

Energy Facility Siting Council

Cindy Condon, Chair · Ann Beier, Vice-Chair
Marcy Grail · Kent Howe · Richard Devlin · Patricia Perry

Energy Facility Siting Council Meeting Minutes

Oregon Department of Energy

550 Capitol St. NE

Salem, OR 97301

Thursday, January 15, 2026

- A. Consent Calendar (Information and Action Item)¹
- B. Summit Ridge Renewable Energy Facility Notice of Intent Extension Request (Action Item)²
- C. Public Comment Period (Information Item)³
- D. Stateline Wind Project, Wildlife Monitoring and Mitigation Plan (WMMP) Amendment (Action Item)⁴
- E. Oregon Trail Solar Facility, Revegetation and Noxious Weed Plan Amendments (Action Item)⁵
- F. (6:00 P.M.) Biglow Canyon Amendment 4 Public Hearing (Public Hearing)⁶

The meeting materials presented to Council are available [here](#).

Call to Order: Chair Howe called the meeting to order on January 15, 2026, at 3:30 p.m.

Roll Call: Chair Cindy Condon and Council Member Kent Howe were present in person. Council Members Marcy Grail, Richard Devlin, and Patty Perry attended virtually.

Oregon Department of Energy representatives present were: Assistant Director for Siting/Council Secretary Todd Cornett, Senior Policy Advisor Sarah Esterson, Senior Siting

¹ Audio/Video for Agenda Item A = 00:03:50 – 2026-01-15-EFSC-Meeting-Audio/Video

² Audio/Video for Agenda Item B = 00:36:17 – 2026-01-15-EFSC-Meeting-Audio/Video

³ Audio/Video for Agenda Item C = 00:42:21 – 2026-01-15-EFSC-Meeting-Audio/Video

⁴ Audio/Video for Agenda Item D = 00:57:02 – 2026-01-15-EFSC-Meeting-Audio/Video

⁵ Audio/Video for Agenda Item E = 01:19:50 – 2026-01-15-EFSC-Meeting-Audio/Video

⁶ Audio/Video for Agenda Item F = 01:28:36 – 2026-01-15-EFSC-Meeting-Audio/Video

Analyst Chris Clark, and Administrative Assistant Nancy Hatch. Oregon Department of Justice Senior Assistant Attorney General Patrick Rowe was also present.

Agenda Modification: There were no agenda modifications.

A. Consent Calendar⁷ (Action Item & Information Item) – Approval of the November 2025 Draft Meeting Minutes; Council Secretary Report; and other routine Council business.

Council Member Howe motioned the Council approve the minutes of the November 21, 2025, meeting as presented and recommended by staff.

Council Member Grail seconded the motion.

The motion carried unanimously.

- Council Secretary Report
Secretary Cornett offered the following comments during his report to the Council:

Project Updates

Well Springs Solar Project

A Notice of Intent for the Well Springs Solar Project was received on January 2nd. This project would be a 750 MW solar PV project with 500 MW's of battery storage on approximately 7,365 acres (11 square miles). The project location is in Morrow County, approximately 5 miles NW of the Town of Lone. The parent company is MN8 Energy Development Company LLC. The Department's project webpage will be live January 16th. The public notice of the NOI and comment period will be issued next week.

Sunstone Solar Project

At the November Council meeting there was discussion regarding the parent company of the Sunstone Solar Project going into bankruptcy. As a reminder the Sunstone Solar Project was approved by Council in November 2024. It is a 1,200 MW solar and 1,200 MW battery storage on 9,442 acres (14.75 square miles) in Morrow County. Amazon won the bid to purchase the facility. As discussed during the November Council meeting, Amazon will still have to request and receive approval of a site certificate transfer before they become the site certificate holder.

Saddle Butte Energy Facility

The Department received the Notice of Intent for the Saddle Butte Energy Facility in December. This project would be a 488 MW wind energy project consisting of up to 70 turbines which

⁷ Audio/Video for Agenda Item A = 00:03:50 – 2026-01-15-EFSC-Meeting-Audio/Video

would each be up to 698 feet tall. There would also be 488 MW's of battery storage. The project location is in Gilliam County, approximately 6 miles SW of the City of Arlington. The parent company is Brookfield Renewables. The project page is live, and a public notice has been issued. A Public Informational Meeting was held in Condon on January 14th . The public comment period on the Notice of Intent concludes on January 30th.

Speedway Energy Facility

In December, the Department received the Notice of Intent for the Speedway Energy Facility. This project would be a 1,400 MW solar PV and wind project, including 500 MW of battery storage. The project location is generally south, east and northeast of Grass Valley. Staff held a public informational meeting in Grass Valley last night (January 14, 2026). The public comment period on the Notice of Intent concludes on January 23rd.

Yellow Rosebush Energy Center

This would be 800 MW solar PV project with 800 MW's of battery storage on approximately 8,075 acres (12.6 sq. miles). The project location is in Wasco and Sherman Counties, east of the City of Maupin. The developer is Savion, LLC, which is a division of Royal Dutch Shell Company. At the November meeting, the Council reviewed the Draft Proposed Order and all comments that were received and provided direction to staff for changes to be made in the Proposed Order. Staff made those changes, issued the Proposed Order and notice of opportunity to request to participate in the Contested Case. There were two requests received, as such the project will enter the Contested Case phase. The OAH presiding officer is required to provide regular updates to Council on the status/schedule of the proceeding. These updates will be emailed to Council members as well as presented in future Secretary Reports.

Leaning Juniper IIA ADR Determination

On December 21, 2025, the Department issued its determination that changes proposed in an amendment determination request (ADR) by Leaning Juniper Wind Power II, LLC (certificate holder) would not require review through the site certificate amendment process. Leaning Juniper IIA Wind Power Facility is a 98.4 megawatt operating wind facility located in Gilliam County. Changes proposed in the ADR included a tax equity, sale-leaseback transaction with certificate holder and a national financial institution ("Bank") under which the Bank would acquire legal title to certain facility equipment as personal property and simultaneously lease the same equipment back to the certificate holder under a long-term lease (the "leaseback"). The Department's determination was based on an evaluation of OAR 345-027-0350, where none of the factors which would require a site certificate amendment were triggered.

Chair Condon, noting this is the second "leaseback transaction" before Council and are new to the EFSC process, requested Council have the opportunity to understand how and why the decision was made, and the Department's understanding of the risks associated and the long term process for the transactions.

Secretary Cornett stated Council has the authority to request a review of the decision. This could be added to an agenda allowing Council to review and ask questions to Staff and the certificate holder. The Department would provide our analysis to their requests, their analysis and our determination to Council. Outside of this specific determination, Council could review the process of “leasebacks” at a future EFSC meeting as an information item.

Chair Condon stated she would like an informational session on the process, especially as it pertains to the Organizational Expertise standard and Financial Assurance standard.

After further discussion, Council noted its agreement with the Departments determination but would like an informational agenda item added to Council’s meeting agenda to provide additional education for the leaseback process.

Compliance Updates

- **Shepherds Flat Central**
Shepherds Flat Central is a 265 MW wind energy facility located in Gilliam County. The project has been operational since 2012, and the parent company is Brookfield Renewable U.S. The site has had persistent issues with weed control and revegetation efforts since initial construction and following the 2019 repower process. The site also needs to address erosion and sediment management.
- **Shepherds Flat South**
Shepherds Flat South is a 290 MW wind energy facility located in Gilliam and Morrow Counties. The project has been operational since 2012, and the parent company is Brookfield Renewable U.S. While the majority of this site is under cultivation for wheat production, this site has also had persistent issues with weed control and revegetation efforts since initial construction and following the 2019 repower process.

While neither Shepherds Flat site was compliant with revegetation or weed control conditions in 2024, Brookfield Renewable is making a concerted effort to address these conditions, and progress has been made in 2025 for managing weeds and updates are underway for the weed control and revegetation plans. The Compliance team are working with the certificate holder to become compliant in 2026.

Executive Order 25-29

Governor Kotek issued Executive Order 25-29 in November. The Order requires the Department to undertake several directives in coordination with other state agencies, including two studies due to the Governor by September 1, 2026. These studies are being led by our P&I Division. For

one study, ODOE is directed to “inventory, assess, and analyze barriers to the permitting, construction and interconnection of clean energy projects and associated infrastructure.” For the other study, ODOE is directed to “evaluate and recommend actions to update siting and permitting processes to facilitate deployment of renewable energy, energy storage, and grid infrastructure”. Draft recommendations resulting from these studies will be presented to EFSC, likely this summer as the studies must be completed by September.

Legislative Update

The short legislative session is starting in February. We do anticipate there will be some proposed legislation related to EFSC.

- 2 Feb – Session begins
- 9 Feb – Deadline to Post for 1st Chamber Work Session
- 16 Feb – Deadline to Hold 1st Chamber Work Session
- 20 Feb – Deadline to Post for 2nd Chamber Work Session
- 26 Feb – Deadline to Hold 2nd Chamber Work Session
- 8 March – Constitutional End of Session

Federal Visual Accessibility Requirements

The federal government has initiated new visual accessibility requirements that go into effect April 2026. The intent is to ensure all people, including those with visual limitations, can access all websites and other digital documents. In the coming months, there will be some changes to Power Point Presentations and other digital documents. Staff will also be creating a guide to anyone who provides digital documents to ODOE or EFSC to ensure those materials are compliant as well.

Future Meeting

The next Council meeting will be February 13th in Salem. The anticipated adjournment is 1:00 PM.

Council Member Devlin questioned whether there is a cumulative compliance report for projects and for certificate holders available.

Secretary Cornett stated the compliance team is currently working on their 6-month review presentation for next council meeting which includes questions to Council regarding what types of reports and compliance information it is interested in receiving from the team. Cumulative compliance information is theoretically available. Staff would have to conduct the research and then compile the information.

Chair Condon stated her agreement with Council Member Devlin's request, noting as Council is currently receiving monthly compliance reports as well as the 6 month review, a cumulative report for projects and certificate holder is a logical next step. Having consistent reports helps to educate Council on issues that can possibly be mitigated at the beginning of a project or application.

B. Summit Ridge Renewable Energy Facility Notice of Intent Extension Request⁸ (Action Item) – Sarah Esterson, Senior Policy Advisor. Council reviewed a request to extend the expiration of the Notice of Intent by one year, to January 25, 2027. The facility is a proposed 201 MW solar photovoltaic and wind power generation facility in Wasco County.

Chair Condon questioned the sequence for the negotiation with landowner and an agreement to be reached with BPA as represented in the reason for the requested extension.

Ms. Esterson stated while she is unsure of the sequence of the events, the applicant described that there have been several years of waiting for BPA to move forward with a decision on the substation after which there were changes with the substation that necessitated new negotiation with landowner in terms of citing.

Chair Condon questioned the number of extensions allowed for an Notice of Intent.

Ms. Esterson provided one extension is allowed.

Council Member Howe motioned the Council find the petition by the applicant to extend the expiration date of the Notice of Intent for the proposed Summit Ridge Renewable Energy Facility was timely submitted and demonstrates good cause, as recommended in the staff report; He further moved that the Council approve the extension of the expiration date of the Notice of Intent for the proposed Summit Ridge Renewable Energy Facility by one year, for a new expiration date of January 25, 2027.

Council Member Perry seconded the motion.

The motion was carried unanimously.

C. Public Comment Period⁹ (Information Item) – This time was reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment.

⁸ Audio/Video for Agenda Item B = 00:36:17 – 2026-01-15-EFSC-Meeting-Audio/Video

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Jennifer Miller

Ms. Miller, representing herself and the Oregon-California Trails Association (OCTA), urged the council to take a broader, “helicopter view” of energy projects in Eastern Oregon. She expressed concern that wind, solar, and transmission developments are rapidly displacing farmland, native ecosystems, and rural livelihoods, with inconsistent rules between locals and energy projects. She emphasized the historic significance of the Grass Valley area, particularly the Barlow Road cutoff, and requested that this route be added to project maps alongside the Oregon Trail. Her main point: projects should not be considered piecemeal, but in terms of their overall impact on the unique landscape, its beauty, and its historical importance.

Chair Condon questioned whether OCTA has had any meetings or communication with the landowners in the area of the trails and projects.

Ms. Miller stated OCTA does not know which landowners are impacted until the project map is available for review. Most projects have non-disclosure agreements signed with landowners. Sometimes OCTA does not know about a project until it is almost too late. As people are learning more about the Oregon and California Trails Association, some projects are reaching out to OCTA so that we can start working on things ahead of time and trying to create that space where preservation can be worked into the project. If OCTA was involved earlier in the process, it would aid in avoiding big impacts on the trails.

Secretary Cornett confirmed that OCTA receives the provided updates for all EFSC projects. He noted that the Department is unaware of projects and locations of projects until a notice of intent is filed. The Notice of Intent phase of a project would be the time of OCTA to review the project information and make comments regarding any issues.

Irene Gilbert

Ms. Gilbert noted that public access to council members has become increasingly difficult. She previously sent information about the wildlife mitigation plan, expressing concern that the projected reduction in bat deaths is only marginally below the threshold of concern.

Additionally, she sees no evidence of follow-up evaluations or surveys to confirm compliance with the 2.5% standard.

Additionally, Ms. Gilbert raised concerns about EFSC’s decision not to require an amendment following the sale of B2H transmission line interests to a private entity. She noted: The buyer is a non-energy company, likely created for the sale, and will not be regulated by the PUC, leaving rates and operations uncontrolled; Ownership and customer structure no longer match the original certificate, leading to multiple appeals; Pacific Power’s financial decline and the new company’s inexperience create risks for site restoration and accountability; the PUC has not approved the sale and expects contested cases due to its unusual nature. She believes skipping

a full amendment process is legally and publicly risky and urges further discussion, warning of potential legal challenges.

The Public Comment Period was closed.

D. Stateline Wind Project, Wildlife Monitoring and Mitigation Plan (WMMP) Amendment¹⁰ (Action Item) – Christopher Clark, Senior Siting Analyst, presented proposed mitigation (curtailment and monitoring/reporting) to address an exceedance of the threshold of concern for bat fatalities at the Vansycle II unit of the Stateline Wind Project, to be included as a requirement in the WMMP.

At the conclusion of the presentation, Council Members discussed the graph which represented Bird and Bat Fatalities and the Proposed Cut in Speed by Month presented for a better understanding of the curtailment operations.

Chair Condon questioned whether curtailment has been effectively used in other states.

Mr. Clark stated he was unsure whether curtailment has been used as a regulatory instrument, but the meta-analysis provided is based on real studies that happened across the United States and included the 2 bat species that are present in the Northwest. In those studies, they look at both a pre curtailment study and a post curtailment study to a certain extent and examine how the reductions played out. Meta analysis were conducted over a decade and empirically supported curtailment to be an effective strategy.

Chair Condon questioned whether there was any proposed post mitigation for the number of bat fatalities such as contributions to wildlife centers as has been proposed with other facilities.

Mr. Clark noted that it was discussed with ODFW. Compensatory mitigation is not preferred for bat fatality mitigation as there is not a lot of data available for migratory bats and their migration patterns. Any interaction bats have with a wind turbine is almost always a fatality and does not allow for rehabilitation. The operational curtailment is designed to reduce future fatalities. He added there are requirements for post construction fatality monitoring and if the thresholds are exceeded, there is conversation with the certificate holder and Staff to review if there is an unconsidered impact in the permitting that needs to be addressed.

Council Member Howe motioned the Council approve the proposed amendments to the Stateline Wind Project Wildlife Monitoring and Mitigation Plan to curtail turbine operations at

¹⁰ Audio/Video for Agenda Item D = 00:57:02 – 2026-01-15-EFSC-Meeting-Audio/Video

the Vansycle II Unit below specified wind speeds to address an exceedance of the threshold of concern for bat fatalities, as presented in the staff report.

