

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

In the Matter of the Application for Site Certificate for the Saddle Butte Energy Facility)))	PROJECT ORDER
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Issued
May 1, 2026

Table of Contents

I.	INTRODUCTION.....	1
I.A.	Facility Description	1
I.B.	Applicant Information	5
I.C.	Procedural History.....	5
II.	EFSC ANALYSIS AREAS FOR THE PROPOSED FACILITY	7
III.	REGULATORY FRAMEWORK.....	11
IV.	APPLICATION REQUIREMENTS.....	11
IV.A.	Background Information – OAR 345-021-0010(3).....	18
IV.B.	Organizational Expertise – OAR 345-022-0010	26
IV.C.	Structural Standard – OAR 345-022-0020	42
IV.D.	Soil Protection – OAR 345-022-0022	46
IV.E.	Land Use – OAR 345-022-0030.....	48
IV.F.	Protected Areas – OAR 345-022-0040.....	54
IV.G.	Retirement and Financial Assurance – OAR 345-022-0050	58
IV.H.	Fish and Wildlife Habitat – OAR 345-022-0060.....	61
IV.I.	Threatened and Endangered Species – OAR 345-022-0070	65
IV.J.	Scenic Resources – OAR 345-022-0080	68
IV.K.	Historic, Cultural and Archaeological Resources – OAR 345-022-0090	71
IV.L.	Recreation – OAR 345-022-0100	75
IV.M.	Public Services – OAR 345-022-0110.....	78
IV.N.	Wildfire Prevention and Risk Mitigation – OAR 345-022-0115.....	83
IV.O.	Waste Minimization – OAR 345-022-0120.....	85
IV.P.	State and Local Laws and Regulations – OAR 345-022-0160	88
IV.Q.	Specific Siting Standards – OAR chapter 345, division 024	92
V.	EXPIRATION DATE OF THE NOTICE OF INTENT	96
VI.	PROJECT ORDER AMENDMENT AND APPLICATION COMPLETENESS.....	96
VII.	APPLICABILITY AND DUTY TO COMPLY.....	96

Tables

Table 1: Proposed Facility Components and Related or Supporting Facilities 2
Table 2: Location of the Proposed Site Boundary by Township, Range, and Section 3
Table 3: Reviewing Agencies 7
Table 4: Analysis Areas for Application for Site Certificate 9
Table 5: Summary of Additional Information Requirements by Standard 13
Table 6: Potentially Required Permits 32
Table 7: New Industrial and Commercial Noise Source Standards Allowable Statistical Noise Levels in Any One Hour (OAR 340-035-0035, Table 8) 91

Figures

Figure 1: Proposed Site Boundary and Vicinity 4

Attachments

- Attachment 1: Public Comments
- Attachment 2: Reviewing Agency Comments
- Attachment 3: Facility Components Table Templates
- Attachment 4: Facility Decommissioning Spreadsheet
- Attachment 5A: Construction Wildfire Mitigation Plan/Landowner Letter Template
- Attachment 5B: Operations Wildfire Mitigation Plan/Landowner Letter Template

ACRONYMS AND ABBREVIATIONS

AC	Alternating current
ACDP	Air Contaminant Discharge Permit
Applicant	Saddle Butte Wind, LLC
ASC	Application for Site Certificate
BPA	Bonneville Power Administration
CPE	Columbia Plateau Ecoregion
CTUIR	Confederated Tribes of the Umatilla Indian Reservation
CTWS	Confederated Tribes of Warm Springs
CWA	Clean Water Act
DEQ	Oregon Department of Environmental Quality
DMS	degrees-minutes-seconds
DOGAMI	Department of Oregon Geology and Mineral Industries
DSL	Oregon Department of State Lands
EFSC or Council	Energy Facility Siting Council
EFU	Exclusive Farm Use
FAA	Federal Aviation Administration
kV	Kilovolts
LCIS	Legislative Commission on Indian Services
LLC	Limited Liability Company
MW	Megawatt
NOI	Notice of Intent to File an Application for Site Certificate
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWTC	Northwest Training Range Complex
OAR	Oregon Administrative Rule
ODAg	Oregon Department of Agriculture
ODAv	Oregon Department of Aviation
ODOE or Department	Oregon Department of Energy
ODFW	Oregon Department of Fish and Wildlife
O&M	Operations and Maintenance
ORS	Oregon Revised Statute
Parent Company	Brookfield Renewable N.A.
pASC	Preliminary Application for Site Certificate
PLSS	Public Land Survey System
POI	Point of Interconnection
Proposed facility	Saddle Butte Energy Facility
PWCA	Priority Wildlife Connectivity Areas
RFPD	Rural Fire Protection District
SAG	Special Advisory Group
SHPO	State Historic Preservation Office
SSURGO	Soil Survey Geographic Database
WGS	Washington Ground Squirrel
WPCF	Water Pollution Control Facilities

1 **I. INTRODUCTION**

2
3 On December 12, 2025, the Oregon Department of Energy (ODOE or Department), as staff to
4 the Energy Facility Siting Council (EFSC or Council) received a Notice of Intent (NOI) to File an
5 Application for a Site Certificate (ASC) for Saddle Butte Energy Facility (proposed facility). The
6 NOI was submitted by Saddle Butte Wind, LLC (applicant), a subsidiary of Brookfield Renewable
7 N.A. (parent company).

8
9 This Project Order describes the laws, rules, ordinances, application requirements, and study
10 requirements that are applicable to the ASC for the proposed facility, including any
11 modifications to applicable provisions of these rules identified as appropriate by the
12 Department. The ASC must address all applicable standards and information requirements as
13 described in the sections that follow. If the applicant does not agree with the requirements of
14 this Project Order, the applicant may submit a written request to the Department for waiver or
15 modification under OAR 345-021-0000(4). The Department may waive or modify any
16 requirements it determines are inapplicable to the proposed facility. As provided in ORS
17 469.330(3), this Project Order is not a final order. The Department or Council may amend this
18 Project Order at any time.¹

19
20 Before it submits the ASC, the applicant must request from the Department an estimate of the
21 costs expected to be incurred during the ASC review. The ASC must be submitted with 25
22 percent of the estimated cost, payable to the Oregon Department of Energy. The applicant
23 must pay the remaining balance of the fee periodically, as specified by the Department.²

24
25 **I.A. Facility Description**

26
27 As proposed, the facility would include 488-megawatts (MW) of wind power generation
28 components with related or supporting facilities, to be located within an approximately 11,500-
29 acre site, on private land zoned for exclusive farm use (EFU) in Gilliam County (See Figure 1).³

30
31 The proposed facility includes up to 70 turbines with nominal power of up to 8 MW/turbine,
32 with 698 feet max blade tip height, up to 488 MW of battery storage, above and belowground
33 34.5 kilovolt (kV) electrical collection system, a satellite collector substation, one central
34 substation, an Operations and Maintenance (O&M) building, access roads and perimeter
35 fencing, temporary construction or laydown areas, five temporary and up to two permanent
36 meteorological towers, and possibly temporary on-site workforce housing. The proposed point
37 of interconnection will be a new substation (Diamond Butte Substation) to be constructed by

¹ OAR 345-015-0160(3).

² ORS 469.421(3) and OAR 345-021-0000(8)

³ Under ORS 469.300 and OAR 345-001-0010(30), the “site” is the proposed location of the energy facility and related or supporting facilities and includes all land upon which the energy facility and related or supporting facilities would be located. OAR 345-001-0010(31) defines “site boundary” as the perimeter of the site...including all corridors and micrositing corridors proposed by the applicant.

1 the Bonneville Power Administration (BPA) where the facility would connect to the existing BPA
 2 500-kV Ashe-Marion No. 2 Transmission line. Available specifications for proposed facility
 3 components and related or supporting facilities are provided in Table 1 and summarized below:
 4

Table 1: Proposed Facility Components and Related or Supporting Facilities

Facility Component	Quantity	Dimensions
Facility Site Boundary	11,500	Acres (18 sq. miles)
Micrositing Area	TBD	
Estimated Total Power Generating Capacity	488	Megawatts (MW)
Wind Turbines (approx. 8 MW each)	70	
• Rotor Blade length	288	feet
• Hub height	410	feet
• Rotor Blade diameter	575	feet
• Maximum Blade tip-height	698	feet
• Turbine foundations	70	85-100 ft diameter & 16-20 ft below grade per
• 34.5 kV Pad-mount Transformers	TBD	TBD
Battery Energy Storage System (BESS)	488 MW	Up to 1,952 MWh storage capacity
• Container Boxes/Enclosures	TBD	8-10 W x 40 L x 7- 10 H (feet)
• Lithium-ion batteries	TBD	TBD
• Centralized or distributed	1 or 2	50-acre area
Related or Supporting Facilities	Quantity	Dimensions
34.5 kV Collection Line System – above and below ground	TBD	Min depth 3 feet if underground
230 kV Collection Line System – above ground	TBD	150 feet Corridor
34.5 kV to 230 kV Satellite Collection substation	1	8 acre area
34.5 kV to 230 kV Step Up Transformers	TBD	TBD
230 kV to 500 kV Central Collection substation/POI	1	TBD
230 kV to 500 kV Step Up Transformers	TBD	TBD
230 kV Transmission Lines – above ground	TBD	TBD
500 kV Generation-Tie Line (POI)	1	TBD
Operations & Maintenance Building with SCADA	1	One story, approx. 4,000-8,000 square feet area
Access and Facility Roads (new and improved)	TBD	Facility roads will be up to 20 ft wide with 50 ft temporary turn areas for equipment.
Temporary Laydown and Construction Areas	TBD	TBD

Table 1: Proposed Facility Components and Related or Supporting Facilities

Facility Component	Quantity	Dimensions
Meteorological Towers	5 temporary, 2 permanent	Temporary: 197 feet H with 4 guywires each. Permanent: maximum height will match hub height of turbines
Facility Fencing and Gates	TBD	6-8 ft high
Temporary On-Site Workforce Housing	TBD	TBD

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I.A.1 Facility Location and Site Description

The proposed site includes approximately 11,500 acres of privately owned land in Gilliam County, Oregon zoned for Exclusive Farm Use (EFU). The applicant is currently determining the proposed micrositing area where facility components would be located within the site boundary, but for the purposes of the NOI, the total 11,500 acres is being evaluated as if it were the micrositing area.

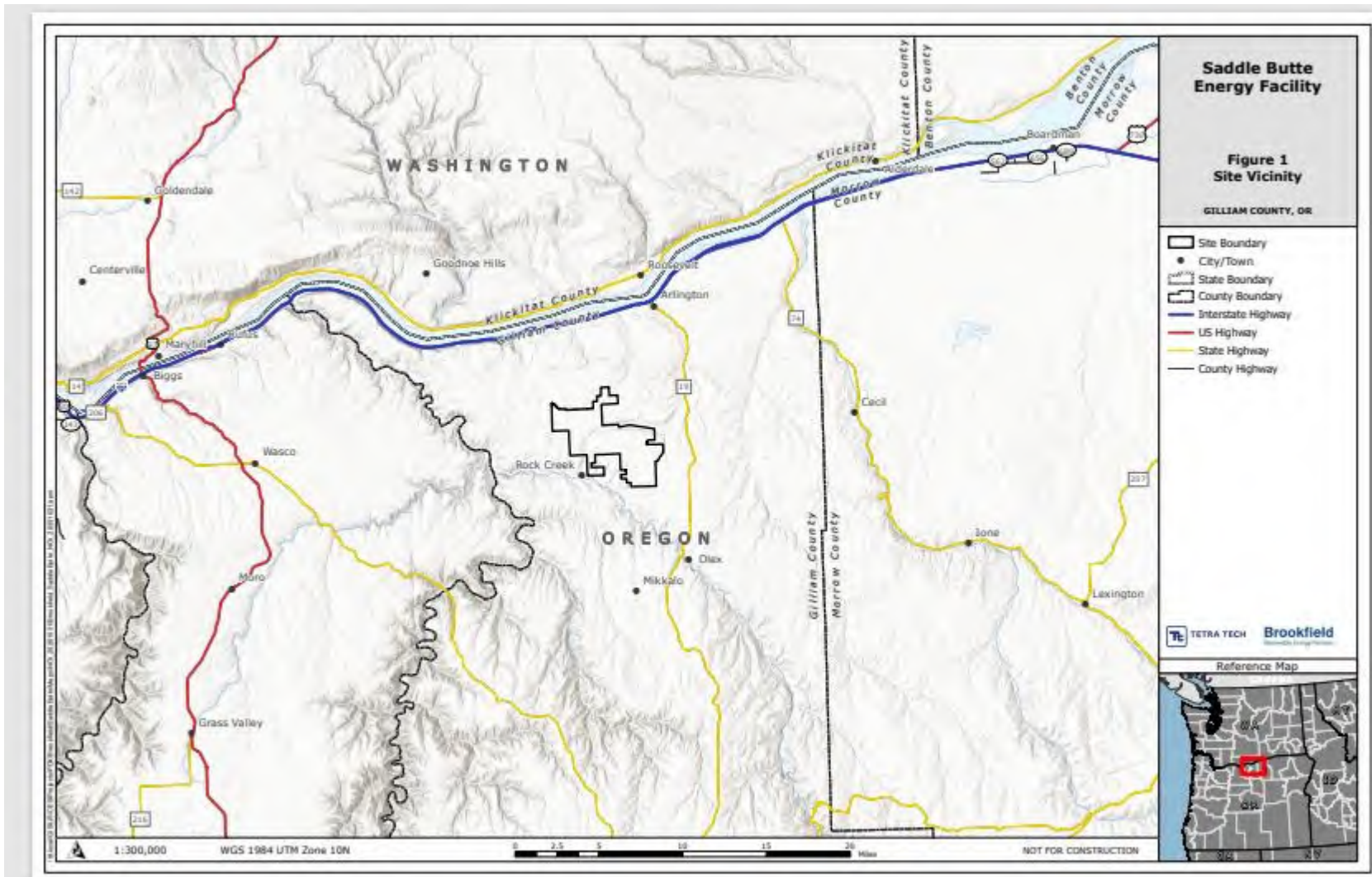
The site is located approximately 6 miles southwest of the city of Arlington and is situated between OR-19 to the east, W Road to the west and Middle Rock Creek Lane to the south. The John Day River is approximately 5 miles to the west. The site boundary encompasses the sections listed in Table 2. A map of the proposed site boundary is provided in Figure 1, below.

Table 2: Location of the Proposed Site Boundary by Township, Range, and Section

Township and Range	Section(s)
1N 20E	1, 2, 3, 4, 9, 10, 11, 12, 13, 14
1N 21E	4, 5, 6, 7, 8, 9, 16, 17, 18
2N 20E	13, 14, 21, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36
2N 21E	19, 31, 32, 33

15

Figure 1: Proposed Site Boundary and Vicinity



1 **I.B. Applicant Information**

2
3 The applicant is Saddle Butte Wind, LLC (applicant), a subsidiary of Brookfield Renewable U.S.
4 (parent company).

5
6 The applicant’s primary contact person for the NOI is:

7
8 Ben Mallernee; Sr. Manager, Asset Development
9 Brookfield Renewable N.A.
10 200 Liberty St., 14th Floor
11 New York, NY 10281
12 Phone: (646) 992-2369
13 Email: ben.mallernee@brookfieldrenewable.com

14
15 The parent company is:

16
17 Brookfield Renewable N.A.
18 200 Liberty St., 14th Floor
19 New York, NY 10281

20
21 Primary contact for parent company:

22
23 Berk Gursoy; Vice President, Asset Development
24 Brookfield Renewable N.A.
25 200 Liberty St., 14th Floor
26 New York, NY 10281
27 Phone: (646) 992-2429
28 Email: Berk.gursoy@brookfieldrenewable.com

29
30 **I.C. Procedural History**

31
32 On December 12, 2025, the applicant submitted a NOI with the fee required under OAR 345-
33 020-0006.

34
35 **I.C.1 Public Comment Period and Informational Meeting**

36
37 On December 12, 2025, the Department received the NOI. The Department posted the NOI to a
38 webpage created for the proposed facility on December 23, 2025. On December 30, 2025, the
39 Department issued a Public Notice of the NOI to people on the Council’s general mailing list, the
40 owners of property located within the distances specified in OAR 345-020-0010(1)(f)(A), and to
41 the managers of the protected areas identified in NOI Protected Areas Exhibit, in accordance
42 with OAR 345-015-0110. The public notice provided information regarding the proposed facility
43 and the EFSC review process and announced the public informational meeting described below.
44 On January 1, 2026, a public notice also appeared in the Times-Journal Newspaper, a

1 newspaper of general circulation for Gilliam County. The Department appointed Gilliam County
2 Court as the Special Advisory Group (SAG) for the proposed facility on January 8, 2026. On
3 January 9, 2026, the Department initiated review and comment with the SAG, reviewing
4 agencies and Tribes on the NOI.

5
6 The public notice opened the public comment period on the NOI and established the deadline
7 for public comments as 5:00 p.m. Pacific Time on January 30, 2026.

8
9 The Department held a public informational meeting on the NOI for the proposed facility on
10 January 13, 2025. The meeting was held at the Veteran’s Memorial Hall in Condon, Oregon and
11 was open to both in-person and remote attendees. The Department and the applicant
12 appeared at the informational meeting and provided information about the siting process and
13 the proposed facility and responded to questions from the public. Members of the public were
14 also invited to provide comment on the NOI.

15
16 Two members of the public provided oral comments at the public informational meeting. The
17 first was the fire chief for the South Gilliam Rural Fire Protection District (RFPD).⁴ The other oral
18 commenter asked about the maximum potential turbine height of 598 feet and noise regulation
19 and requirements.⁵

20
21 The Department received 2 written public comments on the NOI. One written comment was
22 from the Oregon-California Trails Association (OTCA) that the proposed facility overlays the
23 Oregon National Historic Trail for almost its entire width and requested a review of the entire
24 effected segment, noting that the National Park Service has maps of the segment that should
25 enable review.⁶ The other written comment was from the Laborers’ International Union of
26 North America (LIUNA) in support of the proposed facility and potential economic benefit from
27 work created by its construction.⁷ Combined with 2 oral comments from the public
28 informational meeting, for a total number of 4 total public comments submitted on the NOI.

29
30 Table 5: Summary of Additional Information Requirements by Standard below identifies any
31 additional resources, information or analysis that must be presented in the ASC based on public
32 comments; this information is also presented in Section IV. Exact copies of all written
33 comments and a summary of oral comments provided at the Public Information Meeting are
34 included in Attachment 1.

35 36 **I.C.2 Reviewing Agency Coordination and Comments**

37 38 **I.C.2.1 Reviewing Agency Coordination**

39

⁴ SBEFNOIDoc25 Oral Commenters (2) Transcript 2026-01-13, Claugton RFPD

⁵ SBEFNOIDoc25 Oral Commenters (2) Transcript 2026-01-13, Gabbey

⁶ SBEFNOI Public Comments (Welch-OTCA) 2026-02-12

⁷ SBEFNOIDoc27 Public Comments (Welch) 2026-02-12

1 The reviewing agencies for the proposed facility are identified in Table 3, below, as defined in
 2 OAR 345-001-0010(28). The Department initiated coordination with all reviewing agencies on
 3 the NOI with the Public Notice issued on December 30, 2025, and formal reviewing agency
 4 requests January 8-9, 2026 and followed up with specific agencies with offers to schedule
 5 meetings or calls requested written comments by January 30, 2025. Follow up emails were sent
 6 to reviewing agencies on February 26, 2026.
 7

Table 3: Reviewing Agencies

State and Other Agencies	
<ul style="list-style-type: none"> • Oregon Department of Agriculture • Oregon Department of Aviation • Oregon Department of Environmental Quality • Oregon Department of Fish and Wildlife • Oregon Department of Forestry • Oregon Department of Geology and Mineral Industries • Oregon Department of Transportation 	<ul style="list-style-type: none"> • Oregon Department of Land Conservation and Development • Oregon Department of State Lands • Oregon State Fire Marshal • Oregon Public Utility Commission • Oregon Water Resources Department • Oregon State Historic Preservation Office • Northwest Power and Conservation Council
Local Jurisdictions for Public Services	
<ul style="list-style-type: none"> • Gilliam County • Morrow County • City of Arlington 	<ul style="list-style-type: none"> • North Gilliam Rural Fire Protection District • South Gilliam RFPD
Special Advisory Group	
<ul style="list-style-type: none"> • Gilliam County Court 	
Tribal Governments	
<ul style="list-style-type: none"> • Burns-Paiute Tribe • Confederated Tribes of the Umatilla Indian Reservation • Confederated Tribes of the Warm Springs Reservation of Oregon 	

8
 9 I.C.2.2 Reviewing Agency Comments Received

10
 11 Table 5: Summary of Additional Information Requirements by Standard below identifies any
 12 additional resources, information or analysis that must be presented in the ASC based on
 13 reviewing agency comments received. Reviewing agency comments are included in Attachment
 14 2.

15
 16 **II. EFSC ANALYSIS AREAS FOR THE PROPOSED FACILITY**

17
 18 The analysis areas are the areas that the applicant must study for potential impacts from the
 19 construction and operation of the proposed facility. **Please Note:** If significant impacts
 20 associated with the applicable Council standards could occur beyond the analysis areas
 21 described here, then the applicant must assess those impacts in the ASC and show how the

1 facility would comply with the applicable standard regarding the larger area where impacts
2 could occur.

