation
        3) Advise site personnel not to perform any discretionary maintenance, testing or evolutions (with the exception of approved thermal performance testing) which could present a risk to generation

3. All other site personnel not directly involved with responding

4. All other personnel that are not directly involved with responding to the CAPACITY SHORTFALL shall not perform any maintenance or activities that would put Mega Watts (MW's) at risk.

APPENDIX 6 ENVIRONMENTAL EVENT

The spill or release of any chemical, oil, fuels or Heat Transfer Fluid (HTF) is a potentially serious event, and appropriate response actions must be taken to minimize health hazards to personnel, as well as potential impacts to the environment. It is the policy of the facility that plant personnel will not respond to spills/releases but will instead call for trained outside responders to perform this function. For the purpose of clarification to plant personnel, the term “respond” in this context refers to actions taken to perform cleanup operations of spilled substances, and in some cases may even take the meaning of actually stopping the source of a spill. Taking basic response actions to a spill such as setting up barricades, placing containment media and stopping spills in situations such as the Step 1 Example below should not be construed to be acting in the role of a “responder”, as it is defined in OSHA HAZWOPER regulations.

The basic actions to be taken in response to a chemical, oil, fuels or HTF spill or release are the following:

1. If the spill or release is the direct result of an operational action performed on the system from which the release has originated, the person who performed the action should attempt to stop the release (if possible) if it can be stopped without incurring additional personal exposure to the substance.

   Example: A person opens the drain valve on a line that results in an unexpected release. If the person can immediately stop the release by closing the valve, this action should be taken if no additional exposure to the chemical will occur by doing so.

2. The person discovering a spill/release should immediately move to a location that is a safe distance upwind from the affected area,

   a. If it is safe to do so under prevailing conditions, remain within observation distance.
   b. If safe conditions are in doubt, do not risk exposure – leave the area immediately.

3. The person discovering the spill should look for other personnel in the area and warn them by any means available of the event that has occurred. The Site/Plant Leader should be notified immediately over the radio. Information provided should include all the following that are known:

   a. What type of chemical has been spilled/released?
   b. Location of the spill/release.
   c. If source of the spill/release has been stopped.
   d. If injuries or chemical exposure has occurred to personnel.
   e. Boundaries describing the area of the spill.
   f. Whether or not the spill is contained.
   g. Quantity released (if it can be estimated).
   h. Environmental Impacts (water bodies, streams, ground, roadways)

4. The Site/Plant Leader shall determine based upon the report from the person discovering the spill, whether the circumstances pose a threat to the surrounding community or the environment. If there is any threat to the surrounding community requiring the immediate response of public Emergency Response personnel, the person in charge shall immediately contact 911. The Site Leader shall also contact at least one of the following specialized emergency responders:

Organization	Expected Response Time	Contact Number
Heppner Volunteer Fire Department	.5 hrs.	541-676-2922 or 541-980-7962 or 911

5. At the Wheatridge site, some potential spills have a specific response plans/guidance that must be followed:

    a. SPCC

6. The Site/Plant Leader shall notify the Site/Plant Environmental Lead as soon as possible after an Environmental Event has been detected. The Site/Plant Environmental Lead shall contact the ES PGD Operations Support Director or Manager and follow the EMS-0300 Environmental Event Response Procedure – 1810251303 to determine regulatory reporting requirements.

7. If applicable, the Site Leader or the Site Environmental Leader shall closely coordinate with the PGD Emergency Response Coordinator, during pre and post event activities.

8. While remaining at a safe distance upwind from the spill/release, the person discovering the spill shall locate and place temporary containment around the outer boundaries of the spill, and place absorbent mats over any site drains that are near the location of the spill.

Note: This shall be performed only if it is safe to do so without risking chemical exposure.

9. The person discovering the spill shall attempt to barricade, restrict access or otherwise mark off safe boundaries around the spill to prevent others from inadvertently approaching the spill area.

Note: This shall be performed only if it is safe to do so without risking chemical exposure.

10. The person discovering the spill shall remain at a safe distance from the source of the spill/release until additional assistance or instructions are received.

11. Unless the person discovering the spill has reported unsafe conditions for approach of the area, the Environmental Lead shall immediately proceed to the spill area to evaluate severity of the incident.

Note: If any personnel are discovered to the unconscious or otherwise incapacitated upon approach to the spill scene, all personnel shall immediately move upwind away to a safe distance from the unknown threat

12. The Site Leader shall evaluate the adequacy of containment, barricades, and any other efforts that have been taken to prevent the spill from migrating to any additional areas or systems, and direct additional actions to be performed (unless it is deemed that any additional actions are unsafe to perform).

13. Once the Leader (or Emergency Coordinator, as appropriate) has determined that adequate containment and barricading of the spill area exists, they shall ensure that an adequately trained observer remains positioned a safe distance from the scene to observe the status of the spill and arrange for cleanup/mitigation actions

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APPENDIX 7 GAS PIPELINE EVENT

Fuel Pipeline/Asset events have the potential to cause both safety and environmental risks. It is critical to understand your role and to have scheduled drills to prepare to react if such an incident were to occur.

Note: Natural gas is classed as a simple asphyxiant, meaning it has little or no toxic effects but can bring about unconsciousness and death by replacing air and thus depriving people of oxygen.The table below depicts the actions of the first individual discovering the event.

INITIAL RESPONSE ACTIONS **ONSITE RESPONSE TEAM**
1. **Make an Immediate Assessment of the Incident** & take actions to protect life and ensure safety of personnel. Determine: • Type & quantity of material released • Location & status of material released (contained/uncontained) • Status of source: (controlled/uncontrolled) • Status of all personnel/injuries
2. **Stop the Discharge & Shutoff Ignition Sources**, if safe to do so. (e.g., act quickly to secure pumps, valves, motors, open flames, etc.). If the incident is clearly the result of an operation that the Observer/First Responder can control safely, take immediate steps to correct the operation.
3.**Warn Personnel** – Alert the ROCC for them to complete the notification process & all facility personnel at or near the incident scene. The notifications by the ROCC shall include 911, Corporate Security, VP of Operations, Emergency Response Coordinator. **Note:** The ROCC will contact PGD Emergency Response Coordinator
4. **Isolate & Secure the Incident Scene -** Account for all personnel & evacuate nonessential personnel upwind of the area.
5. **Direct Termination of Appropriate Facility Operations** for the safety of personnel if necessary.
6. **Activate Site's Response Plan and all Necessary Response Organizations** (i.e., Onsite Response Team; Corporate Response Team; 911 as necessary)
7. **Establish Incident Command Post** with the following ICS roles: Command Staff, Finance, Logistics, Operations, and Planning.

APPENDIX 8 OIL PIPELINE EVENT

The spill or release of oil is a potentially serious event, and appropriate response actions must be taken to minimize health hazards to personnel, as well as potential impacts to the environment. It is the policy of the facility that plant personnel will not respond to spills/releases but will instead call for trained outside responders to perform this function. For the purpose of clarification to plant personnel, the term "respond" in this context refers to actions taken to perform cleanup operations of spilled substances, and in some cases may even take the meaning of actually stopping the source of a spill.

The person discovering a spill/release should immediately move to a location that is a safe distance from the affected area,

- If it is safe to do so under prevailing conditions, remain within observation distance.
- If safe conditions are in doubt, do not risk exposure – leave the area immediately.

The table below depicts the actions of the first individual discovering the event.

INITIAL RESPONSE ACTIONS
1. **Make an Immediate Assessment of the Incident** & take actions to protect life and ensure safety of personnel. Determine: • Type & quantity of material spilled • Location & status of material spilled: (contained/uncontained) • Status of source: (controlled/uncontrolled) • Status of all personnel/injuries
2. **Stop the Discharge & Shutoff Ignition Sources**, if safe to do so. (e.g., act quickly to secure pumps, valves, motors, open flames, etc.). If the incident is clearly the result of an operation that the Spill Observer/First Responder can control safely, take immediate steps to correct the operation.
3.**Warn Personnel** – Alert the ROCC for them to complete the notification process & all facility personnel at or near the incident scene. The notifications by the ROCC shall include 911, Corporate Security, VP of Operations, Emergency Response Coordinator. **Note:** The ROCC will contact PGD Emergency Response Coordinator
4. **Isolate & Secure the Incident Scene -** Account for all personnel & evacuate nonessential personnel from the area.
5. **Direct Termination of Appropriate Facility Operations** for the safety of personnel if necessary.
6. **Activate Site's Response Plan and all Necessary Response Organizations** (e.g., Onsite Response Team; local environmental services contractor, FPL Corporate Response Team; Fire Department as necessary)
7. **Establish Incident Command Post** with the following ICS roles: Command Staff, Finance, Logistics, Operations, and Planning.

APPENDIX 9 PANDEMIC EVENT

This section addresses the continued safe operation of PGD assets and references the NextEra Energy Business Continuity Plan. Individuals are expected to keep informed through the NextEra Energy communications. Individuals should practice social distancing and safe hygiene practices during high risk events. Travel restrictions may be implemented as part of the containment effort.

During a pandemic outbreak, to minimize the potential transmission of infectious disease in the workplace among essential personnel that must report to a company facility, screening stations and procedures may be implemented at the main entry points of critical company facility.

Visitors:
Visitors to the site shall follow the Pandemic Event site specific plan that can be found on the PGD Emergency Preparedness SharePoint site. ALL visitors to the site shall fill out a Visitor Log Form

Outside Vendors/ Contractors
Individual sites may deal directly with outside vendors when scheduling appointments and work. ALL outside vendors and contractors shall fill out a Visitor Log Form.

In the unlikely event that a confirmed exposure to a highly contagious disease (declared by the Center for Disease Control or World Health Organization) at the facility in areas such as control room, control centers and/or site O&M buildings is discovered, any of the scenarios and associated actions outlined on Table 1 may be triggered in order to isolate containment. Critical operations will be maintained with reduced staff at critical facilities or at home.

Activation of this plan is triggered by PGD senior leadership approval.

PGD sites work through the PGD business continuity coordinator to ensure all proper communications under the NextEra Energy Corporate Pandemic Plan are completed and proper alignment with corporate guidelines is executed.

Table 1: Potential actions for confirmed infection

Scenario One	Scenario Two	Scenario Three
Evacuate the affected individual and all non-essential workers exposed within the prior 7 days. Any Operations at the On-Site Facilities will follow special transition protocols to allow for cleaning and uninterrupted service. *	Quarantine all affected teammates at the site and shelter in place for 14 days or the applicable CDC recommendation to prevent spread	Evaluate generation need, shut the site down if feasible
All evacuated teammates will be quarantined in their homes for 14 days or the applicable CDC recommendation to prevent spread	Bring in provisions, accommodations and personal protective equipment for teammates	Evacuate all site personnel

Ensure major cleaning of facility in accordance with qualified pandemic removal protocols before individuals are permitted to return to work.	Go to minimum staffing as permitted for 14 days	Conduct major cleaning of facility before individuals are permitted to return to work
As applicable bring in new crews confirmed as not exposed to the contagious disease	Conduct major cleaning of facility before individuals are permitted to return to work	Bring in new crews confirmed as not exposed to the contagious disease to restart the site as generation needs change

*Special transition protocols: Operations will be controlled by ROCC, ROCC FPLCC Backup Center, ROCC Alternate Work Location, or by New Operations Local Crew. New crew entering the facility, must be wearing health care type personal protective equipment (PPE) such as protective clothing (Tyvek suit), gloves, face shields, goggles, facemasks and/or respirators or other equipment designed to protect the wearer from exposure of infection or illness. Concurrently the cleaning vendor will complete the decontamination of the facility, and any other affected areas. Upon completion, the site will transition with a new crew.

In the event a wind site is evacuated, the turbine repair would will be turned over to pre-determined back-up sites from within the clusters / regions managed by CWE. For more remote sites the site leader or designee will establish communication and arrangements with contracted companies.

Visitors to the site will follow the assigned site plans for Pandemic Event.

Third party contractors experiencing similar challenges, NextEra Energy may consider other methods of supplementing the work force. The temporary hiring of retired employees will be permitted, if the situation demands. This strategy will be particularly useful in those business areas where few individuals are familiar with the job responsibilities and the learning curve for new recruits is high

Provisions/Supplies:

PGD Emergency Preparation Team will work closely with Emergency Response Logistic team ahead of the event to ensure all provisions/supplies are quickly available for delivery.

A plan for acquiring food supplies, large amounts of bottled water, portable bedding, etc. should be tied to the appropriate phase of pandemic progress.

- Purchase orders should be established in advance of an outbreak.
- Emergency contact numbers for critical suppliers should be confirmed and tested.
- Known critical parts on order should be expedited.
- Establish ability to process emergency procurement from remote work locations such as home

The following vendor's/cleaning companies may be used to respond to the event.

Vendor Name	Contact Name	Contact Number	Contract #
National Response Corporation (NRC)	Global Response Operations Center	800-899-4672	CTR4600018348

- Additional vendors may be procured through the Emergency Response Logistic Team

Attachment 1: Sample checklist for WHO pandemic stages

Pre and during event:

□ PGD Emergency Preparedness GM meets with PGD senior leaders to assess possible pandemic threat.
□ Discuss possible staffing constraints within business area and possible workforce pools from which additional personnel can be obtained.
□ Identify and prioritize essential employees.
□ Consider pandemic budget items, volume and cost
□ Consider when or if your business area should establish a cost center and WBS # for pandemic associated expenses.
□ PGD Emergency Preparedness GM establishes regularly scheduled team meetings
□ Evaluate non -essential employees' skill sets for deployment to aid other business units
□ Consider meeting / communicating with business unit employees to assess concerns and needs
□ Contact working pool candidates to inquire about interest or ability to help in the event of a pandemic. These may include non-essential personnel in other departments with desired skill sets, recently retired employees, contractors, etc.
□ Consider timeline for cross training backup workers on critical business processes.
□ Begin considering alternative work shift schedules to lessen exposure vulnerabilities. Decide if and when the new schedules would be implemented, and when the workforce would revert back to standard work schedules.
□ Have employees who travel review the pandemic travel policies.
□ Verify any new pandemic related news and quell any false rumors.
□ Notify employees of possible vacation cancellations if the pandemic reaches the action levels. Vacation cancellation will be at the business area / supervisor's discretion.
□ Identify possible telecommuters.
□ Begin cross training, if it has not already taken place.
□ Test remote access for all personnel designated as telecommuters during a pandemic event.
□ Consider developing a transportation plan for those employees reliant upon public transportation to get to work
□ Initiate any new working schedules and personnel distancing policies.
□ Initiate teleconferencing policies. No large gatherings minimize personal contact as much as possible.
□ Re -evaluate business process prioritization.
□ If deemed appropriate, have approved employees begin telecommuting.
□ Track all additional costs associated with pandemic response efforts.

Post Event

□ Return departmental manning levels and shifts to their normal configuration.
□ Restock all supplies depleted during the prior wave.
□ Evaluate your business area's plan. Add additional information to the plan to reflect lessons learned.
□ Work with Supply Chain to re -evaluate critical vendors / suppliers

APPENDIX 10 IMMEDIATE SITE EVACUATION PROCEDURE

1. Personnel present in the Administrative Building shall immediately take the following actions:

    a. Locate and obtain the visitor/contractor sign-in sheet.

    b. Locate and obtain all immediately accessible hand-held radios.

    c. Determine the safest muster area to proceed to, depending upon the known circumstances of the emergency (as indicated in Appendix 3) and wind direction. Every site should have an identified off site muster area.

    d. Assign designated plant employees to assist any employees or visitors with special needs that would restrict their ability to get safely and expediently to the muster area.

Note: The ***primary*** muster area must be a predetermined location; alternate muster areas are to be selected only when egress routes to the primary muster area are unsafe to proceed along.

2. Pass the following information over the plant radio system:

    a. The muster area the employees will be proceeding to.
    b. Visitors/contractors known to be in the operating areas (as indicated by the visitor/contractor sign-in sheet).
    c. Once emergency personnel have completed the preceding steps, they shall immediately proceed to their designated muster area.
    d. Personnel in the Administrative Building should not delay in evacuating or wait on other personnel that they anticipate may arrive.
    e. Upon arriving at the designated muster area(s), the group shall designate a Person-in-Charge and take a head count of all personnel who are at the muster area, including contractors and visitors.

        1) After a roll call of all personnel present at the muster area is taken, the Person-in-Charge shall identify which operating area personnel are not accounted for.

        2) The Person-in-Charge will query by radio or cell phone for personnel who are unaccounted for.

        3) The Person-in-Charge shall establish radio communication with the Emergency Coordinator (if applicable) and relay information on personnel who are unaccounted for.

3. All personnel at the muster location shall remain at the muster location until an “ALL CLEAR” signal is sounded, or if directed by the Emergency Coordinator (if applicable) to leave the muster location.

4. The “ALL CLEAR” signal will be communicated by Radio or cellular telephone.

5. The Person-in-Charge shall continuously monitor the plant radio system when at the muster location.

6. Personnel present in the facility operating area (other than Administrative Building) shall immediately perform the following actions:

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a. If not monitoring the plant radio system, immediately turn on hand-held radios.