Council Member Devlin seconded the motion.

The motion was carried unanimously.

- E. Oregon Trail Solar Facility, Revegetation and Noxious Weed Plan Amendments¹¹ (Action Item)** – Sarah Esterson, Senior Policy Advisor, presented the certificate holder’s request to amend their Revegetation (Condition 92) and Noxious Weed Plans (Condition 43) to remove the habitat restoration requirements under the Revegetation Plan given the limited, isolated and fragmented nature of the areas of temporary habitat impacts; and, incorporate sheep grazing as a vegetation management strategy into the noxious weed plan.

Council Member Howe motioned the Council approve the proposed amendments to the Oregon Trail Solar Project Revegetation Plan and the Noxious Weed Plan, as presented in the Staff report.

Council Member Grail seconded the motion.

The motion carried unanimously.

- F. (6:00 P.M.) Biglow Canyon Amendment 4 Public Hearing¹² (Public Hearing)**

Proposed Facility Overview: Chris Clark, Senior Siting Analyst, provided an overview of the siting process and the proposed amendment. Public Hearing Overview: Senior Policy Advisor Sarah Esterson, acting as the Presiding Officer, explained the legal requirements for providing comments on the record and will facilitate the hearing. Public Hearing: Interested individuals had an opportunity to provide oral testimony on Proposed Amendment.

The Biglow Canyon Amendment 4 Public Hearing verbatim transcript produced by Naegeli Deposition and Trial Court Reporters is provided below.

¹¹ Audio/Video for Agenda Item E = 01:19:50 – 2026-01-15-EFSC-Meeting-Audio/Video

¹² Audio/Video for Agenda Item F = 01:28:36 – 2026-01-15-EFSC-Meeting-Audio/Video

CHAIR CONDON: Good evening. My name is
16 Cindy Condon. It is now 6:00 -- 5:59, almost 6
17 o'clock, and I would like to call the meeting back
18 from recess and continue on with our next agenda
19 item, which is Biglow Canyon Amendment 4, a public
20 hearing.

21 And with us tonight is Chris Clark,
senior
22 siting analyst, who will provide an overview of the
23 siting process and the proposed amendment as the
24 hearing progresses -- and the hearing will
progress.

25 Thank you, Chris. You have --

1 CHRISTOPHER CLARK: Thank you, Chair
2 Condon, Council members.

3 For the record, my name is Chris Clark.
4 I'm a senior siting analyst with the Department,
and

5 we are here tonight for the public hearing on the
6 Proposed Order for Request for Amendment 4 of the
7 site certificate of the Biglow Canyon Wind Farm.

8 I am going to start the presentation
9 tonight with an overview of the Proposed Amendment
10 and the Proposed Order.

11 I'll then turn it over to our senior
12 siting analyst, Sarah Esterson, who will be serving
13 as the presiding officer for tonight's hearing.

14 Sarah will give an overview of the
hearing
15 process itself and then open the floor to public
16 hearing and oral testimony. The order of testimony
17 will be the certificate will be given an
opportunity

18 to speak followed by members of the public, and
then

19 the Council will have an opportunity to ask
20 clarifying questions.

21 To get into the overview of the Proposed

22 Order, this project, the Biglow Canyon Wind Farm,
is
23 an operating wind power generation facility in
24 Sherman County. The facility includes 217 Vestas
25 and Siemens turbines and related and supporting
1 facilities, including a collector substation and an
2 O&M facility. The facility is located within an
3 approximately 39 square mile site located about two
4 miles from the city of Wasco at its closest point.

5 In Request for Amendment 4, the
6 certificate holder proposes to construct and
operate
7 a 125-megawatt solar photovoltaic power generation
8 facility, 500 megawatt- hour Battery Energy Storage
9 System, or BESS, and new related or supporting
10 facilities at the existing site.

11 The proposed facility components would be
12 located within a proposed solar micro siting area,
13 which is represented by the pink hashed outline on
14 this map. The proposed solar micro siting area
15 includes approximately 1,924 acres, which is --
that
16 is located entirely within the approved site
17 boundary. That proposed micro siting area is
located
18 approximately 4.8 miles northeast of the city of
19 Wasco.

20 This Request for Amendment is being
21 processed under the amendment rules that were
22 adopted by the Council last October. The
Department
23 received the preliminary application or preliminary
24 Request for Amendment, excuse me, on April 21,
2025.

25 We conducted a completeness review in
1 coordination with reviewing agencies, and after
2 receiving responses to requests for additional

3 information between July and September of last
year,

4 and then in a revised amendment request in
November,

5 we issued a determination that the request was
6 complete on December 5, 2025.

7 On December 16th, we issued the Proposed
8 Order, as well as a public notice establishing the
9 comment period on the Proposed Order and tonight's
10 hearing.

11 After the close of the public hearing
12 period, the certificate holder will be required to
13 respond in writing to comments, and the Department
14 will have the option to respond as well. And then
15 there will be an opportunity for commentors to
reply

16 to those responses and certificate holder to
provide

17 sur-replies to those replies. Sarah Esterson will
18 go over this process in more detail during her
19 presentation.

20 No later than 21 days after the deadline
21 for sur-replies, the Department must issue a draft
22 of the final order with written analysis of any
23 comments on the Proposed Order, including analysis
24 of responses and replies and sur-replies and
25 whether we recommend any changes to the Proposed
1 Order. And then if we recommend any changes, we
2 will include them in a draft final order which we
3 will present to the Council. The Council can
4 review, and then modify, reject, or approve as
their

5 final order.

6 If the Council grants issuance of an
7 amended site certificate, the Council will then
8 issue an amended site certificate effective upon
9 execution by the Council Chair and by the site
10 certificate holder.

11 So this request would add new energy
12 facilities to the existing site and the existing
13 site certificate. And for that reason there were a
14 lot of existing conditions in the approved site
15 certificate which were applicable to

preconstruction

16 and construction phases of the existing facility,
17 which while no longer applicable to the existing
18 facility could be updated and amended to apply to
19 the proposed facility components. Some of those
20 conditions, particularly mandatory conditions,
would

21 also apply to both the operation of existing and
22 proposed components.

23 To make applicability of the existing and
24 proposed conditions more clear, the Department has
25 recommended that the site certificate be
reorganized

1 and that all conditions be renumbered with an
2 identifier that includes phase and standards,
3 similar to more recent site certificates. But many
4 of those changes aren't changing, and some of the
5 conditions that are new or proposed to be amended
6 are very similar to conditions that have been
7 imposed or adopted by the Council in recent
8 proceedings.

9 So I'm not going to go into the standards
10 which only have those kinds of conditions in them
in

11 a lot of detail during this presentation. They are
12 shown on this slide, the standards that I won't
13 cover more here, but I did want to give the
14 opportunity to the Council to ask questions now if
15 you want, just so you know that there are findings
16 and conditions associated with all these. I just
17 don't have more in my presentation about them at
18 this time.

19 Yeah. Is that better? Excellent.

20 Okay. I'll hear any questions. I'm
going
21 to go over some select issues and conditions in the
22 Proposed Order. I do know we have a lot of
interest
23 tonight, so I will try to keep it brief.
24 For the general standard of review, the
25 Department is recommending that the Council find
1 that this facility or the Request for Amendment
2 would comply with the applicable standards and that
3 the Council approve this as part of a general
4 standard review.
5 As far as conditions, we do have two
6 fairly standard conditions for construction
7 deadlines that I did just want to highlight. These
8 are similar to what the Council has done recently.
9 But given some legislative changes recently I
10 thought it would be worth just pointing out that
our
11 recommended general standards 1 and 2 would
12 recommend that the Council impose construction
13 deadlines.
14 That for the beginning of construction,
15 construction would be required to start within six
16 years after the date the amended site certificate
is
17 issued and then construction would be required to
18 complete -- be completed within three years after
19 the date that construction actually begins.
20 This is, again, consistent with the
21 mandatory condition language that requires the
22 Council to set deadlines and with the requirements
23 of HB 3681, which requires the Council to give at
24 least six years to the start of construction. But
I
25 did want to point out that in the Request for
1 Amendment, the certificate holders indicated that

2 they intend to begin construction in the second
3 quarter of this year and that construction would
4 take 17 to 19 months.

5 Okay. Moving to Organizational
Expertise.

6 We wanted to highlight that this project is
somewhat

7 unique in that the certificate holder, which is
8 Portland General Electric Company, would construct
9 and operate the solar components in partnership
with

10 another entity, BIGN, LLC BIGN, which is a
11 subsidiary of BrightNight LLC, under a Build
12 Transfer Agreement.

13 So given this partnership, we are both
14 looking at the expertise of Portland General
15 Electric and BrightNight. BrightNight, as it says
16 on the slide, is based in Florida and has designed
17 and constructed over 6 gigawatts of solar and
18 storage projects in the United States. And in the
19 Request for Amendment, BrightNight and PGE have
20 committed to having stringent contracting standards
21 to ensure the selected contractors and vendors can
22 adequately support the construction and operation
of
23 facility components proposed in the Request for
24 Amendment.

25 To ensure that this happens, the
1 Department has recommended the Council adopt and
2 amend several conditions. Recommended amended
3 Condition 1 would require the certificate holder to
4 provide notice of the identity and qualifications
of

5 all primary contractors and vendors involved in the
6 construction of the solar facility, which is a
7 fairly standard condition and similar to what is in
8 current Condition 1. The change is that the
9 condition would also require PGE to identify the

10 individuals at BIGL that will manage and oversee
the

11 selected vendors and contractors. So there's an
12 additional layer of oversight included.

13 Similarly, recommended amended Condition
14 2, which currently only applies to construction,
15 would require the certificate holder and BIGL to
16 contractually require all contractors and
17 subcontractors for the construction -- and
operation

18 it should say on the slide -- of the solar facility
19 to comply with all applicable laws and regulations
20 and the terms and conditions of the site
21 certificate.

22 Next, we just wanted to highlight -- and
I

23 think this is one of the things you will hear about
24 during the hearing tonight -- is that the existing
25 wind facility has experienced substantial equipment
1 and maintenance issues over the past few years and
2 that we have been documenting incidents since 2022,
3 including blade detachment, oil and grease
releases,

4 multiple transformer failures, multiple turbine
door

5 and hatch malfunctions. Those are things that have
6 been reported to the Council in your regular
7 compliance reports. There are also things that are
8 being addressed through corrective action plans and
9 other compliance actions at the site.

10 But we have given those issues and the
11 lessons learned identified by the certificate
holder

12 in their request. I recommended a few additional
13 conditions, new conditions be imposed to enhance
the

14 oversight of operations and maintenance activities
15 at the site, recommended Organizational Expertise.

16 Conditions 1 and 2 would require finalization and
17 implementation of a draft framework operations
18 maintenance plan prior to and during operations.

19 That plan outlines the operational
20 responsibilities, long-term maintenance protocols,
21 quality assurance processes, environmental
22 compliance measures, and emergency response and
23 monitoring systems that would be relied upon to
24 safely operate and maintain the solar components. A
25 version of that draft framework plan that includes
1 information the Department believes will be
required

2 to be included prior to operation is included as
3 Attachment C to the Proposed Order. The additional
4 information requirements included by the Department
5 include things like budgeting, community outreach,
6 and reporting protocols.

7 Recommended Organizational Expertise
8 Condition 3 would incorporate construction progress
9 reporting requirements which are established in OAR
10 Chapter 345, Division 26. But where those reports
11 are typically provided semiannually, the
recommended

12 condition would increase the frequency of reporting
13 to every three months to allow the Department to
14 track progress and compliance more closely.

15 And then recommended -- and the last
16 bullet should read recommended amended Condition 4
17 would impose enhanced incident reporting
18 requirements, similar to the requirements provided
19 in OAR Chapter 345, Division 29.

20 Moving to land use. We just wanted to
21 highlight that there are numerous land use
22 conditions intended to ensure compliance with the
23 Sherman County Zoning Ordinance and other local
land

24 use criteria. But we wanted to focus on the goal
25 exception and Recommended Land Use Condition 6,

1 which would be implementing part of that exception
2 request.

3 So in the goal exception request, the
4 certificate holder provides several reasons why the
5 policy underlying statewide planning goal three
6 should not apply. And the Department recommends
7 that the Council grant a goal exception based on
two

8 of those reasons which are locational dependence to
9 both existing infrastructure, including
transmission

10 and transportation infrastructure, as well as a
11 rural economic development reason.

12 And the Council -- or the Department has
13 recommended the Council reject proposed minimal
14 impacts to other resources in consistency with the
15 state climate goals and policy reasons.

16 As part of the local rural economic
17 development benefit reasons, the certificate holder
18 has represented that it will finalize and implement
19 a draft Community Investment Plan and contribute
20 \$1,600 per acre of cultivated land that would be
21 occupied by the solar components to a Community
22 Investment Plan that would be administered by the
23 Mid-Columbia Economic Development District.
24 Recommended Land Use Condition 6 would require the
25 certificate holder to implement those
1 representations.

2 For fish and wildlife habitat, the -- and
3 my apologies for not having the exact number, but
4 the facility would occupy mostly cultivated
farmland

5 but there would be, I think, around 24 acres. My
6 apologies again for that not being the exact number
7 of category two sage brush -- sage brush, shrubland
8 habitat and other habitat areas, to mitigate for
9 those impacts. The Recommended Fish and Wildlife
10 Habitat Conditions 1 and 2 would require the

11 certificate holder to finalize and implement a
12 draft

13 habitat mitigation plan and provide in kind in
14 proximity mitigation for habitat impacts.

15 This is a pretty standard approach for
16 mitigation to habitat impacts. And one thing we
17 wanted to flag here is that the habitation
18 mitigation area that was identified in consultation
19 with the Oregon Department of Fish and Wildlife is
20 a

21 habitat mitigation area adjacent to the Carty
22 generation facility in Morrow County. We
23 understand

24 that that site is preferred because it provides
25 high-quality grassland habitat of a similar kind to
1 the habitat that would be impacted and is adjacent
2 to other habitat mitigation areas which would
3 enhance the conservation value of the habitat
4 mitigation area.

5 We also have a condition which is fairly
6 similar to standard conditions requiring seasonal
7 restrictions on construction work near active nest
8 sites, and those were recommended in accordance
9 with

10 recommendations from ODFW.

11 We have several public services
12 conditions

13 that are amended from conditions that would be in
14 the existing site certificate, as well as new
15 conditions for Public Services. I want to
16 highlight

17 in particular Recommended Amended Conditions 74 and
18 76, and then recommended new public services
19 Conditions 1 and 2.

20 Recommended Amended Conditions 74 and 76
21 would require the certificate holder to demonstrate
22 that an adequate water supply for construction and
23 operation has been secured and that all water for

18 construction will be legally obtained. That's
19 similar to the conditions the Council has adopted
in
20 other water-constrained areas in the state.

21 For Recommended Public Services
Conditions

22 1 and 2, they would require the certificate holder
23 to develop and implement a construction worker
24 housing plan to provide strategies to minimize
25 impacts to the local housing supply. That is in
1 part due to the limited nature of RV parking here
in

2 Sherman County and the potential for adverse
impacts

3 if there's not a coordinated effort to make sure
4 construction workers get appropriate housing
5 options.

6 In addition to Organizational Expertise,
7 as I mentioned earlier, I think one of the things
8 the Council will hear a lot about tonight and the
9 thing that the Council has heard about in comments
10 already submitted on the record is wildfire
11 prevention and risk mitigation. We just wanted to
12 summarize some of the findings in the Proposed
13 Order.