3

4 For all potential impacts, the analysis area includes all the area within the site boundary. Most
5 analysis areas also include an area extending a specified distance from the site boundary. The
6 minimum required analysis areas are presented in Table 4 below.

7

Table 4: Analysis Areas for Application for Site Certificate

Exhibit	Analysis Area	ODOE's Basis for Analysis Area and Notes
Geologic and Soil Stability	The area within the site boundary	Default minimum
Soil Protection	The area within the site boundary	Default minimum
Waters of the State and Removal-Fill	The area within the site boundary	Default minimum
Land Use	The area within the site boundary	The Department and Gilliam County agree that for land use impacts associated with a wind facility, the site boundary is adequate.
Protected Areas	The area within and extending 20 miles from the site boundary	Default minimum
Fish and Wildlife Habitat	The area within and extending ½ mile from the site boundary	Default minimum. Note: the surveys and other field-based characterization may be limited to areas within proposed micrositing corridors or areas. Habitat categorization/mapping outside the micrositing corridors may be based on literature review.
Threatened and Endangered Species	The area within and extending 5 miles from the site boundary.	Default minimum.
Scenic Resources	The area within and extending 10 miles from the site boundary.	Default minimum
Historic, Cultural and Archaeological Resources	The area within the site boundary (for all resources). The area extending 1 mile from the site boundary (for above-ground resources)	Default minimum
Recreation	The area within the site boundary and extending 5 miles from the site boundary	Default minimum
Public Services	Communities within and extending 10 from the site boundary	Default minimum.
Wildfire Prevention and Risk Mitigation	The area within and extending ½ mile from the site boundary.	Default minimum

Table 4: Analysis Areas for Application for Site Certificate

Exhibit	Analysis Area	ODOE's Basis for Analysis Area and Notes
Noise	The area within and extending 1-mile from the site boundary	Default minimum
Electric and Magnetic Fields	The area within any transmission line rights-of-way	Default minimum

1

1 **III. REGULATORY FRAMEWORK**

2
3 The following divisions of OAR chapter 345 include rules related to application requirements,
4 the Council’s standards and procedures for the review of an application, and rules for the
5 construction and operation of an approved facility:

6
7 **OAR chapter 345, division 21** (General Application Requirements) includes the general
8 application requirements. See Section IV of this Project Order for specific information
9 requirements for the proposed facility.

10
11 **OAR chapter 345, division 22** (Council Standards for Siting Facilities & Application
12 Requirements) establishes the General Standards which apply to all proposed energy facilities
13 and their respective information requirements.

14
15 **OAR chapter 345, division 24** (Specific Standards for Siting Facilities) includes additional
16 standards for specific categories of energy facilities. The Division 24 standards that apply to the
17 proposed facility are:

- 18
19 • OAR 345-024-0010, Public Health and Safety Standards for Wind Energy Facilities;
20 • OAR 345-024-0015, Cumulative Effects Standard for Wind Energy Facilities; and
21 • OAR 345-024-0090, Siting Standards for Transmission Lines.

22
23 **OAR chapter 345, division 25** (Site Certificate Conditions) includes site certificate conditions
24 that the Council must include in all site certificates, as well as applicable site-specific and
25 monitoring conditions. As provided in OAR 345-025-0006(10), if a site certificate is granted the
26 Council will include, as conditions of approval, all representations made in the application and
27 supporting record that are necessary to either comply with or adequately mitigate a potentially
28 significant impact to a resource protected by a Council standard.

29
30 **OAR Chapter 345, Division 26** (Construction and Operation Rules for Facilities) includes the
31 ongoing compliance and reporting requirements that will apply if the Council issues a site
32 certificate for the proposed facility. In addressing the application requirements, the applicant
33 shall refer to the compliance plan requirements, described in OAR 345-026-0048, and reporting
34 requirements, described in OAR 345-026-0080. Note that under ORS 469.401(4), if a site
35 certificate is issued, the certificate holder must also comply with all applicable regulations that
36 are not included in or governed by the site certificate.

37
38 **IV. APPLICATION REQUIREMENTS**

39
40 As described in ORS 469.503 and OAR 345-022-0000, to issue a site certificate for a proposed
41 facility, the Council must determine that the preponderance of evidence on the record supports
42 the following conclusions:
43

- 1 1. The facility complies with the requirements of ORS 469.300 to 469.570 and 469.590 to
2 469.619, and the standards adopted by the Council under OAR chapter 345, division 22
3 to 25, or the overall public benefits of the facility outweigh any adverse effects on a
4 resource or interest protected by the applicable standards the facility does not meet as
5 described in OAR 345-022-0000(2); and
6
- 7 2. Except for land use compliance and statutes and rules for which the decision on
8 compliance has been delegated by the federal government to a state agency other than
9 the Council, the facility complies with all other Oregon statutes and administrative rules
10 identified in the Project Order as applicable to the issuance of a site certificate for the
11 proposed facility.

12
13 The applicant must include all required information in exhibits corresponding with the
14 applicable standards, as described in the sections that follow. If the same information is
15 required in more than one exhibit the applicant may provide the required information in one
16 exhibit and include appropriate references in the others. Once the ASC is submitted, it is a
17 “preliminary application” (pASC) until the Department determines the pASC to be complete.
18 Under OAR 345-015-0190(5), a pASC is complete when the Department finds that the applicant
19 has submitted information adequate for the Council to make findings or impose conditions on
20 all applicable Council standards. After submittal, an application may be amended as provided
21 under OAR 345-021-0090.

22
23 The Sections that follow detail the application requirements by Exhibit as described in OARs.
24 The below Sections also include subheadings where the Department adds “**Additional**
25 **Clarification or Information Requested;**” this either **provides clarification or requests**
26 **information beyond what is described in rule** based on comments received from the public or
27 reviewing agencies during the NOI comment period or is based on information the Department
28 typically requests during the review of similar applications. Table 5, below summarizes these
29 Additional Clarification or Information Requested. See each Exhibit Section for additional
30 details.

Table 5: Summary of Additional Information Requirements by Standard

Subsection	Additional Clarification or Information Requirements
Background Information – OAR 345-021-0010(3) (Section IV.A)	
OAR 345-021-0010(3)(a)(A)(ii) Facility Description, Major components, structures and systems	Major components of the energy facility must be provided in both narrative and tabular format. See Attachment 3 for tabular format.
OAR 345-021-0010(3)(a)(B) A description of major components, structures and systems of each related or supporting facility	Major components of related or supporting facilities must be provided in both narrative and tabular format. See Attachment 3 for tabular format.
OAR 345-021-0010(3)(a)(E)(ii) Transmission Line Description	If the use of existing or new ROW widths vary along the transmission line route, describe the ROW widths to the best of applicant's ability that corresponds to the widths shown on mapsets.
OAR 345-021-0010(3)(a)(F) Construction and Maintenance Schedule	Include a detailed description of routine operations and maintenance activities.
OAR 345-021-0010(3)(b)(A) Information about the location of the proposed facility	<ul style="list-style-type: none"> Major roads must be accurately named. Micrositing areas and corridors must be clearly identified on the maps. A geodatabase of the site boundary, micrositing corridors/areas and other proposed locations, to the extent known at the time of pASC submittal, must be provided.
OAR 345-021-0010(3)(b)(B) Description of the location of the proposed energy facility site	<ul style="list-style-type: none"> A description of the site using Township, Range, and Section (PLSS) must be provided. If the applicant proposes micrositing corridors or areas, the areas within must be fully surveyed (historic, cultural and archaeological resources; wetlands/waters of the state; habitat/vegetation) and impacts must be evaluated based on the maximum impact facility layout.
OAR 345-021-0010(3)(c) Property Owners and Adjacent Properties	<ul style="list-style-type: none"> Property owner information must be requested from the County's tax assessor's office to be submitted within 60 days of the determination of completeness.
Organizational Expertise – OAR 345-022-0010 (Section IV.B)	
OAR 345-022-0010(5)(a)(D) If the applicant is a wholly owned subsidiary of a company..	Provide a letter from an authorized representative of the parent company confirming representations related to its access to parent company's technical and financial resources.
OAR 345-022-0010(5)(a)(H)(iii) If the applicant is a limited liability company	Provide a letter from the LLC's authorized representative, preferably the individual listed as the authorized representative in the Articles of Organization, authorizing submittal of the ASC on behalf of the applicant.
OAR 345-022-0010(5)(b) Previous Experience and Qualifications	Examples of experience in designing, constructing and operating facilities must include, at a minimum, the size, location, and date of commercial operation; and an explanation of similarities and differences between the sites of the facilities and the proposed facility site, including engineering and environmental constraints at each.
OAR 345-022-0010(5)(b)(D) Regulatory Citations	Identify the compliance history of the applicant, its parent company, affiliates, and other participating entities, including disclosure of any regulatory citations, including potential violations or corrective actions, in any jurisdiction in the past 10 years in constructing or operating a facility similar to the proposed facility and a description of the status or resolution of those citations.
OAR 345-022-0010(5)(b)(G) Mitigation Experience	Provide evidence that past mitigation projects required as part of a land use approval or other permitting process were completed successfully, such as final reports submitted to the permitting agency.
Structural Standard – OAR 345-022-0020 (Section IV.C)	
OAR 345-022-0020(4)(a) Applicant must submit information from reasonably available sources..	At a minimum, the following sources must be reviewed to inform the Structural Exhibit: OGDC 8; GMS-124, Geologic map of the Biggs Junction and Rufus 7.5' quadrangles, Sherman and Gilliam Counties, Oregon, by Ian P. Madin and Jason D. McCloughry (2019); Natural hazard risk reports for Gilliam and Morrow Counties, Oregon, including the Cities of Arlington and ; and HazVu. There are flood hazards along Rock Creek and the John Day River; and moderate landslide hazard along the western site boundary, particularly associated with Butcher Butte and Turner Butte. ⁸

⁸ SBEFNOI RA Comments (DOGAMI) 2026-01-16
Project Order for the Saddle Butte Energy Facility – May 1, 2026

Table 5: Summary of Additional Information Requirements by Standard

Subsection	Additional Clarification or Information Requirements
OAR 345-022-0020(4)(a) Geologic Report	<ul style="list-style-type: none"> • Generally, the geologic report should conform to the Geologic Report Guidelines, 2nd Edition published by the Oregon State Board of Geologist Examiners in 2014. • At a minimum, the Structural Standard Exhibit should be prepared by an Oregon Registered Geologist. • If the applicant cannot provide a Geologic Report as part of the ASC, it must request a written waiver of this requirement, to the Department, following the consultation with Oregon Department of Geology and Mineral Industries (DOGAMI) required under subsection (b).
Soil Protection – OAR 345-022-0022 (Section IV.D)	
OAR 345-022-0022(2)(A)(B) Plans to manage hazardous substances	Include a Spill Prevention Control and Countermeasure Plan for construction and operation.
OAR 345-022-0022(2)(b)(A) Identification and description of major soil types..	<ul style="list-style-type: none"> • Soil data including soil characteristics, farmland and capability classification and erosion factors should be provided in maps and tabular format. • Natural Resources Conservation Service’s Soil Survey Geographic Database (SSURGO) should be used to inform soil analysis.
OAR 345-022-0022(2)(b)(C) Identification and assessment of significant potential adverse impacts to soils..	Impact assessment must include an evaluation of the potential for damaged batteries to release toxins into soils. Evaluate the circumstances where this could occur, the impact, and all controls and measures in place to minimize the potential impact.
OAR 345-022-0022(2)(b)(D) Measures proposed to avoid or mitigate impacts to soils	Identify site specific measures for soil reclamation, vegetation management, fugitive dust control, and erosion and sediment control during facility construction and operation.
Land Use – OAR 345-022-0030 (Section IV.E)	
OAR 345-022-0030(7)(b)(A) Include a map showing the comprehensive plan designations and land use zones in the analysis area;	The zoning map must identify all zoning and plan designations, including the Natural Hazards Combining Zone, in the analysis area.
OAR 345-022-0030(7)(C)(ii) Identify the applicable substantive criteria from the affected local government’s acknowledged comprehensive plan and land use regulations	<p>Applicable documents identified by the County: Gilliam County Zoning and Development Ordinance, Gilliam County Transportation System Plan, and the Gilliam County Natural Hazard Mitigation Plan:</p> <p>Gilliam County Zoning and Development Ordinance (GCZDO) https://cms3.revize.com/revize/gilliamcountvor/Documents/Government/Offices/Planning/7.26.2022-GILLIAM%20COUNTY%20ZONING%20AND%20LAND%20DEVELQPMENT%20ORDINANCE.pdf?t=202601140923500&t=202601140923500</p> <p><i>Article 4: Use Zones</i> Section 4.020 EFU Exclusive Farm Use Zone <ul style="list-style-type: none"> • Section 4.020(C)(20) Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale </p> <p><i>Article 7 Conditional Uses Criteria:</i> Section 7.010 Authorization to Grant or Deny Conditional Uses <ul style="list-style-type: none"> • Section A General Approval Criteria; Section 7.020 Standards Governing Conditional Uses <ul style="list-style-type: none"> • Section A Conditional Uses, Generally; • Section Q Conditional Uses in Exclusive Farm Use Zones; • Section T Wind Power Generation Facility Siting Requirements; </p> <p><i>Article 8 Supplementary Provisions (relative to access, parking and related measures)</i> <ul style="list-style-type: none"> • Section 8.020 Access </p>

Table 5: Summary of Additional Information Requirements by Standard

Subsection	Additional Clarification or Information Requirements
	<ul style="list-style-type: none"> • Section 8.040 Outdoor Lighting Standards • Section 8.100 Off Street Parking Requirements • Section 8.130 Standards for Uses in the Exclusive Farm Use Zone • Section 8.140 Site Plan Review <p>Article 11 Administrative Provisions Gilliam County Transportation System Plan (TSP) https://www.gilliamcountytsp.com/websites/23/pages/201</p> <p>Oregon Administrative Rules OAR 660-033-0130(37) Standards for wind power generation facilities. Maps must be provided demonstrating that wind turbines or wind micro-siting area complies with the above setbacks.</p>
OAR 345-022-0030(7)(C)(iii) Identify all Land Conservation and Development Commission administrative rules.	OAR 660-033-0130(5)(c); OAR 660-033-0130(37) Standards for wind power generation facilities.
Protected Areas – OAR 345-022-0040 (Section IV.F)	
No additional information is requested beyond requirements of the Standard.	
Retirement and Financial Assurance – OAR 345-022-0050 (Section IV.G)	
OAR 345-022-0050(4)(C) Evidence that the applicant has a reasonable likelihood of obtaining the proposed bond or letter of credit	Include a comfort letter from a financial institution that identifies the applicant and facility, is on letterhead, and provides assurance that the financial institution would issue a bond or letter or credit to the applicant in an amount greater than or equal to the estimated decommissioning amount.
Fish and Wildlife Habitat – OAR 345-022-0060 (Section IV.H)	
OAR 345-022-0060(3)(a) A description of biological and botanical surveys..	Include recorded observations of State Sensitive Species and Species of Greatest Conservation Need during habitat/vegetation surveys. Recordation should include date, species, location, indication of breeding activity, age/sex if known.
OAR 345-022-0060(3)(c) A map showing the locations of the habitat identified in (b);	Habitat maps must include an overlay for any ODFW’s mapped Big Game Winter Range, as applicable. Portions of the site boundary are within ODFW mapped Big Game Winter Range for Mule Deer.
OAR 345-022-0060(3)(e) A baseline survey of the use of habitat..	Conduct bat surveys, focusing on migratory bat species (e.g., hoary and silver-haired bats) and for resident populations in the summer, for an appropriate survey area associated with the wind micro-siting corridors. <u>Please note that ODOE is currently evaluating the efficacy of bird and bat surveys for wind facilities. Please request an update from ODOE or ODFW prior to surveys to ensure surveys are the best approach.</u>
OAR 345-022-0060(3)(g) A description of any measures proposed by the applicant to avoid, reduce, or mitigate the potential adverse impacts	<ul style="list-style-type: none"> • Avoidance and Minimization Measures: The 2008 Oregon Columbia Plateau Ecoregion (CPE) Wind Energy Siting and Permitting Guidelines must be reviewed and referenced as part of the measures to be implemented in design, construction and operation of the wind and solar facilities to avoid and minimize impacts to wildlife and their habitats. • Avoidance and Minimization Measure: Analysis area may contain Washington Ground Squirrel (WGS) habitat. Avoidance of all associated WGS Category 1 habitat. Portions of the site boundary are within Category 2 Big Game Winter Range for Mule Deer. • Avoidance and Minimization Measure: Initial ground disturbing/vegetation removal activities should be planned to occur outside of the critical period for ground nesting birds, from April 15 – September 1. • Avoidance and Minimization Measure: Preconstruction raptor nest surveys within 2-miles of the wind micro-siting corridors should occur to inform seasonal restrictions within buffer areas. • Minimization Measure: Facility fencing must include wildlife-friendly fencing design. • Mitigation Requirement: Permanent impacts to Category 2 habitat shall be mitigated at a 2:1 acreage ratio to meet the no net loss and a net benefit in habitat quality mitigation goal.

Table 5: Summary of Additional Information Requirements by Standard

Subsection	Additional Clarification or Information Requirements
	<ul style="list-style-type: none"> • Mitigation Requirement: Revegetation and weed control measures shall be developed in consultation with the county weed department, Oregon State Extension and the Oregon Department of Agriculture. • Mitigation Requirement: If the approach is permittee responsible mitigation, the Habitat Mitigation Plan must: (1) include a proposed habitat mitigation area or areas; (2) include results of a desktop or field-level survey assessing the habitat categories of the habitat mitigation area; (3) provide the legal mechanism or mechanisms for acquiring the legal right to maintain and enhance the habitat mitigation area; and (3) include draft success criteria for the proposed ecological uplift actions and describe a process for evaluating success.
Threatened and Endangered Species – OAR 345-022-0070 (Section IV.I)	
OAR 345-022-0070(3)(a) identification of all threatened or endangered species listed under ORS 496.172(2) and ORS 564.105(2) that may be affected by the proposed facility	<ul style="list-style-type: none"> • Potential for Washington Ground Squirrel (WGS) in analysis area and surveys and avoidance measures should follow ODFW protocols for WGS. • Giliam County is known to support only one listed plant: <i>Astragalus collinus var. laurentii</i>. There is at least one known <i>A. collinus var. laurentii</i> occurrence within 5 miles of the project boundary.
Scenic Resources – OAR 345-022-0080 (Section IV.J)	
OAR 345-022-0080(5)(a) Inventory of scenic resources	For each scenic resource, the evaluation must include the management recommendations or criteria associated with the management plan designation as significant or important .
OAR 345-022-0080(5)(e) Assessment of the significance of visual impacts..	The evaluation of significance should consider the proposed facility’s consistency or compliance with any development or land use criteria included in the land management plan for the identified resource.
Historic, Cultural and Archaeological Resources – OAR 345-022-0090 (Section IV.K)	
OAR 345-022-0090(4)(a) Historic and cultural resources within the analysis area	<ul style="list-style-type: none"> • There are several known archaeological sites and historic properties of religious and cultural significance to the CTUIR within and surrounding the project area. • CTUIR requests visual impact assessment and buffer of 2-mile radius of site boundary.⁹
OAR 345-022-0090(4)(d)(A) A description of discovery measures	<ul style="list-style-type: none"> • Survey methodologies, inventory and NRHP evaluations must be based on current SHPO guidelines. <ul style="list-style-type: none"> ○ If field surveys differ from those recommended in the Oregon SHPO Guidelines, the applicant must coordinate with SHPO and the Department prior to conducting field surveys. • Support and justification for NRHP eligibility statements must be provided for properties/resources under all four criteria, relying on the established historic context, consultation with Tribes and descendant communities, and an understanding of the place where an archaeological site exists, and relationships with other archaeological sites in the area. <ul style="list-style-type: none"> ○ Disturbance or lack of intact subsurface deposits are not automatic disqualifiers for information yield/potential. ○ To address whether the site is eligible to meet statute and rule requirements, the other criteria would also need to be applied.
Recreation – OAR 345-022-0100 (Section IV.L)	
OAR 345-022-0100(5)(a) Inventory of Recreational Resources	<ul style="list-style-type: none"> • Inventory must include an evaluation of the Oregon National Historic Trail.¹⁰
Public Services – OAR 345-022-0110 (Section IV.M)	
OAR 345-022-0110(4)(A) Assumptions	<ul style="list-style-type: none"> • 100 percent of the workforce is non-local. • Most construction workers stay at local/regional RV parks. • Onsite housing option is under consideration
OAR 345-022-0110(4)(D) Evidence that adverse impacts are not likely to be significant	<ul style="list-style-type: none"> • Provide letters/correspondence from the service providers, as applicable, confirming their capacity and legal ability to meet the demand for services generated by the construction and operation of the proposed facility.