7. Proceed to the designated Muster area, unless the egress route to the Muster area is not safe for travel. In such a case, proceed to an alternate Muster area.

8. Instruct any personnel (including visitors and contractors) who are seen along the way to proceed to the designated Muster area.

9. Upon reaching the appropriate Muster area, report to the Person-in-Charge and continue to monitor the plant radio system.

10. If no other personnel are present at the Muster area upon arrival, communicate this to the Site/Plant Leader.

11. Personnel not in the operating areas of the plant (to include the administration building and inside parking areas) shall immediately perform the following actions:

    a. Locate and obtain all immediately accessible hand-held radios.

    b. Proceed to the designated Muster area.

    c. A Person-in-Charge shall be designated for the Muster area. In many cases, this will be the Emergency Coordinator.

        1.) In the event that the Emergency Coordinator is in plant operating areas or has proceeded to an alternate muster area, he/she may elect to designate the muster area Person-in-Charge to act in the capacity of Emergency Coordinator during the emergency.

        2.) If the Emergency Coordinator is not present at the muster area, the Person-in-Charge at the muster area will coordinate outside responding agency activities until the Emergency Coordinator arrives.

        3.) The Person-in-Charge shall establish radio communications with operating area personnel and compare roll call lists to determine if any personnel are unaccounted for in the facility.

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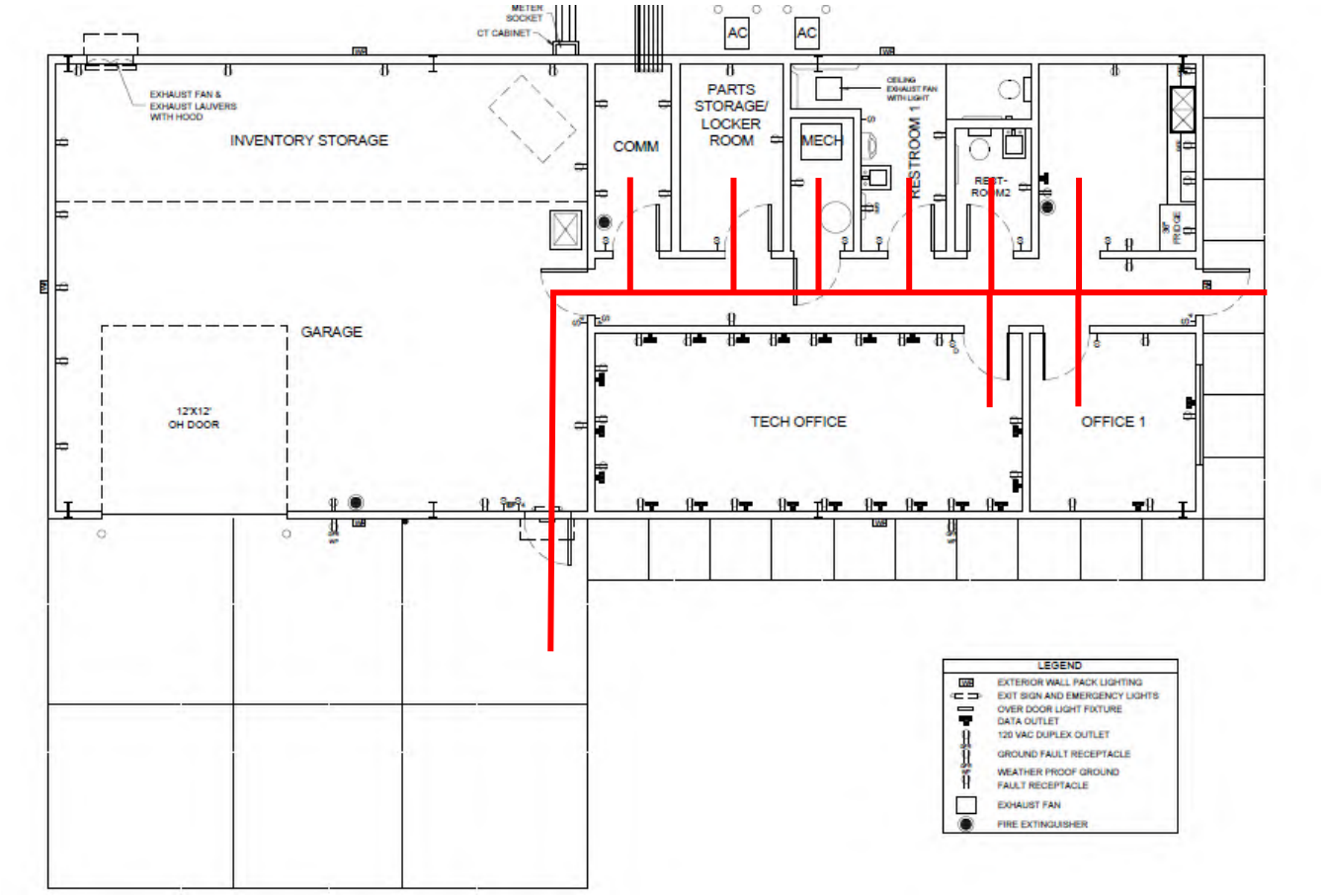
APPENDIX 11 DELAYED SITE EVACUATION PROCEDURE

1. Personnel present in the Administrative Building shall immediately perform the following actions:
    a. Take necessary operating actions to place the facility in the most stable condition, based upon the type of emergency.
2. Locate and obtain the visitor/contractor sign-in sheet
    a. Communicate names of visitors/contractors currently in the operating areas to outside operating personnel.
    b. Instruct outside operating personnel to locate and direct all visitors/contractors to proceed to the Administrative Building for egress instructions.
3. When all visitors, contractors and non-essential operating personnel have been accounted for and are present in the Administrative Building, the Site Leader (or Emergency Coordinator, as appropriate) shall designate a trained person to escort all non-essential personnel to the designated Muster area along the safest egress route.
4. Notify the Emergency Coordinator and Production Staff of the current facility status, and evacuation details.
5. Perform a controlled shutdown in accordance with appropriate procedures and directions from the Emergency Coordinator.
6. Once the shutdown has been completed, all essential personnel shall gather in the Administrative Building and take roll call.
7. When all essential operating personnel are present and accounted for, evacuation to the designated Muster area shall be performed, unless the egress route is not safe for travel.
    a. If evacuation route to the designated muster area is not safe for travel, proceed to the alternate Muster area.
8. Personnel present in the facility operating areas (other than Administrative Building) shall immediately perform the following actions:
    a. Continuously monitor the radio system for information and instructions.
    b. Perform immediate response actions, as appropriate, to place the facility in the most stable condition, based upon the type of emergency.
    c. Locate and direct non-essential personnel to proceed to the Administrative Building immediately.
    d. Perform facility shutdown instructions as directed by the Site/Plant Leader.
    e. Upon completion of shutdown, or upon direction by the Emergency Coordinator, proceed to the Administrative Building for instructions.
9. Personnel not in the operating areas of the facility (to include the administration building and parking areas) shall immediately perform the following actions:
    a. Locate and obtain all immediately accessible hand-held radios.
    b. Proceed to the designated muster area (see Appendix12).
    c. A Person-in-Charge shall be designated for the muster area.
    d. The Person-in-Charge shall establish radio communications with operating area personnel and compare roll call lists to determine if any personnel are unaccounted for in the facility.
    e. The Person-in-Charge at the designated muster area will coordinate outside responding agency activities and provide assistance (to include personnel, resources, and administrative functions) to the Administrative Building as directed by the Emergency Coordinator and/or Site Leader.
10. The Emergency Coordinator shall immediately perform the following actions:
    a. Proceed to the Administrative Building, or to the location on the facility most appropriate for directing response actions for the emergency.

b. Coordinate actions related to the emergency and provide directions to muster area Persons-in-Charge.
c. In the event that the emergency escalates in severity or immediate danger to personnel, direct immediate evacuation of all essential operating personnel involved in plant shutdown activities.

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APPENDIX 12 DESIGNATED EGRESS ROUTES & MUSTER AREAS FOR EVACUATIONS



Note: Each plant will designate emergency Muster point(s). These are the locations that all employees, visitors and contractors are to report to in the event of an emergency or a drill. Muster points should be identified with proper signage and the site manager should have means of communication. In the event of an emergency the site manager or designee should bring the plant sign in book to the muster point or designate someone to provide the information from the sign in log so that the site manager can account for all employees, contractors and visitors. The location of the Muster point(s) will be shown to all contractors and visitors as a part of the Contractor and Visitor PGD Orientation. Exit routes will be kept clear of clutter, and easily identified.

The Primary Muster Area is located at the O&M front gate.

The Alternate Muster Area is located Outside the substation gate across the road from the site.

The Primary Muster Area is the preferred gathering point for personnel and should be used during evacuations unless the emergency has rendered egress routes to the Primary Muster Area unsafe for travel. The Alternate Muster Area is the alternate gathering point for such circumstances.

APPENDIX 13 PERSONNEL INJURIES AND SERIOUS HEALTH CONDITIONS

The following sections provide basic guidelines for response actions that shall take in the event of emergencies related to personnel health.

Although facility personnel should take the most aggressive response actions that are prudent in an emergency situation, the first action will be to call 911 to initiate the response of outside medical responders.

To prepare facility personnel for such contingencies, it will be the PGD policy that all operating personnel and as many other personnel as possible should be trained in CPR (Cardiopulmonary Resuscitation), Bloodborne Pathogens and in the use of an AED (Automated External Defibrillator) if one is available.

Each site will maintain at least one well stocked first aid kit at the O&M building and one in each site vehicle. These will be inspected at least monthly. Each plant will determine the locations of their nearest non-emergency Workers' Compensation approved medical facility as well as the Occupational Nurse and post the name, address and phone number. In the event of an emergency, the 911 responders will determine the best location for emergency care.

AED(s) shall be maintained at the facility at a designated location known and accessible to all staff.

Locations

-O&M Shop

-Tower 16

-Tower 107

Automated External Defibrillators (AED) – NextEra sites with AEDs will follow their Maximo AED Standard Instruction Protocol

- Notify the local EMS of the existence, location, and type of AED

APPENDIX 14 PERSONNEL INJURIES AND SERIOUS HEALTH CONDITIONS (SUPPLEMENTAL INFORMATION FOR WIND ONLY)

Note: For NEER Wind Fleet only, reference site specific Code Blue Books for additional relevant information regarding injury and health conditions. These books shall be reviewed annually by site personnel during one of the quarterly drills.

This Wheatridge Renewable Energy Facility I (WREFI) and Wheatridge Renewable Energy Facility II (WREFII) Code Blue Book is stored in the OpModel.

WIND CODE BLUE PACKETS

Each wind site shall fill out and maintain an emergency quick reference guide “Code Blue” packet. The sites will supply each truck or crew with 2 code blue packets. One shall be kept in the work truck and the second in the emergency up-tower kit. Central maintenance shall also be supplied with 2 code blue packet per truck, at each site they work at.

Each site shall review their code blue annually to ensure the information is current. A new PM shall be created in MAXIMO to ensure this is completed.

Updating code blue packets

The steps for Updating Code Blue Packets is as follows: 1. Check Out Your "Code Blue Book" from the Op Model 2. Open in Native Content 3. Make Edits 4. Save 5. Check In 6. Send the revised copy through the Workflow for Approval. 7. Be sure to print new copies once updated for the site. If you need additional assistance at updating your Code Blue Book in the OP Model please reach out to the Document Management Team

New code blue packets

Print out at the site.

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1.0 PURPOSE AND SCOPE

1.1.1. The purpose of this procedure is to ensure timely and proper notification to Oregon Department of Energy aka ODOE. These notifications are additive and do not take the place of other required notifications.

2.0 REFERENCES AND COMMITMENTS

2.1 Performance References

2.1.1. Wheatridge Site Certificate

2.2 Developmental References

2.2.1. Wheatridge Site Certificate

2.3 Commitments

2.3.1. Adherence to Oregon State regulations and the Site Certificate

3.0 SAFETY AND ENVIRONMENTAL

3.1 Safety

3.1.1. NA

3.2 Environmental

3.2.1. NA

4.0 PREREQUISITES

4.1.1. Site Manager should read and understand Site Certificate

5.0 INSTRUCTIONS

5.1 Notification Requirements

Within 72 hours, sites must report any incident where,

1. There is an attempt by anyone to interfere with its safe operation.

2.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.

3.There is any fatal injury at the facility.

In addition, certificate holders should also be aware that there are requirements in Division 29 that require reporting whenever they become aware of conditions or circumstances that may violate the terms or conditions of a site certificate or the terms or conditions of any order of the Council. In those cases, the responsible party must:

As soon as reasonably possible, notify the Department of the conditions or circumstances that may constitute a violation, giving all pertinent facts including an estimate of how long the conditions or circumstances have 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.

As soon as reasonably possible, initiate and complete appropriate action to correct the conditions or circumstances and to minimize the possibility of recurrence.

Submit to the Department a written report within 30 days of discovery. The report must contain:

A discussion of the cause of the reported conditions or circumstances;

The date of discovery of the conditions or circumstances by the responsible party;

A description of immediate actions taken to correct the reported conditions or circumstances;

A description of actions taken or planned to minimize the possibility of recurrence; and

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 divisions 22 and 24 of this chapter as a result of the reported conditions or circumstances.

5.1.1.

5.1.2. Email EFSC.COMPLIANCE@energy.oregon.gov and cc the Department's Compliance Officer, Duane.KILSDONK@energy.oregon.gov. Written notification via email is always preferred but you can also call the compliance officer at 503-983-6484.

1. Information to include with notification.

a. Basic information

1. Name of the facility.

2. Date and time of the incident

3. Description of the incident

b. Any injuries?

c. If a spill

1. Substance spilled

2. Quantity

3. Where did the spilled material go?

4. Has it been reported to DEQ?

d. If a land fire

1. Has the fire been extinguished? If no, what is the containment status?

2. How many acres burned

3.Was it started by the facility

e. Operating status of the facility

f. Is equipment damaged or out of service?

END of Instructions

6.0 REVISION HISTORY

Rev #	Revision Description (Current Revision only)	Revised By: Job Role
"[n]"	"[Location and description of changes.]"	"[Job Role]"

Wheatridge I, II, and III EFSC Incident Log

Date/Time Of Incident	Location of Incident	Nature of Incident (Description)	Date ODOE Notified of Complaint

*Requirements. Per the Wheatridge Site Certificates (Condition GEN-OE-02) a non-compliance report system must be maintained:

- All columns of information must be completed.
- All Incidents must be reported to ODOE **within 72 hours** of Incident (Duane.Kilsdonk@energy.oregon.gov and EFSC.COMPLIANCE@energy.oreegon.gov) or call Compliance Officer at 503-983-6484
- All incidents for WREFI must also be reported to PGE (Lenna.Cope@pgn.com and Craig.Udy@pgn.com)

ESTERSON Sarah * ODOE

Subject: Contact Info. for Wheatridge Facility

From: Erik Patton <epatton@co.morrow.or.us>
Sent: Wednesday, May 10, 2023 3:12 PM
To: Thomsen, Charles <Charles.Thomsen@nexteraenergy.com>
Cc: Lenna.Cope@pgn.com; Lehn, Jana <Jana.Lehn@nexteraenergy.com>; Craig Udy <Craig.Udy@pgn.com>
Subject: RE: Contact Info. for Wheatridge Facility

Caution - External Email (epatton@co.morrow.or.us)

Report this Email [protection.inkyphishfence.com] Quick response [protection.inkyphishfence.com] Emergency response [protection.inkyphishfence.com] Tips [eweb.nee.com]

They request that information from us if/when needed.

Please use "Reply All" to ensure all parties are included on all communications.

Erik Patton, Civil Deputy
Civil-Records-CHL-MSAG
Morrow County Sheriff's Office
Heppner, Oregon
https://www.co.morrow.or.us/sheriff

Phone: 541-676-2525 x 5109
Fax: 541-676-5577

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From: Thomsen, Charles <Charles.Thomsen@nexteraenergy.com>
Sent: Wednesday, May 10, 2023 3:11 PM
To: Erik Patton <epatton@co.morrow.or.us>
Cc: Lenna.Cope@pgn.com; Lehn, Jana <Jana.Lehn@nexteraenergy.com>; Craig Udy <Craig.Udy@pgn.com>
Subject: RE: Contact Info. for Wheatridge Facility

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---

Eric,

Thank you. Is the database the same for the local fire dept.? Or do I need to notify them separately?

Thanks

Charles Thomsen,
Wind Site Manager – Wheatridge Renewable Energy Facility
NEXTera ENERGY RESOURCES
(509) 386-4308 mobile
Charles.Thomsen@nee.com
72322 Strawberry Lane
Lexington, OR. 97839

From: Erik Patton <epatton@co.morrow.or.us>
Sent: Wednesday, May 10, 2023 9:00 AM
To: Thomsen, Charles <Charles.Thomsen@nexteraenergy.com>
Cc: Lenna.Cope@pgn.com; Lehn, Jana <Jana.Lehn@nexteraenergy.com>; Craig Udy <Craig.Udy@pgn.com>
Subject: RE: Contact Info. for Wheatridge Facility

Hello Charles,

We have updated our information. Thank you for the information.