14 So conditions in -- in Sherman County are
15 conducive to large and fast-moving fires, grass
16 fires, and the probability of a fire in the
proposed

17 solar micrositing area is high, particularly in the
18 summer months according to data from the community
19 wildlife -- the community wildfire protection
20 planning tool, as well as the Oregon wildfire
21 explorer map data. Areas of elevated fire risk in
22 the proposal or micrositing area which are shown by
23 the darker red areas on the map on the slide are
24 concentrated around existing residential structures
25 and infrastructure.

1 We also want to point out that damage to
2 agricultural lands and other areas is possible.
You
3 can see in this map, too, that there are some areas
4 within canyons that are mapped as having, you know,
5 wide benefits from fire. Those are really
ecosystem
6 benefits and don't reflect the hazard of a fire
7 spread.
8 Design features and maintenance standards
9 to reduce wildfire risks that are discussed both in
10 the Request for Amendment, as well as the draft
11 construction wildfire management, Wildfire
12 Mitigation Plan that's attached to the Proposed
13 Order and the Proposed Order itself, in orienting
14 arrays adjacent and parallel to existing roads for
15 access and fire breaks, setting perimeter fences
16 back at least 50 feet from property lines and
17 facility components, 20 feet back from those
fences,
18 installing 20-foot service roads with 10-foot
19 vegetation clearance zones on either side,
20 maintaining 20-foot vegetation clearance areas
21 around the outside of all perimeter fences, and
22 maintaining 20-foot gravel or compacted soil
buffers
23 around the O&M building, collector substation, and
a
24 proposed battery energy store system.
25 And to show in a little bit more detail
1 inside those areas called vegetation clearance
zones
2 and areas within the solar array fence vegetation
3 would be limited to a height of 10 to 12 inches
4 during the rainy season when fires are less likely,
5 and then one to three inches during the dry season.
6 A minimum vegetation clearance of 12
7 inches would also be maintained from electrical

8 equipment at all times.

9 As far as the conditions, Wildfire
10 Prevention and Risk Mitigation Conditions 1 and 2
11 would require the certificate holder to develop and
12 implement a Construction Wildfire Mitigation Plan,
13 whereas Wildfire Prevention and Risk Mitigations
14 Conditions 3 and 4 would apply to the operation of
15 the facility.

16 The certificate holder would be required
17 to develop and implement an operational Wildfire
18 Mitigation Plan. But the condition as recommended
19 would allow the certificate holder to rely on the
20 Public Utility Commission reviewed wildfire
21 protection plan or other plans included in the
final

22 order or approved by the Department to satisfy the
23 requirement.

24 And I'm highlighting this. I do want to
25 point out that there is a draft Construction
1 Wildfire Mitigation Plan attached to the Proposed
2 Order, but there's not an operational Wildfire
3 Mitigation Plan at this time, although some of the
4 requirements and vegetation standards have been
5 incorporated into other plans.

6 In particular, vegetation management
7 conditions would be incorporated into a draft
8 Comprehensive Revegetation and Soil Management Plan
9 which is required under Recommended Soil Protection
10 Conditions 1 to 4. And then I wanted to just
11 highlight that the setbacks from the property lines
12 are being recommended under a Land Use condition,
13 recommended land use Condition 1.

14 That concludes my review of the things
15 that we thought would be most important for the
16 Council to be aware of and things that the public
17 might be interested in before this. I do want to go
quickly over a review of

19 the comments that we've received to date, and then
20 I'll turn things over to Sarah. But I'll just
pause

21 for a second in case there's any questions.

22 Okay. So my site is a little out of
date.

23 I put this together at about noon today, but since
24 that time we've received one additional comment.

So

25 as of today, the Department has received nine
1 written comments. Six of those comments are from
2 Kathryn McCullough. One of the comments was from
3 the Mid-Columbia Economic Development District.

The

4 certificate holder provided comments, and then we
5 also received comments from the Confederated Tribes
6 of the Warm Springs Reservation of Oregon.

7 I believe most of the folks who provided
8 comments are here tonight, so I'm going to go over
9 what's in there very, very briefly. I do not have

a

10 slide for the Mid-Columbia Economic Development
11 District's comments, and I'll just summarize that
12 they explained their relationship with the

Community

13 Investment Plan and their partnership in
14 implementing it. So good comments to review.

15 Issues raised in comments by Ms.

16 McCullough include concerns about the certificate
17 holder's ability to safely operate and maintain the
18 proposed facility components. And those comments
19 provide documentation of ongoing maintenance issue
20 at the existing wind facility.

21 The comments provide concerns about the
22 certificate holder's ability to maintain vegetation
23 equipment on site in a manner that provides
24 protection from wildfire. Concerns about potential
25 liability for damages to the solar facility from a

1 wildfire arising from farm practices. Concern over
2 the lack of the operational Wildfire Mitigation
3 Plan.

4 A comment that Exhibit P, which is the
5 wildlife habitat exhibit and the biological
6 assessment in the request do not adequately address
7 impact to mammals and other species that could be
8 present at the sites such as pronghorn and mule
9 deer. And concern about the adequacy of a single
10 hearing.

11 Again, I'm summarizing this very quickly.
12 There's obviously more detail in those comments and
13 the commenter herself, I believe, will be touching
14 on a lot of these topics tonight. But I just
wanted

15 to give an overview of what was in there.

16 The certificate holder also provided very
17 extensive comments requesting corrections to the
18 facility description, minor corrections to certain
19 findings and conditions in the site certificate.
20 I'm sure you will hear in more detail from them
21 about those tonight.

22 They've requested additional flexibility
23 in transmission corridor siting under the proposed
24 Recommended Condition GEN-TL-05. Request for
25 changes on timing of compliance with Water Rights
1 Conditions PRE-WR-01, and Operations WR-01,
relating

2 to the timing of providing a well log for new wells
3 and flowmeter readings for existing wells based on
4 when it's possible to get that information.
5 And request for a release of the prohibition on
6 vegetation removal during critical periods for
7 ground nesting birds if clearance surveys are
8 conducted prior to removal.

9 And then I will -- I don't have a slide
10 for the comments from the Confederated Tribes of
11 Warm Springs, but I do think it's important just to

12 raise those, that they requested a specific review
13 of a condition related to the scope of when
cultural
14 resource monitoring would be required. They've
15 asked that it'd be required during all ground
16 disturbing activities, not just in ground
disturbing
17 activities within an avoidance buffer.

18 And so that concludes my presentation,
and
19 unless there's questions for me, I will turn it
over
20 to the presiding officer to give an overview of the
21 hearing process.

22 SARAH ESTERSON: Okay, good evening and
23 welcome. This is the public hearing on the
Proposed
24 Order on Request for Site Certificate Amendment 4
25 for Biglow Canyon Wind Farm

I'm Sarah Esthersen, senior policy advisor

2 for the Oregon Department of Energy Siting
Division.

3 I'm serving as the presiding officer for this
4 hearing.

5 Today is 15 January 2026. The time is
6 06:27.

7 This public hearing is being held at an
8 Energy Facility Siting Council Meeting in person
9 here at the Grass Valley Pavilion in Grass Valley,
10 Oregon. This hearing is also being held via Webex
11 webinar with a call-in option for those who cannot
12 participate in person or via webinar.

13 Please note that this hearing is being
14 recorded and the presentations, written comments,
15 and all verbal testimony are part of the decision
16 record for this amendment request.

17 Okay, so hopefully you're aware the

18 comment period on the Department's Proposed Order
on
19 Request for Amendment 4 extends through January
30th

20 at 5:00 p.m. It is important that you know the
21 following information.

22 A person who contends that the Council
23 should reject the request to amend this site
24 certificate or that Council in its final order
25 should reject or revise certain aspects of the
1 Department's Proposed Order must meet the
following.

2 You must comment in person or in writing
3 prior to the close of the comment period. Again,
4 that January 30, 2026, 5:00 p.m. deadline.

5 You must raise your issue with sufficient
6 specificity to afford the Council, the Department,
7 and the certificate holder an adequate opportunity
8 to respond. To raise an issue with sufficient
9 specificity, you must in your comments identify the
10 recommended findings of fact, conclusions of law,
or

11 conditions of approval that are included in the
12 Proposed Order to which you object. You need to
13 specify the Council standard or other applicable
14 state or local requirement on which your objection
15 is based. And present facts or statements that
16 support your objection. If your comment is not
made

17 with sufficient specificity, the Council will not
be
18 able to make changes in its final order based on
19 your comments.

20 Okay, so if you comment during this
21 comment period, which started December 5th, again,
22 extends through January 30th, you will
automatically

23 be part of a subsequent process, which is designed

24 to further evaluate the issues that you raise.
This

25 is a new process for us, so it's going be
1 interesting.

2 So the certificate holder, which is
3 Portland General Electric, is required to respond
to
4 all comments. The Department may respond, but the
5 certificate holder is required to respond to all
6 comments. So the certificate holder and the
7 Department have a deadline of February 13 to
respond

8 to your comments. These responses are going to be
9 provided to you in the same method that you
10 commented.

11 So if you email your comments and we have
12 your email address, that's how you're going receive
13 responses. If you submit your comments in hard copy
14 with a physical address and we don't have an email,
15 we will respond -- the certificate holder will
16 respond in writing to your physical address. If
you

17 don't provide an address, no email, no physical
18 address, you will not be able to participate in the
19 subsequent process. We will have no way to
20 communicate with you and respond.

21 So what to expect. So first and
foremost,
22 certificate holder and the Department are going to
23 be trying to determine if your comments have been
24 raised with sufficient specificity. So I just read
25 through that.

1 Did you identify recommended findings of
2 fact that you have an issue with? Have you
3 identified a Council standard or applicable
4 requirement that you believe is not being met, and
5 have you provided facts or supporting information
to

6 support your objection?

7 If you haven't met any of those, the
8 response is going to identify that, one or all of
9 those things.

10 If you have provided comments that meet
11 the sufficient specificity criteria, certificate
12 holder and the Department are going are going to
13 say
14 that, and we are going to either identify where
15 your
16 issue is believed to be addressed and potentially
17 already resolved within the Proposed Order, or it's
18 going provide a resolution to your issue if it's
19 not
20 yet addressed.

21 So it's kind of a big step. Again,
22 February 13th, you will be getting this response
23 that has all of these words you may or may not be
24 familiar with, but that's coming.

25 In the Department's response, we plan to
26 provide, you know, helpful information to help you
27 understand how to navigate through this process.
28 And this, you know, this is intended to help
29 further

30 evaluate your comments and make sure that we
31 understand and that we get it right.

32 Okay, so then, that's not the end of it.
33 So February 13th, certificate holder and the
34 Department are responding. Then you, as a
35 commenter, will have an opportunity to reply to
36 those responses. And you have a deadline that's
37 already been established in the Department's
38 notice.

39 That deadline is February 27th.

40 So you don't have to, but you can choose.
41 If the Department and/or the certificate holder has
42 said your comments were not raised with sufficient
43 specificity -- we don't know what standard your

14 comments are related to, you didn't provide any
15 facts -- you can then take that and identify the
16 Council standard and provide facts.

17 You can disagree. It's a process
designed

18 to sort of continue evaluating those comments.

19 And then after you respond, if you choose
20 to respond, both certificate holder and the
21 Department have a final opportunity to provide
22 Sur reply. Again, ideally it's a resolution. We
23 will see how that works out. I believe our
deadline

24 for Sur reply is March 6th. So that's kind of the
25 whole extent of the comment process.

1 And feel free to ask any of us questions
2 after the meeting. Chris Clark's information will
3 be on a slide later. You're free to reach out to
4 him at any time and ask how this is going to work
or

5 how it's working once it gets -- once that February
6 13th date comes forward.

7 Okay, so there are several acceptable
8 means for submitting comments on the record. You
9 can submit comments electronically through our
10 comment portal. This is a link to our comment
11 portal.

12 If you submit through our comment portal,
13 you will get an email confirmation that you have
14 submitted comments, so please make sure you get
15 that. It is important that you include your
contact

16 information in comments you submit on the comment
17 portal so that you have an opportunity to get a
18 response and further the evaluation.

19 You can also submit comments in hard copy
20 by mailing to the Department's Salem office, 550
21 Capital Street NE, Salem, Oregon, Attention Chris
22 Clark.

23 And of course, you can provide comments
24 verbally tonight.

25 As I said, this meeting -- this hearing
is
1 being recorded. We will have the recording
2 transcribed, and that information will be available
3 on our website.

4 Okay. So we're almost getting started
5 with your turn. The order tonight will start with
6 an opportunity for the certificate holder. Then,
7 we'll open it up to members of the Council. After
8 that -- I'm sorry, then we'll open it up to members
9 of the public. And after that we'll open it up to
10 members of the Council. And then we'll return to
11 the certificate holder. We may establish a time
12 limit on members of the public depending on how
many

13 individuals are interested in commenting tonight.

14 So let's go ahead and start with the
15 certificate holder.

16 Is the certificate holder interested in
17 providing comments?

18 KRISTEN SHEERAN: Testing. That sounded
19 good. Okay, great.

20 Good evening, everyone, Chair Condon,
21 members of the Council. For the record, my name is
22 Kristen Sheeran. I'm vice president for public
23 policy and resource planning for Portland General
24 Electric.

25 PGE is a fully integrated electric
utility

1 that has a service population of nearly 2,000,000
2 Oregonians. And two-thirds of the state's economic
3 activity occurs within our service area.

4 Can you hear me all now? That's better?

5 Okay, great.

6 As owner and operator of the Biglow
Canyon

7 Wind Farm, PGE has a long-standing history in
8 connection to Sherman County. In 2024, PGE --
yeah?

9 UNIDENTIFIED SPEAKER: Can you
10 (indiscernible)?

11 KRISTEN SHEERAN: I can. Here we go.
12 All right, let's try that again.

13 In 2024, PGE contributed \$7.3 million in
14 property taxes, about a third of the county's
15 property tax base, helping to support schools,
16 parks, infrastructure. Sherman County is a very
17 special place, and the opportunity to represent PGE
18 in the community here tonight is not lost on me.

19 But I'm here today to discuss the
20 importance of the Biglow Canyon Wind Farm RFA4 site
21 certificate amendment to PGE's resource portfolio,
22 to our customers, and to Oregon's clean energy and
23 economic development goals. We appreciate the
24 Oregon Department of Energy's staff recommendation
25 to EFSC to approve this amendment.

1 The Biglow Canyon Wind Farm has supplied
2 clean, affordable energy to Oregonians since 2007.
3 Being one of the first major wind operations in the
4 state, there were learning lessons along the way,
5 including around maintenance and performance. And
6 since that time that we began Biglow Canyon, we
have

7 added thousands of megawatts of clean energy to our
8 system. PGE and our partners, including a wind
farm

9 in southeast Washington; a wind farm in Montana; a
10 combined wind, solar, and battery here in Oregon,
11 the largest of its scale to open in the United
12 States.

13 But we are committed to continuously
14 improving and upgrading equipment to increase

15 efficiency and reduce costs for our customers. An
16 ongoing maintenance and overall project at Biglow
17 Canyon Wind Farm to continue safe and reliable
plant
18 operations for years to come is well underway as we
19 pursue now adding solar and battery storage to the
20 site.

21 Through this amendment that we're
22 proposing, the addition of solar and battery
storage
23 at the site will help to optimize clean energy
24 generation and delivery in support of our
customers'
25 growing electricity, clean energy, and emissions
1 reduction requirements.

2 As we plan our system, affordability for
3 customers remains top of mind, and PGE has
4 aggressively pursued federal production and
5 investment tax credits that have reduced the cost
of
6 clean energy projects on our system by at least 20
7 to 40 percent. To date, PGE and its partners have
8 secured over a billion dollars in federal tax
9 credits for our clean energy portfolio to the
10 benefit of our customers.