⁹ SBEFNOI RA Comments (CTUIR) 2026-02-26

¹⁰ SBEFNOI Public Comments (Welch) 2026-02-12

Table 5: Summary of Additional Information Requirements by Standard

Subsection	Additional Clarification or Information Requirements
	<ul style="list-style-type: none"> Gilliam County recommends a traffic impact analysis or transportation analysis and notes that access to the project is via Cedar Springs Lane from Highway 19 which is intersected in 2 spots by an existing rail line used by Waste Management on a regular basis.¹¹
Wildfire Prevention and Risk Mitigation – OAR 345-022-0115 (Section IV.N)	
OAR 345-022-0115(1)(a)(E) Data sources used to model and identify risk	<ul style="list-style-type: none"> Oregon Community Wildfire Protection Plan Planning Tool Oregon Wildfire Risk Explorer Information about vegetation, agricultural operations, and wildfire risk based on landowner consultations. Gilliam County Multi-Jurisdictional Natural Hazard Mitigation Plan¹²
OAR 345-022-0115(1)(b) Wildfire Mitigation Plan	<ul style="list-style-type: none"> Include separate construction and operational Wildfire Mitigation Plans, based on the template provided in Attachment 5. Demonstrate that consultation with North Gilliam County Rural Fire Protection District, South Gilliam RFPD, Arlington Fire Department, Gilliam County Emergency Services Manager occurred to develop site specific recommendations in the WMPs.
Waste Minimization - OAR 345-022-0120 (Section IV.O)	
No additional information is requested beyond requirements of the Standard.	
State and Local Laws and Regulations – OAR 345-022-0160 (Section IV.P)	
No additional information is requested beyond requirements of the rules and regulations.	
Public Health and Safety Standards for Wind Energy Facilities – OAR 345-024-0010 (Section IV.Q.1)	
No additional information is requested beyond requirements of the Standard.	
Cumulative Effects Standard for Wind Energy Facilities – OAR 345-024-0015 (Section IV.Q.2)	
OAR 345-024-0015(6) Minimum lighting	Include light-mitigating technology systems that will be used on facility turbines.
Siting Standards for Transmission Lines – OAR 345-024-0090 (Section IV.Q.3)	
No additional information is requested beyond requirements of the Standard.	

1

¹¹ SBEFNOI RA Comments (SAG) 2026-02-04

¹² Gilliam County Multi-Jurisdictional Natural Hazards Mitigation Plan (2024). Available at: [Gilliam County NHMP 2024.pdf](#) Accessed by the Department March 13, 2026.

1 **IV.A. Background Information – OAR 345-021-0010(3)**
2

3 *(3) In addition to the material required in OAR 345, divisions 22 through 24,*
4 *the applicant must submit in an exhibit called “Background Information*
5 *Exhibit” the following background information about the project to assist the*
6 *Council in its review of the application:*
7

8 **Discussion:** The “Background Information Exhibit” must provide information about the
9 proposed facility, the proposed site, and applicable standards and laws.
10

11 **IV.A.1 Facility Description – OAR 345-021-0010(3)(a)(A)-(C)**
12

13 *(a) Information about the proposed facility, construction schedule and*
14 *temporary disturbances of the site, including:*
15

16 *(A) A description of the proposed energy facility, including as applicable:*
17

18 **Discussion:** This section is applicable and must be included in the Exhibit. The energy facility
19 description must be as complete and accurate as possible across all ASC Exhibits. If the ASC is
20 approved, the information provided will form the basis for the facility description in the site
21 certificate.
22

23 *(i) For electric power generating plants, the nominal electric generating*
24 *capacity and the average electrical generating capacity, as defined in ORS*
25 *469.300;*
26

27 **Discussion:** This section is applicable and must be included in the Exhibit.
28

29 *(ii) Major components, structures and systems, including a description of the*
30 *size, type and configuration of equipment used to generate, store, transmit, or*
31 *transport electricity, useful thermal energy, or fuels;*
32

33 **Discussion:** This section is applicable and must be included in the Exhibit.
34

35 **Additional Clarification or Information Requested:** The description of major components
36 structures, and systems must be provided in both narrative and tabular format. A template for
37 the facility component table is included in Attachment 3.
38

39 *(iii) A site plan and general arrangement of buildings, equipment and*
40 *structures;*
41

1 **Discussion:** This section is applicable and must be included in the Exhibit. A site plan must be
2 provided that identifies any proposed micrositing corridors or areas; site boundary and rights of
3 way (for linear facilities).

4
5 *(iv) Fuel and chemical storage facilities, including structures and systems for*
6 *spill containment;*

7
8 **Discussion:** This section is applicable and must be included in the Exhibit.

9
10 *(v) Equipment and systems for fire prevention and control;*

11
12 **Discussion:** This section is applicable and must be included in the Exhibit.

13
14 *(vi) For thermal power plants, combustion turbine power plants, or other*
15 *facilities designed to generate electricity from gas, liquid, or solid fuels:*
16 *(I) A discussion of the source, quantity and availability of all fuels proposed to*
17 *be used in the facility to generate electricity or useful thermal energy;*
18 *(II) if the facility will generate electric power from natural gas, petroleum, coal*
19 *or any form of solid, liquid or gaseous fuel derived from such material, a*
20 *discussion of methods the facility will use to ensure that the facility does not*
21 *emit greenhouse gasses into the atmosphere, and a description of any*
22 *equipment the facility will use to capture, sequester, or store greenhouse*
23 *gases;*
24 *(III) A description of energy flows within the facility, including power cycle and*
25 *steam cycle diagrams, as appropriate;*
26 *(IV) A description of equipment and systems for disposal of waste heat*
27 *generated by the facility; and*
28 *(V) The fuel chargeable to power heat rate of the energy facility.*

29
30 **Discussion:** This section is **not applicable** to the proposed facility.

31
32 *(vii) For surface facilities related to underground gas storage, estimated daily*
33 *injection and withdrawal rates, horsepower compression required to operate*
34 *at design injection or withdrawal rates, operating pressure range and fuel*
35 *type of compressors;*

36
37 **Discussion:** This section is **not applicable** to the proposed facility.

38
39 *(viii) For facilities to store liquefied natural gas, the volume, maximum*
40 *pressure, liquefaction and gasification capacity in thousand cubic feet per*
41 *hour;*

42
43 **Discussion:** This section is **not applicable** to the proposed facility.

1 *(B) A description of major components, structures and systems of each related*
2 *or supporting facility;*

3
4 **Discussion:** This section is applicable and must be included in the Exhibit.

5
6 **Additional Clarification or Information Requested:** The description of related or supporting
7 facilities must be provided in both narrative and tabular format. Templates for facility
8 component tables are included in Attachment 3.

9
10 *(C) The approximate dimensions of major facility structures and visible*
11 *features;*

12
13 This section is applicable and addressed in the sections above.

14
15 **IV.A.2 Corridor Selection Assessment – OAR 345-021-0010(3)(a)(D)**

16
17 *(D) If the proposed energy facility is a pipeline or a transmission line or has, as*
18 *a related or supporting facility, a transmission line or pipeline that, by itself, is*
19 *an energy facility under the definition in ORS 469.300, a corridor selection*
20 *assessment explaining how the applicant selected the corridors for analysis in*
21 *the application. In the assessment, the applicant must evaluate the corridor*
22 *adjustments the Department has described in the project order, if any. The*
23 *applicant may select any corridor for analysis in the application and may*
24 *select more than one corridor. However, if the applicant selects a new*
25 *corridor, then the applicant must explain why the applicant did not present*
26 *the new corridor for comment at an informational meeting under OAR 345-*
27 *015-0130. In the assessment, the applicant must discuss the reasons for*
28 *selecting the corridors, based upon evaluation of the following factors:*

29
30 *(i) Least disturbance to streams, rivers and wetlands during construction;*

31
32 *(ii) Least percentage of the total length of the pipeline or transmission line*
33 *that would be located within areas of Habitat Category 1, as described by the*
34 *Oregon Department of Fish and Wildlife;*

35
36 *(iii) Greatest percentage of the total length of the pipeline or transmission line*
37 *that would be located within or adjacent to public roads and existing pipeline*
38 *or transmission line rights-of-way;*

39
40 *(iv) Least percentage of the total length of the pipeline or transmission line*
41 *that would be located within lands that require zone changes, variances or*
42 *exceptions;*

1 (v) Least percentage of the total length of the pipeline or transmission line
2 that would be located in a protected area as described in OAR 345-022-0040;

3
4 (vi) Least disturbance to areas where historical, cultural or archaeological
5 resources are likely to exist;

6
7 (vii) Greatest percentage of the total length of the pipeline or transmission line
8 that would be located to avoid seismic, geological and soils hazards; and

9
10 (viii) Least percentage of the total length of the pipeline or transmission line
11 that would be located within lands zoned for exclusive farm use.

12
13 **Discussion:** This section is **not applicable** to the proposed facility. Under ORS 469.400(11)(a)(C),
14 a transmission line is considered to be an “energy facility” if it has a length of more than 10
15 miles; has a capacity of 230-kV or more; and is located in more than one city or county in
16 Oregon. As described in the NOI, the proposed facility would include a 230-kV transmission line
17 (overhead collection line) with a length of less than 10 miles; and a 500 kV generation tie line to
18 the POI; and for that reason, the transmission line would not qualify as an energy facility
19 because it would be located entirely within Gilliam County.

20 21 **IV.A.3 Transmission Line Description – OAR 345-021-0010(3)(a)(E)**

22
23 (E) If the proposed energy facility is a pipeline or transmission line or has, as a
24 related or supporting facility, a transmission line or pipeline of any size:

25
26 (i) The length of the pipeline or transmission line;

27
28 **Discussion:** This section is applicable to the proposed 230-kV transmission line (overhead
29 collection line) and must be addressed in the Background Information Exhibit.

30
31 (ii) The proposed right-of-way width of the pipeline or transmission line,
32 including to what extent new right-of-way will be required or existing right-of-
33 way will be widened;

34
35 **Discussion:** This section is applicable to the proposed 230-kV transmission line and must be
36 included in the Exhibit.

37
38 **Additional Clarification or Information Requested:** If the use of existing or new ROW widths
39 vary along the transmission line route, describe the ROW widths to the best of applicant’s
40 ability that corresponds to the widths shown on mapsets.

41
42 (iii) If the proposed transmission line or pipeline corridor follows or includes
43 public right-of-way, a description of where the transmission line or pipeline
44 would be located within the public right-of-way, to the extent known. If the

1 *applicant proposes to locate all or part of a transmission line or pipeline*
2 *adjacent to but not within the public right-of-way, describe the reasons for*
3 *locating the transmission line or pipeline outside the public right-of-way. The*
4 *applicant must include a set of clear and objective criteria and a description of*
5 *the type of evidence that would support locating the transmission line or*
6 *pipeline outside the public right-of-way, based on those criteria;*
7

8 **Discussion:** This section is applicable to the proposed 230-kV transmission line (overhead
9 collection line) and the 500-kV Gen-Tie line and must be addressed in the Background
10 Information Exhibit.

11
12 *(iv) For pipelines, the operating pressure and delivery capacity in thousand*
13 *cubic feet per day and the diameter and location, above or below ground, of*
14 *each pipeline; and*
15

16 **Discussion:** This section is **not applicable** as the proposed facility would not include a pipeline.

17
18 *(v) For transmission lines, the rated voltage, load carrying capacity, type of*
19 *current, and a description of transmission line structures and their dimensions.*
20

21 **Discussion:** This section is applicable to the proposed 230-kV transmission line (overhead
22 collection lines) and the 500-kV Gen-Tie line and must be addressed in the Background
23 Information Exhibit.

24
25 **IV.A.4 Construction Schedule; Operations and Maintenance Activities – OAR 345-021-**
26 **0010(3)(a)(F)**
27

28 *(F) A construction schedule including the date by which the applicant proposes*
29 *to begin construction and the date by which the applicant proposes to*
30 *complete construction. Construction is defined in OAR 345-001-0010. The*
31 *applicant must describe in this exhibit all work on the site that the applicant*
32 *intends to begin before the Council issues a site certificate. The applicant must*
33 *include an estimate of the cost of that work. For the purpose of this exhibit,*
34 *“work on the site” means any work within a site or corridor, other than*
35 *surveying, exploration or other activities to define or characterize the site or*
36 *corridor, that the applicant anticipates or has performed as of the time of*
37 *submitting the application.*
38

39 **Discussion:** This section is applicable and must be included in the Exhibit.

40
41 **Additional Clarification or Information Requested:** Include a description of routine operations
42 and maintenance activities.
43

1 **IV.A.5 Site Description and Maps – OAR 345-021-0010(3)(b)**
2

3 *(b) Information about the location of the proposed facility, including:*
4

5 *(A) A map or maps showing the proposed locations of the energy facility site,*
6 *all related or supporting facility sites and all areas that might be temporarily*
7 *disturbed during construction of the facility in relation to major roads, water*
8 *bodies, cities and towns, important landmarks and topographic features,*
9 *using a scale of 1 inch = 2000 feet or smaller when necessary to show detail;*
10

11 **Discussion:** This section is applicable and must be included in the Exhibit. The maps must
12 provide enough detail for property owners potentially affected by the proposed facility to
13 determine whether their property is within or adjacent to property on which the site boundary
14 is located.
15

16 **Additional Clarification or Information Requested:**

- 17 • Major roads must be accurately named.
- 18 • Micrositing areas and corridors must be clearly identified on the maps.
- 19 • A geodatabase of the site boundary, micrositing corridors/areas and other proposed
20 locations, to the extent known at the time of pASC submittal, must be provided.
21

22 *(B) A description of the location of the proposed energy facility site, the*
23 *proposed site of each related or supporting facility and areas of temporary*
24 *disturbance, including the total land area (in acres) within the proposed site*
25 *boundary, the total area of permanent disturbance, and the total area of*
26 *temporary disturbance. If a proposed pipeline or transmission line is to follow*
27 *an existing road, pipeline or transmission line, the applicant must state to*
28 *which side of the existing road, pipeline or transmission line the proposed*
29 *facility will run, to the extent this is known; and*
30

31 **Discussion:** This section is applicable to all proposed facilities and must be included in the
32 Exhibit.
33

34 **Additional Clarification or Information Requested:**

- 35 • A description of the site using Township, Range, and Section (PLSS) must be provided.
- 36 • If the applicant proposes micrositing corridors or areas, the areas within must be fully
37 surveyed (historic, cultural and archaeological resources; wetlands/waters of the state;
38 habitat/vegetation) and impacts must be evaluated based on the maximum impact facility
39 layout.
40

41 *(C) For energy generation facilities, a map showing the approximate locations*
42 *of any other energy generation facilities that are known to the applicant to be*
43 *permitted at the state or local level within the study area as defined in OAR*
44 *345-001-0010 for impacts to public services.*

1
2 **Discussion:** Because the facility includes a wind power generation facility, this section is
3 applicable must be included in the Exhibit.
4

5 **IV.A.6 Property Owners and Adjacent Properties – OAR 345-021-0010(3)(c)**
6

7 *(c) A list of the names and mailing addresses of property owners, as described*
8 *in this subsection:*
9

10 *(A) The list must include all owners of record, as shown on the most recent*
11 *property tax assessment roll, of property located:*
12

13 *(i) Within 100 feet of property which is the subject of the application, where*
14 *the subject property is wholly or in part within an urban growth boundary;*
15

16 *(ii) Within 250 feet of the property which is the subject of the application,*
17 *where the subject property is outside an urban growth boundary and not*
18 *within a farm or forest zone; or*
19

20 *(iii) Within 500 feet of the property which is the subject of the application,*
21 *where the property is within a farm or forest zone.*
22

23 *(B) The applicant must submit an updated list of property owners as requested*
24 *by the Department before the Department issues notice of any public hearing*
25 *on the application for a site certificate as described in OAR 345-015-0220; and*
26

27 *(C) In addition to incorporating the list in the application, the applicant must*
28 *submit the list to the Department in an electronic format approved by the*
29 *Department.*
30

31 **Discussion:** This section is applicable and must be included in the Exhibit. Because the proposed
32 site is entirely within an EFU Zone, property owner information must be provided for all tax lots
33 within 500 feet of the property line for any tax lots wholly or partially within the site boundary.
34

35 **Additional Clarification or Information Requested:** Tax lots must be identified in a consistent
36 format that provides the Township, Range, Section and Tax lot number of each tax lot. If the
37 local government uses a different tax lot identification system, please include the local tax lot
38 identification number in a separate column.
39

40 **Because the Department requires the most recent tax assessment roll managed by the**
41 **County to be used when noticing, the Department will require updated property owner**
42 **information from the County's tax assessor's office to be submitted within 60 days of the**
43 **determination of completeness.** To avoid the duplication of work, the applicant may omit
44 specific property owner information from the pASC but must still include a list of all tax lots

1 within the notification area described above. The list must be accompanied by legible maps that
2 clearly identify tax lot identification numbers as well as adjacent road names. In addition to
3 incorporating the list in the pASC, the applicant must submit the list to the Department in Excel
4 (.xlsx) format.

5
6 Following the submission of the complete ASC, the applicant must submit updated property
7 owner lists as requested by the Department to ensure that all public notices issued use the
8 most recent tax assessment roll.

9
10 **IV.A.7 Applicable Laws, Rules, and Ordinances – OAR 345-021-0010(3)(d)**

11
12 *(d) Identification, by legal citation, of all state statutes and administrative*
13 *rules and local government ordinances containing standards or criteria that*
14 *the proposed facility must meet for the Council to issue a site certificate, other*
15 *than statutes, rules and ordinances identified in Exhibit E, and identification of*
16 *the agencies administering those statutes, administrative rules and*
17 *ordinances. The applicant must identify all statutes, administrative rules and*
18 *ordinances that the applicant knows to be applicable to the proposed facility,*
19 *whether or not identified in the project order. To the extent not addressed by*
20 *other materials in the application, the applicant must include a discussion of*
21 *how the proposed facility meets the requirements of the applicable statutes,*
22 *administrative rules and ordinances.*

23
24 **Discussion:** This section is applicable and must be included in the Exhibit.

25
26 **IV.A.8 Specific Standards – OAR 345-021-0010(3)(e)**

27
28 *(e) If the proposed facility is a facility for which the Council has adopted*
29 *specific standards, information about the facility providing evidence to*
30 *support findings by the Council as required by the following rules:*

31
32 *(A) For wind energy facilities, OAR 345-024-0010 and 345-024-0015;*
33

34 **Discussion:** Because the proposed facility includes a wind power generation facility, this section
35 is applicable. See Section IV.Q for information requirements.

36
37 *(B) For surface facilities related to underground gas storage reservoirs, OAR*
38 *345-024-0030, including information required by OAR 345-024-0030(3);*
39

40 **Discussion:** The proposed facility does not include surface facilities related to an underground
41 gas storage reservoir, this section is **not applicable**.

1 (C) For any transmission line under Council jurisdiction, OAR 345-024-0090;
2 and
3

4 **Discussion:** This section is applicable to the 230-kV overhead collection transmission line(s) and
5 the 500 kV Gen-Tie line. See Section IV.Q for information requirements.
6

7 (D) For a fossil-fueled power plant or other facility that emits carbon dioxide,
8 OAR 345-024-0500 to 345-024-0720.
9

10 **Discussion:** This section is **not applicable** to the proposed facility.
11

12 **IV.B. Organizational Expertise – OAR 345-022-0010**

13 **IV.B.1 Standard and Applicability – OAR 345-022-0010(1) - (4)**

14
15
16 *(1) To issue a site certificate, the Council must find that the applicant has the*
17 *organizational expertise to construct, operate and retire the proposed facility*
18 *in compliance with Council standards and conditions of the site certificate. To*
19 *conclude that the applicant has this expertise, the Council must find that the*
20 *applicant has demonstrated the ability to design, construct and operate the*
21 *proposed facility in compliance with site certificate conditions and in a manner*
22 *that protects public health and safety and has demonstrated the ability to*
23 *restore the site to a useful, non- hazardous condition. The Council may*
24 *consider the applicant’s experience, the applicant’s access to technical*
25 *expertise and the applicant’s past performance in constructing, operating and*
26 *retiring other facilities, including, but not limited to, the number and severity*
27 *of regulatory citations issued to the applicant.*
28

29 *(2) The Council may base its findings under section (1) on a rebuttable*
30 *presumption that an applicant has organizational, managerial and technical*
31 *expertise, if the applicant has an ISO 9000 or ISO 14000 certified program and*
32 *proposes to design, construct and operate the facility according to that*
33 *program.*
34

35 *(3) If the applicant does not itself obtain a state or local government permit or*
36 *approval for which the Council would ordinarily determine compliance but*
37 *instead relies on a permit or approval issued to a third party, the Council, to*
38 *issue a site certificate, must find that the third party has, or has a reasonable*
39 *likelihood of obtaining, the necessary permit or approval, and that the*
40 *applicant has, or has a reasonable likelihood of entering into, a contractual or*
41 *other arrangement with the third party for access to the resource or service*
42 *secured by that permit or approval.*
43

1 (4) If the applicant relies on a permit or approval issued to a third party and
2 the third party does not have the necessary permit or approval at the time the
3 Council issues the site certificate, the Council may issue the site certificate
4 subject to the condition that the certificate holder shall not commence
5 construction or operation as appropriate until the third party has obtained the
6 necessary permit or approval and the applicant has a contract or other
7 arrangement for access to the resource or service secured by that permit or
8 approval.
9

10 **Discussion:** The Organizational Expertise Exhibit must contain adequate information for the
11 Council to make the findings described in OAR 345-022-0010(1) to (4). Information
12 requirements applicable to the proposed facility are discussed below.
13

14 **IV.B.2 Information Requirements – OAR 345-022-0010(5)**

15
16 (5) To assist the Council in determining whether the standard outlined in (1)
17 through (4) has been met, the Applicant must submit:
18

19 IV.B.2.1 Applicant Information - OAR 345-022-0010(5)(a)

20
21 (a) Information about the applicant and participating persons, including:
22

23 (A) The name and address of the applicant including all co-owners of the
24 proposed facility, the name, mailing address, email address and telephone
25 number of the contact person for the application, and if there is a contact
26 person other than the applicant, the name, title, mailing address, email
27 address and telephone number of that person;
28

29 **Discussion:** This section is applicable and must be included in the Exhibit. As described above,
30 the NOI identifies Saddle Butte Wind, LLC as the applicant. The applicant must notify the
31 Department of any change in the legal name or entity prior to the change. This notification
32 requirement continues to apply until the Council issues its Final Order on the ASC.
33

34 (B) The contact name, mailing address, email address and telephone number
35 of all participating persons, other than individuals, including but not limited to
36 any parent corporation of the applicant, persons upon whom the applicant
37 will rely for third-party permits or approvals related to the facility, and, if
38 known, other persons upon whom the applicant will rely in meeting any
39 facility standard adopted by the Council;
40

41 **Discussion:** This section is applicable and must be included in the Exhibit. The NOI identified
42 Brookfield Renewable N.A. as the applicant’s parent company. The applicant must disclose any
43 changes to the ownership or management in the Organizational Expertise Exhibit.