Best regards,

Erik Patton, Civil-Records Deputy
Civil-Records-CHL-MSAG
Morrow County Sheriff's Office
Heppner, Oregon
https://www.co.morrow.or.us/sheriff

Phone: 541-676-2525 x 5109
Fax: 541-676-5577

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From: Thomsen, Charles [mailto:Charles.Thomsen@nexteraenergy.com]
Sent: Tuesday, May 9, 2023 9:46 AM
To: Erik Patton <epatton@co.morrow.or.us>
Cc: Lenna.Cope@pgn.com; Lehn, Jana <Jana.Lehn@nexteraenergy.com>; Craig Udy <Craig.Udy@pgn.com>
Subject: Contact Info. for Wheatridge Facility

STOP and VERIFY This message came from outside of Morrow County Gov

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Hi Eric,

I talked to Travis over the phone and he gave me your email to update our contact list for Wheatridge Facility. Please let me know if you need any additional information.

Wheatridge Renewable Facility
72322 Strawberry Lane
Lexington Or. 97839

1st point of contact - I think this is the best solution incase site management changes. The ROCC will have all the updated contacts for the site. This is our control center located in Florida.
ROCC – Renewable Operation Control Center
1-561-694-3636

2nd Point of contact
Site Manager
Charles Thomsen
509-386-4308 - CELL

Thanks
Charles Thomsen,
Wind Site Manager – Wheatridge Renewable Energy Facility
NEXTera ENERGY RESOURCES
(509) 386-4308 mobile
Charles.Thomsen@nee.com
72322 Strawberry Lane
Lexington, OR. 97839

Attachment 7. Wagon Trail Solar II Construction Wildfire Mitigation Plan

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Figure 2. Expected Risk to Infrastructure

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Attachment 1. Residence/Landowner Outreach Letter

DRAFT

Draft Construction Wildfire Mitigation Plan

1.0 Finalizing Wildfire Mitigation Plan Prior to Construction (PRE)

1.1 Update Applicable Sections of WMP

To finalize this WMP prior to construction of the facility:

The Certificate Holder will update Section 3.1 based on final facility design including a brief description of areas within the site that are subject to high wildfire risk, fire prevention features at the site, such as roads dimensions, setbacks, fire breaks, entry/exit locations, location of water truck(s) and fire protection equipment locations.

The Certificate Holder will update Section 3.2 and include in this WMP the facility site maps described in Section 3.2.

The Certificate Holder will update Section 3.4 with fire department, certificate holder, and construction manager contact information and emergency response procedures. The Certificate Holder will also update Section 3.4 to include the current landowners within the proposed Wagon Trail Solar II Site Boundary (and 0.5-miles from this site boundary), associated contact information, and confirmation of outreach letter transmittal.

The Certificate Holder will update section 3.7 to describe vegetation management and areas that will be managed to be vegetation-free, noncombustible space, or gravel surface.

2.0 Prior to Construction Task List (PRE)

Prior to construction of the facility, the Certificate Holder will complete the activities in Sections 2.1 and 2.2.

2.1 Training (PRE):

Before beginning construction, the Certificate Holder will hold an on-site training for contractors and construction personnel, inviting specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency. The training will cover:

- Description of construction phasing;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment usage and maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of construction maintenance activities during Fire Season and Red Flag Warnings designated in this Plan;
- Rescue, Alarm, Contain and Extinguish RACE procedures including:

  - Rescue anyone in danger (if safe to do so);
  - Alarm – call the control room, who will then determine if 911 should be alerted;
  - Contain the fire (if safe to do so); and
  - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County's emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

The Certificate Holder will fill out and submit to the Department the template landowner outreach letter provided as Attachment 1 of this WMP. Once the Department confirms the letter to be sufficient, the certificate holder will confirm landowners within the 0.5-mile analysis area and mail copies of the letter to each address. The Certificate Holder will confirm mailing and submit to the Department.

2.2 Facility Site Map(s) Submission (PRE):

The Certificate Holder will submit updated site maps from Section 3.2 concurrently to local fire departments and the Department.

3.0 Construction Wildfire Mitigation Plan (CON)

3.1 Summary of Facility Description with Design Features and Location of Fire Protection Equipment

No phases are proposed as part of the Wagon Trail Solar II construction. Temporary solar disturbance and vegetation removal will occur in association with the improvement of existing roads and the construction of collector and transmission lines, new roads, staging areas, and fences. Staging areas will be graveled during construction. Post-construction, this gravel will be removed, and the ground surface regraded to match adjacent contours and reseeded or planted as provided by the Revegetation Plan.

As shown in Figure 1, potential wildfire risk exists within the proposed Wagon Trail Solar II Site Boundary and 0.5-mile Analysis Area. Additionally, as shown in Figure 2, potential hazards to structures also exist within the proposed Wagon Trail Solar II Site Boundary and 0.5-mile Analysis Area.

The following fire prevention features will be present within the proposed Wagon Trail Solar II Site Boundary:

- Up to 16-foot-wide service and access roads, graveled or paved.
- Site access points (total number to be determined prior to construction).
- Fenced areas around the operations and maintenance (O&M) building, collector substation, and battery energy storage system (BESS) will be graveled, with no vegetation present.
- Smoke/fire detectors will be placed around the site that will be tied to the supervisory control and data acquisition (SCADA) system and will contact local firefighting services.
- O&M building will have basic firefighting equipment for use on site during maintenance activities, such as shovels, beaters, portable water for hand sprayers, fire extinguishers, and

other equipment.
- Fire sensors, alarms, and in every battery container.
- The perimeter fencing will have vehicle and pedestrian access gates, including two 16-foot-wide gates and one 4-foot-wide gate.

3.2 Facility Site Map(s):

The following information will be verified and provided on a figure included in a revised final Construction WMP prior to construction.

- The phasing for construction of facility features and components;
- Location and dimensions of facility roads;
- Location of vegetation free, noncombustible, defensible spaces;
- Wildfire risk at the site;
- High-fire consequence areas/resources (includes existing infrastructure, residences, sensitive habitat, or cultural resources);
- The location of facility access points;
- A description and the location of emergency access procedures, including how emergency responders and/or adjacent landowners may access site for fire protection equipment or to extinguish an on-site fire when personnel will not be onsite;
- The type and location of fire protection equipment on site;
- The location(s) of water source(s) that will be on-site during construction.

3.3 Specifications for Fire Protection Equipment

The following fire suppression equipment will be carried in vehicles conducting maintenance activities and stored on-site at the O&M building at all times:

- Fire Extinguisher: Dry chemical. 2A:10BC (5 pound), properly mounted or secured;
- Pulaski;
- Hand Shovel: Round point. 26 to 28 in "D" Handle, blade - 12 inches long and 10 inches wide;
- Collapsible Pail or Backpack Pump: 5-gallon capacity; and
- Drip Can: 5-gallon capacity.

During fire season (as designated in this Plan) water truck(s)/water source, water buffalo, or tank with minimum 500-gallon capacity must be on site. The water truck or water supply shall include the following, unless approved by the Department:

- Pump should be maintained ready to operate and capable to provide a discharge of not less than 20 gallons per minute at 115 psi at pump level. Note: Volume pumps will not produce the necessary pressure to effectively attack a fire start. Pressure pumps are recommended.
- Provide enough hose (500 feet minimum) not less than 3/4" inside diameter to reach areas where power-driven machinery has worked.
- Water supply, pump, and at least 250' of hose with nozzle must be maintained as a connected, operating unit ready for immediate use.

All internal combustion engines must be equipped with exhaust systems, mufflers and screens, or include an appropriate spark arrestor; and must be kept in good operating condition. All combustion engines (including but not limited to off road vehicles, chainsaws, and generators) will

be equipped with a spark arrester that meets U.S. Forest Service Standard 5100-1.

All power-driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.4 Facility Contact Information and Emergency Response Procedures

Local fire department and county emergency management contact information:

- Ione Rural Fire Protection District
  - (541) 422-7303
- Echo Rural Fire Protection District
  - (541) 481-3473
- Boardman Rural Fire Protection District
  - (541) 481-3473
- County Emergency Management
  - 9-1-1

Fire department response times to the site:

- The Certificate Holder will complete this information in coordination with the above listed fire responder(s) prior to construction.

Certificate holder primary contact and contact of construction contractor manager(s):

- David Lawlor
  Director of Development
  NextEra Energy Resources, LLC
  FEW/JB
  700 Universe Blvd
  Juno Beach, FL 33408
  David.Lawlor@nexteraenergy.com
  (403) 689-6285
- Construction contractor manager(s) contact information will be provided in the Final Construction WMP.

Contact 911 in the event of:

- A fire or emergency on-site that cannot be addressed by personnel on-site and requires the assistance of fire or emergency medical personnel;
- A fire ignition on-site that spreads out of the fence line;
- Any fire off-site that does not have emergency responders on site.
  - To the extent that construction personnel can safely assist and/or provide equipment to help extinguish off-site fires until emergency responders are on site, it is encouraged to do so to assist in the spread of the fire, loss of life, property and damage to the environment.

3.5 Use of Vehicles and Power-Driven Machinery at Site

The following best management practices (BMPs) to minimize fire risk from vehicle travel, equipment use, and fueling activities will be implemented at the site during construction:

- The movement of vehicles will be planned and managed to minimize fire risk.
- The contractor(s) will be responsible for identifying and marking paths for all off-road vehicle travel. All off-road vehicle travel will be required to stay on the identified paths. No off-road vehicle travel will be permitted while working alone. Travel off road or parking in vegetated areas will be restricted during fire season as designated in this Plan.
- Areas with grass that are as tall or taller than the exhaust system of a vehicle must be wetted before vehicles travel through it.
- Workers will be instructed to shut off the engine of any vehicle that gets stuck, and periodically inspect the area adjacent to the exhaust system for evidence of ignition of vegetation. Stuck vehicles will be pulled out rather than "rocked" free and the area will be inspected again after the vehicle has been moved.
- The contractor(s) will designate a location for field fueling operations at the temporary construction yards. Any fueling of generators, pumps, etc. shall take place at this location only.
- Fuel containers, if used, shall remain in a vehicle or equipment trailer, parked at a designated location alongside a county right-of-way. No fuel containers shall be in the vehicles that exit the right-of-way except the five-gallon container that is required for the water truck pump.
- All power-driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.6 Fire Precaution Levels and Restrictions during Fire Season

Definitions:

Non-Fire Season – Approximately October - May

Fire Season – Approximately June-September, formally designated by the Oregon Department of Forestry (ODF). Under ORS 478.960 (4), a Fire Chief can establish Fire Season within a Fire District when ODF, under ORS 477.505, declares Fire Season. Begins seasonal restrictions for public and industry.

Fire Weather Watch - A fire weather watch is issued when there is a high potential for the development of a red flag event. A watch is issued 18 to 96 hours in advance of the expected onset of criteria. Intent of a fire weather watch is to alert forecast users at least a day in advance for the purposes of resource allocation and fire fighter safety. A watch means critical fire weather conditions are possible but not imminent or occurring.

Red Flag Weather Warning - A red flag warning is used to warn of impending or occurring red flag conditions. Its issuance denotes a high degree of confidence that weather and fuel conditions consistent with local red flag event criteria will occur in 48 hours or less. Specific Red Flag criteria differ for each situation and district in Oregon. Be extremely careful with open flames and other activities that emit sparks.

Hot Work - Any cutting, grinding, welding, or other activity that creates spark or open flame.

Fire Watch Service -

Fire watch shall:

- Be physically capable and experienced to operate firefighting equipment.
- Have facilities for transportation and communications to summon assistance.
- Observe portions of the facility where equipment activity occurred during the day.

Upon discovery of a fire, fire watch personnel must: First report the fire, summon any necessary firefighting assistance, describe intended fire suppression activities; then, after determining a safety zone and an escape route that will not be cut off if the fire increases or changes direction, immediately proceed to control and extinguish the fire, consistent with firefighting training and safety.

Fire-Prevention Measures and Restrictions Associated with Fire Season:

Certificate holder shall maintain a log when construction activities are impacted by Fire Restrictions during Fire Season as designed in this Section. The log will include:

- The date;
- Fire Precaution Level;
- Description of actions taken, including if any measures were taken to reduce wildfire risk that are not identified in this Plan.

Non-Fire Season

- All hot work (must be conducted on roads or on non-combustible surfaces.
- Smoking in designated areas only.

Fire Season

- Before the start of each daily shift, at approximately 07:00 a.m. local time, the Technician in charge will check the fire danger posting by the National Weather Service for any Red Flag Warnings for that day.
- All hot work (any cutting, welding, or other activity that creates spark or open flame) must be conducted on roads or on non-combustible surfaces.
- Water source meeting specifications in this Plan will be on site during fire season.
- Following the completion of hot work, the Certificate Holder or contractor(s) must maintain a fire watch for 60 minutes to monitor for potential ignition.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- Smoking in designated areas only.

Fire Weather Watch

- No hot work permitted.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Red Flag Weather Warning

- No hot work permitted.
- On-site personnel must be aware of Red Flag Warning.

- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power-driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	Non-Fire Season	Fire Season	Fire Weather Watch	Red Flag Warning
Fire weather advisory	Not required	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins. On-site personnel must be aware of Red Flag Warning.
On-site water source	N/A	As specified in Section 3.2	As specified in Section 3.2 and 3.3.	As specified in Section 3.2 and 3.3.
Hot work	Only permitted on roads or on non-combustible surfaces.	Only permitted on roads or on non-combustible surfaces; fire watch required for 60 minutes after completion	Not Permitted	Not Permitted
Fire Watch Service	Not required	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.
Driving and Parking	As described in Section 3.5.	As described in Section 3.5.	Only permitted on roads or on non-combustible	Only permitted on roads or on non-combustible

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Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	Non-Fire Season	Fire Season	Fire Weather Watch	Red Flag Warning
			surfaces and Section 3.5.	surfaces and Section 3.5.
Smoking	Designated areas only	Designated areas only	Not permitted	Not permitted

3.7 Vegetation Management

3.7.1 Vegetation-free, Noncombustible Space, and Vegetation Standards

Vegetation within the fence line and below the solar arrays will be maintained as follows:

- Vegetation will be limited to a height of 10-12 inches, with a minimum clearance of 12 inches from electrical equipment. Vegetation near, at, or taller than the maximum height shall be removed or mowed.
- Mowing must be done in advance of fire season or accordance to any fire restrictions.
- At no point shall vegetation come in contact with electrical equipment.
- Vegetation buildup in the fence line(s) shall be removed.
- Any vegetation removed from the site will be disposed of and not stored onsite. Certificate holder and contractors will prevent the accumulation of combustible "burn piles" on site.

The following areas will be managed to be vegetation-free, noncombustible space, or gravel surface:

- 16-foot-wide service roads within solar fence line – graveled
- 10-foot noncombustible, defensible space clearance along the fenced perimeter of the site boundary – vegetation free
- Within the fenced perimeter of the inverter/transformer pads, collector substation and battery energy storage system (BESS) – graveled, similar noncombustible base, or vegetation free
- Parking and O&M building perimeter – graveled

Vegetation in these areas will be managed by the following techniques:

- Mowing;
- Chemical (herbicide) spray; and
- Reseeding with low growing, native vegetation.

3.8 Construction Training(s)

3.8.1 Safety Training

Once a year after construction begins, organize and hold an on-site training with certificate holder and construction personnel, inviting equipment manufacturers, specialty contractors, local fire

department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency that covers:

- The location of electrical facility components and the fire safety measures associated with each component that have been constructed;
- Description of remaining construction phasing;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment usage and maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle, and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of construction activities during Fire Season, Fire Weather Watches, and Red Flag Warnings designated in this Plan;
- Rescue, Alarm, Contain and Extinguish (RACE) procedures including:
    - Rescue anyone in danger (if safe to do so);
    - Alarm – call the control room, who will then determine if 911 should be alerted;
    - Contain the fire (if safe to do so); and
    - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County's emergency management notification system.

4.0 Plan Updates: Amendments and Reporting Requirements:

The following will be provided to the Department in the semi-annual construction report required per OAR 345-026-0080:

- Section 3.1 and 3.2, any changes in wildfire risk at the site or changes in facility components or preventative features.
- Section 3.4, any changes in local fire protection agency personnel and construction managers.
- Section 3.4, any changes in analysis area residence/landowner addresses or contact information.
- A copy of the Fire Season Restriction Log identified in Section 3.6.

This information may be used to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation. 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.

This Plan may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council (EFSC) or ODOE, acting within its delegated authority of EFSC. Such amendments may be made without amendment of the site certificate. EFSC authorizes ODOE to agree to amendments to this Plan. ODOE will notify EFSC of all amendments, and EFSC retains the authority to approve, reject, or modify any amendment of this Plan agreed to by ODOE.