11 However, recent changes in federal policy
12 will rapidly sunset clean energy tax credits,
13 escalating the long-term cost of renewable energy
14 and storage, and threatening customer affordability
15 and the pace of achieving the state's clean energy
16 and economic development objectives.

17 An amended site certificate allows this
18 project to move forward on a timeline that can
19 capture the value of those existing federal tax
20 credits while they're still available for our
21 customers before they're phased out, aligning with
22 PGE and the state's focus on delivering affordable,
23 reliable, and increasingly clean power while

24 acknowledging -- while achieving the directives
25 outlined in Governor Kotek's recent executive order
1 to accelerate renewable energy siting.

2 Colocating solar and wind power
generation
3 equipment allows us to take advantage of the
4 existing infrastructure on the site, like
5 transmission lines and substations, and to reduce
6 the overall impact to the land and to the
7 environment.

8 Adding solar capacity complements the
9 existing wind capacity since wind and solar
10 typically produce peak power production at
different
11 times of the day. This allows both renewable
energy
12 resources to work together to meet a broader range
13 of our customers' energy needs, increasing PGE's
14 overall system reliability and the value of the
site
15 overall to our customers.

16 The addition of battery storage will also
17 provide flexibility to the grid, allowing energy
18 storage when demand is low and its use when demand
19 is high. The right mix of energy resources in the
20 right locations can help reduce reliance on fossil
21 fuels and drive a cleaner, more affordable, and
22 reliable energy resource mix.

23 PGE has already made strong progress
24 towards achieving the state's emissions targets
with
25 an overall resource portfolio that is 45 percent
1 non-emitting as of the close of 2024. And this
2 includes projects like the Biglow Canyon Wind Farm.
3 The site certificate we're seeking today to add
4 solar and storage will further PGE's progress
toward
5 meeting our 2030 state emission targets.

6 To identify the least cost, least risk
7 portfolio of resources that are needed to meet our
8 customers' current and future energy needs, as well
9 as state clean energy requirements as overseen by
10 the Oregon Public Utility Commission, PGE engages
11 in
12 long-term, integrated resource planning.

13 In our most recent integrated resource
14 plan updated in July of 2025, PGE identified a need
15 to procure an additional 4500 megawatts of clean
16 energy resources. This represents about a 16
17 percent increase since PGE's prior IRP that had
18 been
19 filed only in 2023.

20 Projects like the proposed addition of
21 125
22 megawatts of solar and 25 megawatts of storage at
23 Biglow are critical contributors to this growing
24 clean energy need.

25 PGE's all source request for proposals is
1 a transparent, regulated, competitive process by
2 which interested developers submit detailed project
3 proposals for consideration as we plan to meet our
4 customers' energy needs.

5 The 1,600 megawatts of resources that PGE
6 identified on the final short list of projects that
7 resulted from our 2023 all source request for
8 proposals competitive bidding process included the
9 Biglow Solar Project, was acknowledged by the
10 Oregon

11 Public Utility Commission, and the projects were
12 selected for their potential to deliver affordable,
13 reliable, and cleaner energy.

14 By selecting projects through this
15 competitive process verified by an independent
16 evaluator, PGE can add high-value, responsible
17 projects that capture significant federal
18 incentives

14 and reduce costs while meeting the state's growing
15 energy needs.

16 Given the shortened timeline that now
17 exists to capture tax credits, the importance of
18 maintaining a project schedule is paramount. We
19 have partnered with BrightNight to ensure
20 responsible and timely delivery of this project
that
21 recognizes that this is a critical opportunity in
22 time for Portland General customers, the state and
23 Sherman County. The certificate amendment will
24 allow critical energy need and capacity to meet
25 Oregon's economic development needs and the state's
1 emission targets.

2 So we urge the Energy Facility Siting
3 Council to approve the site certificate amendment
4 recommended by staff, thereby maintaining the
5 development schedule with a final decision in March
6 2026.

7 And with that, I want to thank you for
8 your time, and I want to hand this over to our
9 project partners at BrightNight to provide more
10 details on the project itself as proposed.

11 JESS MALIN: Thank you Kristen. And
thank

12 you Chair Condon and members of the Council.

13 My name is Jess Malin. I'm executive
vice

14 president of development at BrightNight. I've
spent

15 nearly 20 years developing renewable power projects
16 across the United States.

17 Earlier in my career, I served as a U.S.
18 Air Force pilot, an experience that continues to
19 shape how I approach complex infrastructure
20 development, balancing creativity and innovation
21 with discipline, precision, and an unwavering focus
22 on safety and reliability.

23 Those same principles guide BrightNight
24 as

25 a company. BrightNight is developing over 30
26 gigawatts of clean energy projects nationwide with
27 11 gigawatts located in the Pacific Northwest.

28 Across our portfolio, we are committed to
29 safety, responsible cost management, and building
30 durable partnerships with the communities where we
31 operate.

32 Our team consists of some of the most
33 accomplished energy project development and
34 operation professionals within the entire industry.
35 The team at BrightNight is like-minded. We want to
36 be part of a company that is a reliable partner and
37 committed to the communities we invest and operate
38 in, and one that has a strong financial backing
39 with

40 leading edge system design.
41 Our ability to deliver projects
42 responsibly and on schedule is validated by our
43 backing by investment partners at Goldman Sachs,
44 global infrastructure partners now owned by
45 BlackRock, and Cordelio Power, providing the
46 financial strength and stability our utility
47 partners and their customers expect.

48 Optimizing projects to deliver maximum
49 value to customers and communities while minimizing
50 impacts is central to how BrightNight operates. We
51 have taken those lessons learned and built on that
52 track record here with the Biglow Solar and Energy
53 Storage Project.

54 You will hear this evening in detail the
55 innovative planning and design that has gone into
56 this project, the increased efficiencies and output
57 that Biglow will add to the grid and the best-in-
58 class features to improve operational safety and
59 resilience.

60 BrightNight is pleased to be here this

9 evening in partnership with PGE to speak with
10 Council about the Biglow Solar and Storage Project
11 and the steps that our teams have taken to develop
a
12 thoughtful, responsibly-sited project. Thank you.
13 And now we'll bring up the actual
experts.

14 KATHLEEN CAMPANELLA: Thank you, Chair
15 Condon and members of the Council. We also want to
16 thank the Oregon Department of Energy staff for
17 their thorough review and the work reflected in the
18 Proposed Order.

19 For the record, my name is Kathleen
20 Campanella, and I'm senior director of development
21 for BrightNight. And I'm responsible for the
22 development of the Biglow Solar and Storage
Project.

23 I'd like to begin this evening with a
24 simple question. What does it mean to site a
25 project responsibly?

1 For this project, responsible siting
2 wasn't a single decision or a single mitigation
3 measure. It's a principle -- excuse me for that --
4 it's a principle that affected nearly every aspect
5 of the project's development and engineering. It
6 shaped where the project is located, how the site
7 boundary was drawn, how impacts were avoided and
8 minimized, and how remaining impacts are addressed.

9 I want to briefly summarize that approach
10 and how it is reflected in the Department's
11 analysis.

12 I'll start by discussing colocation.

This
13 is a renewable energy project, and by definition,
it
14 delivers an environmental benefit. But like any
15 infrastructure project, it also has impacts.
16 Responsible siting means acknowledging that reality

17 and finding the option with the least impacts.

18 Colocation is just that. For this
19 project, it integrates solar and battery storage
20 with the existing Biglow Canyon Wind Farm,
21 therefore, reducing the need for new transmission
22 lines, new access roads, and disturbing additional
23 land.

24 Another core element of our approach to
25 responsible siting is community engagement and
1 listening. This allows us to better understand and
2 address local concerns, resulting in a design that
3 is responsive to the community's voice. We
4 participated in dozens of one-on-one conversations
5 with local leaders, neighboring landowners,
6 agricultural producers, and community members.

7 Finally, I want to highlight our outreach
8 and coordination with local organizations and
public

9 service providers, including county departments,
10 agricultural and conservation groups, economic
11 development entities, and emergency service
12 providers. These discussions are reflected in
13 project plans and in the conditions of the Proposed
14 Order that ensure ongoing coordination with public
15 service providers. Taken together, these efforts
16 reflect the same responsible siting approach I
17 referenced at the outset -- anticipating impacts,
18 engaging early, and responding in a way that aligns
19 with local priorities.

20 With that, I'll pass it on Todd to
discuss

21 vegetation and wildfire management and project
22 safety considerations.

23 TODD ELWOOD: Thank you, Kathleen.

24 Chair Condon, Councilors, my name is Todd
25 Elwood. I'm the senior permitting director for
1 BrightNight.

2 BrightNight and PGE have heard from the

3 very beginning how important vegetation management
4 and wildfire risk are for this project. We
5 appreciate the input received from ODOE staff, the
6 reviewing agencies and the community that have all
7 informed the design of the project and the draft
8 plans before you today.

9 Rather than relying on any single
measure,
10 the project uses an integrated approach. Project
11 design, construction planning, long-term
operations,
12 and community coordination and investment all work
13 together to support long-term landscape resilience.
14 The goal is to reduce ignition risk, limit fuel
15 build up, support early detection and response, and
16 strengthen regional wildfire preparedness.

17 The project is designed to reduce risk
18 from the outset. The layout, materials, access
19 roads are all planned to minimize ignition sources,
20 break up fuel continuity, and create defensible
21 space around solar panels, the BESS, the substation
22 and related infrastructure. The project has been
23 designed to exceed fire code requirements by
24 maintaining no less than a 20-foot noncombustible
25 buffer around the perimeter of the site.

1 This conservative approach reflects our
2 commitment to fire safety and directly responds to
3 input received through outreach with local fire
4 agencies and local -- and neighboring landowners.

5 Wildfire mitigation is addressed during
6 every phase of the project. There will be
dedicated
7 Wildfire Mitigation Plans for both construction and
8 operations, including equipment standards, weather-
9 based work restrictions, active monitoring, and
10 coordination with fire agencies and local
11 responders. There will also be emergency responses

12 plans for each phase of the project and training
13 for

13 all contractors as well as local responders.

14 The project will use low fuel vegetation.
15 Restoration seed mixes are comprised of native
16 grasses and (inaudible) that produce less biomass,
17 cure more slowly, and do not create continuous fine
18 fuels. Our proposed seed mix will reduce the need
19 for repeated mowing or treatment, which in turn
20 lowers ignition risk from maintenance activities.

21 We also take a proactive approach to
22 noxious weed prevention. Rapid revegetation, clean
23 equipment practices, and ongoing monitoring help
24 prevent invasive weeds that increase fire risk and
25 reduce land productivity. Over the long term,
1 vegetation management continues through the
2 operation and maintenance plan. This includes
3 regular inspections, adaptive management, and
4 ongoing fuel load control for the life of the
5 project.

6 Soil stability and erosion control are
7 also key parts of this strategy. Proper soil
8 handling and restoration will reduce weed invasion
9 and help prevent conditions that can worsen

wildfire

10 behavior. Revegetation and weed control
11 contractors

11 will be held to stringent qualification standards.
12 All of these measures help protect adjacent
13 agricultural and grain land uses by reducing the
14 potential for wildfire spread beyond the project
15 site.

16 Did it advance?

17 Taken as a whole, our commitment to a
18 comprehensive management program demonstrates the
19 project will coexist with and not undermine ongoing
20 agricultural use in the area. As previously
21 mentioned, the use of setbacks and micrositing also

22 help ensure the project will be compatible with
23 neighboring farming operations. BrightNight has
24 implemented setbacks, buffers, and will have three
25 2,000-gallon fire water tanks outside the perimeter
1 fence that can be used by our neighbors.

2 The Proposed Order contains numerous
3 conditions to require accountability and long-term
4 enforcement, and we support staff's
recommendations.

5 Thank you for your time, and I'll hand it
6 off to Lenna to discuss goal three.

7 LENNA COPE: Chair Condon, Council
8 Members, my name is Lenna Cope. I am an
9 environmental specialist with Portland General
10 Electric, and we wanted to cover a couple of things
11 regarding the goal three exception and a little bit
12 more information about the Community Investment
13 Plan.

14 As you heard from Chris's presentation,
15 the staff is recommending that the goal three
16 exception be approved based on the locational
17 dependency and the creation of rural economic
18 benefits.

19 As Kathleen spoke to earlier, collocating
20 the solar facilities with this particular location
21 is very important to be able to take advantage of
22 the existing transmission lines, surplus capacity
on
23 those transmission lines, and existing BPA
24 substations.

25 The real economic benefits will be
1 realized through the implementation of a Community
2 Investment Plan, which was developed from extensive
3 community engagement and listening. The plan
4 includes prescreening projects identified through
5 outreach, such as dryland wheat, agrivoltaics,
6 agricultural wildfire risk minimization and
capacity

7 building, fund matching for Solar and Water
8 Conservation District programs for wheat farmers,
9 next generation farming innovation and technology
10 training program, and capacity building for wheat
11 growers. So those are the prescreened projects
12 included in the Community Investment Plan.

13 The plan also includes provisions for
14 additional projects to request funding and a local
15 governance structure through the Mid-Columbia
16 Economic Development District.

17 The analysis of indirect economic impacts
18 performed during our amendment preparation indicate
19 that 1,600 acres (sic) per acre of farmland taken
20 out of production prior to starting construction
21 will be applied to the fund.

22 This is in addition to the projected
23 \$40,000,000 in property tax revenue. And we also
24 estimate that on average will be 165 union workers
25 on site each day during the approximately 18-month
1 construction period generating additional spending
2 in the local community.

3 In addition to staff's acceptance of
RFA's

4 locational dependency and rural economic benefit
5 reasons, PGE will be advocating for the Council to
6 recognize the project's consistency with state
7 climate goals and policies.

8 As Kristen discussed in her comments, the
9 site certificate amendment to add solar and storage
10 will further PGE's progress towards the meeting our
11 2030 mission targets mandated by the state. And
for

12 that reason, we will be requesting the Council
13 recognize an additional reason to support the goal
14 three exception, and we will provide additional
15 evidence in the written record to support that
16 request.

17 Okay. I also wanted to touch on

18 operations and maintenance. We know that there are
19 community concerns with the past maintenance and
20 performance of the Biglow Phase 1 wind assets.
21 PGE's ongoing maintenance and overall project has
22 been addressing those concerns and root issues, and
23 Dan will be speaking to those in just a moment.

24 But regarding the solar and battery, as
25 has been mentioned by previous speakers and the
1 staff's presentation, the Proposed Order requires a
2 standalone O&M plan to be approved by the

Department

3 with review and updates if needed on an annual
4 basis. The O&M plan covers ongoing inspection,
5 monitoring, reporting, and enforcement by the
6 Department at a level not previously specified in
7 the existing Biglow site certificate or any site
8 certificate issued by the Council previously.

9 The plan will also integrate commitments
10 from the other major operational plans, such as the
11 Comprehensive Revegetation and Solar Management
plan

12 and the Operational Wildfire Mitigation Plan. The
13 content in all the plans is informed by the
14 Department's involvement in other recent solar and
15 battery projects and addresses the challenges faced
16 at those sites with the goal to reduce those
17 challenges at future sites.

18 The development and approval of the plans
19 are mandated by the site certificate and will be
20 reported on for the life of the project at varying
21 frequencies.

22 In addition to all those improved details
23 and specific requirements, the Department itself
has

24 put significant efforts into their compliance
25 program, has additional compliance staff, and
1 retains the authority to inspect the facility and
2 require corrective action if anything is found to

3 not meet the requirements.

4 And now I will hand it over to Dan.

5 DAN WILSON: Thank you, Lenna.

6 For the record, my name is Dan Wilson,
and

7 I'm the director of renewable operations for
8 Portland General Electric.

9 In addressing the age and the material
10 condition of the Biglow Wind Farm, at its 18-year
11 age and after a long period of stable operation,
the

12 Biglow Wind Farm has shown an increase in equipment
13 failures over the past four years. And this has
14 signaled a condition of age-related degradation, a
15 trend that we confirmed by benchmarking against
16 other industry leaders.