1
2 (C) If the applicant is a corporation:

3
4 (i) The full name, official designation, mailing address, email address and
5 telephone number of the officer responsible for submitting the application;

6
7 (ii) The date and place of its incorporation;

8
9 (iii) A copy of its articles of incorporation and its authorization for submitting
10 the application; and

11
12 (iv) In the case of a corporation not incorporated in Oregon, the name and
13 address of the resident attorney-in-fact in this state and proof of registration
14 to do business in Oregon;

15
16 **Discussion:** This section is **not applicable**. The applicant is not a corporation. The applicant is an
17 LLC.

18
19 (D) If the applicant is a wholly owned subsidiary of a company, corporation or
20 other business entity, in addition to the information required by paragraph (C),
21 the full name and business address of each of the applicant's full or partial
22 owners;

23
24 **Discussion:** The NOI states that the applicant is a subsidiary of Brookfield Renewable N.A.¹³, this
25 section is applicable and must be included in the Exhibit.

26
27 **Additional Clarification or Information Requested:** Provide a letter from an authorized
28 representative of the parent company confirming representations related to its access to
29 parent company's technical and financial resources.

30
31 (E) If the applicant is an association of citizens, a joint venture or a
32 partnership:

33
34 (i) The full name, official designation, mailing address, email address and
35 telephone number of the person responsible for submitting the application;

36
37 (ii) The name, business address and telephone number of each person
38 participating in the association, joint venture or partnership and the
39 percentage interest held by each;

¹³ "Brookfield Renewable N.A. "Brookfield Renewable North America is part of Brookfield's global renewable platform, one of the world's largest investors, owners, and operators of renewable power and decarbonization solutions." <https://www.brookfieldrenewablena.com/> Accessed by the Department March 12, 2026.

1
2 *(iii) Proof of registration to do business in Oregon;*

3
4 *(iv) A copy of its articles of association, joint venture agreement or partnership*
5 *agreement and a list of its members and their cities of residence; and*

6
7 *(v) If there are no articles of association, joint venture agreement or*
8 *partnership agreement, the applicant must state that fact over the signature*
9 *of each member;*

10
11 **Discussion:** This section is **not applicable**. The applicant is not an association of citizens, joint
12 venture or partnership.

13
14 *(F) If the applicant is a public or governmental entity:*

15
16 *(i) The full name, official designation, mailing address, email address and*
17 *telephone number of the person responsible for submitting the application;*
18 *and*

19
20 *(ii) Written authorization from the entity's governing body to submit an*
21 *application;*

22
23 **Discussion:** This section is **not applicable**. The applicant is not a public or governmental entity.

24
25 *(G) If the applicant is an individual, the individual's mailing address, email*
26 *address and telephone number; and*

27
28 **Discussion:** This section is **not applicable**. The applicant is not an individual.

29
30 *(H) If the applicant is a limited liability company:*

31
32 *(i) The full name, official designation, mailing address, email address and*
33 *telephone number of the officer responsible for submitting the application;*

34
35 *(ii) The date and place of its formation;*

36
37 *(iii) A copy of its articles of organization and its authorization for submitting*
38 *the application; and*

39
40 *(iv) In the case of a limited liability company not registered in Oregon, the*
41 *name and address of the resident attorney-in-fact in this state and proof of*
42 *registration to do business in Oregon.*

43

1 **Discussion:** The applicant is a limited liability company (LLC). This section is applicable and must
2 be included in the Exhibit.

3
4 **Additional Clarification or Information Requested:**

- 5 • Provide a letter from the LLC’s authorized representative, preferably the individual listed
6 as the authorized representative in the Articles of Organization, authorizing submittal of
7 the ASC on behalf of the applicant. OAR 345-022-0010(5)(a)(H)(iii).

8
9 IV.B.2.2 Previous Experience and Qualifications - OAR 345-022-0010(5)(b)

10
11 *(b) Information about the organizational expertise of the applicant to*
12 *construct and operate the proposed facility, including:*

13
14 *(A) The applicant's previous experience, if any, in constructing and operating*
15 *similar facilities;*

16
17 **Discussion:** This section is applicable and must be included in the Exhibit.

18
19 **Additional Clarification or Information Requested:** Examples of experience in designing,
20 constructing and operating facilities must include, at a minimum, the size, location, and date of
21 commercial operation; and an explanation of similarities and differences between the sites of
22 the facilities and the proposed facility site, including engineering and environmental constraints
23 at each.

24
25 *(B) The qualifications of the applicant's personnel who will be responsible for*
26 *constructing and operating the facility, to the extent that the identities of such*
27 *personnel are known when the application is submitted;*

28
29 **Discussion:** This section is applicable and must be included in the Exhibit.

30
31 *(C) The qualifications of any architect, engineer, major component vendor, or*
32 *prime contractor upon whom the applicant will rely in constructing and*
33 *operating the facility, to the extent that the identities of such persons are*
34 *known when the application is submitted;*

35
36 **Discussion:** This section is applicable and must be included in the Exhibit.

37
38 *(D) The past performance of the applicant, including but not limited to the*
39 *number and severity of any regulatory citations in constructing or operating a*
40 *facility, type of equipment, or process similar to the proposed facility;*

41
42 **Discussion:** This section is applicable and must be included in the Exhibit.

1 **Additional Clarification or Information Requested:** The response must describe the compliance
2 history of the applicant, its parent company, affiliates, and other participating entities, including
3 disclosure of any regulatory citations, including potential violations or corrective actions, in any
4 jurisdiction received by the applicant, parent, or affiliate, in the past 10 years in constructing or
5 operating a facility similar to the proposed facility and a description of the status or resolution
6 of those citations.

7
8 *(E) If the applicant has no previous experience in constructing or operating*
9 *similar facilities and has not identified a prime contractor for construction or*
10 *operation of the proposed facility, other evidence that the applicant can*
11 *successfully construct and operate the proposed facility. The applicant may*
12 *include, as evidence, a warranty that it will, through contracts, secure the*
13 *necessary expertise;*

14
15 **Discussion:** Based upon information provided in the NOI it is **not applicable**. This section only
16 applies to applicants that have no previous experience in constructing or operating similar
17 facilities and have not identified a prime contractor for the construction or operation of the
18 proposed facility.

19
20 *(F) If the applicant has an ISO 9000 or ISO 14000 certified program and*
21 *proposes to design, construct and operate the facility according to that*
22 *program, a description of the program; and*

23
24 **Discussion:** This section is applicable and must be included in the Exhibit. If the applicant does
25 not propose to rely upon an ISO 9000 or ISO 14000 certified program to satisfy the
26 Organizational Expertise Standard under OAR 345-022-0010(2), no further response is needed.

27
28 *(G) If the applicant relies on mitigation to demonstrate compliance with any*
29 *standards of Division 22 or 24 of this chapter, evidence that the applicant can*
30 *successfully complete such proposed mitigation, including past experience*
31 *with other projects and the qualifications and experience of personnel upon*
32 *whom the applicant will rely, to the extent that the identities of such persons*
33 *are known at the date of submittal.*

34
35 **Discussion:** This section is applicable and must be included in the Exhibit. Evidence of past
36 experience successfully completing mitigation may include reports documenting experience
37 with other projects.

38
39 **Additional Clarification or Information Requested:** The applicant must provide evidence that
40 past mitigation projects required as part of a land use approval or other permitting process
41 were completed successfully, such as final reports submitted to the permitting agency. The
42 applicant may rely on evidence provided in other exhibits with appropriate reference.

1 IV.B.2.3 Permits - OAR 345-022-0010(5)(c)

2
3 *(c) Information about permits needed for construction and operation of the*
4 *facility, including:*

5
6 *(A) Identification of all federal, state and local government permits related to*
7 *the siting of the proposed facility, a legal citation of the statute, rule or*
8 *ordinance governing each permit, and the name, mailing address, email*
9 *address and telephone number of the agency or office responsible for each*
10 *permit;*

11
12 *(B) A description of each permit, the reasons the permit is needed for*
13 *construction or operation of the facility and the applicant’s analysis of*
14 *whether the permit should or should not be included in and governed by the*
15 *site certificate;*

16
17 *(C) For any state or local government agency permits, licenses or certificates*
18 *that are proposed to be included in and governed by the site certificate,*
19 *evidence to support findings by the Council that construction and operation of*
20 *the proposed facility will comply with the statutes, rules and standards*
21 *applicable to the permit. For permits related to wetlands and water rights the*
22 *applicant may show this evidence in the State and Local Laws and Regulations*
23 *Exhibit.*

24
25 **Discussion:** These sections are applicable to all proposed facilities and must be addressed in the
26 Organizational Expertise Exhibit. ORS 469.310 establishes the Council’s comprehensive licensing
27 authority, which is referred to as a “one-stop” consolidated permitting process. Permits related
28 to the siting of the proposed facility should be included in and governed by the site certificate
29 to consolidate permitting processes, consistent with ORS 469.310; however, it is the applicant
30 that must identify whether permits should be governed by the site certificate.

31
32 **NOTE:** Under OAR 345-021-0000(5) and (6), for any state or local government agency permits,
33 licenses or certificates proposed by the applicant to be included in and governed by the site
34 certificate, the applicant must include within the site certificate application all information that
35 would otherwise be required by the state or local government agency in an application for such
36 permit, license or certificate.

37
38 Information about removal-fill permits and any necessary water rights or permits must be
39 included in the State and Local Laws and Regulations Exhibit. Table 6, below, lists permits that
40 may be required for the proposed facility. Additional information is provided in the discussion
41 that follows.

Table 6: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
Federal and Federally Delegated Permits		

Table 6: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
Federal Aviation Administration	Determination of No Hazard to Air Navigation	Not Jurisdictional, but information required for completeness
US Fish and Wildlife Service	Incidental Take Permit or Eagle Take Permit	Not Jurisdictional, but information required for completeness
U.S. Army Corps of Engineers	Section 404 Permit	Not Jurisdictional, but information required for completeness
Oregon Department of Environmental Quality	Clean Water Act (CWA), 401 Water Quality Certification	Not Jurisdictional, but information required for completeness
	NPDES Construction Stormwater 1200-C Permit	Not Jurisdictional, but information required for completeness
	NPDES Construction Stormwater 1200-A Permit	Not Jurisdictional, but information required for completeness
	Air Contaminant Discharge Permit	Not Jurisdictional, but information required for completeness
State		
Oregon Department of State Lands	Wetland Delineation and Removal Fill Permit	Jurisdictional if proposed by applicant
Oregon Department of Environmental Quality	Water Pollution Control Facilities Permit 1000, Gravel mining and Batch Plant	Not Jurisdictional
Oregon Water Resources Department	Water Right Permit or Limited Water Use License	Jurisdictional if proposed by applicant
State Historic Preservation Office	Archeological Excavation Permit	Jurisdictional if proposed by applicant
Oregon Department of Aviation	Notice of Proposed Construction or Alteration (Form 7460-1)	Jurisdictional
Oregon Department of Transportation	Access Management Permit	Not Jurisdictional
	Oversize Load Movement Permit	Not Jurisdictional
	Permit to Occupy or Perform Operations Upon a State Highway	Not Jurisdictional
	Utility Encroachment Permit	Not Jurisdictional
Local		
Gilliam County	Conditional Use Permit	Jurisdictional
	Zoning or Development Permit	Not Jurisdictional
Gilliam County Roads Department	Road Use Agreement	Not Jurisdictional
	Road Access Permit(s)	Not Jurisdictional
Other Required State or Local Permits	Building Permit	Not Jurisdictional
	Electrical Permit	Not Jurisdictional

Table 6: Potentially Required Permits

Permitting Authority	Permit	EFSC Jurisdiction
Notes: Under ORS 469.401(4), matters including but not limited to employee health and safety, building code compliance, wage and hour or other labor regulations, local government fees and charges or other design or operational issues that do not relate to siting the facility are not included in or governed by the site certificate.		

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39

Federal Permits

Determination of No Hazard to Air Navigation:

Permitting Authority: Federal Aviation Administration

Statute and Rule References: Federal Aviation Act, 49 USC 44718; 14 CFR 77.

EFSC Jurisdiction: Not Jurisdictional, but information required for completeness.

Discussion: Required to construct or alter structures that may affect navigable airspace or navigation facilities, including structures taller than 200 feet above ground level. The applicant may be required to submit a Notice of Proposed Construction or Alteration (FAA Form 7460-1) to the Federal Aviation Administration (FAA) based on factors including, but not limited to, height, proximity to an airport, location, and frequencies emitted from the structure. If Form 7460-1 is required, the applicant may also be required to submit a Supplemental Notice of Actual Construction or Alteration (FAA Form 7460-2) prior to beginning construction. FAA would determine whether a hazard to air navigation exists based on the information in the notice and may impose conditions to ensure the safe and efficient use of navigable airspace, air navigation facilities, or equipment.

This federal process is outside of the Council’s jurisdiction and would not be included in or governed by the site certificate; however, information may be required to demonstrate compliance with the requirements of the Oregon Department of Aviation (see below) and the Public Services standard. The applicant may also be required to address impacts to military operations or readiness under 10 USC 183a as part of, or in addition to the FAA process.

Incidental Take Permit or Eagle Take Permit

Permitting Authority: U.S. Fish and Wildlife Service

Statue and Rule Reference: Section 7, 9, and 10 of the Endangered Species Act; Bald and Golden Eagle Protection Act

EFSC Jurisdiction: Not jurisdictional

Discussion: Required for wind turbines, transmission lines, and other facilities that would impact federally listed species or protected eagles. This federal process is outside of the Council’s jurisdiction and would not be included in or governed by the site certificate; however, if applicable, information may be required to demonstrate compliance with the Fish and Wildlife Habitat and Cumulative Impacts Standards.

1 **Section 404 Permit**

2

3 **Permitting Authority:** U.S. Army Corps of Engineers

4 **Statute and Rule References:** CWA, Section 404 (33 USC 1344)

5 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

6 **Discussion:** A Section 404 permit is required for the discharge of dredged or fill material into
7 waters of the United States, including wetlands. Note that a Section 401 Water Quality
8 Certification from the State of Oregon is generally required before a Section 404 permit may be
9 granted. The Section 404 permit and the 401 Water Quality Certification are separate from the
10 Removal-Fill permit required under Oregon State Law, however, there is a Joint Permit
11 Application that satisfies the information requirements for all three.

12

13 If a Section 404 Permit will be required for the construction of the facility, the ASC must include
14 a copy of the complete Joint Permit Application and a letter or other evidence demonstrating
15 that the Corps has received a Joint Permit Application for the project, and identifying any
16 additional information it is likely to need from the applicant based on the agency's review of
17 the application, and providing an estimated date for when it would complete its review and
18 issue a permit decision.

19

20 **Section 401 Water Quality Certification**

21

22 **Permitting Authority:** Oregon Department of Environmental Quality (DEQ)

23 **Statute and Rule References:** CWA, Section 401 (33 USC 1341; OAR Chapter 340, Division 48

24 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

25 **Discussion:** Under Section 401 of the CWA federal agencies cannot issue a license or permit
26 before Oregon DEQ decides that the project can meet Oregon water quality standards. Any
27 conditions that DEQ sets then become conditions of the federal permit or license. The Section
28 401 Water Quality Certification and the Section 404 permitting decision it supports are separate
29 from the Removal-Fill permit required under Oregon State Law, however, there is a Joint Permit
30 Application that satisfies the information requirements for all three. If applicable, the applicant
31 must provide the Joint Permit Application and proof of its submission to all relevant agencies to
32 the Department before the ASC will be determined to be complete.

33

34 **National Pollutant Discharge Elimination System (NPDES) 1200-C Permit**

35

36 **Permitting Authority:** Oregon Department of Environmental Quality

37 **Statute and Rule References:** CWA, Section 402 (33 USC 1342); 40

38 CFR 122; ORS 468 and 468B; OAR chapter 340, division 45

39 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

40 **Discussion:** Required for construction activities that would disturb more than one acre of land.
41 Based upon the information in the NOI, a NPDES 1200-C permit would likely be required for
42 facility construction. Under OAR 345-021-0000(6), the ASC must include a submit a copy of the
43 application for the permit or provide a schedule of the date by which the applicant intends to
44 submit the application. The Department will not be able to find the application for site

1 certificate complete before receiving a copy of the application and a letter or other evidence
2 from DEQ demonstrating that the agency has received a permit application from the applicant
3 and provide an estimated date when the agency will complete its review and issue a permit
4 decision.

5
6 **NPDES Stormwater and Mine Dewatering Discharge 1200-A permit**

7
8 **Permitting Authority:** Oregon Department of Environmental Quality

9 **Statute and Rule References:** CWA, Section 402 (33 USC § 1342); 40

10 CFR § 122; ORS 468 and 468B; OAR chapter 340, division 45

11 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

12 **Discussion:** Required for disposal of concrete batch plant wash water from a point source to
13 surface water or to a conveyance system that discharges to surface water, the plant would
14 require an NPDES 1200-A permit. The NOI indicates that, if required, this permit would be
15 obtained by the applicant's construction contractor. As such, the requirements described in the
16 Third-Party Permits section below would apply.

17
18 **Air Contaminant Discharge Permit**

19
20 **Statute and Rule References:** OAR Chapter 340, Division 216

21 **EFSC Jurisdiction:** Not Jurisdictional, but information required for completeness.

22 **Discussion:** Required for the operation of a concrete manufacturing plant that produces more
23 than 5,000 cubic yards per year output. Air Contaminant Discharge Permits (ACDP) for mobile,
24 temporary concrete batch plants are associated with the equipment itself. The NOI indicates
25 that, if required, this permit would be obtained by the applicant's construction contractor. As
26 such, the requirements described in the Third-Party Permits section below would apply.

27
28 *State Permits*

29
30 **Wetland Delineation and Removal Fill Permit**

31
32 **Permitting Authority:** Oregon Department of State Lands

33 **Statute and Rule References:** ORS 196.795-990; OAR chapter 141, division 85, 90

34 **EFSC Jurisdiction:** Jurisdictional and information required for completeness

35 **Additional Clarification or Information Requested:**

36 **Additional Clarification or Information Requested:** Required for the removal or fill of 50 cubic
37 yards or more of material within jurisdictional waters of the state, as defined in OAR 141-085-
38 0510(91), or any removal fill activities in streams designated as Essential Salmonid Habitat. As
39 described in Section IV.Q.1, the application must contain adequate information to determine
40 whether or not a Removal-Fill permit is required, including a wetland delineation report
41 prepared in accordance with OAR chapter 141, division 90 and evidence that the report has
42 been submitted to the Department of State Lands (DSL) for concurrence. If a removal-fill permit
43 is required, the ASC must include a complete Joint Permit Application for an individual permit
44 which demonstrates consistency with ORS 196.825(1) and provides enough information for

1 determinations and considerations under ORS 196.825(3) and OAR 141-085-0565, including a
2 Compensatory Wetland Mitigation Plan which meets the requirements of OAR 141-085-0680
3 through OAR 141-085-0715 must be provided to replace all lost functions and values previously
4 provided by the impacted wetlands and waterways.
5

6 **Water Pollution Control Facilities General Permit (WPCF-1000)**

7
8 **Permitting Authority:** Oregon Department of Environmental Quality

9 **Statute and Rule References:** ORS Chapter 468B; OAR Chapter 340, Division 45

10 **EFSC Jurisdiction:** Jurisdictional

11 **Discussion:** Required for a temporary concrete batch plant that disposes of process wastewater
12 and stormwater by recirculation, evaporation, and/or controlled seepage with no discharge to
13 surface waters. A WPCF-1000 General Permit is a state permit under Council jurisdiction,
14 however, the NOI indicates that, if required, this permit would be obtained by the applicant's
15 construction contractor. As such, the requirements described in the Third-Party Permits section
16 below would apply.
17

18 **Water Right Permit or Water Use Authorization**

19
20 **Permitting Authority:** Oregon Water Resources Department

21 **Statute and Rule References:** ORS chapter 537; OAR chapter 690 division 310, 340, and 410

22 **EFSC Jurisdiction:** Jurisdictional.