Figures

DRAFT

Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1
Integrated Expected Wildfire Risk

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

Integrated Expected Wildfire Risk

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss
- Neutral

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Doherty Rd
Lower Sand Hollow Rd
Melville Rd
Bombing Range Rd
Barak Martin Rd N
Lexington-Echo Hwy
Strawberry Ln
Juniper Canyon Rd
Strawberry East Rd
Barak Martin Rd
Barclay Ln
Kilkenny Rd
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cutsforth Rd
207

1:40,000

WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 2
Expected Risk
to Infrastructure

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

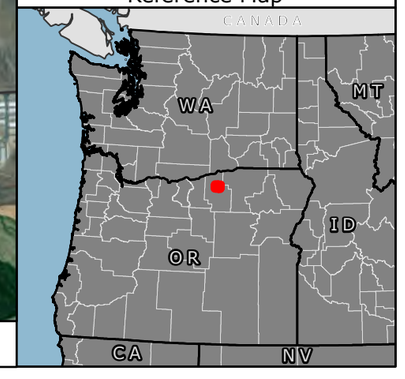
Expected Risk to Infrastructure

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Bombing Range Rd
Dobrinsky Rd
Lower Sand Hollow Rd
Melville Rd
Juniper Canyon Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Barclay Ln
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
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1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

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Attachment 1: Residence/Landowner Outreach Letter

COMPANY LOGO/LETTERHEAD

DATE

RE: Community Outreach Letter for Wagon Trail Solar II

My name is XXX and I'm the XXX for Wagon Trail Energy Center, LLC, a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC (NEER). We are the certificate holder of the Wagon Trail Solar II, a solar energy generation facility approved by the Oregon Energy Facility Siting Council (EFSC). Construction of the facility will start in XX. The facility is a 100-megawatt solar facility located in Morrow County. You are receiving this letter because your address is within 0.5 miles from the facility site boundary and we want to make sure you are aware of the following information:

- Safety at the facility is our highest priority. We have emergency procedures in place in the event of an emergency on site or off site that may impact the facility and adjacent areas. This includes a Wildfire Mitigation Plan (WMP) that addresses vegetation management, facility inspections, and maintenance protocols to ensure that the facility minimizes fire risk. The WMP also requires fire protection equipment to be on site and allows for emergency access for fire departments in the event of a fire on site or off site.
- In the event of an emergency on site or off site that cannot be addressed by facility personnel, local emergency and law enforcement will be contacted and procedures designated by the Morrow County Office of Emergency Management will be followed, if necessary.
- If you have not already done so, we recommend you sign up for emergency notifications through Morrow County's Emergency Alert Program. You may sign up via the County's webpage or directly via this link:

https://www.co.morrow.or.us/sheriff/page/emergency-notifications

Please contact me if you have any questions about the facility, NEER, or any other concerns regarding construction and operation of the facility. Further, the Oregon Department of Energy (ODOE) is staff to EFSC and can be contacted if you have questions. Follow the link below for contact information:

https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Compliance-Program.aspx

Thank you,
NAME
TITLE

CONTACT INFORMATION

Attachment 8. Wagon Trail Solar II Operational Wildfire Mitigation Plan

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Figure 2. Expected Risk to Infrastructure

Attachments

Attachment 1. Residence/Landowner Outreach Letter

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Draft Operational Wildfire Mitigation Plan

1.0 Finalizing Wildfire Mitigation Plan Prior to Operation (PRO)

1.1 Update Applicable Sections of WMP

At this time the Certificate Holder does not have a design for the portion of the previously approved Wheatridge Renewable Energy Facility III (Facility) to be sited within the proposed Wagon Trail II Solar Site Boundary. Prior to operation of the facility:

The Certificate Holder will update Section 3.1 based on final facility design including a brief description of areas within the site that are subject to high wildfire risk, fire prevention features at the site, such as road dimensions, setbacks, fire breaks, entry/exit locations, water truck(s) and fire protection equipment locations. Fire detection, fire suppression, and emergency shut off systems that will be activated in the event of a fire will also be described.

The Certificate Holder will update Section 3.2 and include in this WMP the facility site maps described in Section 3.2.

The Certificate Holder will update Section 3.4 with fire department, certificate holder, and operational manager contact information and emergency response procedures. Update Section 3.4 with analysis area residence contact information and confirm analysis area residence contact letter sent to residences within site boundary and 0.5 miles from the facility.

The Certificate Holder will update section 3.6 to describe vegetation management and areas that will be managed to be vegetation-free, noncombustible space, or gravel surface.

The Certificate Holder will update Section 3.7 and Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, based on manufacturer recommendations associated with each type of facility component and vegetation management consistent with this WMP and Revegetation Plan; and include an appendix with excerpts of manufacturer recommendations.

The Certificate Holder will update Section 3.10 with any additional details about facility monitoring.

The Certificate Holder will update Section 4.0 with any additional standards for future review and plan updates. Note that Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, will be used as a compliance checklist by the Department to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation.

2.0 Prior to Operation Task list (PRO)

Prior to operation of the facility, the Certificate Holder will complete the activities in Sections 2.1 and 2.2.

2.1 Training (PRO)

Before beginning operation, the Certificate Holder will hold an on-site training for operational personnel, inviting equipment manufacturers, specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency. The training will cover:

- The location of electrical facility components and the fire safety measures associated with each component;
- Battery-specific safety protocols, including how to appropriately address chemical fires, in the event of an emergency;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of operational maintenance activities during Fire Season and Red Flag Warnings designated in this Plan; Rescue, Alarm, Contain and Extinguish (RACE) procedures, including:
    - Rescue anyone in danger (if safe to do so);
    - Alarm – call the control room, who will then determine if 911 should be alerted;
    - Contain the fire (if safe to do so); and
    - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County's emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

The certificate holder will fill out and submit to the Department the template residence outreach letter provided as Attachment 1 of this WMP. Once the Department confirms the letter to be sufficient, the certificate holder will identify residences within the 0.5-mile analysis area and mail copies of the letter to each residence. The Certificate Holder will confirm mailing and submit to the Department.

2.2 Facility Site Map(s) Submission (PRO):

The Certificate Holder will submit updated site maps from Section 3.2 concurrently to local fire departments and the Department.

3.0 Operational Wildfire Mitigation Plan (OPR)

3.1 Summary of As-Built Facility Description with Design Features and Location of Fire Protection Equipment

Once constructed, the Facility is anticipated to contain the following:

- Solar photovoltaic system (solar modules (mono- or poly-crystalline cells), tracker systems, posts);
- Combiner boxes, inverters, and transformers;

- Electrical collection system;
- Service roads, gates, and fencing; and
- Wheatridge West collector substation.

As shown in Figure 1, potential wildfire risk exists within the proposed Wagon Trail Solar II Site Boundary and 0.5-mile Analysis Area. Additionally, as shown in Figure 2, potential hazards to structures also exist within the proposed Wagon Trail Solar II Site Boundary and 0.5-mile Analysis Area.

The following fire prevention features will be present within the proposed Wagon Trail Solar II Site Boundary:

- Up to 16-foot-wide service and access roads, graveled or paved.
- Site access points (total number to be determined prior to construction).
- Fenced areas around the operations and maintenance (O&M) building, collector substation, and battery energy storage system (BESS) will be graveled, with no vegetation present.
- Smoke/fire detectors will be placed around the site that will be tied to the supervisory control and data acquisition (SCADA) system and will contact local firefighting services.
- O&M building will have basic firefighting equipment for use on site during maintenance activities, such as shovels, beaters, portable water for hand sprayers, fire extinguishers, and other equipment.
- Fire sensors, alarms, and aerosol fire extinguishing systems in every battery container.
- The perimeter fencing will have vehicle and pedestrian access gates, including two 16-foot-wide gates and one 4-foot-wide gate.

3.2 Facility Site Map(s):

The following information will be verified and provided on a figure included in a revised final Operational WMP prior to operation:

- Location and dimensions of facility roads;
- Location of vegetation free, noncombustible, defensible spaces;
- Wildfire risk at the site and date;
- High-fire consequence areas/resources (includes existing infrastructure, residences, sensitive habitat, or cultural resources);
- The location of facility access points;
- A description and the location of emergency access procedures, including how emergency responders and/or adjacent landowners may access site for fire protection equipment or to extinguish an on-site fire when personnel will not be onsite;
- The type and location of fire protection equipment on site;
- The location(s) of water source(s) that will be on-site during operations.

3.3 Specifications for Fire Protection Equipment

The following fire suppression equipment will be carried in vehicles conducting maintenance activities and stored on-site at the O&M building:

- Fire Extinguisher: Dry chemical. 2A:10BC (5 pounds), properly mounted or secured;
- Pulaski;
- Hand Shovel: Round point. 26 to 28 in "D" Handle, blade - 12 inches long and 10 inches wide;
- Drip Can: 5-gallon capacity.

All internal combustion engines must be equipped with exhaust systems, mufflers and screens, or include an appropriate spark arrestor; and must be kept in good operating condition. All combustion engines (including but not limited to off road vehicles, chainsaws, and generators) will be equipped with a spark arrester that meets U.S. Forest Service Standard 5100-1.

All power-driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.4 Facility Contact Information and Emergency Response Procedures

Local fire department and county emergency management contact information:

- Ione Rural Fire Protection District
  - (541) 422-7303
- Echo Rural Fire Protection District
  - (541) 481-3473
- Boardman Rural Fire Protection District
  - (541) 481-3473
- County Emergency Management
  - 9-1-1

Fire department response times to the site:

- The Certificate Holder will complete this information in coordination with the above listed fire responder(s) prior to operation.

Certificate holder primary contact and contact of operational manager(s):

- David Lawlor
  Director of Development
  NextEra Energy Resources, LLC
  FEW/JB
  700 Universe Blvd
  Juno Beach, FL 33408
  David.Lawlor@nexteraenergy.com
  (403) 689-6285
- Operational manager(s) contact information will be provided prior to operations.

Contact 911 in the event of:

- A fire or emergency on-site that cannot be addressed by personnel on-site and requires the assistance of fire or emergency medical personnel;
- A fire ignition on-site that spreads out of the fence line; and
- Any fire off-site that does not have emergency responders on site.
  - To the extent that operational personnel can safely assist and/or provide equipment to help extinguish off-site fires until emergency responders are on site, it is encouraged to do so to assist in the spread of the fire, loss of life, property and damage to the environment.

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3.5 Fire Precaution Levels and Restrictions during Fire Season

Definitions:

Non-Fire Season – Approximately October - May



Fire Season – Approximately June-September, formally designated by the Oregon Department of Forestry (ODF). Under ORS 478.960 (4), a Fire Chief can establish Fire Season within a Fire District when ODF, under ORS 477.505, declares Fire Season. Begins seasonal restrictions for public and industry.



Fire Weather Watch - A fire weather watch is issued when there is a high potential for the development of a red flag event. A watch is issued 18 to 96 hours in advance of the expected onset of criteria. Intent of a fire weather watch is to alert forecast users at least a day in advance for the purposes of resource allocation and fire fighter safety. A watch means critical fire weather conditions are possible but not imminent or occurring.



Red Flag Weather Warning - A red flag warning is used to warn of impending or occurring red flag conditions. Its issuance denotes a high degree of confidence that weather and fuel conditions consistent with local red flag event criteria will occur in 48 hours or less. Specific Red Flag criteria differ for each situation and district in Oregon. Be extremely careful with open flames and other activities that emit sparks.

Hot Work -Any cutting, grinding, welding, or other activity that creates spark or open flame.

Fire Watch Service:

Fire watch shall:

- Be physically capable and experienced to operate firefighting equipment.
- Have facilities for transportation and communications to summon assistance.
- Observe portions of the operation on which activity occurred during the day.

Upon discovery of a fire, Firewatch personnel must: First report the fire, summon any necessary firefighting assistance, describe intended fire suppression activities; then, after determining a safety zone and an escape route that will not be cut off if the fire increases or changes direction, immediately proceed to control and extinguish the fire, consistent with firefighting training and safety.

Fire-Prevention Measures and Restrictions Associated with Fire Season:

Certificate Holder will maintain a log when operational activities are impacted by Fire Restrictions during Fire Season as designed in this Section. The log will include:

- The date;
- Fire Precaution Level;
- Description of actions taken, including if any measures were taken to reduce wildfire risk that are not identified in this Plan.

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Non-Fire Season

- All hot work must be conducted on roads or on non-combustible surfaces.
- Smoking in designated areas only.

Fire Season

- Before the start of each daily shift, at approximately 07:00 a.m. local time, the Technician in charge will check the fire danger posting by the National Weather Service for any Red Flag Warnings for that day.
- All hot work (any cutting, welding, or other activity that creates spark or open flame) must be conducted on roads or on non-combustible surfaces.
- Water source meeting specifications in this Plan will be on site during fire season.
- Following the completion of hot work, the Certificate Holder or contractor(s) must maintain a fire watch for 60 minutes to monitor for potential ignition.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- Smoking in designated areas only.

Fire Weather Watch

- No hot work permitted.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Red Flag Weather Warning

- No hot work permitted.
- On-site personnel must be aware of Red Flag Warning.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	Non-Fire Season	Fire Season	Fire Weather Watch	Red Flag Warning
Fire weather advisory	Not required	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins. On-site personnel must be aware of Red Flag Warning.

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Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	Non-Fire Season	Fire Season	Fire Weather Watch	Red Flag Warning
On-site water source	N/A	As specified in Section 3.2	As specified in Section 3.2 and 3.3.	As specified in Section 3.2 and 3.3.
Hot work	Only permitted on roads or on non-combustible surfaces.	Only permitted on roads or on non-combustible surfaces; fire watch required for 60 minutes after completion	Not Permitted	Not Permitted
Fire Watch Service	Not required	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.
Driving and Parking	As described in Section 3.9.	As described in Section 3.9.	Only permitted on roads or on non-combustible surfaces and Section 3.9.	Only permitted on roads or on non-combustible surfaces and Section 3.9.
Smoking	Designated areas only	Designated areas only	Not permitted	Not permitted

3.6 Vegetation Management

3.6.1 Vegetation-free, Noncombustible Space

The following areas will be managed to be vegetation-free, noncombustible space, or gravel surface:

- 16-foot-wide service roads within solar fence line – graveled
- 10-foot noncombustible, defensible space clearance along the fenced perimeter of the site boundary – vegetation free
- Within the fenced perimeter of the inverter/transformer pads, collector substation and battery energy storage system (BESS) – graveled, similar noncombustible base, or vegetation free

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- Parking and O&M building perimeter – graveled
- Vegetation along service roads will be managed by mowing or other vegetation removal

Vegetation in these areas will be managed by the following techniques:

- Mowing;
- Chemical (herbicide) spray; and
- Reseeding with low growing, native vegetation.

3.6.2 Vegetation Standards, Surveys and Management

Vegetation within the fence line and below the solar arrays will be maintained in accordance with the approved Revegetation Plan for the Facility.

- Vegetation will be limited to a height of 10-12 inches, with a minimum clearance of 12 inches from electrical equipment. Vegetation near, at, or taller than the maximum height shall be removed or mowed.
- Mowing must be done in advance of fire season or accordance to any fire restrictions.
- At no point shall vegetation come in contact with electrical equipment.
- Vegetation buildup in the fence line(s) shall be removed.
- Any vegetation removed from the site will be disposed of and not stored onsite. Certificate holder and contractors will prevent the accumulation of combustible "burn piles" on site.

A vegetation assessment survey of the fenced area will be completed at least twice a year to monitor for vegetation clearances and maintenance of fire breaks, and wildfire hazards. One survey will occur before the fire season begins, in May or June. The second survey will occur in October or November. Additional vegetation surveys and management may be required throughout the year based on seasonally heightened fire risk, vegetation growth, or observations from operational maintenance staff.

The survey will be conducted by the a vegetation specialist and will be used to assess the frequency of upcoming vegetation maintenance and will assess and document the following:

- Location;
- Species;
- Height;
- Proximity to facility components;
- Estimated growth rate;
- Abundance;
- Clearance/setbacks; and
- Risk of fire hazard.

Results of surveys shall be provided in the annual updates to this WMP, designated in Section 4.0.

Vegetation control includes the following (to be consistent with this WMP, Revegetation Plan , Soil Reclamation Plan and Noxious Weed Plan):

- Mowing;
- Chemical (herbicide) spray; and
- Physical removal.

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3.7 Inspections and Maintenance

Facility components will be inspected and maintained as designated in Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results* below. Prior to operations, Table 2 will be updated based on manufacturer recommendations associated with each type of facility component and vegetation management consistent with this WMP and Revegetation Plan.

Table 2 includes an operational check list that will be filled out designating which personnel conducted inspections and maintenance, the dates of inspections and maintenance, and results. As designated in Section 4.0 of this WMP, this table checklist will be submitted to demonstrate compliance with the WMP and used to determine if changes to the WMP are necessary. Other checklists may be provided prior to operation and in the annual review of the WMP, as approved by the Department.

Prior to operation, manufacturers' recommendations, or excerpts for inspections and maintenance will be included as an appendix to this plan.

Lock Out/Tag Out Program:
During maintenance activities, electrical equipment is de-energized and physically locked or tagged in the de-energized positions to avoid inadvertent events that could result in arc flash.

- Ensure equipment is maintained to prevent and control sources of ignition.

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Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

A completed table will be provided in a revised final Operational WMP prior to operation.