17 In direct response, we have implemented a
18 comprehensive and proactive enhancement plan to
19 secure the asset's future reliability. The key
20 strategic actions include, first, to operate and
21 maintain, we have hired a new service provider that
22 is an industry leader for all wind generation. The
23 performance of the service is reviewed by PGE's
24 leadership to ensure top-notch compliance to the
25 maintenance standards.

1 Second, we've increased inspection
2 frequencies for key components.

3 Third, we are executing a critical
4 redesign and replacement program for the obsolete
5 and failure-prone V82 pitch systems, which have
been

6 a primary source of downtime.

7 Fourth, after completing the pitch system
8 replacements, we are cleaning the towers, hubs, and
9 blades.

10 In summary, the winds farm's current
11 condition reflects its age, but we are actively
12 mitigating those risks through a targeted capital

13 enhancement and maintenance strategy. The
14 centerpiece of this effort, the pitch system
15 overhaul, directly addresses most of the
significant
16 historical failure mode positioning an asset of
17 improved reliability and extended operational life.
18 Thank you very much, and we look forward
19 to hearing from public comments and will return
20 after our closing. Thank you.
21 SARAH ESTERSON: Is there a separate
22 presentation that goes on now?
23 UNIDENTIFIED SPEAKER: Why, is it the
last
24 slide?
25 SARAH ESTERSON: Okay, thank you
1 certificate holder representatives.
2 We'll now move to members of the public.
3 Nancy, could you confirm how many comment
4 cards we have?
5 While she's doing that, is there anyone
in
6 the room that would like to provide verbal
testimony
7 tonight that has not filled out a comment card?
8 If you could raise your hand.
9 Seeing none, okay.
10 Five? And if you are on the webinar or
on
11 the phone, could you raise your hand if you're
12 interested in providing a verbal testimony.
13 She can call them.
14 Do you want to do a time limit on five?
15 Do you want to do a time limit? Let's do seven
16 minutes.
17 Okay, so we have eight individuals that
18 are interested in providing testimony. And the
19 Council has an opportunity to provide comments and
20 questions and the certificate holder can come back.

21 So we're going put a seven-minute time limit on
your
22 comments. Note, this is -- you can provide
comments
23 all the way through January 30th.
24 Can you put a timer on the screen?
25 Okay, so will you stand up and waive your
1 hands when your timer goes off?
2 Okay, so I'm going to let you call the
3 commenters since you have the cards.
4 Okay, so again, just as a reminder for
any
5 individuals that wish to provide testimony tonight,
6 please state your name. Identify if you're
7 representing anyone other than yourself, and
confirm
8 your physical mail or email address or make sure
9 that it's written on the comment card.
10 Okay, now we'll turn it over to you.
11 NANCY HATCH: Okay, our first commenter
is
12 Kathy McCullough.
13 Come on up, Kathy.
14 KATHY MCCULLOUGH: All right.
15 NANCY HATCH: Okay, and just so you know
16 -- go ahead and come on up -- I'll start the timer
17 when you start to present. And then I'll just
raise
18 my hand when you're at one minute left to go.
19 SECRETARY CORNETT: And then just a note,
20 if you're going use the pictures as part of your
21 comments, we'll just take photos of them. So, but
22 we need to do that before you take them away
because
23 once you enter them into the record, they're part
of
24 the record.
25 KATHY MCCULLOUGH: Should I sit down or

1 stand up?

2 SECRETARY CORNETT: I mean, probably sit
3 down because I don't think standing up it's going
4 pick up on it.

5 KATHY MCCULLOUGH: Okay, I can talk loud.
6 There you go.

7 Okay, thanks. So pick up the whole
thing?

8 NANCY HATCH: If you're going to stand up
9 you need to have it close to you.

10 KATHY MCCULLOUGH: Okay. I think I can
11 sit.

12 Kathy McCullough, and I live right under
13 the project about a half mile from the PGE
building.

14 And I'm retired 747 captain for Delta, and I'm also
15 a microbiology environmental health graduate from
16 Colorado State.

17 When this project was first started, you
18 wouldn't have found anybody more excited about it
19 than I was because to me these looked like giant
20 propellers. I loved it. I wanted clean energy and
21 wind, and we could farm around them. That was the
22 best. In fact, it helped us. We got new roads.

We
23 got in and out of fields we could never get into
24 before. It was amazing. We were probably the
25 biggest proponents of this project. Until.

1 Construction was great. The first five
2 years, great manager, new equipment, everything was
3 perfect. The next 10 years, horrible. I mean
4 horrible. We were picking up pieces in our field.
5 There were nose cones dropping. They all started
6 leaking, all of them in Phase 1.

7 And the culmination was when a blade
8 dropped in February 2022, waking up my husband and
9 my dog. I wasn't home at the time. This is the
10 blade down here on the ground there. This is our

11 house across the road. It was really close. It
was
12 really loud. We had been complaining for a while
13 because there had been so many pieces.
14 PGE wouldn't listen to us. They really
15 would not listen. And we didn't know what else to
16 do. I mean, even after the blade fell and PGE got
17 Alltite to come in and start inspecting all the
18 bolts in all 76 of the first Vestas towers, nothing
19 changed.
20 Alltite came. Alltite went. One company
21 before them said it was the greasiest mess that
they
22 had ever seen and it was unsafe and they quit.
They
23 had to throw their coveralls away after one day.
It
24 was one of those things that we knew would happen.
25 We'd been watching.
1 This is what they still all look like.
2 They haven't -- they haven't gotten better. They
3 aren't cleaner. None of them have -- there's one
4 that has the new prototype on it, but four years
5 after the blade drop, nothing has been fixed. They
6 have all the parts ordered, but nothing is
different
7 to us.
8 And, in fact, the old -- Brad Jenkins,
who
9 was in charge of the project before, lied to the
10 newspaper and said just because they're dirty
11 outside doesn't mean they're dirty inside. Well, I
12 have a picture of the inside. It's horrible. The
13 wiring's cracked. It's really bad. And, and they
14 flat out lied to us.
15 So, my problem is, how do I trust this
16 company for solar in a county that is so fire prone
17 you would not believe it. Our fires -- this is

18 under Biglow. This is one of the fires we've had.
19 We have six to 10 fires a year during harvest and
20 around the dry season. And they're scary. I mean
21 they are. They move fast. My neighbor barely got
22 in the car and out of her house as a wall of flames
23 was coming towards her.

24 We all run to fight them. We all have
25 water on the back of our pickups. We have shovels.
1 We have hoses. We have everything like that, but
2 they still move fast. And I mean fast. There were
3 probably 50 pickups and farmers fighting this fire.
4 And this was a couple of years ago. And it's just
5 one of the many.

6 And if I trusted PGE with their -- with
7 their wind, I can't trust them with their solar. I
8 can't trust that I'm safe in my house if they're
not
9 going to be honest. And if they're going to tell
10 people that we lie.

11 There's a whole new regime at PGE now. I
12 admit that because I like Dan. I like the people
13 who are there now. And I think we're on a
different
14 path. I think we're going in a different
direction,

15 but unless it's in the site certificate, they're
not
16 going to do anything. And most of this -- most of
17 this amendment is construction. Very little of it
18 concerns actual operation once the construction
19 phase is over.

20 We really need a strong site certificate.
21 Even with PGE knowing all that, they never reported
22 anything until I went to the paper and got The
23 Oregonian to write four months after -- no, wait.
24 February is when the blade dropped, and I think the
25 paper, maybe September, came out and there was no
1 change. Nothing. They knew pieces were dropping.

2 And I just -- I'm glad they have new
3 maintenance. I really am. Or new, you know, new
4 people. But we've got to have a strong site
5 certificate. We could not get them to give us a
6 hold harmless clause for farming. So if we
7 accidentally start a fire and it burns into their
8 facility, that's a \$2,000,000,000 facility we don't
9 have money for.

10 The only other thing I was going say is
11 BrightNight has got great ideas, I mean, for fire.
12 And as a 747 captain, lithium-ion batteries are
13 scary. They are just plain scary. My vinyl siding
14 on my house melted in 2021 to the west side.

That's
15 how hot it gets there. So if you don't have good,
16 you know, good protection, you're in trouble.

17 So this is how they look. They say, oh
18 no, they look great. They're white. They're
clean.

19 Yes, they are. This is how the transformer boxes
20 look that PGE has under the towers. How am I
21 supposed to think that the batteries are going to
22 look okay?

23 I just -- so I hope -- I understand we
24 have to have this green energy mandated, et cetera.
25 Can we get some real teeth in the site certificate?
1 Can we get some real help out where we are? And if
2 there's a fire, please don't let them sue us so
that

3 we can't farm anymore because we only have
5,000,000

4 liability. We can't pay for that facility.

5 We've never started a fire during
harvest,

6 but we fight four to six a year. Well, no, six to
7 10. One of these days it's going be our turn.

8 SARAH ESTERSON: Okay, thank you so much
9 for your comments. Appreciate it.

10 You will get a designated time, but you
11 can ask whenever you want.

12 NANCY HATCH: All right, so our next
13 commenter is Kevin McCullough.

14 KEVIN MCCULLOUGH: Obviously I'm Kathy's
15 wife -- or husband, excuse me. Kathy's husband.

16 I farm underneath the project. PGE has
17 not done what they said they were going to do, and
18 now that we have new management, this is a good
19 thing. But they need to -- they need to prove that
20 they can operate this. I don't know why you would
21 give them their certificate to put in a solar farm
22 when they have not proven that then they can
operate

23 what they have. They keep saying they need more
24 green power.

25 Do you know how many towers we have
1 sitting every day out of those 217? Forty to 50
2 every day. Makes no sense to me why you would be
3 willing to give them a certificate to build a solar
4 thing until they fix this problem over here. It's
5 bizarre to me.

6 And the other thing is the fires. Like
7 she just said, it's not if we start a fire, it's
8 when we start a fire. And your setbacks aren't
even

9 close to deep enough to keep us from having to pay.
10 They're going to sue us and we will no longer be in
11 business.

12 So, thank you for your time and hopefully
13 you take some of this into account.

14 NANCY HATCH: Okay, my next commenter is
15 Colton McCullough.

16 COLTON MCCULLOUGH: Good evening,
17 everyone. I should be the last McCullough
18 commenting, I think, unless there's someone I don't
19 know about.

20 My name is Colton McCullough, and I am
the
21 current farmer on the land that the proposed
project
22 would be built on. As some of you know from
23 experience and have learned recently, Sherman
County
24 is extremely wildfire prone from late May through
25 October. My main concern with the proposed project
1 is both fire starting within the project and fire
2 starting outside the project and burning into the
3 project.

4 I farm on nearly every side of the
project
5 and potentially in the middle if approved. Sherman
6 County is an agricultural community with the
primary
7 crop grown being wheat. Wheat is typically
8 harvested -- wheat harvest typically happens in
July
9 and August. This is when the crop dries out and
can
10 be harvested, but it is also when it is most likely
11 to burn. We do a lot to prevent and stop fire from
12 always having a fire-fighting pickup and tractor
13 with a disk in the field, to preventive maintenance
14 on our combines and other equipment, to putting
fire
15 breaks around houses and other infrastructure, to
16 shutting down on days of extreme heat and high
wind.

17 Even taking these precautions, there is
no
18 way to eliminate the chance that we will start a
19 fire. As they've said, it's not if, it's when. I
20 do my best to prevent fire and will continue to do
21 so, but I am very worried about starting a fire and
22 having it burn into the solar facility. I carry a

23 large liability policy, but not even close to large
24 enough if I burn up a solar facility. There is no
25 economical way to carry a large enough policy.

1 I don't want to lose the farm or have my
2 son lose the farm because we burned a solar
facility

3 sited in the middle of wheat fields where seasonal
4 fire risk is extremely high. I have been told that
5 the panels will not burn, and that may or may not
be

6 true. But that doesn't mean that they won't be
damaged or melted by the heat of the vegetation

8 burning below them.

9 The best way to reduce the fire risk in
10 the solar project is to reduce the amount of
11 vegetation available to burn. Under the Request
for

12 Amendment 4 currently submitted, it is suggested
13 that the maximum height of the vegetation be 12
14 inches year-round. This is far too tall and would
15 be a significant wildfire risk during fire season.

16 Under the Proposed Order submitted by
17 ODOE, it has suggested the vegetation be kept to a
18 maximum height of 12 inches during the rainy
season,

19 November to May, and one to three inches during the
20 dry season, June to October, for all areas within
21 the solar fence line. Along with several other
22 stipulations on page 233 of the Proposed Order, I
23 strongly support ODOE's suggestions and feel that
it

24 would make the project safer and far less likely to
25 have a wildfire. The small change in management
1 practice would drastically reduce the wildfire
2 potential within the solar facility.

3 From what I can tell, ODOE's changes
would

4 go under the Comprehensive Solar Revegetation and
5 Soil Management Plan, although redlined in by ODOE.
6 If this is the case, I would like to see some other
7 language addressed in that section. As it
currently

8 states, this is only the plan in the interim until
9 an operational Wildfire Management Plan is put in
10 place. It concerns me that there is no operational
11 wildfire plan to be reviewed yet, and PGE's
12 systemwide Wildfire Mitigation Plan may be used.

13 PGE systemwide Wildfire Mitigation Plan
14 (WMP) primarily focuses on power transmission and
15 some limited information on the generating
16 facilities. It is not a site-specific plan that
17 considers specific wildfire risks for a project
like

18 this in a location like here.

19 I would like to see language saying
ODOE's

20 vegetation height and clearances suggestion would
be

21 implemented into the operational Wildfire
Mitigation

22 Plan and remain a basic requirement for the life of
23 the operation of the facility, if not included into
24 the operational Wildfire Mitigation Plan.

25 Basically, I want to see the vegetation height
1 suggested by ODOE be a permanent, not easily
amended

2 part of the facility requirement throughout the
3 operation of the project, and not be ignored
because

4 the operation Wildfire Mitigation Plan says
5 something different or doesn't specify vegetation
6 height.

7 My intent of public commenting is not to
8 show support for or against the project, but to
9 ensure that critical wildfire preventative

10 strategies are used during building and operation
of
11 the project. I would like to see the project be an
12 asset to fire prevention in the county, not a risk.
13 I would like to see it be a fire break where people
14 know when the fire gets to the actual project that
15 it is going to be stopped. But there has to be stuff
16 in the site certificate that puts teeth that make
17 them maintain it to the standard.

18 But if vegetation isn't managed properly,
19 it's not fair to ask the farmers and community
20 members around the project to take the risk
21 associated with the solar facility. I want the
22 Council to realize that this proposed project is
being sited in the middle of wheat country that is

24 associated with very high seasonal fire risks.
25 Setting a standard of vegetation management and
1 making sure that standard is upheld throughout the
2 operations of the facility would address a large
3 part of the fire concern with this solar project.
4 Thank you.

5 NANCY HATCH: Okay, our next commenter is
6 Mr. Hilderbrand.

7 ORMAND HILDERBRAND: Greetings. Ormand
8 Hilderbrand is my name, and I am not a McCullough.

9 I manage my family's farm, which is near
10 the proposed Biglow Renewable Power Project and
have

11 been involved with Oregon's environmental and land
12 use issues for years. I am submitting this
13 statement for the record regarding the Biglow
14 Renewable Power Project.

15 I approach projects like this with a
clear

16 understanding that development has impacts. The
17 question is not whether impacts exist, because they
18 do, but whether they are acknowledged, responsibly

19 mitigated, and managed through a rigorous public
20 process.

