

Exhibit CC

Other Law

Umatilla-Morrow County Connect Project



**750 West Elm Avenue
PO Box 1148
Hermiston, OR 97838**

Cole Bode
Vice President of Engineering
541-567-6414
UMCCproject@umatillaelectric.com

Application for Site Certificate

May 2025

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ACRONYMS AND ABBREVIATIONS

ASC	Application for Site Certificate
kV	kilovolt
OAR	Oregon Administrative Rule
ODOE	Oregon Department of Energy
ODOT	Oregon State Department of Transportation
ORS	Oregon Revised Statutes
Project or UMCC	Umatilla-Morrow County Connect Project
Project Order	First Amended Project Order, <i>In the Matter of the Application for Site Certificate for the Umatilla-Morrow County Connect Project</i> (April 04, 2024)
UEC	Umatilla Electric Cooperative

1.0 INTRODUCTION

Exhibit CC provides information regarding state statutes and administrative rules and local government ordinances containing approval criteria for the Umatilla-Morrow County Connect Project (Project), other than those statutes, rules, or ordinances identified in Exhibit E, as required by Oregon Administrative Rule (OAR) 345-021-0010(CC).

2.0 ANALYSIS

2.1 Oregon Department of Environmental Quality

2.1.1 Hazardous Materials Management

Statute and Rule References:

Oregon Revised Statutes (ORS) Chapters 465 and 466 (Hazardous Waste and Hazardous Materials I and II); and OAR Chapter 340, Divisions 100 through 122 (Hazardous Waste Management).

Contact Information:

Patty Isaak
Permit Coordinator
Oregon Department of Environmental Quality
541-613-1125
patty.isaak@deq.oregon.gov

Discussion:

Exhibit G describes Umatilla Electric Cooperative's (UEC's) plans to manage hazardous materials during construction and operation of the Project to comply with the Oregon Department of Environmental Quality's hazardous materials management statutes and rules.

2.1.2 Solid Waste Management

Statute and Rule References:

ORS Chapter 459 (Solid Waste Management) and OAR Chapter 340, Division 93 (Solid Waste General Provisions).

Contact Information:

Same as above.

Discussion:

Exhibit W describes UEC's plans to manage solid waste during construction and operation of the Project to comply with the Oregon Department of Environmental Quality's solid waste management statutes and rules.

2.1.3 Noise Control Regulations

Statute and Rule References:

ORS 467.020 and ORS 467.030 (Noise Control) and OAR Chapter 340, Division 35 (Noise Control Regulations)

Contact Information:

Same as above.

Discussion:

Exhibit Y describes how the Project will comply with the noise control regulations applicable to industrial facilities per OAR 340-035-0035.

2.2 Oregon Department of Fish and Wildlife

2.2.1 Fish and Wildlife Habitat Mitigation Policy

Statute and Rule References:

OAR Chapter 635, Division 415 (Fish and Wildlife Habitat Mitigation Policy).

Contact Information:

Jeremy Thompson
Habitat Division Manager
Oregon Department of Fish and Wildlife
jeremy.l.thompson@odfw.oregon.gov
541-967-6794

Discussion:

UEC analyzes the consistency of the Project with the Oregon Department of Fish and Wildlife Habitat Mitigation Policy in Exhibit P. Additional discussions regarding potential impacts to fish and wildlife habitat are provided in Exhibit Q.

2.2.2 State Threatened and Endangered Wildlife Species

Statute and Rule References:

OAR Chapter 635, Division 100 (Wildlife Diversity Plan) and OAR 635-044-0430.

Contact Information:

Same as above.

Discussion:

The Oregon Department of Fish and Wildlife provides technical review and recommendations for compliance with statutes and rules relating to the protection of state-listed threatened and endangered species. Discussion of state-listed threatened and endangered species is provided in Exhibit Q.

2.3 Oregon Parks and Recreation Department

2.3.1 State Historic Preservation Office

Statute and Rule References:

ORS 97.745 (Indian Graves and Protected Objects); ORS 358.920 (Archaeological Objects and Sites); ORS 390.010 (Outdoor Recreation); ORS 390.235 (Archaeological Sites and Historical Material); and OAR 345-022-0090 (Historic, Cultural and Archaeological Resources Standard).

Contact Information:

John O. Pouley
Oregon State Historic Preservation Officer
State Archaeologist
725 Summer Street Northeast, Suite C
Salem, Oregon 97301

Discussion:

Exhibit S analyzes compliance with the Historic, Cultural, and Archaeological Resources Standard and above-referenced statutes.