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard[1]	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
System Protection	Protection Relays • Verify calibration and check functionality. Breaker Trip Testing • Verify the ability to trip breakers via coil.	X	Manufacturer's maintenance recommendations	Repair or replace once every 5 years	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
System Protection	System Protection Potential Transducers ("PTs") and Current Transducers ("CTs") • Verify calibration and check functionality.	X	Manufacturer's maintenance recommendations	Repair or replace once every 11 years	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Solar Inverter	• Visual inspection of inverter and surrounding area. • Verify torque specifications. • For alternating current (AC)/direct current (DC), perform inspection of communication and control power terminations. • Cycle AC/DC disconnects, inspect AC/DC contactors and cooling fans. • Perform infrared scan. Inverter Testing and Preventative Parts Replacement • Preventative maintenance replacement of inverter parts (e.g.: cooling system and power supplies that are operating effectively but scheduled for replacement per manufacturer's recommendations).		Spill Prevention, Control, and Countermeasures (SPCC) Plan[3] Manufacturer's maintenance recommendations	• Monthly SPCC Plan • Bi-annual Preventative Maintenance • Per manufacturer's recommendations	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on gravel pad around inverter to prevent vegetation growth. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon visual inspections listed above.	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Tracker System	• Perform visual inspection of tracking components; sync data with the Certificate Holder's Operations Center. • Perform visual inspection of module clamps and rail fasteners for integrity. • Perform visual inspection of gear drives and shaft assemblies for alignment. • Grease gear boxes and/or drive shaft. • Verify wind stow functionality and lubricate slew ring.		Manufacturer's maintenance recommendations	• Per manufacturer's recommendations	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

A completed table will be provided in a revised final Operational WMP prior to operation.

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard[1]	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
Solar Array Structures	• Perform visual inspection of mounting structures, grounding, and cabling.		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Solar Array Panels, Harnesses, and Combiner Boxes	At Certificate Holder's sole discretion, to perform one of the following options: • Infra-red ("IR") Flyover a. IR scan of Site providing DC health of the Facility down to string level reporting; or • Physical DC Health Inspection a. Perform visual inspection of whips and wires connectors for damage or exposed conductors in gutters of harness combiner boxes. b. Measure and record current of each whip using clamp-on meter and identify low performing whips.		Certificate Holder's discretion Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components	Vegetation: Vegetation under solar arrays will be maintained to a height of 10-12 inches, with a minimum clearance of 12 inches from electrical equipment. Methods include manual removal, mowing, or as designated in this Plan.	Vegetation: Twice a year, or more often, as designated in this Plan.	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Collector Substation	• Perform visual inspection of the grounding system. • Perform thermographic and visual inspection. • Perform uninterrupted power supply (UPS) inspection and maintenance.		Manufacturer's maintenance recommendations North American Electric Reliability Corporation (NERC)	Repair or replace annually	Date: Personnel:	Date: Personnel:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on substation gravel pad. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon routine visual inspections.	Results: Notes:	Results: Notes:
BESS	• Set battery maintenance (system check, cell balancing).		Manufacturer's	Repair or replace annually	Date:	Date:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

A completed table will be provided in a revised final Operational WMP prior to operation.

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard[1]	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
	• Battery cable, appearance, grounding, dust removal. • Inspect battery management system alarms. • Visual inspection of electrical terminations using thermal imager.		maintenance recommendations		Personnel:	Personnel:
	Vegetation: • Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on substation gravel pad. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon routine visual inspections.	Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	• Check for correct operations of battery monitoring system and battery charging system. • Perform visual inspection of the battery room, mounting rack, batteries, and connections.		Manufacturer's maintenance recommendations	Repair or replace monthly	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	• Perform individual cell float charge and specific gravity checks.		Manufacturer's maintenance recommendations	Repair or replace quarterly	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	• Measure float cell voltage, pilot cell voltage, and electrolyte temperature of pilot cell.		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Supervisory, Control and Data Acquisition (SCADA) & Network Equipment	• Plant equipment will be evaluated every 5 years to determine state of health and provide recommendations.		Manufacturer's maintenance recommendations	Upgrade, repair, or replace every 5 years	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
					Results: Notes:	Results: Notes:

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Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

A completed table will be provided in a revised final Operational WMP prior to operation.

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard[1]	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
Medium Voltage (MV) and High Voltage (HV) Breaker	• Clean out dirt and debris. • Perform a manual operation test. • Perform an electrical test. • Perform a gas leakage test.		Manufacturer's maintenance recommendations NERC	Repair or replace per manufacturer's recommendations	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Generator Step-Up (GSU) Transformer	• Perform a visual inspection and check for proper operation of fan motor, oil pump motor, and breather. • Inspect and maintain substation transformer bushings and control panel. • Perform visual inspection of bushings for indications of local heating, oil leaks, proper oil level and indication of contaminants.		SPCC Plan[3] Manufacturer's maintenance recommendations	Repair, overhaul, refurbish, or replace per manufacturer's recommendations	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Inverter Step-up Transformer	• Perform infrared scans on low side of transformer when power is >80%. • Verify temperature and pressure sync with the contractor's Operations Center. • Perform visual inspection of the physical integrity of the enclosure and check for oil leakage. • Perform visual inspection for damage or discoloration of bushings. • Perform oil sample analysis on MV transformer(s). • Collect MV transformer oil sample(s) for 3rd party analysis. • Perform electrical test of transformer. • Verify integrity of surge arresters and check for proper tap position.		SPCC Plan[3] Manufacturer's maintenance recommendations	Replace or repair per manufacturer's recommendation	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on gravel pad around inverter to prevent vegetation growth. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon visual inspections listed above.	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Overhead electrical lines	Visual inspection of components, grounding and APLIC measures.		APLIC		Date: Personnel:	Date: Personnel:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

A completed table will be provided in a revised final Operational WMP prior to operation.

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard[1]	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
	Vegetation: Visual inspection of vertical clearance distance between conductor and vegetation.		Vegetation: National Energy Reliability Corporation (NERC) - Vegetation maintenance standard FAC-003-0. Mow vegetation to achieve clearance requirements between conductor and ground.	Vegetation: Yearly, depending on vegetation condition.	Results: Notes:	Results: Notes:

1. The Operational SPCC Plan for the Facility will require these components to be inspected monthly for spills. During these inspections, Operational Staff will also visually inspect the component and surrounding area.

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3.8 Use of Vehicles and Power-Driven Machinery at Site

The following best management practices (BMPs) to minimize fire risk from vehicle travel, equipment use, and fueling activities will be implemented at the site during operational activities:

- The movement of vehicles will be planned and managed to minimize fire risk.
- As necessary, contractor(s) or operational personnel will be responsible for identifying and marking paths for all off-road vehicle travel. All off-road vehicle travel will be required to stay on the identified paths. No off-road vehicle travel will be permitted while working alone. Travel off road or parking in vegetated areas will be restricted during fire season as designated in this Plan.
- Areas with grass that are as tall or taller than the exhaust system of a vehicle must be wetted before vehicles travel through it.
- Workers will be instructed to shut off the engine of any vehicle that gets stuck, and periodically inspect the area adjacent to the exhaust system for evidence of ignition of vegetation. Stuck vehicles will be pulled out rather than "rocked" free and the area will be inspected again after the vehicle has been moved.
- Fuel containers, if used, shall remain in a vehicle or equipment trailer, parked at a designated location alongside a county right-of-way. No fuel containers shall be in the vehicles that exit the right-of-way except the five-gallon container that is required for the water truck pump.
- All power-driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.9 Operational Training(s)

3.9.1 Annual or Biannual Safety Training

The Certificate Holder will organize and hold an on-site training with operational personnel, inviting equipment manufacturers, specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency, that covers:

- The location of electrical facility components and the fire safety measures associated with each component;
- Battery-specific safety protocols, including how to appropriately address chemical fires, in the event of an emergency;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle, and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of operational maintenance activities during Fire Season and Red Flag Warnings designated in this Plan; Rescue, Alarm, Contain and Extinguish (RACE) procedures, including:
    - Rescue anyone in danger (if safe to do so);
    - Alarm – call the control room, who will then determine if 911 should be alerted;
    - Contain the fire (if safe to do so); and
    - Extinguish the incipient fire stage (if safe to do so).

- Provide information and encourage attendees to sign up for the County's emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

3.9.2 Electrical Safety Program

All operational workers will be trained in electrical safety and the specific hazards of the facility. This training will address:

- Minimum experience requirements to work on different types of electrical components;
- Lockout/tagout procedures;
- Electrical equipment testing and troubleshooting;
- Switching system;
- Provisions for entering high voltage areas (e.g., substation);
- Minimum approach distances; and
- Required personal protective equipment.

3.10 Facility Monitoring

Facility components that are monitored via the supervisory, control, and data acquisition (SCADA) system are the solar inverters, collector substation, battery energy storage system (BESS), and overhead electrical lines associated with the alternate gen-tie line.

Facility components will be monitored remotely with the SCADA system 24 hours a day, 7 days a week.

Smoke and fire detectors are placed throughout the facility, will be connected to the SCADA system, and will contact local firefighting services if needed. The BESS will also have integrated fire safety and monitoring systems to detect and alarm if a fire condition is detected.

The Facility will have the ability to be remotely operated and shut down by the Renewable Operation Control Center, which will be staffed 24 hours a day, 7 days a week.

4.0 Plan Updates: Amendments and Reporting Requirements

The following information will be provided to the Department in the annual report, as required by OAR 345-026-0080:

- Section 3.1 and 3.2, any changes in wildfire risk at the site or changes in facility components or preventative features.
- Section 3.4, any changes in local fire protection agency personnel and operational managers.
- Section 3.4, any changes in analysis area residence/landowner addresses or contact information.
- Fill out Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, with the dates, personnel, and results of inspections and maintenance performed. A different form or checklist of operational inspection, vegetation management, and maintenance may be used if approved by the Department.

- A copy of the Fire Season Restriction Log identified in Section 3.5.

The certificate holder must review this WMP annually to determine if updates to the WMP are necessary. In its annual review, the certificate holder will evaluate changes in standards, policies, future technologies or best practices that could be implemented at the facility to address wildfire prevention or protection, including but not limited to those identified in Table 3, below.

Information from the annual reporting and from the certificate holder or Department review of sources in Table 3 may be used to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation. 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.

This Plan may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council (EFSC) or ODOE, acting within its delegated authority of EFSC. Such amendments may be made without amendment of the site certificate. EFSC authorizes ODOE to agree to amendments to this Plan. ODOE will notify EFSC of all amendments, and EFSC retains the authority to approve, reject, or modify any amendment of this Plan agreed to by ODOE.

Table 3: Standards for Future Review

Reference	Description	Method
American Clean Power	Industry ground that establishes best practices for renewable energy projects.	The Certificate Holder is a member of ACP and participates in best practice development[1].
National Electric Reliability	National Energy Reliability Corporation develops electrical standards for large energy facilities.	The Certificate Holder will follow NERC Standard FAC-003-0 for its vegetation management program of transmission lines[2], or updates to this standard as approved by NERC.
Oregon Specialty Building Codes	Building codes applicable to inhabitable spaces, including the O&M building and the substation enclosure.	Remodeling to the O&M and enclosure structure that requires permits will follow any updates to the Oregon Specialty Building Codes at that time.
Oregon Fire Code	The Oregon State Fire Marshal adopts the Oregon Fire Code, establishing minimum fire prevention and protection systems requirements applicable to certain structures, including but not limited to, energy systems.	The Certificate Holder will adhere to any applicable standards of the Oregon Fire Code and will incorporate features necessary to meet those standards into the design of the facility. Certificate holder will annually review and apply applicable standards that may apply to an operational facility.

Table 3: Standards for Future Review

Reference	Description	Method
NFPA Codes and Standards	The National Fire Protection Association publishes codes and standards intended to minimize the possibility and effects of fire and other risks.	The Certificate Holder will identify and adhere to any applicable codes and standards and will incorporate features necessary to meet those standards into the design of the facility. Certificate holder will annually review and apply applicable standards that may apply to an operational facility.
APLIC	Avian protection methods for electrical facility reduce fires related to bird/mammal nests on electrical equipment.	The Certificate Holder is a member of APLIC[3]. An operational wildlife monitoring program will inspect for wildlife nesting on facilities that could cause fire, and take actions following applicable laws (e.g., MBTA).
ORS chapter 477, OAR chapter 629-043	Standards and rules for fire prevention in forest and range land administered by Oregon Department of Forestry.	The Certificate Holder will be familiar with and operate consistently with the applicable standards, including any updates to rules or standards and will provide a summary of standards that are updated and implemented at the facility.
OAR chapter 860, division 024	Safety standards for transmission lines adopted by Oregon PUC.	The Certificate Holder will maintain consistency with any applicable vegetation clearance requirements, pruning standards, and high fire risk zone safety standards and will provide a summary of standards that are updated and implemented at the facility.

1. Link to ACP Standards & Practices: https://cleanpower.org/resources/types/standards-and-practices/.
2. NERC FAC-003-0: https://www.nerc.com/pa/Stand/Reliability%20Standards/FAC-003-0.pdf.
3. Link to APLIC member organization: https://www.aplic.org/member_websites.php.

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Figures

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1
Integrated Expected Wildfire Risk

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

Integrated Expected Wildfire Risk

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss
- Neutral

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Doherty Rd
Lower Sand Hollow Rd
Melville Rd
Bombing Range Rd
Barak Martin Rd N
Lexington-Echo Hwy
Strawberry Ln
Juniper Canyon Rd
Strawberry East Rd
Barak Martin Rd
Barclay Ln
Kilkenny Rd
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cutsforth Rd
207

1:40,000

WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

\\tt.local\GIS\US\CES\Projects\PDX\NextEra\WheatridgeMaps\a_Permitting_RAI\Exhibit_M\NEER_WREFIII_RAI_Exhibit_M_20260121.aprx

Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 2
Expected Risk
to Infrastructure

MORROW COUNTY, OR

- Proposed Wagon Trail Solar II Site Boundary
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Analysis Area (0.5 mile Buffer)
- State Highway
- County Highway
- Local Roads

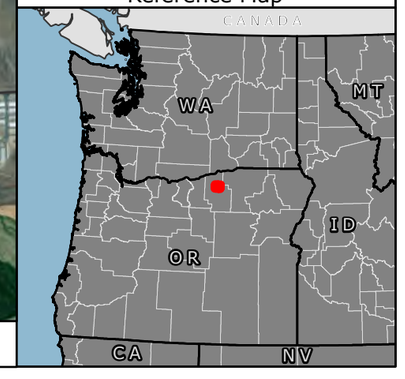
Expected Risk to Infrastructure

- Very High Loss
- High Loss
- Moderate Loss
- Low Loss

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



Canyon Rd
Grieb-Wood Rd
Little Juniper Ln
Grieb Ln
Bombing Range Rd
Dobrinsky Rd
Lower Sand Hollow Rd
Melville Rd
Juniper Canyon Rd
Barak Martin Rd N
Strawberry Ln
Lexington-Echo Hwy
Barclay Ln
Strawberry East Rd
Barak Martin Rd
Kilkenny Rd
Kemp Rd
Sand Hollow Rd
Beach Ln
578
Myers Ln
Baseline Ln
Cusforth Rd
207

1:40,000 WGS 1984 UTM Zone 11N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

\\tt.local\GIS\US\CES\Projects\PDX\NextEra\WheatridgeMaps\a_Permitting_RAI\Exhibit_M\NEER_WREFIII_RAI_Exhibit_M_20260121.aprx

Attachment 1: Residence/Landowner Outreach Letter

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COMPANY LOGO/LETTERHEAD

DATE

RE: Community Outreach Letter for Wagon Trail Solar II

My name is XXX and I'm the XXX for Wagon Trail Energy Center, LLC, a wholly owned, indirect subsidiary of NextEra Energy Resources, LLC (NEER). We are the certificate holder of the Wagon Trail Solar II, a solar energy generation facility approved by the Oregon Energy Facility Siting Council (EFSC). Construction of the facility will start in XX. The facility is a 100-megawatt solar facility located in Morrow County. You are receiving this letter because your address is within 0.5 miles from the facility site boundary and we want to make sure you are aware of the following information:

- Safety at the facility is our highest priority. We have emergency procedures in place in the event of an emergency on site or off site that may impact the facility and adjacent areas. This includes a Wildfire Mitigation Plan (WMP) that addresses vegetation management, facility inspections, and maintenance protocols to ensure that the facility minimizes fire risk. The WMP also requires fire protection equipment to be on site and allows for emergency access for fire departments in the event of a fire on site or off site.
- In the event of an emergency on site or off site that cannot be addressed by facility personnel, local emergency and law enforcement will be contacted and procedures designated by the Morrow County Office of Emergency Management will be followed, if necessary.
- If you have not already done so, we recommend you sign up for emergency notifications through Morrow County's Emergency Alert Program. You may sign up via the County's webpage or directly via this link:

https://www.co.morrow.or.us/sheriff/page/emergency-notifications

Please contact me if you have any questions about the facility, NEER, or any other concerns regarding construction and operation of the facility. Further, the Oregon Department of Energy (ODOE) is staff to EFSC and can be contacted if you have questions. Follow the link below for contact information:

https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Compliance-Program.aspx