23 **Discussion:** Required for the construction of a new non-exempt well or for use of water for
24 construction purposes. The NOI indicates that, if required, this permit would be obtained by the
25 applicant's construction contractor. As such, the requirements described in the Third-Party
26 Permits section below would apply.
27

28 **Archaeological Excavation Permit**

29
30 **Permitting Authority:** State Historic Preservation Office

31 **Statute and Rule References:** ORS Chapter 97, 358, and 390; OAR Chapter 736, Division 51

32 **EFSC Jurisdiction:** Not jurisdictional, unless proposed by the applicant.

33 **Additional Clarification or Information Requested:** Required to excavate, injure, destroy, or
34 alter an archaeological site or object or remove an archaeological object. The applicant has not
35 proposed to have this permit be included and governed by the site certificate, and as such the
36 applicant would be required to obtain this permit from the SHPO prior to ground disturbing
37 activities at archaeological sites. If the applicant proposes to have the archaeological permits
38 under EFSC jurisdiction and governed by the site certificate, copies of the archaeological
39 permits meeting SHPOs application requirements, submitted according to confidential
40 materials procedures, must be included in the ASC.
41

42 **Letter or Determination of No Hazard to Air Navigation**

43
44 **Permitting Authority:** Oregon Department of Aviation

1 **Statute and Rule References:** ORS 836.530 and OAR 738-070-0060 to 0100.

2 **EFSC Jurisdiction:** Jurisdictional.

3 **Additional Clarification or Information Requested:** Required to construct or alter any structure
4 that exceeds the height thresholds described under 14 CFR Part 77. The ASC must include all
5 data required for a complete FAA Form 7460-1 to aid in the evaluation of potential impacts to
6 air navigation, including the coordinates of each turbine and meteorological tower location
7 under consideration using degrees-minutes-seconds (DMS) format, the maximum above ground
8 level height of each structure, and the site elevation at each location. This review and
9 determination would be incorporated and governed by the site certificate.

10

11 **Access Management Permit**

12

13 **Permitting Authority:** Oregon Department of Transportation

14 **Statute and Rule References:** OAR Chapter 734, Division 51

15 **EFSC Jurisdiction:** Not Jurisdictional

16 **Discussion:** Required for the construction of an access to a state highway. The NOI indicates
17 that, if required, this permit would be obtained by the applicant's construction contractor. As
18 such, the requirements described in the Third-Party Permits section below would apply.

19

20 **Oversize Load Movement Permit**

21

22 **Permitting Authority:** Oregon Department of Transportation

23 **Statute and Rule References:** ORS 818.030; OAR Chapter 734, Division 82

24 **EFSC Jurisdiction:** Not Jurisdictional

25 **Discussion:** Required for movement of vehicles or loads exceeding legal dimension limits. The
26 NOI indicates that, if required, this permit would be obtained by the applicant's construction
27 contractor. As such, the requirements described in the Third-Party Permits section below would
28 apply.

29

30 **Permit to Occupy or Perform Operations Upon a State Highway**

31

32 **Permitting Authority:** Oregon Department of Transportation

33 **Statute and Rule References:** OAR Chapter 734, Division 55

34 **EFSC Jurisdiction:** Not Jurisdictional

35 **Discussion:** Required for an activity along a state highway, or an activity that requires the use of
36 the state highway for other than a normal transportation activity. The NOI indicates that, if
37 required, this permit would be obtained by the applicant's construction contractor. As such, the
38 requirements of OAR 345-022-0010(5)(c)(E) and (F) discussed below would apply.

39

40 *Local Permits*

41

42 **Conditional Use Permit**

43

44 **Permitting Authority:** Gilliam County Court & Planning Department

1 **Statute and Rule References:** ORS 469.504; Gilliam County Comprehensive Plan (GCCP); Gilliam
2 County Zoning and Development Ordinance (GCZDO): *Article 4: Use Zones*: Section 4.020 EFU
3 Exclusive Farm Use Zone, Section 4.020(C)(20) Wind power generation facilities as commercial
4 utility facilities for the purpose of generating power for public use by sale. *Article 7 Conditional*
5 *Uses Criteria*:

- 6 • Section 7.010 Authorization to Grant or Deny Conditional Uses,
 - 7 ○ Section A General Approval Criteria;
- 8 • Section 7.020 Standards Governing Conditional Uses,
 - 9 ○ Section A Conditional Uses, Generally;
 - 10 ○ Section Q Conditional Uses in Exclusive Farm Use Zones;
 - 11 ○ Section T Wind Power Generation Facility Siting Requirements.

12
13 Additional requirements may be found in *Article 8 Supplementary Provisions* (relative to access,
14 parking and related measures): Section 8.020 Access; Section 8.040 Outdoor Lighting Standards;
15 Section 8.100 Off Street Parking Requirements; Section 8.130 Standards for Uses in the
16 Exclusive Farm Use Zone; Section 8.140 Site Plan Review. *Article 11 Administrative Provisions*.¹⁴

17
18 **EFSC Jurisdiction:** Jurisdictional.

19 **Discussion:** As stated in the NOI, the applicant requests that the Council determine compliance
20 with the statewide planning goals under ORS 469.504(1)(b). Accordingly, the conditional use
21 permit will be included in and governed by the site certificate. The substantive criteria
22 applicable to this determination are discussed under Section IV.K., Land Use.

23
24 The other Gilliam County permitting requirements listed in Table 6 are not related to facility
25 siting and as such will not be included in or governed by the site certificate. Building permits are
26 specifically excluded from EFSC jurisdiction by statute, ORS 469.401(4).

27 28 **Zoning or Development Permit**

29 **Permitting Authority:** Gilliam County Planning Department

30 **Statute and Rule References:** Gilliam County Zoning and Development Ordinance

31 **EFSC Jurisdiction:** Not Jurisdictional.

32 **Discussion:** Required for each parcel.

33 34 **Road Access Permit**

35 **Permitting Authority:** Gilliam County Roads Department

36 **Statute and Rule References:** Gilliam County Zoning and Development Ordinance, Article 8
37 Supplementary Provisions (relative to access, parking and related measures): Section 8.020
38 Access.

39 **EFSC Jurisdiction:** Not Jurisdictional

40 **Discussion:** Any uses of County roads for access will require a Road Access Permit.

41 42 **Road Use Agreement**

¹⁴ SBEFNOIDoc33 RA Comments (SAG) 2026-02-04

1 **Permitting Authority:** Gilliam County Roads Department
2 **Statute and Rule References:** Gilliam County Zoning and Development Ordinance,
3 **Discussion:** Any uses of County roads for construction or operations will require a Road Use
4 Agreement.

5
6 **Other State Building Codes:**

7
8 **Building Permit**

9 **Permitting Authority:** Oregon Building Codes Division

10 **Statute and Rule References:** OAR 734, Division 51; Chapter 918, Divisions 309 & 780; Oregon
11 Structural Specialty Code

12 **EFSC Jurisdiction:** Not Jurisdictional

13 **Discussion:** Required for construction, reconstruction, alteration and repair of buildings and
14 other structures, as well as the installation of mechanical devices and equipment.

15 Building permits are not included in or governed by the site certificate under ORS 469.401(4).
16

17 **Electrical Permit**

18
19 **Permitting Authority:** Oregon Building Codes Division

20 **Statute and Rule References:** OAR 918, Division 309

21 **EFSC Jurisdiction:** Not Jurisdictional

22 **Discussion:** Required to install, alter, or repair permanent electrical systems. The NOI indicates
23 that, if required, this permit would be obtained by the applicant's construction contractor. As
24 such, the requirements of OAR 345-022-0010(5)(c)(E) and (F) discussed below would apply.

25
26 *(D) For federally-delegated permit applications, evidence that the responsible*
27 *agency has received a permit application and the estimated date when the*
28 *responsible agency will complete its review and issue a permit decision;*
29

30 **Additional Clarification or Information Requested:** This section is applicable and must be
31 addressed in the ASC. Although the Council does not have jurisdiction over federally delegated
32 permits, the Council may rely on the determinations of compliance and the conditions in
33 federally delegated permits in evaluating the application for compliance with Council standards.
34 Under OAR 345-021-0000(6), the applicant must submit to the Department one copy of each
35 application for a federally-delegated permit. The applicant may submit the pASC without a copy
36 of a federally-delegated permit application if the applicant submits a schedule of the date by
37 which the applicant intends to submit the permit application. The Department may not find the
38 ASC to be complete before receiving copies of all federally-delegated permit applications and a
39 letter or other indication from each agency responsible for issuing a federally-delegated permit
40 stating that the agency has received the permit application, identifying any additional
41 information the agency is likely to need from the applicant and estimating the date when the
42 agency will complete its review and issue a permit decision.
43

1 (E) If the applicant relies on a state or local government permit or approval
2 issued to a third party, identification of any such third-party permit and for
3 each:

4
5 (i) Evidence that the applicant has, or has a reasonable likelihood of entering
6 into, a contract or other agreement with the third party for access to the
7 resource or service to be secured by that permit;

8
9 (ii) Evidence that the third party has, or has a reasonable likelihood of
10 obtaining, the necessary permit;

11
12 (iii) An assessment of the impact of the proposed facility on any permits that a
13 third party has obtained and on which the applicant relies to comply with any
14 applicable Council standard;

15
16 **Discussion:** This section is applicable and must be addressed in the ASC. If the applicant would
17 rely on a contractor or third party to obtain a required state or local permit, license or
18 certificate that would otherwise be governed by the site certificate, the Organizational
19 Expertise Exhibit must also include evidence that the applicant has, or has a reasonable
20 likelihood of entering into, a contract or other agreement with the third party for access to the
21 resource or service to be secured by that permit and evidence that the third party has, or has a
22 reasonable likelihood of obtaining, the necessary permit.

23
24 (F) If the applicant relies on a federally-delegated permit issued to a third
25 party, identification of any such third-party permit and for each:

26
27 (i) Evidence that the applicant has, or has a reasonable likelihood of entering
28 into, a contract or other agreement with the third party for access to the
29 resource or service to be secured by that permit;

30
31 (ii) Evidence that the responsible agency has received a permit application;

32
33 (iii) The estimated the date when the responsible agency will complete its
34 review and issue a permit decision; and

35
36 **Discussion:** This section is applicable and must be addressed in the ASC. If the applicant relies
37 on a federally delegated permit issued to a third party that is related to the siting of the
38 proposed facility, the applicant must identify the third-party permit and include evidence that
39 the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement
40 with the third party for access to the resource or service to be secured by that permit. The
41 applicant must provide evidence that the responsible agency has received the permit
42 application and provide the estimated date when the responsible agency would complete its
43 review and issue a permit decision (OAR 345-022-0010(5)(c)(F)).

1 In accordance with OAR 345-022-0010(4), if the applicant relies on a permit or approval issued
2 to a third party and the third party does not have the necessary permit or approval at the time
3 the Council issues the site certificate, the Council may issue the site certificate subject to the
4 condition that the certificate holder shall not commence construction or operation as
5 appropriate until the third party has obtained the necessary permit or approval and the
6 applicant has a contract or other arrangement for access to the resource or service secured by
7 that permit or approval.

8
9 *(G) The applicant's proposed monitoring program, if any, for compliance with*
10 *permit conditions.*

11
12 **Discussion:** This section is applicable and must be addressed in the ASC.

13
14 **IV.C. Structural Standard – OAR 345-022-0020**

15
16 **IV.C.1 Standard and Applicability – OAR 345-022-0020(1) - (3)**

17
18 *(1) Except for facilities described in sections (2) and (3), to issue a site*
19 *certificate, the Council must find that:*

20
21 *(a) The applicant, through appropriate site-specific study, has adequately*
22 *characterized the seismic hazard risk of the site.*

23
24 *(b) The applicant can design, engineer, and construct the facility to avoid*
25 *dangers to human safety and the environment presented by seismic hazards*
26 *affecting the site, as identified in subsection (1)(a).*

27
28 *(c) The applicant, through appropriate site-specific study, has adequately*
29 *characterized the potential geological and soils hazards of the site and its*
30 *vicinity that could, in the absence of a seismic event, adversely affect, or be*
31 *aggravated by, the construction and operation of the proposed facility; and*

32
33 *(d) The applicant can design, engineer and construct the facility to avoid*
34 *dangers to human safety and the environment presented by the hazards*
35 *identified in subsection (c).*

36
37 *(2) The Council may not impose the Structural Standard in section (1) to*
38 *approve or deny an application for an energy facility that would produce*
39 *power from wind, solar or geothermal energy. However, the Council may, to*
40 *the extent it determines appropriate, apply the requirements of section (1) to*
41 *impose conditions on a site certificate issued for such a facility.*

42
43 *(3) The Council may not impose the Structural Standard in section (1) to deny*
44 *an application for a special criteria facility under OAR345-015-0310. However,*

1 *the Council may, to the extent it determines appropriate, apply the*
2 *requirements of section (1) to impose conditions on a site certificate issued for*
3 *such a facility.*

4
5 **Discussion:** The Structural Standard Exhibit must include adequate information for the Council
6 to make the findings required under OAR 345-022-0020(1) and determine what, if any,
7 conditions beyond those described under OAR 345-025-0006 are appropriate to address
8 geologic and soils hazards at the site. The proposed facility is not a special criteria facility;
9 therefore section (3) is not applicable.

10
11 **IV.C.2 Information Requirements – OAR 345-022-0020(4)**

12
13 IV.C.2.1 General Requirements and Analysis Areas - OAR 345-022-0020(4)

14
15 *(4) To assist the Council in determining whether the standard outlined in (1)*
16 *through (3) has been met, the Applicant must submit information from*
17 *reasonably available sources regarding the geological and soil stability within*
18 *the analysis area, including:*

19
20 **Discussion:** As described above, the Structural Standard Exhibit must include adequate
21 information for the Council to make the findings required under OAR 345-022-0020(1) and
22 determine what, if any, conditions would be appropriate to address geologic and soils hazards
23 at the site. Specific information requirements are provided below.

24
25 **Additional Clarification or Information Requested:** At a minimum, the following sources must
26 be reviewed to inform the Structural Exhibit: OGDC 8; GMS-124, Geologic map of the Biggs
27 Junction and Rufus 7.5' quadrangles, Sherman and Gilliam Counties, Oregon, by Ian P. Madin
28 and Jason D. McClaughry (2019); Natural hazard risk reports for Gilliam and Morrow Counties,
29 Oregon, including the Cities of Arlington and ; and HazVu. There are flood hazards along Rock
30 Creek and the John Day River; and moderate landslide hazard along the western site boundary,
31 particularly associated with Butcher Butte and Turner Butte.¹⁵

32
33 Any discrepancy between the recommended data sources and the sources used to prepare the
34 report must be identified and explained.

35
36 IV.C.2.2 Geologic Report – OAR 345-022-0020(4)(a)-(d)

37
38 *(a) A geologic report meeting the Oregon State Board of Geologist Examiners*
39 *geologic report guidelines. Current guidelines must be determined based on*
40 *consultation with the Oregon Department of Geology and Mineral Industries,*
41 *as described in paragraph (B) of this subsection;*

42

¹⁵ SBEFNOIDoc29 RA Comments (DOGAMI) 2026-01-16

1 **Discussion:** This section is applicable and must be included in the Exhibit.
2

3 **Additional Clarification and Information Requested:**

- 4 • Generally, the geologic report should conform to the Geologic Report Guidelines, 2nd
5 Edition published by the Oregon State Board of Geologist Examiners in 2014.
- 6 • At a minimum, the Structural Standard Exhibit should be prepared by an Oregon
7 Registered Geologist
- 8 • If the applicant cannot provide a Geologic Report as part of the ASC, it must request a
9 written waiver of this requirement, to the Department, following the consultation with
10 Oregon Department of Geology and Mineral Industries (DOGAMI) required under
11 subsection (b).

12
13 *(b) A summary of consultation with the Oregon Department of Geology and
14 Mineral Industries regarding the appropriate methodology and scope of the
15 seismic hazards and geology and soil-related hazards assessments, and the
16 appropriate site-specific geotechnical work that must be performed before
17 submitting the application for the Department to determine that the
18 application is complete;*

19
20 **Discussion:** This section is applicable and must be included in the Exhibit. The Department
21 recommends that the siting analyst assigned to this project be included in the required
22 consultation with DOGAMI.

23
24 *(c) A description and schedule of site-specific geotechnical work that will be
25 performed before construction for inclusion in the site certificate as
26 conditions;*

27
28 **Discussion:** This section is applicable and must be included in the Exhibit. The site-specific
29 geotechnical work should be informed by the geologic report and should provide all
30 recommendations on what design and engineering features are needed to address geologic,
31 seismic, and soils hazards at the site.

32
33 *(d) For all transmission lines, and for all pipelines that would carry explosive,
34 flammable or hazardous materials, a description of locations along the
35 proposed route where the applicant proposes to perform site specific
36 geotechnical work, including but not limited to railroad crossings, major road
37 crossings, river crossings, dead ends (for transmission lines), corners (for
38 transmission lines), and portions of the proposed route where geologic
39 reconnaissance and other site specific studies provide evidence of existing
40 landslides, marginally stable slopes or potentially liquefiable soils that could
41 be made unstable by the planned construction or experience impacts during
42 the facility's operation;*
43

1 **Discussion:** This section is applicable to the proposed 230-kV transmission line and must be
2 addressed in the Exhibit.

3
4 IV.C.2.3 Seismic and Geologic Hazard Assessment – OAR 345-022-0020(4)(e)-(f)

5
6 *(e) An assessment of seismic hazards, in accordance with standard-of-practice*
7 *methods and best practices, that addresses all issues relating to the*
8 *consultation with the Oregon Department of Geology and Mineral Industries*
9 *described in paragraph (B) of this subsection, and an explanation of how the*
10 *applicant will design, engineer, construct, and operate the facility to avoid*
11 *dangers to human safety and the environment from these seismic hazards.*
12 *Furthermore, an explanation of how the applicant will design, engineer,*
13 *construct and operate the facility to integrate disaster resilience design to*
14 *ensure recovery of operations after major disasters. The applicant must*
15 *include proposed design and engineering features, applicable construction*
16 *codes, and any monitoring and emergency measures for seismic hazards,*
17 *including tsunami safety measures if the site is located in the DOGAMI-defined*
18 *tsunami evacuation zone; and*

19
20 **Discussion:** This section is applicable and must be included in the Exhibit.

21
22 *(f) An assessment of geology and soil-related hazards which could, in the*
23 *absence of a seismic event, adversely affect or be aggravated by the*
24 *construction or operation of the facility, in accordance with standard-of-*
25 *practice methods and best practices, that address all issues relating to the*
26 *consultation with the Oregon Department of Geology and Mineral Industries*
27 *described in paragraph (B) of this subsection. An explanation of how the*
28 *applicant will design, engineer, construct and operate the facility to*
29 *adequately avoid dangers to human safety and the environment presented by*
30 *these hazards, as well as:*

31
32 **Discussion:** This section is applicable and must be included in the Exhibit.

33
34 *(A) An explanation of how the applicant will design, engineer, construct and*
35 *operate the facility to integrate disaster resilience design to ensure recovery of*
36 *operations after major disasters; and*

37
38 **Discussion:** This section is applicable and must be included in the Exhibit.

39
40 *(B) An assessment of future climate conditions for the expected life span of the*
41 *proposed facility and the potential impacts of those conditions on the*
42 *proposed facility.*

43
44 **Discussion:** This section is applicable and must be included in the Exhibit.

1
2 **Note:** This section requires discussion of the potential impacts of changing climate conditions
3 on the proposed facility, not a discussion of how the proposed facility may impact climate
4 change.

5
6 **IV.D. Soil Protection – OAR 345-022-0022**

7
8 **IV.D.1 Standard and Applicability – OAR 345-022-0022(1)**

9
10 *(1) To issue a site certificate, the Council must find that the design,*
11 *construction and operation of the facility, taking into account mitigation, are*
12 *not likely to result in a significant adverse impact to soils including, but not*
13 *limited to, erosion and chemical factors such as salt deposition from cooling*
14 *towers, land application of liquid effluent, and chemical spills.*

15
16 **Discussion:** The Soil Protection Exhibit must contain adequate information for the Council to
17 make the findings described in OAR 345-022-0010(1). Information requirements applicable to
18 the proposed facility are discussed below.