21 Even farming has impacts on our land.

You

22 know, some may argue that our land shouldn't have
23 been put to the plow back in the 1880s, but it was
24 done. Impacts happen. But based on my experience,
25 I am confident that the impacts associated with
this

1 project can be addressed appropriately. And I'm
2 confident that after 50 to 70 years of the project
3 being a major solar producer, if we get to that
4 point and we need to have the land back for
5 agricultural production, it can come back to
6 agricultural production with improved soil health.
7 That is critical.

8 I'm a strong believer in clean energy.
9 I've been a director of the Community Renewable
10 Energy Association (CREA) for many years. CREA is
a
11 strong advocate for shaping policy to benefit rural
12 Oregon.

13 And I personally have been involved in
the
14 development of my own renewable energy project,
PaTu

15 Wind Farm, which is a 9 megawatt, six GE 1.5 SLE
16 turbines that are adjacent to Portland General
17 Electric's Biglow Canyon. I supply power to over
18 3,000 homes in the Portland area.

19 That experience has given me a practical
20 understanding of what responsible project planning
21 looks like, including the importance of
22 environmental review, mitigation commitments, and
23 ongoing accountability. You know, we must hold
24 companies accountable for what they say they're
25 going to do.

1 The Biglow project reflects this level of
2 responsibility. The developer has engaged
seriously
3 with the permitting process and has demonstrated
4 willingness to address environmental
considerations.

5 I have attended several of the discussions myself,
6 including the presentation of the North Sherman
7 County Fire District that discussed these fire
8 mitigation procedures.

9 It used to be that we on the east side
10 felt that we had the fire risk all to ourselves.
11 Now that you on the west with the climate change,
12 you are the fire risk, too. So I think everybody
13 can appreciate, especially in a rural county, where
14 the land and agriculture, natural resources are
15 deeply interconnected, the importance of this fire
16 mitigation.

17 I also believe it's important to consider
18 projects like this in a broader, long-term context.
19 Sherman County's economy has changed significantly
20 over time and the pressures facing agriculture and
21 rural communities continue to evolve. We had -- in
22 the 1920s, we had over 4,000 people living in the
23 county. That's more than twice what we have right
24 now. We had the hotels in the towns and
restaurants
25 and theaters, and I've read even Rufus had a golf
1 course.

2 That's all -- most of that is gone now.
3 And primarily due to consolidation of farms
enabling
4 our producers to reduce their production costs, and
5 they've done a damn good job of it, they've really
6 driven down their costs to compete in a tight
7 environment. And I appreciate people, young
farmers
8 like Colton coming on, because we need them to

9 continue this into the future.

10 But it's going to become tougher. Our
11 farmers have to consolidate, and they have to
become
12 larger. And those that don't are not going to be
13 with us anymore.

14 And can anybody doubt that the drive for
15 more -- that we will see more capital-intensive
16 equipment powered by artificial intelligence? That
17 will continue and further fuel consolidation
amongst
18 the farms in Sherman County.

19 Thoughtfully planned energy projects
20 represent one step in a more diversified and
21 resilient future, one that balances environmental
22 stewardship with economic stability. In this case,
23 it is true that solar saves farms.

24 Last month, Governor Kotek issued an
25 executive order to state agencies to move faster on
1 clean energy projects. And recently, even
2 Representative Bentz acknowledged that Oregon will
3 have a critical shortfall in energy unless drastic
4 steps are taken, including expansion of our
5 transmission facilities.

6 The Biglow Renewable Energy Project is
7 low-hanging fruit with the existing underutilized
8 PGE transmission. While recognizing the project is
9 not without impact, I view the Biglow Renewable
10 Project as a positive contribution when evaluated
11 through the established EFSC process and supported
12 by enforceable mitigation measures.

13 Thank you for the opportunity to provide
14 this statement and for your careful consideration,
15 positive consideration of this -- these issues as
16 part of the record. Thank you.

17 NANCY HATCH: Okay, our next commenter in
18 the room is Chad Higgins.

19 CHAD HIGGINS: Audio check. Okay.
20 Honorable committee, my name -- thank you
21 for the opportunity for me to present testimony and
22 comments.

23 My name is Chad Higgins. I'm an
associate
24 professor at Oregon State University and a farmer
in
25 Linn County. My area of expertise is in integrated
1 farming and energy systems, agricultural
2 sustainability, and ag tech.

3 I spent more than the past decade working
4 on ways to integrate solar energy production into
5 agricultural practice and mitigate the conflict
6 between the renewable energy and agricultural
7 production, so called agrivoltaics systems. I'll
8 keep my testimony to the agricultural aspects that
9 pertain to goal three.

10 Broadly speaking, I care deeply about
11 agricultural land protection and agree with the
12 principle that protection of agricultural land is
of
13 critical importance. Indeed, my entire research
14 portfolio and a good part of my life's work has
been
15 devoted to serving farmers in local rural
16 communities.

17 There would be no farms without the land
18 to support them, but farming is incredibly
19 challenging and requires brilliant folks to do it
20 under the current conditions. It isn't sufficient
21 to simply protect land as it's only one piece of
the
22 puzzle that makes farming possible.

23 An economically vigorous agricultural
24 system depends on the land and soil, of course, but
25 it also depends on the skilled farmers, access to
1 the needed agricultural inputs, access to

2 sufficiently developed agricultural markets, and
3 enough regulatory freedom to allow land managers to
4 adapt to new economic and resource availability
5 conditions. I'm an advocate for balancing
6 agricultural land use tradeoffs with energy
7 tradeoffs wherever possible, and I applaud your
8 efforts in doing that in a respectful and sensitive
9 manner.

10 My research on agrivoltaics systems has
11 shown that the benefits of shade to cropping
systems
12 most critically depend on the dry soil's fertility.
13 That is, crops generally benefit more in water-
14 limiting conditions and with the benefit of good
15 soil. This means that agrivoltaics are appropriate
16 in some locations and not appropriate in others.
17 Note that the proposed project is not an
18 agrivoltaics project.

19 I will say that the three most common
20 criticisms in my research are one, that I haven't
21 tested any particular crop in a particular region.
22 Afforded to this particular region, it would be you
23 haven't tried, say, wheat in Central Oregon, which
24 is true. It's a fair criticism.

25 The second major criticism of my work is
1 that my experimental trials are small compared to
2 proposed commercial projects. That's also fair. I
3 don't have the money to build a multibillion-dollar
4 large project for my research. They tend to be of
5 the multiple-acre size as opposed to multiple
6 thousands of acres.

7 And third is I just don't believe you,
8 Chad, that this is possible. And if you are a
9 critical thinker, you first have to be critical,
and

10 I take that challenge on.

11 These are fair critiques, even though I
12 endeavor to perform transferable research for

13 maximum social benefits. My research team and I
14 have done most of our work in the Willamette
Valley,
15 a location with drastically different hydrology and
16 soil to here.

17 I will note that we have done a trial in
18 Madras on irrigated carrot seed production that
19 showed consistent results with all of our other
20 studies, and the carrot seed benefited from the
21 energy system. But that trial was limited in
scope,

22 and it was not a dryland crop as this situation is.

23 On the point of scaling, I'll take issue
24 and say if I can make it work profitably at a small
25 scale, the economies of scale dictate that it
should

1 work at the larger scale because you just turn the
2 tractor around less.

3 The main point is that more research
4 that's targeted to the local region, specific crops
5 and unique conditions, like the fire risk condition
6 that's unique to this area and so critical here,
7 more research would help inform future development
8 in a sustainable way. And I really support the
9 inclusion of the competitive research funding to be
10 managed by the economic development district.

11 In full disclosure, I will absolutely
12 enter that competition, and my approach would be to
13 work with the community to address their most
14 prescient concerns and questions. But should I not
15 win, I'll applaud any (indiscernible) because I
16 believe that that work would strongly help the
17 community because it's no secret that there's many
18 projects proposed for this area.

19 Solar siting tends to be local in scope,
20 as you know. But when you find a good spot, there
21 tends to be a concentration in that spot, as you
22 know. And Gilliam County here -- sorry, Sherman

23 County here, I misspoke -- is one of those
24 Goldilocks zones. May the best researcher win. I
25 welcome the competition.

1 Secondly, I do want to say that these
2 projects are long-lived but ultimately temporary
3 installations. A natural question that a farmer
may

4 ask is, what's the agricultural potential of the
5 soil at the end of the project's life? To answer
6 that, my research team, in collaboration with soil
7 scientists at OSU are in a third year of a multi-
8 decadal study where we rest the soil on under solar
9 panels to see the change in soil condition.

10 As part of that project, we're monitoring
11 the soil's health annually, and thus far at this
12 early stage, we've observed increased soil carbon
13 and fertility relative to the non-solarized control
14 under the same management practice. Of course,
15 there are many years of observation ahead of us
16 here, but the preliminary observations are
17 promising.

18 Finally, I understand if anyone is
19 skeptical of my science. They don't believe that
20 this is possible or that the benefits are there,
but

21 I ask you to believe the evidence of your own eyes,
22 and I invite you to come to my research facilities
23 and tour it for yourself. Anyone here on the
24 committee, anyone in the community, I welcome.
25 Please come out. I know it's a bit of a drive from
1 here, but I would hope to make it worth our while.

2 I'm open to the public the second Tuesday
3 of every month at 1:00 p.m. The location is the
4 North Willamette Research and Extension Center in
5 Aurora, Oregon. Please come out. You're most

6 welcome. And I will answer -- I'll make myself

7 available to answer any questions that the
committee

8 has or the community that's based on my research in
9 the systems. And yeah, thank you very much.

10 NANCY HATCH: Okay. Anybody in the room
11 that would like to make a comment that has not
12 turned a form in?

13 Okay, go ahead and step up to the mic.
14 Just be sure to give us your name and your address,
15 please.

16 JOHN LANGDON: Thank you. My name is --
17 Chair Condon, Secretary of Cornett. We -- my name
18 is John Langdon, and I filled out a form and
19 mishandled the application process. I apologize,
20 Sarah.

21 So I do believe Chad, and I do believe
22 Ormond, that solar saves farms. And so I am a
23 fourth-generation farmer. My address is 30574
24 Diamond Hill Drive in Harrisburg. I have some
25 property that has a particular interest for solar,
1 so I've been approached many, many times over the
2 years, and that's led me to have solar companies
3 come to us with proposals. And there's always been
4 a level of understanding and education there.

5 But I got to go to a meeting like the one
6 last night, a letter of intent meeting, where I got
7 to see Todd in action. And it was pretty
8 impressive. And in that meeting I decided that I
9 needed to educate myself on the ag and solar.

10 And so for the last 30 months, there's
11 rarely been a day where I -- me and my partners
12 haven't taken that path. We were at Chad's
facility

13 on Tuesday, and I think that was our 30th tour in
14 the 30th month. And every time we learn something
15 new. We bring a lot of solar developers, a lot of
16 VIPs. We actually had some shepherdesses out there
17 last time.

18 And our mission is to learn all we can
19 about ag and solar working together -- communities,
20 agricultural systems, agricultural neighbors, all
of
21 those things together, and try to educate myself to
22 be qualified to speak to it and help other people,
23 whether it's this Council or farmers or developers.

24 So we also -- one of my partners likes to
25 travel, so we went to Europe. We heard that they
do

1 it better over there. They're ahead of us. So we
2 went to Europe. We've been to a multitude of
3 countries and saw a lot of different projects. A
4 lot of those were farm projects. And quite
frankly,

5 after dozens and dozens of conversations with
6 developers in a multitude of countries, BrightNight
7 is great. They've done a great job.

8 I've been in multiple conversations with
9 them about vegetation management. One of the
things
10 that we've done in our learning is we've had the
11 opportunity to become vegetation managers. So we
12 are vegetation managers in Oregon. The best way to
13 learn something is to go do it. So we've done
that.

14 And we've looked at every system we can
15 find where agriculture and solar works together in
16 ag communities and with farmers and with those
17 systems. And I can tell you that the conversations
18 with BrightNight have been as outstanding and as
19 advanced as anyone I've had in the world. I would
20 trust them with my land.

21 So what I'm telling you is these guys
seem
22 to be listening to the farmer. Todd and Kathleen
23 have been -- I think they're genuinely interested
in

24 the community, the farmer, making it work, making
it

25 great, and making it a win-win-win for everybody.

1 And so I would encourage the Council to look upon
2 them favorably. So, thank you.

3 NANCY HATCH: Okay, anybody else in the
4 room that would like to make a comment?

5 Okay, seeing none, we're going to go
ahead

6 and move on to the people on the webinar.

7 Just as a reminder, if you are in the
8 webinar and you would like to raise your hand, at
9 the bottom of the icon -- the main window, excuse
10 me, is a set of icons. Click on that participant,
11 and you'll see a hand icon. You're going to click
12 on that to raise your hand, and you will click it
13 again to lower your hand after you have commented.

14 If you're on the phone, press "star 3" on
15 your keypad to raise your hand, and then again
press

16 "star 3" to lower your hand.

17 Okay, so our first commenter is Dan
18 Hilderbrand.

19 Oh, no, he lowered his hand. Okay. If
20 you need to, you can raise your hand again, Dan, if
21 you -- if that was a mistake.

22 So we're going move on to Ms. Irene
23 Gilbert.

24 Okay. All right, let's see.

25 Okay, Irene, don't touch your button.

I'm

1 unmuting you. We're playing a game back and forth
2 right now.

3 Okay, she's working.

4 Alright, I can't get Irene on, so Dan, I
5 see your mic is open. You can go ahead with your
6 comment.

7 DAN HILDERBRAND: Okay, thank you. Can

8 you hear me okay? Hello, can you hear me okay?
9 NANCY HATCH: Yes, we can hear you just
10 fine.
11 DAN HILDERBRAND: I'm sorry. Okay.
12 I'm representing my brother and I, Randy.
13 He's the -- since we've inherited the ranch from my
14 father, he's now the general manager of our
15 operation. We represent the fourth generation of
16 Hilderbrands farming our ranch.
17 And it's been a struggle as it always has
18 been. Ormand and I grew up on the ranch. As kids,
19 our family every year worrying that we were going
20 have enough yield with the price of wheat combined
21 together, and it's always been a struggle to be an
22 efficient farmer. Now with the exponential
increase
23 in not only equipment but the inputs of the farming
24 practices, it's been that much more of a struggle.
25 The nice thing about this project is it's
1 going to give us some more flexibility and
2 continuity as far as the dependability of our
3 economical strength to keep the farm going and make
4 a sustainable career rather than a constant
5 financial gamble.
6 Approving the Biglow Renewable Project is
7 a decision to keep the farmland in production and
8 diversify the economic face of Eastern Oregon. And
9 we want to be responsible stewards of the ranch and
10 farming in general, and this will provide a more
11 predictable revenue stream that we can depend on.
12 This is not going to replace farming.
13 It's just going to help support and diversify. In
14 the past, farmers had very few opportunities to
15 approve the wind turbines. We're one of the first
16 ones. A lot of people were skeptical of the wind
17 turbines, and we still do to this day.
18 And one of my first concerns when I heard
19 about this is I was very positive on it, and I

20 thought it was a very good thing for us.

21 And I went to one of the public comment
22 meetings that the Wasco Activity Center there in
23 Wasco and was pretty confident in what I heard
24 coming from BrightNight and where they were going
25 with it. And they want to be good (indiscernible)
1 in this project.

2 And I really feel with the input as far
as
3 the wildfires go, yes, we do have them from time to
4 time. It's only in the summer, and it's something
5 that farmers -- we grew up as kids, it's something
6 that you always had to concern yourself with. And
7 it's just something we've grown up with along with
8 the wind and everything else.

9 The project itself, the 1,400 acres
10 represents about, according to Randy, about one
half

11 of one percent of the total acreage. So it's not
12 going to replace farming in any stretch of the
13 imagination.