Thank you,
NAME
TITLE

CONTACT INFORMATION

Attachment 9. Wagon Trail Solar II Retirement Cost Estimate

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CBS Position Code	Description	Forecast (T/O) Quantity	Unit of Measure	Unit Cost	Total Cost (Forecast)
1	**WAGON TRAIL II SOLAR RETIREMENT**	**1.00**	**Lump Sum**	**$9,474,116.29**	**$9,474,116.29**
1.1	**Equipment & Facilities Mob / Demob**	**1.00**	**Lump Sum**	**$131,143.17**	**$131,143.17**
1.1.1	Equipment Mob	1.00	Lump Sum	$61,200.00	$61,200.00
1.1.2	Site Facilities	1.00	Lump Sum	$2,200.00	$2,200.00
1.1.3	Crew Mob & Site Setup	3.00	Day	$13,548.63	$40,645.90
1.1.4	Crew Demob & Site Cleanup	2.00	Day	$13,548.63	$27,097.27
1.2	**Project Site Support**	**6.00**	**Month**	**$56,701.60**	**$340,209.58**
1.2.1	Site Facilities	6.00	Month	$2,205.00	$13,230.00
1.2.2	Field Management	6.00	Month	$54,496.60	$326,979.58
1.3	**AG Collection Removal**	**3.00**	**Mile**	**$7,289.64**	**$21,868.92**
1.3.1	Conductor Removal	3.00	Mile	$2,790.34	$8,371.01
1.3.2	Wood Pole Removal	80.00	Each	$168.72	$13,497.91
1.4	**BESS Unit Removal**	**26.00**	**Each**	**$8,106.56**	**$210,770.44**
1.4.1	BESS Unit Removal	26.00	Each	$6,640.08	$172,641.96
1.4.2	Inverter Removal	11.00	Each	$2,558.24	$28,140.66
1.4.3	Concrete Pad Removal - BESS Units	182.00	Cubic Yard	$41.54	$7,560.92
1.4.4	Concrete Pad Removal - Inverters	11.00	Cubic Yard	$41.54	$456.98
1.4.5	UG Cable Removal	1.00	Day	$1,969.92	$1,969.92
1.5	**Inverter / Transformer Removal**	**26.00**	**Each**	**$1,820.23**	**$47,325.87**
1.5.1	Disconnect Electrical	26.00	Each	$111.39	$2,896.23
1.5.2	Loadout Inverter & Transformer	26.00	Each	$208.83	$5,429.63
1.5.3	Trucking - Per Load	26.00	Each	$1,500.00	$39,000.00
1.6	**Inverter / Transformer Pad Removal**	**26.00**	**Each**	**$308.38**	**$8,017.89**
1.6.1	Excavate / Remove Foundation - Various Depth	193.00	Cubic Yard	$29.52	$5,697.37
1.6.2	Concrete Transport Offsite	193.00	Cubic Yard	$12.02	$2,320.52
1.7	**Solar Array Retirement**	**1.00**	**Lump Sum**	**$5,083,731.87**	**$5,083,731.87**
1.7.1	Fence Removal	72,864.00	Linear Feet	$1.31	$95,231.17
1.7.2	Solar Panel Removal & Recycling	261,181.00	Each	$7.03	$1,835,896.76
1.7.3	Solar Rack (Trackers) & Post Removal	10,684.00	Each	$295.08	$3,152,603.94
1.8	**Site Restoration - Partial Site Seeding**	**1.00**	**Lump Sum**	**$726,683.79**	**$726,683.79**
1.8.1	Strip & Decompact Roads	45,936.00	Linear Feet	$1.43	$65,515.77
1.8.2	Spot Grade Disturbed Areas	516.00	Acre	$281.33	$145,168.02
1.8.3	Re-Seed With Native Vegetation - Roads & Areas Disturbed By Construction	516.00	Acre	$1,000.00	$516,000.00
1.9	**Contractor Markups**	**1.00**	**Lump Sum**	**$1,225,258.67**	**$1,225,258.67**
1.9.1	Home Office, Project Management (5% Of Cost)	1.00	Lump Sum	$328,487.60	$328,487.60
1.9.2	Contractor OH & Fee (13% Of Cost)	1.00	Lump Sum	$896,771.07	$896,771.07
1.10	**ODOE Mandated Contingencies**	**1.00**	**Lump Sum**	**$1,679,106.10**	**$1,679,106.10**
1.10.1	20% Contingency on BESS	1.00	Lump Sum	$42,154.00	$42,154.00
1.10.2	1% Performance Bond	1.00	Lump Sum	$77,950.10	$77,950.10
1.10.3	10% Administrative and Project Management	1.00	Lump Sum	$779,501.00	$779,501.00
1.10.4	10% Future Development Contingency	1.00	Lump Sum	$779,501.00	$779,501.00

Estimate Summary
TETRA TECH, INC.
Job Code: Wagon Trail Solar II
Description: Decommissioning Estimate

CBS Position Code	Quantity	UM	Cost Item Description	UM/Day	Cost Source	Currency	Unit Cost	Total Cost
1	1.00	Lump Sum	WAGON TRAIL II SOLAR RETIREMENT	0.00	Detail	U.S. Dollar	9,474,116.29	9,474,116.29
1.1	1.00	Lump Sum	Equipment & Facilities Mob / Demob	0.20	Detail	U.S. Dollar	131,143.17	131,143.17
1.1.1	1.00	Lump Sum	Equipment Mob	0.00	Detail	U.S. Dollar	61,200.00	61,200.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UERNTRLG	Rental Equip Transp-Large		6.00	Each	U.S. Dollar	10,000.00	60,000.00
UERNTRSM	Rental Equip Transp-Small		8.00	Each	U.S. Dollar	150.00	1,200.00

1.1.2	1.00	Lump Sum	Site Facilities	0.00	Detail	U.S. Dollar	2,200.00	2,200.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UOCONMOB	Connex Box Mob		2.00	Each	U.S. Dollar	300.00	600.00
UOTRLTRN	Trailer Trnsp/Setup/Trdwn		2.00	Each	U.S. Dollar	800.00	1,600.00

1.1.3	3.00	Day	Crew Mob & Site Setup	1.00	Detail	U.S. Dollar	13,548.63	40,645.90

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	720.00	24.00	Each (hourly)	U.S. Dollar	43.52	31,337.50
L010101	OPERATOR	180.00	6.00	Each (hourly)	U.S. Dollar	51.71	9,308.40

1.1.4	2.00	Day	Crew Demob & Site Cleanup	1.00	Detail	U.S. Dollar	13,548.63	27,097.27

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	480.00	24.00	Each (hourly)	U.S. Dollar	43.52	20,891.66
L010101	OPERATOR	120.00	6.00	Each (hourly)	U.S. Dollar	51.71	6,205.60

1.2	6.00	Month	Project Site Support	0.05	Detail	U.S. Dollar	56,701.60	340,209.58
1.2.1	6.00	Month	Site Facilities	0.00	Detail	U.S. Dollar	2,205.00	13,230.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
URCONNEX	Connex Box		6.00	Month	U.S. Dollar	150.00	900.00
UROFFTRL	Office Trailer -12x60		6.00	Month	U.S. Dollar	500.00	3,000.00
UO1STAID	1st Aid Supplies		6.00	Month	U.S. Dollar	300.00	1,800.00
UOOFFSUP	Office Supplies($/prs/mo)		6.00	Month	U.S. Dollar	55.00	330.00
URPRTAJH	Port-a-John Unit(s) (4)		24.00	Month	U.S. Dollar	300.00	7,200.00

1.2.2	6.00	Month	Field Management	0.05	Detail	U.S. Dollar	54,496.60	326,979.58

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L90FXX02	Field - Proj Superintendent	1,320.00	1.00	Each (hourly)	U.S. Dollar	125.40	165,528.00
RPUTRK05	F-250 4X4 3/4 TON PICKUP	2,640.00	2.00	Each (hourly)	U.S. Dollar	11.88	31,363.20
L90FEL00	Field - Engr. Tech	1,320.00	1.00	Each (hourly)	U.S. Dollar	98.55	130,088.38

1.3	3.00	Mile	AG Collection Removal	0.45	Detail	U.S. Dollar	7,289.64	21,868.92
1.3.1	3.00	Mile	Conductor Removal	1.10	Detail	U.S. Dollar	2,790.34	8,371.01
1.3.1.1	3.00	Mile	Cut / Lower Cable, Size & Loadout	1.10	Detail	U.S. Dollar	2,290.34	6,871.01

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	109.09	4.00	Each (hourly)	U.S. Dollar	43.52	4,748.11
*RXMISC14	MAN LIFT GAS 125ft	27.27	1.00	Each (hourly)	U.S. Dollar	54.88	1,496.73
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	27.27	1.00	Each (hourly)	U.S. Dollar	22.96	626.18

1.3.1.2	1.00	Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	1,500.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost

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CBS Position Code	Quantity	UM	Description	Cost Item UM/Day	Cost Source	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub			1,500.00 Each		U.S. Dollar	1.00	1,500.00

Notes: **********
Assumption: 45,000 lbs per load
****

1.3.2	80.00	Each	Wood Pole Removal	20.00	Detail	U.S. Dollar	168.72	13,497.91
1.3.2.1	80.00	Each	Cut & Load Poles	20.00	Detail	U.S. Dollar	112.47	8,997.91

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
*REXCAV06A	Excav 100K w/ Bucket & Grapple	40.00	1.00	Each (hourly)	U.S. Dollar	129.71	5,188.40
L010101	OPERATOR	40.00	1.00	Each (hourly)	U.S. Dollar	51.71	2,068.53
L060100	GENERAL LABORER	40.00	1.00	Each (hourly)	U.S. Dollar	43.52	1,740.97

1.3.2.2	3.00	Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	4,500.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		4,500.00	Each	U.S. Dollar	1.00	4,500.00

Notes: **********
Assumption: 45,000 lbs per load
****

1.4	26.00	Each	BESS Unit Removal	0.77	Detail	U.S. Dollar	8,106.56	210,770.44
1.4.1	26.00	Each	BESS Unit Removal	0.99	Detail	U.S. Dollar	6,640.08	172,641.96
1.4.1.1	26.00	Each	Disconnect Electrical	10.00	Detail	U.S. Dollar	99.51	2,587.35

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L010110	ELECTRCIAN	26.00	1.00	Each (hourly)	U.S. Dollar	55.99	1,455.72
L060100	GENERAL LABORER	26.00	1.00	Each (hourly)	U.S. Dollar	43.52	1,131.63

1.4.1.2	1,944.29	Gallon	Glycol Recovery & Disposal	747.86	Detail	U.S. Dollar	3.63	7,067.38

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USLIQUID	Liquids T&D		1,944.29	Each	U.S. Dollar	1.00	1,944.29
L060100	GENERAL LABORER	103.99	4.00	Each (hourly)	U.S. Dollar	43.52	4,526.17
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	26.00	1.00	Each (hourly)	U.S. Dollar	22.96	596.91

1.4.1.3	26.00	Each	Battery Removal & Recycling	1.95	Detail	U.S. Dollar	3,009.32	78,242.25
1.4.1.3.1	13.32	Day	Remove Batteries, Load For Transport	1.00	Detail	U.S. Dollar	1,970.57	26,242.25

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	532.68	4.00	Each (hourly)	U.S. Dollar	43.52	23,184.65
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	133.17	1.00	Each (hourly)	U.S. Dollar	22.96	3,057.60

1.4.1.3.2	26.00	Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	2,000.00	52,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		52,000.00	Each	U.S. Dollar	1.00	52,000.00

1.4.1.4	26.00	Each	Unit Removal	3.33	Detail	U.S. Dollar	3,259.42	84,744.97
1.4.1.4.1	26.00	Each	Remove Misc Waste	5.00	Detail	U.S. Dollar	394.11	10,246.97

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	208.00	4.00	Each (hourly)	U.S. Dollar	43.52	9,053.05
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	52.00	1.00	Each (hourly)	U.S. Dollar	22.96	1,193.92

1.4.1.4.2	26.00	Each	Loadout Unit For Transport	10.00	Detail	U.S. Dollar	165.31	4,298.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost

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Cost Item								
CBS Position Code	Quantity UM	Description		UM/Day	Cost Source	Currency	Unit Cost	Total Cost
RHYDCR06	GROVE RT880 73 TON		26.00	1.00 Each (hourly)	U.S. Dollar		70.07	1,821.82
L010101	OPERATOR		26.00	1.00 Each (hourly)	U.S. Dollar		51.71	1,344.55
L060100	GENERAL LABORER		26.00	1.00 Each (hourly)	U.S. Dollar		43.52	1,131.63
1.4.1.4.3	26.00 Each	Trucking - Per Load		0.00	Detail	U.S. Dollar	1,500.00	39,000.00
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
USTRUCKING	Trucking Sub			39,000.00 Each	U.S. Dollar		1.00	39,000.00
1.4.1.4.4	390.00 Ton	Waste Recyling & Disposal Cost		0.00	Detail	U.S. Dollar	80.00	31,200.00
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
USDISPOSAL	Disposal Fee's			31,200.00 Each	U.S. Dollar		1.00	31,200.00
1.4.2	11.00 Each	Inverter Removal		3.33	Detail	U.S. Dollar	2,558.24	28,140.66
1.4.2.1	11.00 Each	Disconnect Electrical		10.00	Detail	U.S. Dollar	99.51	1,094.65
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
L010110	ELECTRCIAN		11.00	1.00 Each (hourly)	U.S. Dollar		55.99	615.88
L060100	GENERAL LABORER		11.00	1.00 Each (hourly)	U.S. Dollar		43.52	478.77
1.4.2.2	11.00 Each	Remove Misc Waste		10.00	Detail	U.S. Dollar	197.06	2,167.63
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
L060100	GENERAL LABORER		44.00	4.00 Each (hourly)	U.S. Dollar		43.52	1,915.07
RLIFTS05	JCB 508C, 8,000lbs FRKLFT		11.00	1.00 Each (hourly)	U.S. Dollar		22.96	252.56
1.4.2.3	11.00 Each	Loadout Inverter For Transport		10.00	Detail	U.S. Dollar	165.31	1,818.38
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
RHYDCR06	GROVE RT880 73 TON		11.00	1.00 Each (hourly)	U.S. Dollar		70.07	770.77
L010101	OPERATOR		11.00	1.00 Each (hourly)	U.S. Dollar		51.71	568.85
L060100	GENERAL LABORER		11.00	1.00 Each (hourly)	U.S. Dollar		43.52	478.77
1.4.2.4	82.00 Ton	Waste Recycling & Disposal Cost		0.00	Detail	U.S. Dollar	80.00	6,560.00
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
USDISPOSAL	Disposal Fee's			6,560.00 Each	U.S. Dollar		1.00	6,560.00
1.4.2.5	11.00 Each	Trucking - Per Load		0.00	Detail	U.S. Dollar	1,500.00	16,500.00
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
USTRUCKING	Trucking Sub			16,500.00 Each	U.S. Dollar		1.00	16,500.00
1.4.3	182.00 Cubic Yard	Concrete Pad Removal - BESS Units		60.00	Detail	U.S. Dollar	41.54	7,560.92
1.4.3.1	182.00 Cubic Yard	Excavate / Remove Foundation - Various Depth		150.00	Detail	U.S. Dollar	29.52	5,372.65
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
L060100	GENERAL LABORER		12.13	1.00 Each (hourly)	U.S. Dollar		43.52	528.09
L010101	OPERATOR		24.27	2.00 Each (hourly)	U.S. Dollar		51.71	1,254.91
*REXCAV06C	Excav 100K w/ Hammer		12.13	1.00 Each (hourly)	U.S. Dollar		166.14	2,015.83
*REXCAV06A	Excav 100K w/ Bucket & Grapple		12.13	1.00 Each (hourly)	U.S. Dollar		129.71	1,573.81
1.4.3.2	182.00 Cubic Yard	Concrete Transport Offsite		100.00	Detail	U.S. Dollar	12.02	2,188.26
Resource Code	**Description**		**Hours**	**Quantity UM**	**Currency**		**Unit Cost**	**Total Cost**
RDUTRK06	CAT D350D, 18CY-24CY		18.20	1.00 Each (hourly)	U.S. Dollar		76.71	1,396.12
L080940	TEAMSTER		18.20	1.00 Each (hourly)	U.S. Dollar		43.52	792.14
1.4.4	11.00 Cubic Yard	Concrete Pad Removal - Inverters		60.00	Detail	U.S. Dollar	41.54	456.98

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CBS Position Code	Quantity	UM	Description	Cost Item UM/Day	Cost Source	Currency	Unit Cost	Total Cost
1.4.4.1	11.00	Cubic Yard	Excavate / Remove Foundation - Various Depth	150.00	Detail	U.S. Dollar	29.52	324.72

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	0.73	1.00	Each (hourly)	U.S. Dollar	43.52	31.92
L010101	OPERATOR	1.47	2.00	Each (hourly)	U.S. Dollar	51.71	75.85
*REXCAV06C	Excav 100K w/ Hammer	0.73	1.00	Each (hourly)	U.S. Dollar	166.14	121.84
*REXCAV06A	Excav 100K w/ Bucket & Grapple	0.73	1.00	Each (hourly)	U.S. Dollar	129.71	95.12