19
20 **IV.D.2 Information Requirements – OAR 345-022-0022(2)**

21
22 *(2) To assist the Council in determining whether the standard outlined in (1)*
23 *has been met, the Applicant must submit, the Applicant must submit:*

24
25 **IV.D.2.1 Materials Analysis – OAR 345-022-0022(2)(a)**

26
27 *(a) A materials analysis, including:*

28
29 *(A) An inventory of substantial quantities of industrial materials flowing into*
30 *and out of the proposed facility during construction and operation;*

31
32 **Discussion:** This section is applicable and must be included in the Exhibit. Substantial quantities
33 of industrial materials including but not limited to, metals, concrete, aggregate, oils, and fuels
34 needed for construction and operation must be disclosed. The Soil Protection Exhibit must
35 identify any proposed fuel storage areas, vehicle maintenance areas, or other areas that could
36 be used to store hazardous materials.

37
38 *(B) The applicant's plans to manage hazardous substances during construction*
39 *and operation, including measures to prevent and contain spills; and*

40
41 **Discussion:** This section is applicable and must be included in the Exhibit.

1 **Additional Clarification or Information Requested:** The Exhibit must include a Spill Prevention
2 Control and Countermeasure Plan for construction and operation. **NOTE – if the applicant, its**
3 **contractor, or its parent company have construction and operational Spill Prevention Plans**
4 **(or similar) that include spill, safety and emergency response procedures, include these plans**
5 **in the exhibit to reduce the potential for duplicative mitigation plans in other exhibits.**

6
7 *(C) The applicant's plans to manage non-hazardous waste materials during*
8 *construction and operation.*

9
10 **Discussion:** This section is applicable and must be addressed in the ASC; however, the
11 Department recommends this information be included in the Waste Minimization Exhibit.

12
13 IV.D.2.2 Soils Analysis - OAR 345-022-0022(2)(b)

14
15 *(b) Information from reasonably available sources regarding soil conditions*
16 *and uses in the analysis area, providing evidence to support findings by the*
17 *Council as required by OAR 345-022-0022, including:*

18
19
20 **Discussion:** As described above, the exhibit must contain sufficient information to demonstrate
21 that the design, construction and operation of the facility, taking into account mitigation, are
22 not likely to result in a significant adverse impact to soils.

23
24 *(A) Identification and description of the major soil types in the analysis area;*

25
26 **Discussion:** This section is applicable and must be included in the Exhibit.

27
28 **Additional Clarification or Information Requested:**

- 29
- 30 • Soil data including soil characteristics, farmland and capability classification and erosion
31 factors should be provided in maps and tabular format.
 - 32 • Natural Resources Conservation Service's Soil Survey Geographic Database (SSURGO)
33 should be used to inform soil analysis.

34 *(B) Identification and description of current land uses in the analysis area, such*
35 *as growing crops, that require or depend on productive soils;*

36
37 **Discussion:** This section is applicable and must be included in the Exhibit. If detailed
38 information is included in the Land Use Exhibit it may be referenced rather than included in the
39 Soil Protection Exhibit.

40
41 *Impact Assessment – OAR 345-022-0022(2)(b)(C)*

42
43 *(C) Identification and assessment of significant potential adverse impact to*
44 *soils from construction, operation and retirement of the facility, including, but*

1 *not limited to, erosion and chemical factors such as salt deposition from*
2 *cooling towers, land application of liquid effluent, and chemical spills;*
3

4 **Discussion:** This section is applicable and must be included in the Exhibit. The assessment must
5 address impacts that may occur during construction and operation of the facility including, but
6 not limited to, erosion, soil compaction, and the potential for soil contamination from chemical
7 spills.
8

9 **Additional Clarification or Information Requested:** Impact assessment must include an
10 evaluation of the potential for damaged batteries to release toxins into soils. Evaluate the
11 circumstances where this could occur, the impact, and all controls and measures in place to
12 minimize the potential impact.
13

14 *Monitoring and Mitigation – OAR 345-022-0022(2)(b)(D)-(E)*
15

16 *(D) A description of any measures the applicant proposes to avoid or mitigate*
17 *adverse impact to soils; and*
18

19 **Discussion:** This section is applicable and must be included in the exhibit.
20

21 **Additional Clarification and Information Requested:** Identify site specific measures for soil
22 reclamation, vegetation management, fugitive dust control, and erosion and sediment control
23 during facility construction and operation.
24

25 *(E) The applicant’s proposed monitoring program, if any, for adverse impact to*
26 *soils during construction and operation.*
27

28 **Discussion:** This section is applicable and must be included in the Exhibit. Monitoring programs
29 should be described for any areas where soils restoration is required. The Exhibit should explain
30 how soil and erosion BMPs installed will prevent erosion from site access roads, graveled pads,
31 and other infrastructure for the life of the proposed facility. Please contact the Department for
32 templates that are consistent with current requirements and guidance.
33

34 **IV.E. Land Use – OAR 345-022-0030**
35

36 **IV.E.1 Standard and Applicability – OAR 345-022-0030(1)-(6)**
37

38 *(1) To issue a site certificate, the Council must find that the proposed facility*
39 *complies with the statewide planning goals adopted by the Land Conservation*
40 *and Development Commission.*
41

42 *(2) The Council shall find that a proposed facility complies with section (1) if:*
43

1 (a) The applicant elects to obtain local land use approvals under ORS
2 469.504(1)(a) and the Council finds that the facility has received local land use
3 approval under the acknowledged comprehensive plan and land use
4 regulations of the affected local government; or

5
6 (b) The applicant elects to obtain a Council determination under ORS
7 469.504(1)(b) and the Council determines that:

8
9 (A) The proposed facility complies with applicable substantive criteria as
10 described in section (3) and the facility complies with any Land Conservation
11 and Development Commission administrative rules and goals and any land use
12 statutes directly applicable to the facility under ORS 197.646(3);

13
14 (B) For a proposed facility that does not comply with one or more of the
15 applicable substantive criteria as described in section (3), the facility otherwise
16 complies with the statewide planning goals or an exception to any applicable
17 statewide planning goal is justified under section (4); or

18
19 (C) For a proposed facility that the Council decides, under sections (3) or (6), to
20 evaluate against the statewide planning goals, the proposed facility complies
21 with the applicable statewide planning goals or that an exception to any
22 applicable statewide planning goal is justified under section (4).

23
24 (3) As used in this rule, the “applicable substantive criteria” are criteria from
25 the affected local government’s acknowledged comprehensive plan and land
26 use ordinances that are required by the statewide planning goals and that are
27 in effect on the date the applicant submits the application. If the special
28 advisory group recommends applicable substantive criteria, as described
29 under OAR 345-015-0180, the Council shall apply them. If the special advisory
30 group does not recommend applicable substantive criteria, the Council shall
31 decide either to make its own determination of the applicable substantive
32 criteria and apply them or to evaluate the proposed facility against the
33 statewide planning goals.

34
35 (4) The Council may find goal compliance for a proposed facility that does not
36 otherwise comply with one or more statewide planning goals by taking an
37 exception to the applicable goal. Notwithstanding the requirements of ORS
38 197.732, the statewide planning goal pertaining to the exception process or
39 any rules of the Land Conservation and Development Commission pertaining
40 to the exception process, the Council may take an exception to a goal if the
41 Council finds:

42
43 (a) The land subject to the exception is physically developed to the extent that
44 the land is no longer available for uses allowed by the applicable goal;

1
2 *(b) The land subject to the exception is irrevocably committed as described by*
3 *the rules of the Land Conservation and Development Commission to uses not*
4 *allowed by the applicable goal because existing adjacent uses and other*
5 *relevant factors make uses allowed by the applicable goal impracticable; or*
6

7 *(c) The following standards are met:*
8

9 *(A) Reasons justify why the state policy embodied in the applicable goal*
10 *should not apply;*
11

12 *(B) The significant environmental, economic, social and energy consequences*
13 *anticipated as a result of the proposed facility have been identified and*
14 *adverse impacts will be mitigated in accordance with rules of the Council*
15 *applicable to the siting of the proposed facility; and*
16

17 *(C) The proposed facility is compatible with other adjacent uses or will be*
18 *made compatible through measures designed to reduce adverse impacts.*
19

20 *(5) If the Council finds that applicable substantive local criteria and applicable*
21 *statutes and state administrative rules would impose conflicting requirements,*
22 *the Council shall resolve the conflict consistent with the public interest. In*
23 *resolving the conflict, the Council cannot waive any applicable state statute.*
24

25 *(6) If the special advisory group recommends applicable substantive criteria*
26 *for an energy facility described in ORS 469.300(11)(a)(C) to (E) or for a related*
27 *or supporting facility that does not pass through more than one local*
28 *government jurisdiction or more than three zones in any one jurisdiction, the*
29 *Council shall apply the criteria recommended by the special advisory group. If*
30 *the special advisory group recommends applicable substantive criteria for an*
31 *energy facility described in ORS 469.300(11)(a)(C) to (E) or a related or*
32 *supporting facility that passes through more than one jurisdiction or more*
33 *than three zones in any one jurisdiction, the Council shall review the*
34 *recommended criteria and decide whether to evaluate the proposed facility*
35 *against the applicable substantive criteria recommended by the special*
36 *advisory group, against the statewide planning goals or against a combination*
37 *of the applicable substantive criteria and statewide planning goals. In making*
38 *the decision, the Council shall consult with the special advisory group, and*
39 *shall consider:*
40

41 *(a) The number of jurisdictions and zones in question;*
42

43 *(b) The degree to which the applicable substantive criteria reflect local*
44 *government consideration of energy facilities in the planning process; and*

1
2 (c) The level of consistency of the applicable substantive criteria from the
3 various zones and jurisdictions.
4

5 **Discussion:** This section is applicable and must be included in the Exhibit.
6

7 **IV.E.2 Information Requirements – OAR 345-022-0030(7)**
8

9 IV.E.2.1 Land Use Evaluation - OAR 345-022-0030(7)(a)-(b)
10

11 (7) To assist the Council in determining whether the standard outlined in (1)
12 through (6) has been met, the Applicant must submit:
13

14 (a) Information about the proposed facility’s compliance with the statewide
15 planning goals adopted by the Land Conservation and Development
16 Commission, providing evidence to support a finding by the Council as
17 required by OAR 345-022-0030.
18

19 **Discussion:** This section is applicable and must be included in the Exhibit.
20

21 (b) The applicant must state whether the applicant elects to address the
22 Council's land use standard by obtaining local land use approvals under ORS
23 469.504(1)(a) or by obtaining a Council determination under ORS
24 469.504(1)(b). An applicant may elect different processes for an energy facility
25 and a related or supporting facility but may not otherwise combine the two
26 processes. Once the applicant has made an election, the applicant may not
27 amend the application to make a different election. In this subsection,
28 “affected local government” means a local government that has land use
29 jurisdiction over any part of the proposed site of the facility. In the application,
30 the applicant must:
31

32 **Discussion:** This section is applicable and must be included in the Exhibit. In the NOI, the
33 applicant states that it intends to seek a Council determination under ORS 469.504(1)(b). Note
34 that once the election is made in the preliminary ASC, it cannot be changed.
35

36 (A) Include a map showing the comprehensive plan designations and land use
37 zones in the analysis area;
38

39 **Additional Clarification or Information Requested:** The zoning map must identify all zoning and
40 plan designations, including the Natural Hazards Combining Zone in the analysis area.
41

42 (B) If the applicant elects to obtain local land use approvals:
43

1 *(i) Identify the affected local governments from which land use approvals will*
2 *be sought;*

3
4 *(ii) Describe the land use approvals required in order to satisfy the Council's*
5 *land use standard;*

6
7 *(iii) Describe the status of the applicant's application for each land use*
8 *approval; and*

9
10 *(iv) Provide an estimate of time for issuance of local land use approvals.*

11
12 **Discussion:** Unless the applicant elects to obtain local land use approvals under ORS
13 469.504(1)(a), this section is **not applicable**.

14
15 *(C) If the applicant elects to obtain a Council determination on land use:*

16
17 *(i) Identify the affected local governments;*

18
19 **Discussion:** In the NOI, the applicant states that it intends to seek a Council determination
20 under ORS 469.504(1)(b); based on this statement, this section is applicable and must be
21 addressed in the Land Use Exhibit. The proposed site is entirely within Gilliam County; Gilliam
22 County is the affected local government.

23
24 *(ii) Identify the applicable substantive criteria from the affected local*
25 *government's acknowledged comprehensive plan and land use regulations*
26 *that are required by the statewide planning goals and that are in effect on the*
27 *date the application is submitted and describe how the proposed facility*
28 *complies with those criteria;*

29
30 **Additional Clarification or Information Requested:**

31 Under OAR 345-021-0000(9) for the purpose of determining the applicable substantive criteria
32 under ORS 469.504(1)(b)(A), the date the preliminary application is received by the Department
33 is the date the application is submitted, therefore, a copy of the County's applicable substantive
34 criteria/ Zoning Ordinance in effect on the date the pASC is submitted must be provided with
35 the Land Use Exhibit.

36
37 The following County requirements apply to the proposed facility at the time of this Project
38 Order:¹⁶

39
40 **Applicable documents:** Gilliam County Zoning and Development Ordinance, Gilliam County
41 Transportation System Plan, and the Gilliam County Natural Hazard Mitigation Plan:
42

¹⁶ SBEFNOIDoc33 RA Comments (SAG) 2026-02-04

1 **Gilliam County Zoning and Development Ordinance (GCZDO)**¹⁷

2 Article 4 Section 4.020 EFU Exclusive Farm Use Zone

- 3 • Section 4.020(C)(20) Wind power generation facilities as commercial utility facilities for
- 4 the purpose of generating power for public use by sale

5 Article 7 Conditional Uses Criteria

- 6 • Section 7.020(T) Wind Power Generation Facility Requirements

7 Article 8 Supplementary Provisions (relative to access, parking and related measures)

- 8 • Section 8.020 Access
- 9 • Section 8.040 Outdoor Lighting Standards
- 10 • Section 8.100 Off Street Parking Requirements
- 11 • Section 8.130 Standards for Uses in the Exclusive Farm Use Zone
- 12 • Section 8.140 Site Plan Review

13 Article 11 Administrative Provisions

14 **Gilliam County Transportation System Plan (TSP)**¹⁸

15

16 **Oregon Administrative Rules**

17 OAR 660-033-0130(37) Standards for wind power generation facilities. Maps must be provided
18 demonstrating that wind turbines or wind micro siting area complies with the above setbacks.

19

20 *(iii) Identify all Land Conservation and Development Commission*
21 *administrative rules, statewide planning goals and land use statutes directly*
22 *applicable to the facility under ORS 197.646(3) and describe how the proposed*
23 *facility complies with those rules, goals and statutes;*

24

25 **Additional Clarification or Information Requested:**

26 The Land Use Exhibit must include an evaluation of OAR 660-033-0130(5) and (37).

27

28 OAR 660-033-0130(5) must include the following in the impact assessment:

- 29 • Potential impacts from any changes to access points for adjacent agricultural activities, s
- 30 applicable.

31

32

33 *(D) If the proposed facility will be located on federal land:*

¹⁷ Gilliam County Zoning and Development Ordinance. Available at:
<https://cms3.revize.com/revize/gilliamcountvfor/Documents/Government/Offices/Planning/7.26.2022-GILLIAM%20COUNTY%20ZONING%20AND%20LAND%20DEVELQPMENT%20ORDINANCE.pdf?t=202601140923500&t=202601140923500> Accessed by the Department: March 12, 2026.

¹⁸ Gilliam County Transportation Plan. Available at: <https://www.gilliamcountytsp.com/websites/23/pages/201>

- 1
2 *(i) Identify the applicable land management plan adopted by the federal*
3 *agency with jurisdiction over the federal land;*
4
5 *(ii) Explain any differences between state or local land use requirements and*
6 *federal land management requirements;*
7
8 *(iii) Describe how the proposed facility complies with the applicable federal*
9 *land management plan;*
10
11 *(iv) Describe any federal land use approvals required for the proposed facility*
12 *and the status of application for each required federal land use approval;*
13
14 *(v) Provide an estimate of time for issuance of federal land use approvals; and*
15
16 *(vi) If federal law or the land management plan conflicts with any applicable*
17 *state or local land use requirements, explain the differences in the conflicting*
18 *requirements, state whether the applicant requests Council waiver of the land*
19 *use standard described under paragraph (B) or (C) of this subsection and*
20 *explain the basis for a waiver.*

21
22 **Discussion:** This section is **not applicable**. The proposed facility would not be located on federal
23 land.

24
25 IV.E.2.2 Materials Analysis – OAR 345-022-0030(7)(c)

- 26
27 *(c) A materials analysis, including:*
28
29 *(A) An inventory of substantial quantities of industrial materials flowing into*
30 *and out of the proposed facility during construction and operation;*
31
32 *(B) The applicant's plans to manage hazardous substances during construction*
33 *and operation, including measures to prevent and contain spills; and*
34
35 *(C) The applicant's plans to manage non-hazardous waste materials during*
36 *construction and operation.*

37
38 **Discussion:** This section is applicable to all proposed facilities and should be addressed in the
39 ASC; however, to the extent that it is addressed in other exhibits, the information need not be
40 repeated in the Land Use Exhibit.

41
42 **IV.F. Protected Areas – OAR 345-022-0040**

1 **IV.F.1 Standard and Applicability – OAR 345-022-0040(1)-(4)**
2

3 *(1) To issue a site certificate, the Council must find:*
4

5 *(a) The proposed facility will not be located within the boundaries of a*
6 *protected area designated on or before the date the application for site*
7 *certificate or request for amendment was determined to be complete under*
8 *OAR 345-015-0190 or 345-027-0363;*
9

10 *(b) The design, construction and operation of the facility, taking into account*
11 *mitigation, are not likely to result in significant adverse impact to a protected*
12 *area designated on or before the date the application for site certificate or*
13 *request for amendment was determined to be complete under OAR 345-015-*
14 *0190 or 345-027-0363.*
15

16 *(2) Notwithstanding section (1)(a), the Council may issue a site certificate for:*
17

18 *(a) A facility that includes a transmission line, natural gas pipeline, or water*
19 *pipeline located in a protected area, if the Council determines that other*
20 *reasonable alternative routes or sites have been studied and that the*
21 *proposed route or site is likely to result in fewer adverse impacts to resources*
22 *or interests protected by Council standards; or*
23

24 *(b) Surface facilities related to an underground gas storage reservoir that have*
25 *pipelines and injection, withdrawal or monitoring wells and individual*
26 *wellhead equipment and pumps located in a protected area, if the Council*
27 *determines that other alternative routes or sites have been studied and are*
28 *unsuitable.*
29

30 *(3) The provisions of section (1) do not apply to:*
31

32 *(a) A transmission line routed within 500 feet of an existing utility right-of-way*
33 *containing at least one transmission line with a voltage rating of 115 kilovolts*
34 *or higher; or*
35

36 *(b) A natural gas pipeline routed within 500 feet of an existing utility right of*
37 *way containing at least one natural gas pipeline of 8 inches or greater*
38 *diameter that is operated at a pressure of 125 psig.*
39

40 *(4) The Council shall apply the version of this rule adopted under*
41 *Administrative Order EFSC 1-2007, filed and effective May 15, 2007, to the*
42 *review of any Application for Site Certificate or Request for Amendment that*
43 *was determined to be complete under OAR 345-015-0190 or 345-027-0363*
44 *before the effective date of this rule. Nothing in this section waives the*

1 *obligations of the certificate holder and Council to abide by local ordinances,*
2 *state law, and other rules of the Council for the construction and operation of*
3 *energy facilities in effect on the date the site certificate or amended site*
4 *certificate is executed.*

5
6 **Discussion:** The Protected Areas Exhibit must include adequate information for the Council to
7 make the findings required under section (1). Sections (2) to (4) are not applicable to the
8 proposed facility.
9

10 **IV.F.2 Information Requirements – OAR 345-022-0040(5)**

11
12 *(5) To assist the Council in determining whether the standard outlined in (1)*
13 *through (4) has been met, the Applicant must submit information about the*
14 *potential impacts of the proposed facility on protected areas in the analysis*
15 *area, providing evidence to support a finding by the Council as required by this*
16 *rule, including:*
17

18 IV.F.2.1 General Requirements

19
20 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
21 that the design, construction and operation of the facility, taking into account mitigation, are
22 not likely to result in significant adverse impact to any protected areas
23

24 IV.F.2.2 Inventory of Protected Areas OAR 345-022-0040(5)(a)-(b)

25
26 *(a) A list of all protected areas within the analysis area identifying:*

27
28 *(A) The distance and direction of the protected area from the proposed facility*

29
30 *(B) The basis for protection by reference to a specific subsection of OAR 345-*
31 *001-0010(26); and*

32
33 *(C) The name, mailing address, phone number, and email address of the land*
34 *management agency or organization with jurisdiction over the protected area.*
35

36 **Discussion:** This section is applicable and must be included in the Exhibit. The Department did
37 not identify any protected areas that were not included in NOI Table L-1 in the analysis area;
38 however, if additional protected areas in the analysis area are identified during the
39 development of the ASC or if the site boundary is amended, the table and map must be
40 updated accordingly.
41

1 **Note:** that the Oregon National Historic Trail is not a Protected Area except where it crosses
2 land administered by the National Parks Service or another Land Management Agency under
3 one of the designations listed in OAR 345-001-0010(26).