2.4 Oregon Department of Agriculture Native Plant Conservation Program

Statute and Rule References:

ORS Chapter 564 (Wildflowers, Threatened or Endangered Plants); OAR Chapter 603, Division 73 (Plants: Wildflowers and Endangered, Threatened and Candidate Species)

Contact Information:

Jordan Brown
Lead Conservation Biologist
Oregon Department of Agriculture
635 Capitol Street NE, Salem, OR 97301-2532
Phone: 541-224-2245
jordan.a.brown@oda.oregon.gov

Discussion:

The Oregon Department of Agriculture, through the Native Plant Conservation Program, is responsible for conservation and management of Oregon's listed plant species. Discussion of state-listed plant species is provided in Exhibit Q.

2.5 Oregon Department of Geology and Mineral Industries

Statute and Rule References:

OAR 345-022-0020 (Structural Standard)

Contact Information:

Jason D. McClaughry, R.G.
Geological Survey and Services Program Manager
Oregon Department of Geology and Mineral Industries
1995 3rd Street, Suite 130
Baker City, Oregon 97814
Cell: 541-519-3419
jason.mcclaughry@dogami.oregon.gov

Discussion:

The Oregon Department of Geology and Mineral Industries provides technical review and recommendations for compliance with the Energy Facility Siting Council's Structural Standard. Discussion of the geotechnical investigation is provided in Exhibit H.

2.6 Oregon Department of Land Conservation and Development

Statute and Rule References:

ORS Chapter 195 (Local Government Planning Coordination); ORS Chapter 197 (Comprehensive Land Use Planning Coordination); ORS Chapter 215 (County Planning, Zoning, Housing Codes); ORS Chapter 469 (Energy, Conservation Program, Energy Facilities); OAR Chapter 660, Divisions 12 (Requirements and Application Procedures for Complying with Statewide Goal 5); OAR Chapter 660, Divisions 33 (Agricultural Land)

Contact Information:

Dawn Hert
Eastern Oregon Representative
Oregon Department of Land Conservation and Development
503-956-8163
dawn.hert@dlcd.oregon.gov

Discussion:

The Oregon Department of Land Conservation and Development provides technical review and recommendations for compliance with statewide planning goals and applicable comprehensive planning requirements. Discussion of applicable state and local land use statutes, administrative rules, and ordinances is provided in Exhibit K.

2.7 Public Utility Commission of Oregon Safety Standards

Statute and Rule References:

ORS 757.035; OAR Chapter 860, Division 24 (Safety Standards)

Contact Information:

Public Utility Commission of Oregon
550 Capitol Street Northeast, Suite 215
Salem, Oregon 97301

Discussion:

The Public Utility Commission of Oregon oversees transmission line safety and may recommend safety conditions to include in the site certificate as they do not offer a permit. Discussion regarding transmission line safety is provided in Exhibits B and D.

2.8 Oregon Department of State Police, Office of State Fire Marshal

2.8.1 Emergency Planning and Community Right-To-Know Act

Statute and Rule References:

OAR Chapter 837, Division 85 (Community Right-To-Know Survey and Compliance Programs)

Contact Information:

Jason Cane
Supervising Deputy State Fire Marshal
Office of State Fire Marshal
Oregon State Police
jason.cane@osp.oregon.gov
503-507-4495

Discussion:

The Emergency Planning and Community Right-To-Know Act may require notification to the State Fire Marshal for certain activities. Discussion of emergency response procedures and coordination with state or local emergency responders is provided in Exhibit U.

2.8.2 Explosives Handling Program

Statute and Rule References:

OAR Chapter 837, Division 12-0565 (ORS 480 – Explosives; Flammable Materials; Pressure Vessels)

Contact Information:

Same as above.

Discussion:

An operator must notify the Fire Marshal when relocating an explosives magazine. Discussion of coordination with the relevant state or local emergency responders is provided in Exhibit G and Exhibit U.

2.9 Local Governments

The local government ordinances containing standards or criteria applicable to the Project are identified and discussed in Exhibit K.

3.0 CONCLUSIONS

Exhibit CC includes the application information provided for in OAR 345-021-0010(1)(cc) and the relevant Amended Project Order provisions.

4.0 COMPLIANCE CROSS-REFERENCES

Table CC-1 identifies the location within the application for site certificate of the information responsive to the application submittal requirements OAR 345-021-0010(cc) and the relevant Project Order provisions.

TABLE CC-1. COMPLIANCE REQUIREMENTS AND RELEVANT CROSS-REFERENCES

REQUIREMENT	LOCATION
OAR 345-021-0010(1)(cc) Exhibit CC. Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant shall identify all statutes, administrative rules and ordinances that the applicant knows to be applicable to the proposed facility, whether or not identified in the project order. To the extent not addressed by other materials in the application, the applicant shall include a discussion of how the proposed facility meets the requirements of the applicable statutes, administrative rules and ordinances.	Exhibit CC, Section 2.0
Project Order Exhibit CC requires the applicant to identify all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules, and ordinances identified in Exhibit E, if necessary. The Department has not identified any other applicable statutes or rules that are not addressed elsewhere in this Project Order.	Exhibit CC, Section 2.0