1.4.4.2	11.00	Cubic Yard	Concrete Transport Offsite	100.00	Detail	U.S. Dollar	12.02	132.26

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
RDUTRK06	CAT D350D, 18CY-24CY	1.10	1.00	Each (hourly)	U.S. Dollar	76.71	84.38
L080940	TEAMSTER	1.10	1.00	Each (hourly)	U.S. Dollar	43.52	47.88

1.4.5	1.00	Day	UG Cable Removal	1.00	Detail	U.S. Dollar	1,969.92	1,969.92

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L010101	OPERATOR	10.00	1.00	Each (hourly)	U.S. Dollar	51.71	517.13
L060100	GENERAL LABORER	20.00	2.00	Each (hourly)	U.S. Dollar	43.52	870.49
RBACKH09	Deere 710J BACKHOE, 1.62CY	10.00	1.00	Each (hourly)	U.S. Dollar	35.27	352.70
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	10.00	1.00	Each (hourly)	U.S. Dollar	22.96	229.60

1.5	26.00	Each	Inverter / Transformer Removal	5.00	Detail	U.S. Dollar	1,820.23	47,325.87

1.5.1	26.00	Each	Disconnect Electrical	10.00	Detail	U.S. Dollar	111.39	2,896.23

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L010110	ELECTRCIAN	26.00	1.00	Each (hourly)	U.S. Dollar	55.99	1,455.72
L060100	GENERAL LABORER	26.00	1.00	Each (hourly)	U.S. Dollar	43.52	1,131.63
RPUTRK05	F-250 4X4 3/4 TON PICKUP	26.00	1.00	Each (hourly)	U.S. Dollar	11.88	308.88

1.5.2	26.00	Each	Loadout Inverter & Transformer	10.00	Detail	U.S. Dollar	208.83	5,429.63

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	52.00	2.00	Each (hourly)	U.S. Dollar	43.52	2,263.26
L010101	OPERATOR	26.00	1.00	Each (hourly)	U.S. Dollar	51.71	1,344.55
RHYDCR06	GROVE RT880 73 TON	26.00	1.00	Each (hourly)	U.S. Dollar	70.07	1,821.82

1.5.3	26.00	Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	39,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		39,000.00	Each	U.S. Dollar	1.00	39,000.00

1.6	26.00	Each	Inverter / Transformer Pad Removal	8.08	Detail	U.S. Dollar	308.38	8,017.89

1.6.1	193.00	Cubic Yard	Excavate / Remove Foundation - Various Depth	150.00	Detail	U.S. Dollar	29.52	5,697.37

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L060100	GENERAL LABORER	12.87	1.00	Each (hourly)	U.S. Dollar	43.52	560.01
L010101	OPERATOR	25.73	2.00	Each (hourly)	U.S. Dollar	51.71	1,330.76
*REXCAV06C	Excav 100K w/ Hammer	12.87	1.00	Each (hourly)	U.S. Dollar	166.14	2,137.67
*REXCAV06A	Excav 100K w/ Bucket & Grapple	12.87	1.00	Each (hourly)	U.S. Dollar	129.71	1,668.94

1.6.2	193.00	Cubic Yard	Concrete Transport Offsite	100.00	Detail	U.S. Dollar	12.02	2,320.52

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
RDUTRK06	CAT D350D, 18CY-24CY	19.30	1.00	Each (hourly)	U.S. Dollar	76.71	1,480.50
L080940	TEAMSTER	19.30	1.00	Each (hourly)	U.S. Dollar	43.52	840.02

1.7	1.00	Lump Sum	Solar Array Retirement	0.01	Detail	U.S. Dollar	5,083,731.87	5,083,731.87

1.7.1	72,864.00	Linear Feet	Fence Removal	5,124.80	Detail	U.S. Dollar	1.31	95,231.17

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CBS Position Code	Quantity	UM	Description	Cost Item UM/Day	Cost Source	Currency	Unit Cost	Total Cost
1.7.1.1	72,864.00	Linear Feet	Fence Removal	5,124.80	Detail	U.S. Dollar	1.02	74,231.17

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L010101	OPERATOR	426.54	3.00	Each (hourly)	U.S. Dollar	51.71	22,057.69
L060100	GENERAL LABORER	853.08	6.00	Each (hourly)	U.S. Dollar	43.52	37,129.50
RBACKH09	Deere 710J BACKHOE, 1.62CY	426.54	3.00	Each (hourly)	U.S. Dollar	35.27	15,043.98

1.7.1.2	14.00 Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	21,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		21,000.00	Each	U.S. Dollar	1.00	21,000.00

1.7.2	261,181.00 Each	Solar Panel Removal & Recycling	4,800.00	Detail	U.S. Dollar	7.03	1,835,896.76
1.7.2.1	261,181.00 Each	Solar Panel Removal	4,800.00	Detail	U.S. Dollar	3.11	812,176.76

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
RLIFTS05	JCB 508C, 8,000lbs FRKLFT	3,264.76	6.00	Each (hourly)	U.S. Dollar	22.96	74,958.95
L010101	OPERATOR	3,264.76	6.00	Each (hourly)	U.S. Dollar	51.71	168,831.81
L060100	GENERAL LABORER	13,059.05	24.00	Each (hourly)	U.S. Dollar	43.52	568,386.01

Notes: **********
Assumed production: 20 panels per laborer per hour,
Includes packaging and preparing for shipment offsite.
****

1.7.2.2	360.00 Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	540,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		540,000.00	Each	U.S. Dollar	1.00	540,000.00

Notes: **********
Assumption: 45,000 lbs per load
****

1.7.2.3	8,062.00 Ton	Recyclingl Cost	0.00	Detail	U.S. Dollar	60.00	483,720.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USDISPOSAL	Disposal Fee's		483,720.00	Each	U.S. Dollar	1.00	483,720.00

1.7.3	10,684.00 Each	Solar Rack (Trackers) & Post Removal	141.82	Detail	U.S. Dollar	295.08	3,152,603.94
1.7.3.1	10,045.00 Each	Solar Rack (Trackers) & Post Removal	133.33	Detail	U.S. Dollar	280.40	2,816,603.94

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
L010101	OPERATOR	12,054.00	16.00	Each (hourly)	U.S. Dollar	51.71	623,352.72
L060100	GENERAL LABORER	6,027.00	8.00	Each (hourly)	U.S. Dollar	43.52	262,320.96
*REXCAV06A	Excav 100K w/ Bucket & Grapple	6,027.00	8.00	Each (hourly)	U.S. Dollar	129.71	781,762.17
*REXCAV06E	Excav 100K w/ Shear	6,027.00	8.00	Each (hourly)	U.S. Dollar	190.67	1,149,168.09

Notes: **********
Crew to include
1 excavator w/shear, 1 excavator w/grapple, 2 operators and 2
laborers. Includes post removal and sizing of steel for sale as scrap,
and loadout to haul trucks.
****

1.7.3.2	224.00 Each	Trucking - Per Load	0.00	Detail	U.S. Dollar	1,500.00	336,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USTRUCKING	Trucking Sub		336,000.00	Each	U.S. Dollar	1.00	336,000.00

Notes: **********
Assumption: 45,000 lbs per load
****

1.8	1.00 Lump Sum	Site Restoration - Partial Site Seeding	0.01	Detail	U.S. Dollar	726,683.79	726,683.79
1.8.1	45,936.00 Linear Feet	Strip & Decompact Roads	2,500.00	Detail	U.S. Dollar	1.43	65,515.77

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CBS Position Code	Quantity	UM	Description	Cost Item UM/Day	Cost Source	Currency	Unit Cost	Total Cost

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
*RDOZER08	CAT D6 LGP Dozer	367.49	2.00	Each (hourly)	U.S. Dollar	60.82	22,350.62
L010101	OPERATOR	551.23	3.00	Each (hourly)	U.S. Dollar	51.71	28,506.05
*RFELWH08C	CAT 980 LOADER	183.74	1.00	Each (hourly)	U.S. Dollar	79.78	14,659.10

Notes: **********
Decompaction to include discing and regrading
Assume removed road base transported offsite at no charge
****

1.8.2	516.00 Acre	Spot Grade Disturbed Areas	8.00	Detail	U.S. Dollar	281.33	145,168.02

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
*RDOZER08	CAT D6 LGP Dozer	1,290.00	2.00	Each (hourly)	U.S. Dollar	60.82	78,457.80
L010101	OPERATOR	1,290.00	2.00	Each (hourly)	U.S. Dollar	51.71	66,710.22

Notes: **********
Assumtion: 1,473 acres total property area.
Assume that 35% of the area distrubed by construction
will be regraded.
****

1.8.3	516.00 Acre	Re-Seed With Native Vegetation - Roads & Areas Disturbed By Construction	0.00	Detail	U.S. Dollar	1,000.00	516,000.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USLANDSCAPE	Landscape Sub		516.00	Acre	U.S. Dollar	1,000.00	516,000.00

Notes: **********
Assumtion: 1,473 acres total property area.
Assume that 35% of the area distrubed by construction
will be re-seeded.
****

1.9	1.00 Lump Sum	Contractor Markups	0.00	Detail	U.S. Dollar	1,225,258.67	1,225,258.67
1.9.1	1.00 Lump Sum	Home Office, Project Management (5% Of Cost)	0.00	Detail	U.S. Dollar	328,487.60	328,487.60

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USMARKUP5	5% Markup		6,569,752.00	Each	U.S. Dollar	0.05	328,487.60
1.9.2	1.00 Lump Sum	Contractor OH & Fee (13% Of Cost)	0.00	Detail	U.S. Dollar	896,771.07	896,771.07

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
USMARKUP	13% Markup		6,898,239.00	Each	U.S. Dollar	0.13	896,771.07
1.10	1.00 Lump Sum	ODOE Mandated Contingencies	0.00	Detail	U.S. Dollar	1,679,106.10	1,679,106.10
1.10.1	1.00 Lump Sum	20% Contingency on BESS	0.00	Detail	U.S. Dollar	42,154.00	42,154.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UODCBESS	20% ODOE Mandated Contingency		210,770.00	Each	U.S. Dollar	0.20	42,154.00
1.10.2	1.00 Lump Sum	1% Performance Bond	0.00	Detail	U.S. Dollar	77,950.10	77,950.10

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UODOE1	ODOE 1% Markup		7,795,010.00	Each	U.S. Dollar	0.01	77,950.10
1.10.3	1.00 Lump Sum	10% Administrative and Project Management	0.00	Detail	U.S. Dollar	779,501.00	779,501.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UODOE2	ODOE 10% Markup		7,795,010.00	Each	U.S. Dollar	0.10	779,501.00
1.10.4	1.00 Lump Sum	10% Future Development Contingency	0.00	Detail	U.S. Dollar	779,501.00	779,501.00

Resource Code	Description	Hours	Quantity	UM	Currency	Unit Cost	Total Cost
UODOE2	ODOE 10% Markup		7,795,010.00	Each	U.S. Dollar	0.10	779,501.00

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CBS Position Code	Quantity	UM	Description	Cost Item UM/Day	Cost Source	Currency	Unit Cost	Total Cost
Report Total:								9,474,116.29

Category	Total
Labor	2,208,141.22
Rented Equipment	2,207,156.01
Supplies	2,130.00
Subcontract	3,373,438.67
Travel-Risk-Adj	1,944.29
ODCs	1,681,306.10

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Attachment 10. WREFIII and Wagon Trail Solar II Opinion of Legal Counsel

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September 2, 2020

Ms. Sarah Esterson, Siting Analyst
Oregon Department of Energy
500 Capitol Street NE, 1st Floor
Salem, OR 97301

Re: Wheatridge Solar Energy Center, LLC

Dear Ms. Esterson:

This firm has acted as special counsel to Wheatridge Solar Energy Center, LLC, a Delaware limited liability company (the "Certificate Holder") in connection with the Site Certification for the Wheatridge Renewable Energy Facility III and the Certificate Holder's development, construction, operation and retirement of the solar farm located in Morrow County, Oregon (the "**Wheatridge Project**").

For purposes of the opinions expressed in this letter, we have examined a certified copy of the Certificate of Formation of Wheatridge Solar Energy Center, LLC, filed with the State of Delaware Secretary of State, Division of Corporations on November 14, 2018 (the "**COF**"), and a copy of the Limited Liability Company Agreement of Wheatridge Solar Energy Center, LLC, dated as of November 14, 2018, executed by ESI Energy, LLC, as Sole Member (the "**LLC Agreement**", and together with the COF, the "**Documents**").

We have reviewed only the Documents and have made no other investigation or inquiry. Without limiting the generality of the foregoing, we have not examined or reviewed any document or instrument (other than the Documents), including, without limitation, any document or instrument referred to in the Documents. We have also relied, without additional investigation, upon the facts and representations set forth in the Documents.

In our examination of the Documents and in rendering the following opinion, in addition to the assumptions contained elsewhere in this letter, we have, with your consent, assumed without investigation (and we express no opinion regarding the following):

(a) that the Documents are valid and binding obligations of each party thereto, enforceable against such party in accordance with its respective terms;

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(b) We have assumed that the provisions of the LLC Agreement relating to the powers of, and authorization and execution of documents and agreements by the Certificate Holder would be enforced by Delaware law as written.

Based solely upon our examination and consideration of the Documents, and in reliance thereon, and in reliance upon the factual statements and representations contained in the Documents, and our consideration of such matters of law as we have considered necessary or appropriate for the expression of the opinion contained herein, and subject to the exceptions, limitations, qualifications and assumptions expressed herein, we are of the opinion that, subject to the Certificate Holder's meeting all of the requirements of any applicable federal, state and local laws (including all rules and regulations promulgated thereunder), the Certificate Holder has the legal authority to construct and operate the Wheatridge Project without violating the Documents.

The opinion expressed herein is limited solely to the scope of our opinion is based solely on the Limited Liability Company Act of the State of Delaware.

Please do not hesitate to contact me if you have any questions regarding this matter.

Very truly yours,

Squire Patton Boggs (US) LLP

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October 11, 2023

VIA EMAIL

Mr. Chase McVeigh-Walker, Siting Analyst
Oregon Department of Energy
500 Capitol Street NE, 1st Floor
Salem, OR 97301

Re: Wagon Trail Energy Center, LLC

Dear Mr. McVeigh-Walker:

This firm has acted as special counsel to Wagon Trail Energy Center, LLC, a Delaware limited liability company (the "Certificate Holder") in connection with the Site Certification for the Wagon Trail Solar Project and the Certificate Holder's development, construction, operation and retirement of the solar photovoltaic energy generation facility located in Morrow County, Oregon (the "**Wagon Trail Project**").

For purposes of the opinions expressed in this letter, we have examined a certified copy of the Certificate of Formation of Wagon Trail Energy Center, LLC, filed with the State of Delaware Secretary of State, Division of Corporations on May 15, 2023 (the "**COF**"), and a copy of the Limited Liability Company Agreement of Wagon Trail Energy Center, LLC, dated May 15, 2023, executed by ESI Energy, LLC, as Sole Member (the "**LLC Agreement**", and together with the COF, the "**Documents**").

We have reviewed only the Documents and have made no other investigation or inquiry. Without limiting the generality of the foregoing, we have not examined or reviewed any document or instrument (other than the Documents), including, without limitation, any document or instrument referred to in the Documents. We have also relied, without additional investigation, upon the facts and representations set forth in the Documents.

In our examination of the Documents and in rendering the following opinion, in addition to the assumptions contained elsewhere in this letter, we have, with your consent, assumed without investigation (and we express no opinion regarding the following):

(a) that the Documents are valid and binding obligations of each party thereto, enforceable against such party in accordance with its respective terms;

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Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs, which operates worldwide through a number of separate legal entities.

Please visit squirepattonboggs.com for more information.

(b) We have assumed that the provisions of the LLC Agreement relating to the powers of, and authorization and execution of documents and agreements by the Certificate Holder would be enforced by Delaware law as written.

Based solely upon our examination and consideration of the Documents, and in reliance thereon, and in reliance upon the factual statements and representations contained in the Documents, and our consideration of such matters of law as we have considered necessary or appropriate for the expression of the opinion contained herein, and subject to the exceptions, limitations, qualifications and assumptions expressed herein, we are of the opinion that, subject to the Certificate Holder's meeting all of the requirements of any applicable federal, state and local laws (including all rules and regulations promulgated thereunder), the Certificate Holder has the legal authority to construct and operate the Wagon Trail Project without violating the Documents.

The opinion expressed herein is based, as to matters of law, solely on the applicable provisions of the Limited Liability Company Act of the State of Delaware, as currently in effect.

Please do not hesitate to contact me if you have any questions regarding this matter.

Very truly yours,



SQUIRE PATTON BOGGS (US) LLP

Attachment 11. WREFIII and Wagon Trail Solar II Letter from Financial Institution and Prequal Letter

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Scotiabank

LETTER OF CREDIT COMMITMENT LETTER

Portland General Electric Company
121 SW Salmon Street
3 World Trade Center - 0306
Portland, Oregon 97204
Attn: Credit Dept.