4
5 *(b) A map showing the location of the proposed facility in relation to the*
6 *protected areas;*

7
8 **Discussion:** This section is applicable and must be included in the Exhibit.

9
10 IV.F.2.3 Impact Assessment – OAR 345-022-0040(5)(c)

11
12 *(c) A description of significant potential impacts of the proposed facility, if any,*
13 *on the protected areas including, but not limited to, potential impacts such as:*

14
15 **Discussion:** This section is applicable and must be included in the Exhibit. If the applicant
16 becomes aware of any potential significant impacts to Protected Areas not listed below or of
17 potential significant impacts to Protected Areas outside of the analysis area, the impacts must
18 be disclosed and evaluated in the exhibit.

19
20 *(A) Noise resulting from facility construction or operation;*

21
22 **Discussion:** This section is applicable and must be included in the Exhibit. Compliance with the
23 DEQ noise rules does not correlate to compliance with the noise assessment considered in the
24 Protected Areas standard. Particularly, while construction noise is exempt from the DEQ noise
25 rules, construction noise must be considered under the Protected Areas standard. However,
26 information developed to demonstrate compliance with the DEQ noise rules (such as noise
27 modeling) included in the Noise Exhibit can be referenced in the assessment under the
28 Protected Areas standard.

29
30 *(B) Increased traffic resulting from facility construction or operation;*

31
32 **Discussion:** This section is applicable and must be included in the Exhibit.

33
34 *(C) Water use during facility construction or operation;*

35
36 **Discussion:** This section is applicable and must be included in the Exhibit.

37
38 *(D) Wastewater disposal resulting from facility construction or operation;*

39
40 **Discussion:** This section is applicable and must be included in the Exhibit.

41
42 *(E) Visual impacts of facility structures or plumes, including, but not limited to,*
43 *changes in landscape character or quality; and*

1 **Discussion:** This section is applicable and must be included in the Exhibit. While no specific
2 methodology is required, the applicant must submit sufficient evidence to demonstrate how
3 the proposed facility would comply with the standard. The applicant should consider the extent
4 of impacts and prior Council evaluations when designing the impact assessment methodology.
5 Visual simulations or other visual representations are not required but can be important tools
6 to help the Department, Council, and general public understand the potential visual impacts of
7 the proposed facility.

8
9 *(F) Visual impacts from air emissions resulting from facility construction or*
10 *operation, including, but not limited to, impacts on Class 1 Areas as described*
11 *in OAR 340-204-0050.*

12
13 **Discussion:** This section is applicable and must be included in the Exhibit. Air emissions,
14 including dust emissions, generated during the construction of the facility should be discussed.

15
16 IV.F.2.4 Materials Analysis – OAR 345-022-0040(5)(c)

17
18 *(d) A materials analysis, including:*

19
20 *(A) An inventory of substantial quantities of industrial materials flowing into*
21 *and out of the proposed facility during construction and operation;*

22
23 *(B) The applicant's plans to manage hazardous substances during construction*
24 *and operation, including measures to prevent and contain spills; and*

25
26 *(C) The applicant's plans to manage non-hazardous waste materials during*
27 *construction and operation.*

28
29 **Discussion:** This section is applicable to all proposed facilities and should be addressed in the
30 ASC; however, to the extent that it is addressed in other exhibits, the information need not be
31 repeated in the Protected Areas Exhibit.

32
33 **IV.G. Retirement and Financial Assurance – OAR 345-022-0050**

34
35 **IV.G.1 Retirement – OAR 345-022-0050(1)-(2)**

36
37 IV.G.1.1 Standard and Applicability – OAR 345-022-0050(1)

38
39 *To issue a site certificate, the Council must find that:*

40
41 *(1) The site, taking into account mitigation, can be restored adequately to a*
42 *useful, non-hazardous condition following permanent cessation of*
43 *construction or operation of the facility.*

1
2 **Discussion:** The Retirement and Financial Assurance Exhibit must include adequate information
3 for the Council to make the findings required under section (1).
4

5 IV.G.1.2 Information Requirements – OAR 345-022-0050(2)
6

7 *(2) To assist the Council in determining whether the standard outlined in (1)*
8 *has been met, the Applicant must submit information about site restoration,*
9 *providing evidence to support a finding by the Council as required by this rule.*
10 *The applicant must include:*

11
12 *(a) The estimated useful life of the proposed facility;*
13

14 **Discussion:** This section is applicable and must be included in the Exhibit.
15

16 *(b) Specific actions and tasks to restore the site to a useful, non-hazardous*
17 *condition;*
18

19 **Discussion:** This section is applicable and must be included in the Exhibit.
20

21 *(c) An estimate, in current dollars, of the total and unit costs of restoring the*
22 *site to a useful, non-hazardous condition;*
23

24 **Discussion:** This section is applicable and must be included in the Exhibit. The estimate must
25 include sufficient detail to identify costs associated with individual facility components, tasks
26 and include unit cost with the year and quarter identified. A template for the estimate is
27 provided in Attachment 4.
28

29 *(d) A discussion and justification of the methods and assumptions used to*
30 *estimate site restoration costs; and*
31

32 **Discussion:** This section is applicable and must be included in the Exhibit.
33

34 *(e) For facilities that might produce site contamination by hazardous*
35 *materials, a proposed monitoring plan, such as periodic environmental site*
36 *assessment and reporting, or an explanation why a monitoring plan is*
37 *unnecessary.*
38

39 **Discussion:** This section is applicable and must be included in the Exhibit. Monitoring, such as
40 periodic environmental site assessment and reporting, must be sufficient to ensure that there
41 will be no potential for site contamination by oils, fuels, or other hazardous materials used or
42 stored on site. If the applicant believes no monitoring for soil contamination is necessary, the
43 exhibit must provide evidence to support this position.
44

1 **IV.G.2 Financial Assurance – OAR 345-022-0050(3)-(4)**

2
3 IV.G.2.1 Standard and Applicability – OAR 345-022-0050(3)

4
5 *(3) The applicant has a reasonable likelihood of obtaining a bond or letter of*
6 *credit in a form and amount satisfactory to the Council to restore the site to a*
7 *useful, non- hazardous condition.*

8
9 **Discussion:** The Retirement and Financial Assurance Exhibit must include adequate information
10 for the Council to make the findings required under section (3).

11
12 IV.G.2.1 Information Requirements – OAR 345-022-0050(4)

13
14 *(4) To assist the Council in determining whether the standard outlined in (3)*
15 *has been met, the Applicant must submit information:*

16
17 *(a) about the applicant’s financial capability, providing evidence to support a*
18 *finding by the Council as required by OAR 345-022-0050(2). Nothing in this*
19 *section requires the disclosure of information or records protected from public*
20 *disclosure by any provision of state or federal law. The applicant must include:*

21
22 *(A) An opinion or opinions from legal counsel stating that, to counsel's best*
23 *knowledge, the applicant has the legal authority to construct and operate the*
24 *facility without violating its bond indenture provisions, articles of*
25 *incorporation, common stock covenants, or similar agreements;*

26
27 **Discussion:** This section is applicable and must be included in the Exhibit.

28
29 *(B) The type and amount of the applicant’s proposed bond or letter of credit to*
30 *meet the requirements of OAR 345-022-0050; and*

31
32 **Discussion:** This section is applicable and must be included in the Exhibit.

33
34 *(C) Evidence that the applicant has a reasonable likelihood of obtaining the*
35 *proposed bond or letter of credit in the amount proposed in paragraph (B),*
36 *before beginning construction of the facility.*

37
38 **Discussion:** This section is applicable and must be included in the Exhibit. An updated bank
39 letter may be requested by the Department during completeness review. The Department does
40 not consider comfort letters from financial institutions as confidential, exempt from public
41 disclosure.

1 **Additional Clarification or Information Requested:** Include a comfort letter from a financial
2 institution that identifies the applicant and facility, is on letterhead, and provides assurance
3 that the financial institution would issue a bond or letter of credit to the applicant in an amount
4 greater than or equal to the estimated decommissioning amount.
5

6 IV.G.2.2 Materials Analysis – OAR 345-022-0050(4)(b)
7

8 *(b) A materials analysis, including:*
9

10 *(A) An inventory of substantial quantities of industrial materials flowing into*
11 *and out of the proposed facility during construction and operation;*
12

13 *(B) The applicant's plans to manage hazardous substances during construction*
14 *and operation, including measures to prevent and contain spills; and*
15

16 *(C) The applicant's plans to manage non-hazardous waste materials during*
17 *construction and operation.*
18

19 **Discussion:** This section is applicable and should be addressed in the ASC; however, to the
20 extent that it is addressed in other exhibits, the information need not be repeated in the
21 Retirement and Financial Assurance Exhibit.
22

23 **IV.H. Fish and Wildlife Habitat – OAR 345-022-0060**
24

25 **IV.H.1 Standard and Applicability – OAR 345-022-0060(1)-(2)**
26

27 *To issue a site certificate, the Council must find that the design, construction*
28 *and operation of the facility, taking into account mitigation, are consistent*
29 *with:*
30

31 *(1) The general fish and wildlife habitat mitigation goals and standards of OAR*
32 *635-415-0025(1) through (6) in effect as of February 24, 2017; and*
33

34 *(2) For energy facilities that impact sage-grouse habitat, the sage-grouse*
35 *specific habitat mitigation requirements of the Greater Sage-Grouse*
36 *Conservation Strategy for Oregon at OAR 635-415-0025(7) and OAR 635-140-*
37 *0000 through -0025 in effect as of February 24, 2017.*
38

39 **Discussion:** The Fish and Wildlife Exhibit must include adequate information for the Council to
40 make the findings required under section (1). In Oregon, sage-grouse habitat is only present in
41 Baker, Crook, Deschutes, Harney, Lake, Malheur and Union counties. The proposed site is not
42 located within these counties; therefore section (2) is not applicable.
43

1 **IV.H.2 Information Requirements – OAR 345-022-0060(3)**
2

3 *(3) To assist the Council in determining whether the standard outlined in (1)*
4 *through (2) has been met, the Applicant must submit information about the*
5 *fish and wildlife habitat and the fish and wildlife species, other than the*
6 *species addressed in OAR-022-0070(3) (the Threatened and Endangered*
7 *Species Exhibit) that could be affected by the proposed facility, providing*
8 *evidence to support a finding by the Council as required by this rule. The*
9 *applicant must include:*

10
11 **IV.H.2.1 General Requirements and Analysis Areas**
12

13 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
14 that the design, construction, and operation of the facility, taking into account mitigation will
15 be consistent with general fish and wildlife habitat mitigation goals and standards of OAR 635-
16 415-0025.
17

18 **IV.H.2.2 Surveys – OAR 345-022-0060(3)(a)**
19

20 *(a) A description of biological and botanical surveys performed that support*
21 *the information in this exhibit, including a discussion of the timing and scope*
22 *of each survey;*
23

24 **Discussion:** This section is applicable and must be included in the Exhibit. Habitat Surveys must
25 be conducted to support the habitat characterization required under subsection (b) and post-
26 construction revegetation goals. The surveys must be adequate to identify general vegetation
27 and land cover types, wildlife habitat, habitat quality, extent of noxious weeds, and physical
28 characteristics of the site. All habitat within the analysis area must be mapped into specific,
29 clearly defined habitat types, such as grassland, shrub-steppe, woodland, cropland. Habitats
30 within the site boundary or proposed micro-siting corridors must be further defined to subtype
31 by vegetation community and classified according to ODFW Habitat Mitigation Policy based on
32 field surveys.
33

34 **Additional Clarification or Information Requested:** Include recorded observations of State
35 Sensitive Species and Species of Greatest Conservation Need during habitat/vegetation surveys.
36 Recordation should include date, species, location, indication of breeding activity, age/sex if
37 known. ODFW comments identified potential for Washington Ground Squirrel (WGS) and
38 associated habitat within the analysis area. Surveys should follow recommended ODFW
39 protocols for identifying WGS habitat.¹⁹ Big Game Winter Range for Mule deer is within the
40 analysis area and site boundary.
41

¹⁹ SBEFNOIDoc32 RA Comments (ODFW) 2026-01-30

1 IV.H.2.3 Fish and Wildlife Habitat – OAR 345-022-0060(3)(b)-(c)

2
3 *(b) Identification of all fish and wildlife habitat in the analysis area, classified*
4 *by the general fish and wildlife habitat categories as set forth in OAR 635-415-*
5 *0025 and the sage-grouse specific habitats described in the Greater Sage-*
6 *Grouse Conservation Strategy for Oregon at OAR 635-140-0000 through 635-*
7 *140-0025 (core, low density, and general habitats), and a description of the*
8 *characteristics and condition of that habitat in the analysis area, including a*
9 *table of the areas of permanent disturbance and temporary disturbance (in*
10 *acres) in each habitat category and subtype;*

11
12 **Discussion:** This section is applicable and must be included in the Exhibit. As shown in Table 7,
13 below, the Oregon Fish and Wildlife Habitat Mitigation Policy under OAR Chapter 635, Division
14 415 classifies six habitat categories and establishes a mitigation goal for each category.

15
16 ODFW considers all habitats within Big Game Winter Range, with the exception of areas
17 designated as Category 6 in the CPE, to be Category 2 as per the Oregon Habitat Mitigation
18 Policy. For Category 2 habitats, ODFW’s policy is to have “no net loss of habitat quantity or
19 quality,” and asks for “in-kind, in-proximity mitigation” (OAR Chapter 635, Division 415). The
20 CPE contains several habitats that are rare and declining including wetlands, sagebrush steppe
21 and native grasslands.

22
23 *(c) A map showing the locations of the habitat identified in (b);*

24
25 **Discussion:** This section is applicable and must be included in the Exhibit.

26
27 **Additional Clarification or Information Requested:** Maps should also include an overlay for any
28 ODFW’s mapped Big Game Winter Range. Portions of the site boundary are within ODFW
29 mapped Big Game Winter Range for Mule Deer.

30
31 IV.H.2.4 State Sensitive Species – OAR 345-022-0060(3)(d)-(e)

32
33 *(d) Based on consultation with the Oregon Department of Fish and Wildlife*
34 *(ODFW) and appropriate field study and literature review, identification of all*
35 *State Sensitive Species that might be present in the analysis area and a*
36 *discussion of any site-specific issues of concern to ODFW;*

37
38 **Discussion:** This section is applicable and must be included in the Exhibit.

39
40 *(e) A baseline survey of the use of habitat in the analysis area by species*
41 *identified in (d) performed according to a protocol approved by the*
42 *Department and ODFW;*

1 **Discussion:** This section is applicable to all proposed facilities and must be addressed in the Fish
2 and Wildlife Habitat Exhibit. NOTE – only surveys and reports that include information about
3 the location of threatened and endangered species may be confidential and exempt from public
4 disclosure.

5
6 **Additional Clarification or Information Requested:** Use surveys within wind micrositing
7 corridors should include bat surveys, focusing on migratory bat species (e.g., hoary and silver-
8 haired bats) and for resident populations in the summer. Please note that ODOE is currently
9 evaluating the efficacy of bird and bat surveys for wind facilities. Please request an update from
10 ODOE or ODFW prior to surveys to ensure surveys are the best approach.

11
12 IV.H.2.5 Impact Assessment – OAR 345-022-0060(3)(f)

13
14 *(f) A description of the nature, extent and duration of potential adverse*
15 *impacts on the habitat identified in (b) and species identified in (d) that could*
16 *result from construction, operation and retirement of the proposed facility;*

17
18 **Discussion:** This section is applicable and must be included in the Exhibit.

19
20 IV.H.2.6 Mitigation and Monitoring – OAR 345-022-0060(3)(g)-(h)

21
22 *(g) A description of any measures proposed by the applicant to avoid, reduce,*
23 *or mitigate the potential adverse impacts described in (f) in accordance with*
24 *the general fish and wildlife habitat mitigation goals and standards described*
25 *in OAR 635-415-0025 and a description of any measures proposed by the*
26 *applicant to avoid, minimize, and provide compensatory mitigation for the*
27 *potential adverse impacts described in (f) in accordance with the sage-grouse*
28 *specific habitat mitigation requirements described in the Greater Sage-Grouse*
29 *Conservation Strategy for Oregon at OAR 635-140-0000 through 635-140-*
30 *0025, and a discussion of how the proposed measures would achieve those*
31 *goals and requirements; and*

32
33 **Discussion:** This section is applicable and must be included in the Exhibit.

34
35 **Additional Clarification or Information Requested:**²⁰

- 36
- 37 • Avoidance and Minimization Measures: The 2008 Oregon Columbia Plateau Ecoregion
38 (CPE) Wind Energy Siting and Permitting Guidelines must be reviewed and referenced as
39 part of the measures to be implemented in design, construction and operation of the
40 wind and solar facilities to avoid and minimize impacts to wildlife and their habitats.
 - 41 • Avoidance and Minimization Measure: Avoidance of Washington Ground Squirrel
habitat should follow ODFW protocols.

²⁰ SBEFNOIDoc32 RA Comments (ODFW) 2026-01-30

- 1 • Avoidance and Minimization Measure: Construction activities outside of the wind
2 microsites corridors is precluded during the big game winter range period of December
3 1 – April 1.
- 4 • Avoidance and Minimization Measure: Initial ground disturbing activities should be
5 planned to occur outside of the critical period for ground nesting birds, from April 15 –
6 September 1.
- 7 • Avoidance and Minimization Measure: Preconstruction raptor nest surveys within 2-
8 miles of the wind microsites corridors should occur to inform seasonal restrictions of
9 construction activities within buffer areas.
- 10 • Minimization Measure: Facility fencing must include wildlife-friendly fencing design.
- 11 • Mitigation Requirement: Permanent impacts to Category 2 habitat shall be mitigated at
12 a 2:1 ratio to meet the no net loss and a net benefit in habitat quality mitigation goal.
- 13 • Mitigation Requirement: Revegetation and weed control measures shall be developed in
14 consultation with the county weed department, Oregon State Extension and the Oregon
15 Department of Agriculture.
- 16 • Mitigation Requirement: If the approach is permittee responsible mitigation, the Habitat
17 Mitigation Plan must: (1) include a proposed habitat mitigation area or areas; (2) include
18 results of a desktop or field-level survey assessing the habitat categories of the habitat
19 mitigation area; (3) provide the legal mechanism or mechanisms for acquiring the legal
20 right to maintain and enhance the habitat mitigation area; and (3) include draft success
21 criteria for the proposed ecological uplift actions and describe a process for evaluating
22 success.

23
24 *(h) A description of the applicant’s proposed monitoring plans to evaluate the*
25 *success of the measures described in (g).*

26
27 **Discussion:** This section is applicable and must be included in the Exhibit.

28
29 **IV.I. Threatened and Endangered Species – OAR 345-022-0070**

30
31 **IV.I.1 Standard and Applicability – OAR 345-022-0070(1)-(2)**

32
33 *To issue a site certificate, the Council, after consultation with appropriate*
34 *state agencies, must find that:*

35
36 *(1) For plant species that the Oregon Department of Agriculture has listed as*
37 *threatened or endangered under ORS 564.105(2), the design, construction and*
38 *operation of the proposed facility, taking into account mitigation:*

39
40 *(a) Are consistent with the protection and conservation program, if any, that*
41 *the Oregon Department of Agriculture has adopted under ORS 564.105(3); or*
42

1 (b) If the Oregon Department of Agriculture has not adopted a protection and
2 conservation program, are not likely to cause a significant reduction in the
3 likelihood of survival or recovery of the species.
4

5 (2) For wildlife species that the Oregon Fish and Wildlife Commission has listed
6 as threatened or endangered under ORS 496.172(2), the design, construction
7 and operation of the proposed facility, taking into account mitigation, are not
8 likely to cause a significant reduction in the likelihood of survival or recovery of
9 the species.
10

11 **Discussion:** The Threatened and Endangered Species Exhibit must include adequate
12 information for the Council to make the findings required under section (1) and (2). Specific
13 information requirements are discussed below.
14

15 **IV.I.2 Information Requirements – OAR 345-022-0070(3)** 16

17 (3) To assist the Council in determining whether the standard outlined in (1)
18 through (2) has been met, the Applicant must submit information about
19 threatened and endangered plant and animal species that may be affected by
20 the proposed facility, providing evidence to support a finding by the Council as
21 required by OAR 345-022-0070. The applicant must include:
22

23 IV.I.2.1 General Requirements and Analysis Areas 24

25 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
26 that the design, construction, and operation of the facility, taking into account mitigation will
27 be consistent with general fish and wildlife habitat mitigation goals and standards of OAR 635-
28 415-0025.
29

30 IV.I.2.2 Listed Species Surveys – OAR 345-022-0070(3)(a)-(b) 31

32 (a) Based on appropriate literature and field study, identification of all
33 threatened or endangered species listed under ORS 496.172(2) and ORS
34 564.105(2) that may be affected by the proposed facility;
35

36 **Discussion:** This section is applicable to all proposed facilities and must be addressed in the
37 Threatened and Endangered Species Exhibit. The list of potentially affected species must
38 include a list of all threatened and endangered species listed in OAR 635-100-0125 or 603-073-
39 0070 that have the potential to occur in the analysis area. For the application, the analysis area
40 must include the area within and extending 5 miles from the site boundary. The applicant shall
41 identify these species based on a review of literature, consultation with ODFW and ODAg's
42 Native Plant Conservation Program, and reference to the list of species maintained by the
43 Oregon Biodiversity Information Center.