14 Originally, when Randy and I were talking
15 about it, he was actually quite skeptical about it.
16 And I said, Randy, look at it like this. We're not
17 farming -- we aren't farming photons or electrons
18 coming from the sun. We're just farming something
19 else.

20 Our dad was behind the wind turbines. My
21 dad and our Uncle John, Ormand's dad, were very
22 strong advocates of it. And I see what it's done
23 for the county and the income that has helped the
24 entire county. The businesses in Wasco and Morrow
25 and the surrounding areas, it's been a very
1 beneficial opportunity.

2 And I had to remind Randy once. I said,
3 Randy, the solar panels are going to look really
4 good out the side of the windshield -- as you're
5 looking at them through the windshield of your new

6 combine.
7 So I think we could look at this as a
very
8 valuable partnership for everybody. And I think
9 with the wildfires, yes, that is a huge concern.
It
10 is a very huge concern. I understand that, but
11 that's something the farmers have always had to
12 fight for about six weeks every summer. It's just
13 something that we've always had to learn to live
14 with.
15 If there's any questions, any
16 correspondence can be directed in care of my
brother
17 Randy at Post Office Box 326, Wasco, Oregon.
18 SARAH ESTERSON: I'm sorry, Dan, could
you
19 repeat your address for the record?
20 DAN HILDERBRAND: You can -- I almost
said
21 email. You can send any correspondence in care of
22 Randy Hilderbrand, Post Office Box 326, Wasco,
23 Oregon 97065.
24 SARAH ESTERSON: Thank you.
25 DAN HILDERBRAND: Well, I also -- one
last
1 comment.
2 I do share Council Member Grail's ick
3 factor towards the bats and the rats. They're
4 nothing but large flying rats, so I stand in
5 solidarity with her.
6 COUNCILOR GRAIL: Thank you, sir.
7 NANCY HATCH: All right. Thank you very
8 much, Mr. Hilderbrand.
9 It looks like our next commenter is going
10 to be Amanda Whitman.
11 Amanda, I'm going to go ahead and unmute
12 your mic. You are ready to comment.

13 AMANDA WHITMAN: Can you hear me?

14 NANCY HATCH: Yes, we can hear you.

15 AMANDA WHITMAN: Okay. Hi, I'm Amanda
16 Whitman, and I am the district manager for Sherman
17 County's Soil and Water Conservation District. I
18 have lived in Sherman County for about 16 years
now.

19 And one of my concerns is that no one
from
20 this project has contacted the District as far as
21 conservation issues that would arise with the
22 construction of this project or the outcome of the
23 construction of this project.

24 In the past, we have been very involved
25 with the original wind farm projects in Sherman
1 County, and I have noticed with the solar that is
2 not the case. They like to meet with me once and
3 listen to what I have to say, but they're not
4 listening to what I have to say. So that is a
5 concern.

6 We had significant erosion issues with
the
7 one solar project that has been implemented in this
8 county, and there was damage to neighboring land
9 from that project. A lot of this land is prime
10 farmland, and it is also highly erodible land. So
11 no matter how much rainfall we get in the county,
we
12 still have major erosion issues that go along with
13 rain.

14 I have asked multiple solar companies
15 about the long-term effects of solar on our soil
and
16 water tributaries, long-term effects, and no one
has
17 given me any answers on that.

18 So there's a lot of concerns that the
19 District has with these projects, especially these

20 larger scale projects that could really affect our
21 watersheds in the county.

22 The other thing as far as fire goes, we
23 have been working for over a year now with Natural
24 Resource Conservation Services (NRCS) to
incorporate
25 a fire break project in the county to help with
1 these fires that come through our county every
year.

2 And you mentioned that you were going to put in 20-
3 foot buffers. The minimum for NRCS is 30 foot.

And

4 that is the absolute minimum they're suggesting.

5 So it's imperative that I think they talk
6 to the partners in this about what they're
7 suggesting. USDA has been active in this county
for
8 many years and we know the land. We know the
9 vegetation. We know how fire moves, and I think
10 that's very important.

11 Another issue is the weeds and annual
12 grasses. We've seen that with other solar projects
13 and wind farms. There's no immediate control over
14 weeds. The Russian thistles in this county, for
15 instance, grow rapidly. They don't need water.
16 They catch on fire very quickly. So if we don't
17 have weed and annual grass control around these
18 projects, it's going to be detrimental.

19 I'm trying to think what else. I think
20 those are my main concerns. I did not plan on
21 talking tonight, but I felt like those were a few
22 things that I needed to bring up.

23 The Conservation District has been in
this
24 county for 75 years now. We've had over \$2,000,000
25 worth of conservation work implemented in this
1 county, and a lot of these projects take out those
2 conservation practices. And then what do we do to

3 fix that? We're going back in time on all of the
4 work that we've put in to fix our riparian areas,
5 and I know you think it's upland, but upland
affects

6 riparian and the streams and the rivers.

7 So those are my main concerns tonight,
and

8 I will submit a letter before the comment period is
9 over. Thank you.

10 NANCY HATCH: Alright, thank you, Ms.
11 Whitman.

12 All right. Well, I'm going to circle
back

13 to Ms. Gilbert. I do not see your hand raised, Ms.
14 Gilbert, but if you are interested in commenting,
15 please just raise your hand. And that will bring
me

16 -- oh, she's got her hand up. And she's unmuted.

17 Go ahead, Ms. Gilbert.

18 IRENE GILBERT: Hello. Are we talking
19 now?

20 NANCY HATCH: We are talking.

21 IRENE GILBERT: Okay. Irene Gilbert,
2310

22 Adams Avenue, La Grande, Oregon. I'm co-chair of
23 the Stop B2H group and I've spent quite a bit of
24 time representing the public interests before EFSC.

25 So I do have a few -- I haven't done a
1 thorough review of this, but I will say that the
2 people who did the presentation did a very
3 professional job and I appreciate that.

4 My concerns lie along the lines of the
5 fact that this group has a really poor track record
6 in terms of compliance or holding their people
7 accountable for following the site certificate
8 conditions. And specifically, the ones that really
9 jump out to me are the fire plan and the noxious
10 weed plan.

11 Now, the statutes require monitoring and
12 mitigation plans. And what has been happening with
13 the site certificates is that they're approved with
14 a lack of details regarding what is to be included
15 in the monitoring and mitigation plan. And site
16 certificates are issued, but those plans are not
17 finalized until after the public process has ended.

18 So based on that, I believe there's a
19 really important issue in that the draft plans need
20 to be very detailed, very specific, and include the
21 requests that are being made for specific
mitigation
22 methods. And I don't -- I have not found that to
be
23 the case so far.

24 It becomes even more important since the
25 Oregon Department of Energy has been making changes
1 to monitoring and mitigation plans without
2 amendments to site certificates, so it's making it
3 difficult for landowners and the public to trust
4 that the site certificates are actually going to be
5 complied with.

6 One thing that I'm very concerned about
is
7 the fact that this site certificate references the
8 use of the Public Utilities Commission wildfire
plan

9 once the operation of the development begins. So
10 you're working on this for the construction period
11 and getting a lot of feedback. But if you're using
12 the PUC Fire Mitigation Plan without adding
specific
13 local criteria, what ends up happening is, for
14 example, developers rate fire hazard differently
15 oftentimes than local areas.

16 So for example, with the B2H transmission
17 line, Idaho Power found no high-risk areas for fire
18 across any of the five counties that that

19 transmission line crosses. So I think it's
20 important that it be more or less cast in stone
that
21 this area will be treated as a high-risk area in
22 terms of fire.

23 The other thing, the issue of landowner
24 liability for damages to their facilities as a
25 result of fires. And I was glad to hear the last
1 person comment on this. Twenty feet is not
2 providing the protection or the mitigation for that
3 risk to the property owners that are facing the
risk
4 of being sued for damages to the area. I
personally
5 think 30 feet is not enough. I would say that in
6 order to issue a site certificate that mitigates
for
7 that risk, there needs to be some research into how
8 far do these fires jump when they are in a wheat
9 area and assure that the no fire zone is wide
enough
10 to actually provide that.

11 The EFSC makes a determination about
12 significance of impacts and it's not going to be a
13 significant impact. But I just wanted to remind
you
14 that that does not exclude the fact that the
15 developer is supposed to mitigate for all of the
16 impacts. They are to leave these agricultural
17 landowners basically at the same point as they are
18 going into this by addressing the increased risks
19 that are created by this development. Certainly,
20 one of those increased risks is that they could be
21 sued for a fire that happens in their area jumping
22 into this new development.

23 At any rate, I'm going to spend some more
24 time looking through these, and will make some
25 specific comments and reference the mitigation and

1 plan statutes, which I understand is required for
2 this. But I do think that while it's a good start,
3 the draft of the fire, and also the noxious weed
4 plans, are not developed to the extent that the
5 public can have any kind of assurance that you're
6 actually going to be, number one, implementing
7 mitigation that leaves the public free of risk of,
8 or addresses the increased risk, or that the
9 monitoring is going to be adequate to assure long-
10 term protection.

11 The plans don't address, for instance,
12 state requirements for weed management. And
there's

13 been a lot of concern from the tribes, from
14 individuals, about the level of weeds that are
being

15 spread by these renewable energy projects.

16 And I would really encourage you to
17 require the developer to comply with the state
18 requirements and to leave the landowners
financially
19 free of the consequences of having to go to the
20 county and file against a developer because they're
21 failing to manage the weeds according to the
state's

22 statutes.

23 I guess that's enough. For once I didn't
24 use my seven minutes, I don't believe.

25 Anyway, thank you for your time.

1 Any questions?

2 NANCY HATCH: No. There are no
questions.

3 Thank you for your comments.

4 Alright. So at this point I see no other
5 hands raised.

6 Is there anyone else in the room that
7 would like to provide a comment? Last call.

8 SARAH ESTERSON: Okay, so now we're going

9 to provide an opportunity to members of the Council
10 to ask questions or make any recommendations to
11 staff.

12 COUNCILOR GRAIL: Chair Condon, this is
13 Marcy.

14 CHAIR CONDON: Thank you, Marcy.

15 COUNCILOR GRAIL: First of all, I would
16 like to say I wish I had been there in person, but
17 nonetheless, thank you to everyone who took the
18 time
19 to so clearly state your concerns.

20 One of the things that I've most
21 appreciated about serving on this Council is it has
22 been absolutely educational for me, not just as an
23 Oregonian but professionally.

24 Sarah, to directly respond to your
25 request

26 about, you know, comments to staff, I'm well aware
27 of the separation between the Department of Energy
28 and the Oregon Public Utility Commission, but I
29 strongly encourage and ask whether it's just to --
30 and I'm happy to do some of my own research, but

31 I'm
32 really concerned about our limits that I'm aware of
33 that may or may not align with what can be done
34 elsewhere.

35 So for example, like I know we can't say,
36 oh, you must have blank number of people, or we
37 can't say you must double whatever the average, you
38 know, standards are or exceed minimum standards.
39 But I'd just -- I really would like to know that
40 there's a way to provide some more assurance to the
41 public.

42 It's no secret. I've said it probably
43 every meeting since we've started talking about
44 wildfire. Someone mentioned that PGE's plan tends
45 to lean towards -- I don't know if they said
46 transmission or distribution, but anyway, I really

19 just am curious if there's things that we can glean
20 from other areas that can align and help the public
21 get some of the reassurance they need.

22 And I would just encourage the developer
23 to really think about how they can invest to the
24 public to meet some of these things. Because while
25 you as a, you know, as a developer have a lot of
1 risk, this is their livelihood. This is their
2 legacy, their communities as well.

3 So I believe, you know, I have to believe
4 people are operating in good intent, but I really
5 hope that the comments around the noxious weeds and
6 the wildfires are really, really taken to heart.

7 And lastly, I'll just say that anyone
8 who's participated over the last couple years has
9 heard this Council talk a lot about operational or
10 excuse me, Organizational Expertise. And I think
we
11 heard a lot of comments directed at that today. So
12 I hope the developer plans to address those things
13 to provide reassurance to the public and to our
14 Council. Thank you.

15 NANCY HATCH: Thank you, to Councilor
16 Grail.

17 Any other comments or questions from the
18 council members?

19 CHAIR CONDON: I have a question.

20 COUNCILOR DEVLIN: Madam Chair?

21 CHAIR CONDON: Yes?

22 COUNCILOR DEVLIN: I'll be second.

23 CHAIR CONDON: No, go ahead, Councilor
24 Devlin.

25 COUNCILOR DEVLIN: Okay. Madam Chair, I
1 don't know if I have a statement or a question.

2 It seems to me that, you know, some of
the

3 things that people are talking about in terms of
4 past performance there is actually some agreement

5 on. I mean, within the statements from staff,
there

6 were some statements about the fact that the actual
7 performance, particularly on the first phase, over
8 time has not been what was expected.

9 Obviously, some of the people that are
10 critical of the proposal are saying that very
11 clearly, and even the applicant is now admitting
12 that some of that performance has been less than
13 desirable.

14 Now, the problem I have is I don't have
an
15 answer for this. I'm not an attorney. I am not
our

16 -- obviously our representative from the Attorney
17 General's office, but we have specific criteria
that

18 we view every project in. And I'm not sure that we
19 can actually apply or create a new criteria that in
20 a sense tries to enforce perhaps some shortcoming
21 from a past approval or the performance in a past
22 area.

23 I'm just not sure of that, how you would
24 do that or if it -- if it even could be done in a
25 matter that would be, let's say, where litigation
1 would be limited.

2 The second thing is I clearly doubt that
3 this body has any authority, and I'm not even sure
4 the legislature would have authority to limit the
5 liability of various parties that might be involved
6 in something that would cause damages to another. I
7 mean, that's clearly outside the purview of this
8 Council.

9 And I'm not even sure about all the
10 ramifications of that if that would even be within
11 the legislature's purview on a statutory basis.

12 I just want to put those comments on the
13 record. I do think the concerns are real. I do

14 think that turbines wear out. I do believe there
15 have been quite a number of issues with them,
16 particularly that sort of first phase. And I don't
17 know which generation of turbines that was. I know
18 turbines are actually under an enormous amount of
19 stress over time.

20 It's interesting that one of the speakers
21 is a former 747 pilot, and she's obviously probably
22 aware of the metal fatigue in aircraft over time.
23 And the fatigue and the blades of those turbines,
24 there are significant issues there also.

25 And I just wanted to put all that on the
1 record. I'll be probably thinking about what our
2 actual authorities are, but I clearly believe
people

3 have made some clear, and to a large degree, some
4 compelling arguments.

5 NANCY HATCH: Thank you, Councilor
Devlin.

6 Councilor Perry, do you -- do you have
7 your hand raised? I can't see it.

8 COUNCILOR PERRY: Yes, I did. Thank you.

9 NANCY HATCH: Yeah. Feel free, yes.

10 COUNCILOR PERRY: Thank you.

11 I did have a couple of points. And along
12 the same lines as Councilor Devlin was mentioning.

13 First of all, about the fire concerns.
It

14 seems like when there's a concern with property
15 owners and developers, as a planner, you know,
16 there's been situations where, you know, a covenant
17 not to sue would be in order. But that's not
18 something that this Council has any purview over.

19 That's more like Councilor Devlin was saying, a
20 legal matter between the owners and the developer
to

21 work that out on who's responsible for what on the
22 property.

23 But the other -- the other point I wanted
24 to make was about, you know, as a planner, you
know,

25 we've had situations before where we have a
property

1 that, you know, may have a violation on it of some
2 sort and then they want to come in and apply for a
3 land use application to do something else.

4 And if there's a violation on the
5 property, then you wouldn't necessarily want to
6 approve or be able to approve based on the
7 regulations of that local jurisdiction to approve a
8 new thing on a property if there is some kind of a
9 compliance issue.