August 23, 2018

Dear Sirs or Madams:

NextEra Capital Holdings Inc. ("Bidder"), acting on behalf of Wheatridge Wind Energy, LLC, plans to submit a bid in response to the Portland General Electric Company's 2018 Renewable Resources Request For Proposals ("RFP"). The Bank of Nova Scotia (the "Bank") promises that, should any bid submitted by Bidder in the RFP be selected for negotiations, the Bank will issue an irrevocable standby letter of credit (the "Letter of Credit") in a form reasonably acceptable to you up to a maximum amount of $60,000,000.

The Bank's commitment hereunder is subject to (i) documentation having terms and conditions taken as a whole no less favorable than those set forth in the Amended & Restated Corporate Revolving Credit Agreement dated as of February 8, 2013, as amended and (ii) non-occurrence of a material adverse change affecting general market conditions or the Bidder's financial condition.

The Bank shall not be under any obligation to issue any Letter of Credit if: (A) any order, judgment or decree of any governmental authority or arbitrator shall by its terms purport to enjoin or restrain the Bank from issuing the Letter of Credit, or any law or regulation applicable to the Bank or any request or directive (whether or not having the force of law) from any governmental authority with jurisdiction over the Bank shall prohibit, or request that the Bank refrain from, the issuance of letters of credit generally or the Letter of Credit in particular or shall impose upon the Bank with respect to the Letter of Credit any restriction, reserve or capital requirement (for which the Bank is not otherwise compensated) not in effect on the closing date, or shall impose upon the Bank any unreimbursed loss, cost or expense which was not applicable on the closing date and which the Bank in good faith deems material to it; and (B) the issuance of the Letter of Credit would violate one or more policies of the L/C Issuer applicable to letters of credit generally.

The Bank's commitment hereunder will terminate on December 31, 2020.

We understand that said letter of credit is a required element in evaluating the Bidder's bid and that the execution and delivery of the letter of credit is a condition precedent to you entering into an agreement with Bidder. We also understand that you are under no obligation to enter into any agreement with Bidder, under the RFP or otherwise.

[Remainder of page intentionally left blank]

Yours truly,
The Bank of Nova Scotia

By:_____
Print: David Dewar
Title: Director

TRAVELERS

January 28, 2026

Oregon Department of Energy (ODOE)
Energy Siting Division
550 Capital St. NE Salem, OR 97301

Re: **$10,000,000 Decommissioning Bond for Wagon Trail Solar II (WTS II)**

To Whom it may Concern,

As described in the Request for Amendment 1 for the Wheatridge Renewable Energy Facility III (WREFIII) Site Certificate, Wagon Trail Solar II (WTS II), Wagon Trail Energy Center, LLC is a wholly owned indirect subsidiary of NextEra Energy Resources, LLC.

It has been the privilege of Travelers Casualty and Surety Company of America and its affiliates ("Travelers")[1] to provide surety bonds for NextEra Energy Resources, LLC and its affiliates for over 10 years. During that time, they have built and we have bonded projects in the $100,000,000 range for a wide variety of owners.

It is our opinion that Wagon Trail Energy Center, LLC is qualified to perform the above captioned project, which we understand has an estimated value of approximately $10,000,000. At their request we will give favorable consideration to providing the required Decommissioning Bond.

Please note that the decision to issue decommissioning bonds is a matter between Wagon Trail Energy Center, LLC and Travelers, and will be subject to our standard underwriting at the time of the final bond request, which will include but not be limited to the acceptability of the contract documents, bond forms and financing. We assume no liability to third parties or to you if for any reason we do not execute said bonds.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

Elizabeth Marrero, Attorney-in-Fact

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
HARTFORD, CONN.

[1] Travelers Casualty and Surety Company of America is an A++ (Superior) A.M. Best rated insurance company (Financial Size Category XV ($2 billion or more)). Rating is current as of July 20, 2025.

TRAVELERS

Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Elizabeth Marrero** of **MIAMI** , **Florida** , their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, **2021**.

State of Connecticut

City of Hartford ss.

By: _____
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, **2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, **2026**

_____
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 28th day of January , 2026 .

_____
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

Attachment 12. Tabulated Summary of Acoustic Modeling Results by Receptor Location

(*Confidential; Provided under Separate Cover*)

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Attachment 13. Property Owner List

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Attachment 13

Property Owner List and Tax Lot Map for Wheatridge Renewable Energy Facility III - Morrow County Assessor Data, Received 2/13/2026

MapTax Lot	Owner	Mailing Address	Mailing City	State	Zip Code
01N25E000000100	KILKENNY LAND COMPANY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
01N25E000001401	HUGHES, RANDY, TRUSTEE ETAL	67554 JUNIPER CANYON RD	LEXINGTON	OR	97839
01N25E000001500	KILKENNY LAND COMPANY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
01N25E000001600	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N25E000001601	UMATILLA ELECTRIC COOPERATIVE ASSOCIATIO	PO BOX 1148	HERMISTON	OR	97838
01N25E000001700	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N25E000001800	HUGHES, RANDY, TRUSTEE ETAL	67554 JUNIPER CANYON RD	LEXINGTON	OR	97839
01N25E000001900	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N25E000002900	SANDHOLLOW LAND, LLC	PO BOX 307	LEXINGTON	OR	97839
01N25E000003000	MARTIN, GABRIEL E	1912 RHODODENDRON WAY	BELLINGHAM	WA	98229
01N25E000003100	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N25E000003200	MUNKERS, SHEILA H ETAL	PO BOX 34	COTTONWOOD	ID	83522
01N26E000000300	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000000400	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000000401	SANDERSON, TERESA ANN 50% ETAL	78262 HWY 97	WASCO	OR	97065
01N26E000000402	COLUMBIA BASIN ELECTRIC CO-OP	PO BOX 398	HEPPNER	OR	97836
01N26E000000403	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000000404	STATE OF OREGON	STATE HIGHWAY COMMISSION			0
01N26E000000405	DOHERTY, BRIAN W & DOHERTY, PEGGY A	70516 HIGHWAY 207	LEXINGTON	OR	97839
01N26E000000500	ASHBECK, TONY R & ASHBECK, GERALD T	71384A HIGHWAY 207	ECHO	OR	97826
01N26E000000600	GRIEB FARMS, INC	72540 ALPINE LN	LEXINGTON	OR	97839
01N26E000000700	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000000701	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000000800	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001100	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001101	RAUCH, STANLEY M	72629 LITTLE JUNIPER LN	LEXINGTON	OR	97839
01N26E000001102	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001200	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001300	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000001301	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001500	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000001700	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000002200	SANDHOLLOW RANCH LLC	PO BOX 1587	HERMISTON	OR	97838
01N26E000002400	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839
01N26E000002500	MONAGLE, JOHN B & PATRICIA ANNE ETAL	517 NW 7TH	PENDLETON	OR	97801
01N26E000002700	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000002801	HEIDEMAN, AARON D	33999 RIVER VIEW DR	HERMISTON	OR	97838
01N26E000002804	KARYL SMITH, INC	8825 N ORCHARD PR RD	SPOKANE	WA	99217
01N26E000002805	HEIDEMAN, LOREN A & DELLA K, TRUSTEES	22948 FAIRVIEW LN	IONE	OR	97843
01N26E000002806	HEIDEMAN, AARON D	33999 RIVER VIEW DR	HERMISTON	OR	97838
01N26E000002807	HEIDEMAN, AARON D	33999 RIVER VIEW DR	HERMISTON	OR	97838
01N26E000002900	LONEROCK LAND AND TIMBER, LLC	26675 ICE HARBOR DR	BURBANK	WA	99323
01N26E000002900	BENEFIT, SHANNON & COPPOCK, JUDSON	70458 HWY 207-ECHO	LEXINGTON	OR	97839

Attachment 13

Property Owner List and Tax Lot Map for Wheatridge Renewable Energy Facility III - Morrow County Assessor Data, Received 2/13/2026

MapTax Lot	Owner	Mailing Address	Mailing City	State	Zip Code
01N26E000003000	MORROW COUNTY GRAIN GROWERS	PO BOX 367	LEXINGTON	OR	97839
01N26E000003100	LONEROCK LAND AND TIMBER, LLC	26675 ICE HARBOR DR	BURBANK	WA	99323
01N26E000003200	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003201	RAUCH, CHRISTIAN & RAUCH, KATHERINE A	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003202	WHEATRIDGE WIND LAND HOLDINGS, LLC	988 HOWARD AVE STE 200	BURLINGAME	CA	94010
01N26E000003300	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003301	HILL, STEPHEN TRUSTEE ET AL	73114 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003400	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003500	RJK FAMILY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
01N26E000003501	RJK FAMILY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
01N26E000003502	RJK FAMILY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
01N26E000003600	NORTH LEX POWER AND LAND, LLC	72967 STRAWBERRY LN	LEXINGTON	OR	97839
01N26E000003700	STATE OF OREGON	417 TRANSPORTATION BLDG	SALEM	OR	97310
01N26E000004400	OREM, ERIC M & OREM, BRANDI L	72028 BLACKHORSE CYN LN	HEPPNER	OR	97836
01N26E000004500	DUNCAN, SUEZANNE & DUNCAN, ROBERT	PO BOX 743	PESHASTIN	WA	98847
01N26E000004700	MILLER, COREY M & MILLER, M JILL	74655 BASELINE LN	HEPPNER	OR	97836
01N26E000004800	MILLER, MARK T & MILLER, SHANNON E	67775 CUTSFORTH RD	HEPPNER	OR	97836
02N25E000000400	KILKENNY LAND COMPANY, LLC	1124 SW MYRTLE DR	PORTLAND	OR	97201
02N26E000001101	MATHENY PROPERTY LLC	74596 ALPINE LN	LEXINGTON	OR	97839
02N26E000001200	GRIEB FARMS, INC	72540 ALPINE LN	LEXINGTON	OR	97839
02N26E000001700	GRIEB, KEN & CARRI	72540 ALPINE LN	LEXINGTON	OR	97839
02N26E000001900	GRIEB, KEN & CARRI	72540 ALPINE LN	LEXINGTON	OR	97839
02N26E000002400	WILLIAM J DOHERTY RANCH, LLC	70644 DOHERTY RD	LEXINGTON	OR	97839

Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1
Tax Lot Boundaries

MORROW COUNTY, OR

Figure 1.1
Figure 1.2
Figure 1.3
Figure 1.4
Figure 1.5
Figure 1.6
Figure 1.7
Figure 1.8
Figure 1.9

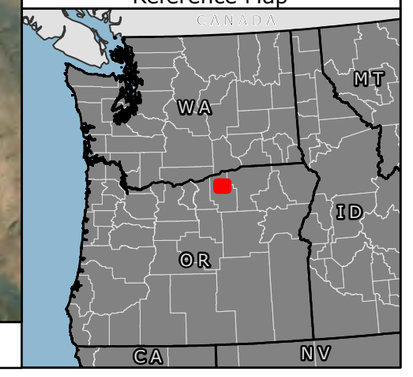
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary
- Tax Lot Boundary*
- Map Grid

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:70,000

WGS 1984 UTM Zone 10N

0 1 2 3 4 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III
Request for Amendment 1

Figure 1.1
Tax Lot Boundaries

MORROW COUNTY, OR

Tax Lot Boundary*

02N25E000000400

02N26E000001200

02N26E000001900

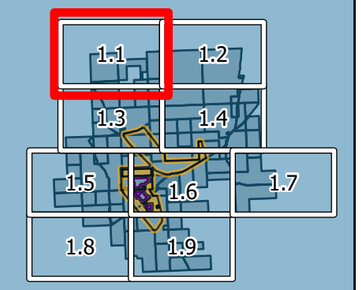
02N26E000001700

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III
Request for Amendment 1

Figure 1.2
Tax Lot Boundaries

MORROW COUNTY, OR

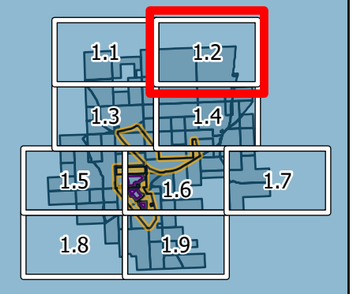
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



02N26E000001200

02N26E000001101

02N26E000001900

02N26E000002400

1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.3
Tax Lot Boundaries

MORROW COUNTY, OR

02N25E000000400
02N26E000001200
02N26E000001900
02N26E000001700
01N26E000000600
01N25E000000100
01N26E000001100
01N26E000000701
01N26E000001101
01N26E0000013
01N25E000001500
01N25E000001700
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01N26E000001200

Proposed Wagon Trail Solar II Site Boundary

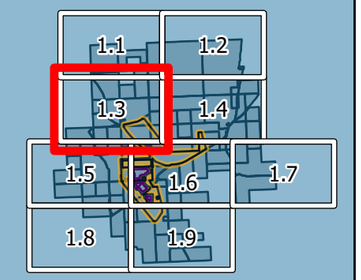
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.4
Tax Lot Boundaries

MORROW COUNTY, OR

02N26E000001200
02N26E000001101
02N26E000002400
02N26E000001900
01N26E000000403
01N26E000000300
01N26E000000600
01N26E000000400
01N26E000000500
01N26E000000701
01N26E000000700
01N26E000000800
01N26E000000405
01N26E000001301
01N26E000001700
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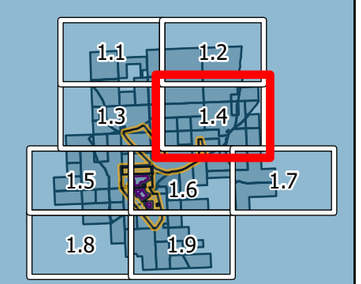
- Proposed Wagon Trail Solar II Site Boundary
- Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000 WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.5
Tax Lot Boundaries

MORROW COUNTY, OR



Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

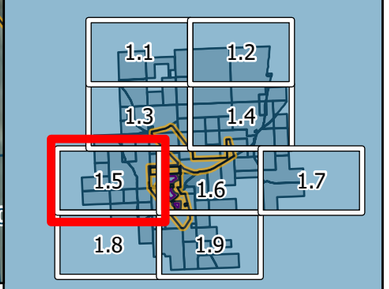
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.6
Tax Lot Boundaries

MORROW COUNTY, OR

01N26E000001102
01N26E000001700
01N26E000000402
01N26E000000404
01N26E000001500
01N26E000001300
01N26E000001301
01N26E000000400
01N26E000001200
01N26E000002700
01N26E000002400
01N26E000003100
01N26E000002804
01N26E000002500
01N26E000003200
01N26E000002805
01N26E000003201
01N26E000003000
01N26E000002900
01N26E000003202
01N26E000003301
01N26E000003600
01N26E000003300
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01N26E000003500
01N26E000003502
01N26E000002806

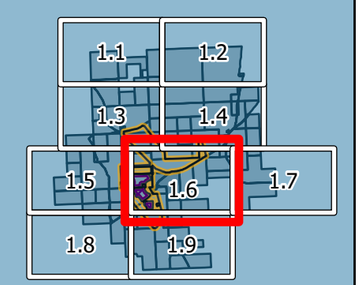
- Proposed Wheatridge Renewable Energy Facility III Site Boundary
- Proposed Wagon Trail Solar II Site Boundary
- Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000 WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.7
Tax Lot Boundaries

MORROW COUNTY, OR

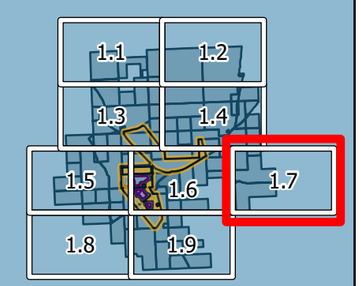
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.8
Tax Lot Boundaries

MORROW COUNTY, OR

Proposed Wagon Trail Solar II Site Boundary

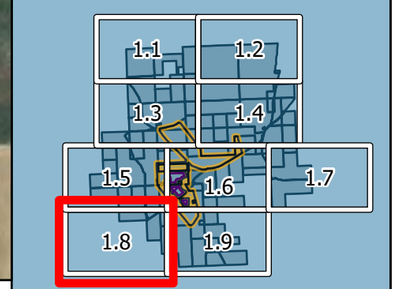
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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Wheatridge Renewable Energy Facility III Request for Amendment 1

Figure 1.9
Tax Lot Boundaries

MORROW COUNTY, OR

01N26E000003300
01N26E000003700
01N26E000003400
01N26E000002801
01N26E000002807
01N26E000002
01N26E000003502
01N26E000003500
01N26E000002806
01N26E000003501
00003200
01N26E000004400
01N26E000004500
01N26E000004700
01N26E000004800

Proposed Wheatridge Renewable Energy Facility III Site Boundary

Proposed Wagon Trail Solar II Site Boundary

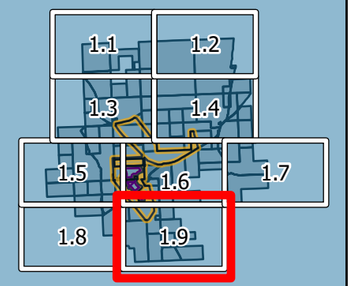
Tax Lot Boundary*

*Tax lot boundary data obtained from Morrow County 2/13/2026

TETRA TECH

NEXTera ENERGY RESOURCES

Reference Map



1:19,000

WGS 1984 UTM Zone 10N

0 0.5 1 1.5 2 Miles

NOT FOR CONSTRUCTION

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