10 And I'm new to this. I'm not as familiar
11 with the administrative rules and the siting
12 standards as experts are and the staff and
secretary
13 and our legal office.

14 But I was just, I guess a question now to
15 the staff, Chris. Would there be some kind of
16 regulation that I may not be aware of that would
17 prohibit the approval of an amendment to an
existing

18 site certificate when the existing site
19 certificate's requirements may or may not be
20 satisfactory? But in looking through the staff
21 report, it looks like you have addressed those and
22 with the addition of some additional amendments to
23 the conditions that were placed on there that would
24 remedy some of that.

25 And I was just wondering if there was
1 anything that the Siting Council needs to consider
2 on that situation where we have -- if we look at --
3 if the existing facility is in compliance with
4 everything, then there isn't an issue with moving
5 forward with looking at specifically this in
6 relationship to that with the addition of the solar

7 to this siting certificate.
8 I just wanted to make sure that that
we're
9 covering all those bases. Thank you.
10 NANCY HATCH: Thank you, Councilor Perry.
11 And we have Christopher now at the mic.
12 CHRISTOPHER CLARK: Thank you, Council
13 Member Perry.
14 For the record, this is Christopher
Clark,
15 senior siting analyst.
16 Just since you called out me
specifically,
17 I will respond with two things.
18 One, I think the relevant standard is the
19 Organizational Expertise standard. And so I'll
just
20 read that, at least in part.
21 So the standard provides that to issue a
22 site certificate, the Council must find that the
23 applicant, or in this case certificate holder, has
24 the Organizational Expertise to construct, operate,
25 and retire the proposed facility in compliance with
1 Council standards and conditions of the site
2 certificate.
3 I am not aware of a separate rule that
4 would prohibit the Council from approving a
facility
5 if there were a violation in place or something
like
6 that or a requirement to cure.
7 I do want to point out though, and I
think
8 this is important for the record, at this point in
9 time, the certificate holder has not been issued
any
10 notice of violation, or I maybe can be corrected,

11 but even a notice of noncompliance for these
12 issues.

13 They have been responsive to the Department's
14 requests for corrective action plans and things
15 like
16 that.

17 So there have been a number of compliance
18 issues at the facility, and that is well
19 documented,
20 but not violations themselves.

21 COUNCILOR PERRY: Thank you, Christopher.

22 CHAIR CONDON: Counselor Perry, sorry,
23 was
24 that a thank you, or did you have something
25 further?

26 COUNCILOR PERRY: No. I think we just
27 kind of talked over each other. I was just
28 thanking
29 Christopher for that response.

30 CHAIR CONDON: Okay. Thank you very
31 much.

32 And I do have a question, but I'm
33 wondering if the McCulloughs can come up to the
34 microphones.

35 Yeah, you can go first.

36 COUNCILOR HOWE: This is Kent.

37 Tonight we heard a lot about
38 Organizational Expertise.

39 CHAIR CONDON: Hold on just one second.

40 Oh, sorry. I thought you had a question.

41 COUNCILOR HOWE: No, no, no.

42 CHAIR CONDON: Sorry. Go ahead.

43 COUNCILOR HOWE: Organizational Expertise
44 while -- or the noxious weeds and vegetation
45 management. But we did hear regarding wildfire, a
46 recommendation from the SWCD to I think it was 35
47 feet. And that probably has some science behind it
48 that could withstand a challenge or whatever, so I

17 think we ought to kind of look into that. That's
18 all.

19 CHAIR CONDON: Thank you, Councilor Howe.

20 And now a question for you. I think one
21 of the things this meeting has really brought into
22 focus is our work on compliance. The wildfire
rules

23 are pretty new to us. I think we're now in our
24 third year of wildfire rules and working through
25 projects and what's appropriate, what is -- what
are

1 compliance issues. And every step we go we learn
2 more.

3 But one of the things that is -- has been
4 very opaque to me and it sounds like you are big
5 supporters of renewable energy and certainly went
6 into this project with great enthusiasm. Yes.
7 Passion and enthusiasm. And you -- it worked well
8 and then it didn't.

9 And so I am wondering, one, some of the
10 issues you have as underlying property owners of
the
11 project -- I guess I have operated on the thought
12 that all the underlying property owners have an
13 agreement with the -- with the developer. And in
14 those agreements there are some provisions that we
15 just asked about here that are simply not -- not
16 necessarily open to us. We don't have the
authority

17 to do much with it.

18 So could you enlighten just -- I know
some

19 of it is proprietary information, but speak a
little

20 bit about the leases, and do your lease agreements
21 speak anything -- speak to anything that you spoke
22 to us about today?

23 KATHY MCCULLOUGH: What do you think?

24 You're looking at me blank. You probably
25 know more.

1 KEVIN MCCULLOUGH: You're talking about -
-
2 are you talking about leases or the solar?

3 KATHY MCCULLOUGH: Solar or wind?

4 CHAIR CONDON: Well, right now it sounds
5 to me -- I guess the premise for my question is it
6 sounds like it's just a matter of understanding and
7 coming to some agreement. It sounds like the
8 developer is really now concerned with compliance.
9 You've certainly suggested that they have been more
10 proactive. But in their your agreements with them,
11 does it call for action of compliance? Or are you
12 depending on us?

13 KATHY MCCULLOUGH: We're depending on you
14 because after 10 years of reporting pieces and our
15 concerns and having them ignore us and lie to us,
16 we
17 don't trust them anymore.

18 And since the blade fell four years ago,
19 more towers are down than ever. And we're just
20 stymied. We don't know -- we're not signed up for
21 solar because we would not sign up for them,
22 period,
23 after what we've seen with the wind.

24 CHAIR CONDON: Okay.

25 KATHY MCCULLOUGH: And it's not really
26 addressed in the lease, but it's in the site
27 certificate. And no, there are no violations on
28 PGE

29 because they never told you guys. Hello?

30 CHAIR CONDON: Well, and as I see at this
31 meeting, we've talked a lot about it in the last, I
32 don't know, five meetings, some of these issues
33 have

34 come up and are now being addressed. And there

6 seems to be a plan going forward. And I'm
wondering

7 if you are aware of that, you know, part of your --
8 are you included in those conversations with the
9 developer?

10 KATHY MCCULLOUGH: Yes.

11 CHAIR CONDON: Okay. All right.

12 KATHY MCCULLOUGH: You can answer that.

13 KEVIN MCCULLOUGH: Well, yeah. Yes, we
14 are. And the PGE crew that is there now have been
15 very open in coming and talking to us and wanting
16 our opinions on how things are.

17 But it's just we have lack of faith in
PGE

18 right now. They haven't proven anything to me.
19 They are a disappointment, unfortunately. They
need

20 to keep moving forward and figure out how to fix
21 this and then prove to me that this is going to
work

22 because they haven't done anything yet other than
23 shut the towers off because they're dangerous.

24 CHAIR CONDON: Well, you presented your
25 message well, or at least in my opinion, and I
thank

1 you for being here and sharing, one, your
2 experience.

3 But I also, just given the wildfire
4 mitigation risk, if you have some ideas that you
5 don't see in the mitigation plan -- the draft
6 mitigation plans for construction or that should be
7 there on the solar project that is now proposed,
you

8 know, the more detail you can give to us and staff,
9 the better it informs us for our decision-making.

10 KATHY MCCULLOUGH: Okay. And since
Colton

11 is actually farming now, he's --

12 COLTON MCCULLOUGH: My biggest issue is -
-

13 my biggest issue is --

14 Can you hear me now?

15 CHAIR CONDON: Yeah.

16 COLTON MCCULLOUGH: My biggest issue is
17 there's no operational Wildfire Mitigation Plan to
18 even look at right now. So how am I even supposed
19 to comment on something that doesn't even --

20 CHAIR CONDON: Yeah.

21 COLTON MCCULLOUGH: I don't have privy to
22 it, so all I'm going off is what ODOE is saying
that
23 they're going to put in in the interim. But then
24 I'm not going to have any say when it actually
comes
25 out.

1 CHAIR CONDON: Okay. Okay, thank you.

2 And it's, you know, I know it's coming.

3 We've heard that. And just keep your ear attuned.

4 KATHY MCCULLOUGH: Yes. And just as an
5 aside, even BrightNight hasn't been forthcoming
with

6 us. This is like the fourth or fifth

7 representatives that have come through that, you

8 know, that are now the experts.

9 And we were told that the panels weren't
10 going to be within view of our house, and then they
11 were right across the road. So we just panicked.
12 And then our landlord is the one that got them to
13 move them back. Everything we've been promised,
14 somebody reneges on.

15 And it's getting really frustrating
16 because we feel like we're just in a wave that we
17 can't stop. We keep hearing the right things. We
18 just haven't seen them.

19 KEVIN MCCULLOUGH: It's not in writing.
20 Until I see it in writing from now on, I will not

21 believe it. It needs to be put in writing and
22 signed by whoever the proper authority is. And
23 that's what needs to happen.

24 I used to do business on a handshake.
Not

25 going to happen ever again. I had really good
1 intentions with PGE and their wind project, and
they

2 kept telling us they're going to do it, but they
3 kept cutting their maintenance budget on the
4 project. How do you -- I don't know how you run
5 anybody's farm or you do anything.

6 We spend money on our equipment to keep
it
7 up and make it work. So we're not going to be out
8 there intentionally starting fires. Their solution
9 was not to do anything. With this new management
10 team, I have great hopes.

11 CHAIR CONDON: Well, thank you. Thank
you
12 for being here and coming up twice.

13 KATHY MCCULLOUGH: Thanks.

14 CHAIR CONDON: And having such strong
15 representation.

16 And I'm wondering if PGE wants to come
and

17 respond or -- you don't have to. It's just --

18 UNIDENTIFIED SPEAKER: (Indiscernible)
19 final comments.

20 CHAIR CONDON: Okay, yeah. Okay. Thank
21 you.

22 KATHY MCCULLOUGH: Thanks for listening.

23 CHAIR CONDON: Okay, yeah. And I will
24 say, and you've heard from all of the, yeah, every
25 -- all the council members spoke today, and these
1 are of real concern to us. The issues that came up
2 today are of concerns with this project, but
overall

3 they have been a real area of focus for us. So
4 thank you for being here for the hearing.
5 And if there are no more comments from
the
6 Council, I'll turn this over.
7 SARAH ESTERSON: Thank you very much.
8 Okay, so to close this out, would the
9 certificate holder like to respond to any comments
10 you've received today or this evening?
11 KRISTEN SHEERAN: Chair Condon, members
of
12 the Council, and folks in the room this evening,
13 thank you very much for your time and energy and
for
14 the -- for the input.
15 I'll just say two things and then I'll
16 hand it over to Lenna to wrap us up here in
17 response to what we've heard tonight.
18 So one, you know, I think to reiterate,
we
19 recognize that some of the concerns raised about
the
20 operation of the Biglow Canyon Wind Farm do not
meet
21 the standards for excellence that PGE expects of
all
22 of its sites, and we are taking appropriate
actions.
23 We also operate thousands of megawatts of
24 clean energy across this region with an excellent
25 track record of safety and reliability.
1 With regard to wildfire, let me
reiterate.
2 The safety and well-being of the communities we
3 serve is paramount, and we recognize the
existential
4 risk of operating a utility today in the west
amidst

5 growing wildfire risk from climate change.
6 We maintain and implement robust Wildfire
7 Mitigation Plans as required by the state and
submit
8 them to the Oregon Public Utility Commission on a
9 regular basis. Those plans are evaluated by an
10 independent evaluator, by the safety staff at the
11 Oregon Public Utility Commission, and it is through
12 a very public process with robust stakeholder
input.

13 We just submitted our most recent Wildfire
14 Mitigation Plan in December, and it is currently
15 under review.

16 Right now we're forecasting about
17 \$120,000,000 annually in wildfire mitigation
18 investments to protect the safety and well-being of
19 the communities we serve. And that includes things
20 that have been discussed tonight, such as grid
21 hardening and vegetation management, situational
22 awareness, so think risk modeling, as well as the
23 use of like AI panoramic cameras. It includes
24 operational procedures across our system --
25 distribution, transmission, and generation. And it
1 includes the work that we do with our communities
2 around education and outreach.

3 So wildfire safety is important, and we
4 continue to evolve our Wildfire Mitigation Plans in
5 response to changing technology, improving
6 technology, as well as evolving industry best
7 practice. And unfortunately, the growing risk of
8 wildfire in this region. Thank you.

9 LENNA COPE: Thank you.

10 We just want to again say that we
11 appreciate all the comments and people taking the
12 time to review these documents and come here in
13 person to provide your testimony. We will review
14 all the comments and provide written responses.

15 But we do want to reiterate that the
level
16 of detail in the plans and the monitoring, the
17 inspection, the reporting, and the enforcement by
18 the Department in these plans is at a much greater
19 level than any previous plan. The Department's
20 staff and the staff that we have supporting the
21 development of these plans have identified these
22 improvements to the site certificate and associated
23 plans. And they have teeth. We heard, you know,
we
24 want teeth, and we believe these plans do have
that.

25 Additionally, in the written comments, we
1 will be submitting our communications log with
2 stakeholders into the record to show our outreach
to
3 the stakeholders.

4 Okay, and with that, thank you again for
5 your time, and get home safe tonight.

6 SARAH ESTERSON: Okay, any final comments
7 or questions from Council to the certificate
holder?

8 Okay. Thank you again, certificate
9 holder.

10 I need to amend one statement that I
11 previously made about the comment deadline. So all
12 comments must be received by January 30th at 5:00
13 p.m. Not submitted by but received.

14 So if you're paper mailing your comments
15 to the Department, make sure you've mailed them in
a

16 manner that they can be received by our office on
17 January 30th at 5:00 p.m.

18 Okay. So it is now 8:20 p.m. on January
19 15, 2026, and the public hearing portion of the
20 comment period on the Proposed Order for Request
for

21 Amendment 4 of Biglow Canyon Wind Farm site
22 certificate has concluded.

23 I'm going to hand it over to Chair Condon
24 to close the meeting.

25 SECRETARY CORNETT: Chair Condon, if I
1 may.

2 CHAIR CONDON: Secretary Cornett?

3 SECRETARY CORNETT: Yeah. I just want to
4 take the opportunity to thank everybody for coming
5 out tonight. We really appreciate it. Our process
6 is designed to include public participation. Local
7 participation. That's why we're here. It works
8 better if there is good, robust participation, so I
9 encourage you, if you have comments, please do
10 submit those comments. As you've heard from the
11 Council, we take them very seriously, so please do
12 comment. Thank you.

13 CHAIR CONDON: I want to add my thanks
14 again for everyone who came to the hearing tonight,
15 and especially those who sat through the whole
16 meeting tonight. So thank you.

17 The time is now 8:21, and the January 15,
18 2026, meeting of the Energy Facility Siting Council
19 is now adjourned. Thank you.

20 (WHEREUPON, the BIGLOW CANYON WINDFARM
21 HEARING BEFORE OREGON DEPARTMENT OF ENERGY
adjourned
22 at 8:21 p.m.)
23
24
25

1 CERTIFICATE
2

3 I, Valerie J. Morrison, do hereby certify
that
4 the proceeding named herein was professionally
5 transcribed on the date set forth in the
certificate

6 herein; that I transcribed all testimony adduced
and
7 other oral proceedings had in the foregoing matter;
8 and that the foregoing transcript pages constitute
a
9 full, true, and correct record of such testimony
10 adduced and oral proceeding had and of the whole
11 thereof.

12
13 IN WITNESS HEREOF, I have hereunto set my
hand
14 this 6th day of February, 2026.

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Valerie J. Morrison

The January 2026 EFSC meeting was adjourned at 8:21 pm.