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Additional Clarification or Information Requested:

The applicant should consult with ODFW on field surveys and any protocols for specific species that should inform the preparation of the T&E Exhibit. ODFW comments identified potential for Washington Ground Squirrel to be present in the analysis area. Identification surveys should be conducted in coordination with ODFW per ODFW recommended protocols.²¹

In its comments on the NOI, ODAg noted that there is potential for occurrences of one T&E plant, *A. collinus* var. *laurentii*, (Lawrence’s Milkvetch) and that may occur in the analysis area and for that reason are requesting protocol-level surveys for T&E plant species.²² Any occurrences of T&E plants identified during habitat and wildlife surveys should be documented and reported to ODAg for further evaluation.

(b) For each species identified under (a), a description of the nature, extent, locations and timing of its occurrence in the analysis area and how the facility might adversely affect it;

Discussion: This section is applicable and must be included in the Exhibit. The Exhibit must contain the results from any wildlife surveys for T&E species, as recommended by ODFW. In addition, the Exhibit must contain the results of any botanical surveys conducted, including incidental observation surveys conducted concurrently with other habitat or wildlife surveys.

Any information regarding the habitat, location or population of any threatened species or endangered species is protected from public disclosure under ORS 192.345(13) and 564.130 and must be provided under separate cover and clearly labelled as confidential.

IV.I.2.3 Impact Assessment, Mitigation and Monitoring – OAR 345-022-0070(3)(c)-(g)

(c) For each species identified under (a), a description of measures proposed by the applicant, if any, to avoid or reduce adverse impact;

Discussion: This section is applicable and must be included in the Exhibit.

(d) For each plant species identified under (a), a description of how the proposed facility, including any mitigation measures, complies with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3);

Discussion: This section is **not applicable** given that there are no T&E species with a known or likelihood of occurring within the analysis area.

²¹ SBENOIDoc32 RA Comments (ODFW) 2026-01-30

²² SBENOIDoc31 RA Comments (ODAg) 01-12-2026

1 (e) For each plant species identified under paragraph (a), if the Oregon
2 Department of Agriculture has not adopted a protection and conservation
3 program under ORS 564.105(3), a description of significant potential impacts
4 of the proposed facility on the continued existence of the species and on the
5 critical habitat of such species and evidence that the proposed facility,
6 including any mitigation measures, is not likely to cause a significant reduction
7 in the likelihood of survival or recovery of the species;
8

9 **Discussion:** This section is **not applicable** given that there are no T&E species with a known or
10 likelihood of occurring within the analysis area.
11

12 (f) For each animal species identified under (a), a description of significant
13 potential impacts of the proposed facility on the continued existence of such
14 species and on the critical habitat of such species and evidence that the
15 proposed facility, including any mitigation measures, is not likely to cause a
16 significant reduction in the likelihood of survival or recovery of the species;
17 and
18

19 **Discussion:** This section is applicable and must be included in the Exhibit.
20

21 (g) The applicant's proposed monitoring program, if any, for impacts to
22 threatened and endangered species.
23

24 **Discussion:** This section is applicable and must be included in the Exhibit.
25

26 **IV.J. Scenic Resources – OAR 345-022-0080** 27

28 **IV.J.1 Standard and Applicability – OAR 345-022-0080(1)-(4)** 29

30 (1) To issue a site certificate, the Council must find that the design,
31 construction and operation of the facility, taking into account mitigation, are
32 not likely to result in significant adverse visual impacts to significant or
33 important scenic resources.
34

35 (2) The Council may issue a site certificate for a special criteria facility under
36 OAR 345-015-0310 without making the findings described in section (1). In
37 issuing such a site certificate, the Council may impose conditions of approval
38 to minimize the potential significant adverse visual impacts from the design,
39 construction, and operation of the facility on significant or important scenic
40 resources.
41

42 (3) A scenic resource is considered to be significant or important if it is
43 identified as significant or important in a current land use management plan

1 *adopted by one or more local, tribal, state, regional, or federal government or*
2 *agency.*

3
4 *(4) The Council shall apply the version of this rule adopted under*
5 *Administrative Order EFSC 1-2007, filed and effective May 15, 2007, to the*
6 *review of any Application for Site Certificate or Request for Amendment that*
7 *was determined to be complete under OAR 345-015-0190 or 345-027-0363*
8 *before the effective date of this rule. Nothing in this section waives the*
9 *obligations of the certificate holder and Council to abide by local ordinances,*
10 *state law, and other rules of the Council for the construction and operation of*
11 *energy facilities in effect on the date the site certificate or amended site*
12 *certificate is executed.*

13
14 **Discussion:** The Scenic Resources Exhibit must include adequate information for the Council to
15 make the findings required under section (1) and (3). Section (2) and (4) are not applicable to
16 the proposed facility.

17
18 **IV.J.2 Information Requirements – OAR 345-022-0080(5)**

19
20 *(5) To assist the Council in determining whether the standard outlined in (1)*
21 *through (4) has been met, the Applicant must submit an analysis of potential*
22 *visual impacts of the proposed facility, if any, on significant or important*
23 *scenic resources within the analysis area, providing evidence to support a*
24 *finding by the Council under OAR 345-022-0080, including:*

25
26 IV.J.2.1 General Requirements and Analysis Areas

27
28 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
29 that the design, construction and operation of the facility, taking into account mitigation, are
30 not likely to result in significant adverse impact to any significant or important scenic resources.

31
32 IV.J.2.2 Scenic Resources Inventory– OAR 345-022-0080(5)(a)-(b)

33
34 *(a) An inventory of scenic resources identified as significant or important in a*
35 *land use management plan adopted by one or more local, tribal, state,*
36 *regional, or federal government or agency applicable to lands within the*
37 *analysis area for scenic resources. The applicant must provide a list of the land*
38 *management plans reviewed in developing the inventory and a copy of the*
39 *relevant portion of the plans;*

40
41 **Discussion:** This section is applicable and must be included in the Exhibit. The inventory must
42 be based on review of all local, state or regional land use plans, tribal land management plans
43 and federal land management plans applicable to lands located within the analysis area. The

1 analysis area for Scenic Resources includes the area within and extending 10 miles from the site
2 boundary. **Copies of the portions of the management plans that identify or discuss scenic**
3 **resources must be attached to the Exhibit.**

4
5 **Additional Clarification or Information Requested:** For each scenic resource, the evaluation
6 must include the management recommendations or criteria associated with the management
7 plan designation as **significant or important.**

8
9 *(b) A map or maps showing the location of the scenic resources described*
10 *under subsection (a), in relation to the site of the proposed facility;*

11
12 **Discussion:** This section is applicable and must be included in the Exhibit.

13
14 IV.J.2.3 Visual Impacts Assessment – OAR 345-022-0080(5)(c)-(e)

15
16 *(c) A description of the methodology the applicant used to identify and assess*
17 *potential visual impacts to the scenic resources identified in subsection (a);*

18
19 **Discussion:** This section is applicable and must be included in the Exhibit.

20
21 *(d) Identification of potential visual impacts to the scenic resources identified*
22 *in subsection (a), including, but not limited to:*

23
24 *(A) Loss of vegetation or alteration of the landscape as a result of construction*
25 *or operation;*

26
27 *(B) Visual impacts of facility structures or plumes, including but not limited to,*
28 *changes in landscape character or quality; and*

29
30 *(C) Loss of visibility due to air emissions or other pollution resulting from the*
31 *construction or operation of the proposed facility;*

32
33 **Discussion:** This section is applicable and must be included in the Exhibit. While no specific
34 methodology is required to be used for the visual impacts assessment, the applicant must
35 submit evidence adequate to demonstrate why the proposed facility is in compliance with the
36 Scenic Resources standard. Visual simulations or other visual representations are not required
37 but can be an important tool to help the Department, Council, and general public understand
38 the potential visual impacts of the proposed facility on scenic resources.

39
40 *(e) An assessment of the significance of the visual impacts described under*
41 *subsection (d);*

42
43 **Discussion:** This section is applicable and must be included in the Exhibit.

1 **Additional Clarification and Information Requested:** The evaluation of significance should
2 consider the proposed facility’s consistency or compliance with any development or land use
3 criteria included in the land management plan for the identified resource.

4
5 IV.J.2.4 Monitoring and Mitigation – OAR 345-022-0080(5)(f)-(g)

6
7 *(f) A description of the measures the applicant proposes to avoid, reduce or*
8 *otherwise mitigate any potential significant adverse visual impacts; and*
9

10 **Discussion:** This section is applicable and must be included in the Exhibit. The response should
11 describe any considerations that are incorporated into the design of the proposed facility to
12 avoid or reduce visual impacts.

13
14 *(g) The applicant’s proposed monitoring program, if any, for impacts to scenic*
15 *resources.*
16

17 **Discussion:** This section is applicable and must be included in the Exhibit.

18
19 **IV.K. Historic, Cultural and Archaeological Resources – OAR 345-022-0090**

20
21 **IV.K.1 Standard and Applicability – OAR 345-022-0090(1)-(3)**

22
23 *(1) Except for facilities described in sections (2) and (3), to issue a site*
24 *certificate, the Council must find that the construction and operation of the*
25 *facility, taking into account mitigation, are not likely to result in significant*
26 *adverse impacts to:*

27
28 *(a) Historic, cultural or archaeological resources that have been listed on, or*
29 *would likely be listed on the National Register of Historic Places;*

30
31 *(b) For a facility on private land, archaeological objects, as defined in ORS*
32 *358.905(1)(a), or archaeological sites, as defined in ORS 358.905(1)(c); and*
33

34 *(c) For a facility on public land, archaeological sites, as defined in ORS*
35 *358.905(1)(c).*
36

37 *(2) The Council may issue a site certificate for a facility that would produce*
38 *power from wind, solar or geothermal energy without making the findings*
39 *described in section (1). However, the Council may apply the requirements of*
40 *section (1) to impose conditions on a site certificate issued for such a facility.*
41

42 *(3) The Council may issue a site certificate for a special criteria facility under*
43 *OAR 345-015-0310 without making the findings described in section (1).*

1 *However, the Council may apply the requirements of section (1) to impose*
2 *conditions on a site certificate issued for such a facility.*

3
4 **Discussion:** The Historic, Cultural and Archaeological Resources Exhibit must include adequate
5 information for the Council to make the findings required under section (1); as described in
6 section (2), this information will be used to determine what, if any, conditions are appropriate
7 to address potentially significant adverse impacts to resources that could result from the
8 construction and operation of the proposed facility. The proposed facility is not a special
9 criteria facility; therefore section (3) is not applicable.

10
11 **IV.K.2 Information Requirements – OAR 345-022-0090(4)**

12
13 *(4) To assist the Council in determining whether the standard outlined in (1)*
14 *through (3) has been met, the Applicant must submit information about*
15 *historic, cultural and archaeological resources. Information concerning the*
16 *location of archaeological sites or objects may be exempt from public*
17 *disclosure under ORS 192.345(11). The applicant must submit such*
18 *information separately, clearly marked as “confidential,” and shall request*
19 *that the Department and the Council keep the information confidential to the*
20 *extent permitted by law. The applicant must include information in this exhibit*
21 *or in confidential submissions providing evidence to support a finding by the*
22 *Council as required by OAR 345-022-0090, including:*

23
24 IV.K.2.1 General Requirements and Analysis Areas

25
26 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
27 that the design, construction and operation of the facility, taking into account mitigation, are
28 not likely to result in significant adverse impacts to protected historic, cultural or archaeological
29 resources.

30
31 IV.K.2.2 Resource Inventory – OAR 345-022-0090(4)(a)-(c)

32
33 *(a) Historic and cultural resources within the analysis area that have been*
34 *listed, or would likely be eligible for listing, on the National Register of Historic*
35 *Places;*

36
37 **Discussion:** This section is applicable and must be included in the Exhibit. In addition to
38 identifying any historic and cultural resources identified, the Exhibit must include an evaluation
39 of whether the historic properties have been listed on, or would likely be listed on, the National
40 Register of Historic Places (NRHP), based on an evaluation of the National Register Evaluation
41 Criteria as described in National Register Bulletin 15.

1 Information concerning the location of archaeological sites or objects, or Historic Properties of
2 religious and Cultural Significance to Indian Tribes (HPRCSIT), is exempt from public disclosure
3 under ORS 192.345(11). Such information, including archaeological survey reports and any
4 ethnographic studies, should be provided confidentially under separate cover in a manner
5 approved by the Department. Confidential materials shall also be provided directly to SHPO and
6 affected Tribes, following their submission guidance. Please contact the Department to discuss
7 current practices regarding treatment and submittal of confidential material.

8
9 **Additional Clarification or Information Requested:** The proposed site boundary and analysis
10 area contain significant archaeological and cultural resources and HPRCSITs important to the
11 Confederated Tribes of the Umatilla Indian Reservation (CTUIR).²³ These potentially-NRHP
12 eligible resources must be included in the evaluation and identified in consultation with the
13 affiliated tribes (CTUIR and Confederated Tribes of Warm Springs). CTUIR has recommended
14 visual impact buffers in their comments.

15
16 *(b) For private lands, archaeological objects, as defined in ORS 358.905(1)(a),*
17 *and archaeological sites, as defined in ORS 358.905(1)(c), within the analysis*
18 *area;*

19
20 **Discussion:** Because the proposed site is located on private lands, this section is applicable and
21 must be included in the Exhibit. Under ORS 358(1)(a), an archaeological object” is an object that
22 (A) Is at least 75 years old; (B) is part of the physical record of an indigenous or other culture
23 found in the state or waters of the state; and (C) is material remains of past human life or
24 activity that are of archaeological significance including, but not limited to, monuments,
25 symbols, tools, facilities, technological by-products and dietary by-products. An “archaeological
26 site” is a geographic locality that contains archaeological objects and the contextual
27 associations of the archaeological objects with (i) Each other; or (ii) Biotic or geological remains
28 or deposits.

29
30 *(c) For public lands, archaeological sites, as defined in ORS 358.905(1)(c),*
31 *within the analysis area;*

32
33 **Discussion:** Because there are no public lands within the analysis area, this section is **not**
34 **applicable.**

35
36 IV.K.2.3 Impact Assessment – OAR 345-022-0090(4)(d)-(e)

37
38 *(d) The significant potential impacts, if any, of the construction, operation and*
39 *retirement of the proposed facility on the resources described in subsections*
40 *(a), (b), and (c) and a plan for protection of those resources that includes at*
41 *least the following:*
42

²³ SBEFNOIDoc35 RA Comments (CTUIR) 2026-02-26

1 **Discussion:** This section is applicable and must be addressed in the Exhibit.

2
3 *(A) A description of any discovery measures, such as surveys, inventories, and*
4 *limited subsurface testing work, recommended by the State Historic*
5 *Preservation Officer or the National Park Service of the U.S. Department of*
6 *Interior for the purpose of locating, identifying and assessing the significance*
7 *of resources listed in subsections (a), (b), and (c);*
8

9 **Discussion:** This section is applicable and must be included in the Exhibit. As noted above, the
10 applicant should coordinate with SHPO and tribes on the completion of surveys and studies
11 needed to assess potential project impacts on historic, archaeological and cultural resources
12 under the EFSC standard. All survey reports and documents submitted to SHPO for the
13 proposed facility should include the SHPO case number as listed above. Applicant should submit
14 survey reports to the SHPO and Tribes directly and list the Department as contact on the SHPO
15 submittal form.

16
17 **Additional Clarification or Information Requested:**

- 18 • Survey methodologies, inventory and NRHP evaluations must be based on current SHPO
19 guidelines.
 - 20 ○ If field surveys differ from those recommended in the Oregon SHPO Guidelines,
21 the applicant must coordinate with SHPO and the Department prior to
22 conducting field surveys.
- 23 • Coordinate with Tribes (CTUIR and CTWS) on the identification and assessment of any
24 NRHP-eligible/likely-eligible HPRCSITs potentially impacted by the facility.
- 25 • Support and justification for NRHP eligibility statements must be provided for
26 properties/resources under all four criteria, relying on the established historic context,
27 consultation with Tribes and descendant communities, and an understanding of the
28 place where an archaeological site exists, and relationships with other archaeological
29 sites in the area.
 - 30 ○ Disturbance or lack of intact subsurface deposits are not automatic disqualifiers
31 for information yield/potential.
 - 32 ○ To address whether the site is eligible to meet statute and rule requirements,
33 the other criteria would also need to be applied.

34
35 *(B) The results of the discovery measures described in paragraph (A), together*
36 *with an explanation by the applicant of any variations from the survey,*
37 *inventory, or testing recommended;*
38

39 **Discussion:** This section is applicable and must be included in the Exhibit.

40
41 *(C) A list of measures to prevent destruction of the resources identified during*
42 *surveys, inventories and subsurface testing referred to in paragraph (A) or*
43 *discovered during construction; and*
44

1 **Discussion:** This section is applicable and must be included in the Exhibit.

2
3 *(e) The applicant’s proposed monitoring program, if any, for impacts to*
4 *historic, cultural and archaeological resources during construction and*
5 *operation of the proposed facility.*

6
7 **Discussion:** This section is applicable and must be included in the Exhibit.

8
9 **Additional Clarification or Information Requested:** Exhibit must include an Inadvertent
10 Discovery Plan (IDP) that complies with the requirements of OAR chapter 736, division 051.

11
12 **IV.L. Recreation – OAR 345-022-0100**

13
14 **IV.L.1 Standard and Applicability – OAR 345-022-0100(1)-(4)**

15
16 *(1) To issue a site certificate, the Council must find that the design,*
17 *construction and operation of a facility, taking into account mitigation, are*
18 *not likely to result in a significant adverse impact to important recreational*
19 *opportunities.*

20
21 *(2) The Council must consider the following factors in judging the importance*
22 *of a recreational opportunity:*

23
24 *(a) Any special designation or management of the location;*

25
26 *(b) The degree of demand;*

27
28 *(c) Any outstanding or unusual qualities;*

29
30 *(d) The availability or rareness; and*

31
32 *(e) The irreplaceability or irretrievability of the opportunity.*

33
34 *(3) The Council may issue a site certificate for a special criteria facility under*
35 *OAR 345-015-0310 without making the findings described in section (1). In*
36 *issuing such a site certificate, the Council may impose conditions of approval*
37 *to minimize the potential significant adverse impacts from the design,*
38 *construction, and operation of the facility on important recreational*
39 *opportunities.*

40
41 *(4) The Council must apply the version of this rule adopted under*
42 *Administrative Order EFSC 1-2002, filed and effective April 3, 2002, to the*
43 *review of any Application for Site Certificate or Request for Amendment that*
44 *was determined to be complete under OAR 345-015-0190 or 345-027-0363*

1 *before the effective date of this rule. Nothing in this section waives the*
2 *obligations of the certificate holder and Council to abide by local ordinances,*
3 *state law, and other rules of the Council for the construction and operation of*
4 *energy facilities in effect on the date the site certificate or amended site*
5 *certificate is executed.*

6
7 **Discussion:** The Recreation Exhibit must include adequate information for the Council to make
8 the findings required under section (1) and (2). Sections (3) and (4) are not applicable to the
9 proposed facility.

10
11 **IV.L.2 Information Requirements – OAR 345-022-0100(5)**

12
13 *(5) To assist the Council in determining whether the standard outlined in (1)*
14 *through (4) has been met, the Applicant must submit information about the*
15 *impacts the proposed facility would have on important recreational*
16 *opportunities in the analysis area, providing evidence to support a finding by*
17 *the Council as required by OAR 345-022-0100, including:*

18
19 IV.L.2.1 General Requirements and Analysis Areas

20
21 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
22 that the design, construction and operation of the facility, taking into account mitigation, are
23 not likely to result in significant adverse impact to any important recreational opportunities.

24
25 IV.L.2.2 Inventory of Recreational Resources – OAR 345-022-0100(5)(a)

26
27 *(a) A description of the recreational opportunities in the analysis area that*
28 *includes information on the factors listed in OAR 345-022-0100(1) as a basis*
29 *for identifying important recreational opportunities;*

30
31 **Discussion:** This section is applicable and must be included in the Exhibit. The Exhibit must
32 include an evaluation of the factors listed in OAR 345-022-0100(1) with the applicant’s
33 recommendation of whether the resource is “important” and protected under the standard.

34
35 **Additional Clarification or Information Requested:** Provide the inventory of Scenic Resources
36 in tabular format with the distances from the facility. The inventory should include applicable
37 segments of the Oregon National Historic Trail.²⁴

38
39 IV.L.2.3 Impact Assessment – OAR 345-022-0100(5)(b)-(f)

40

²⁴ SBEFNOIDoc27 Public Comments (Welch) 2026-02-12

1 **(b) A description of any potential adverse impacts to the important**
2 **opportunities identified in subsection (a) including, but not limited to:**

3
4 **Discussion:** This section is applicable and must be included in the Exhibit. If the applicant
5 becomes aware of any potential significant impacts to a significant or important recreational
6 opportunity not listed below, or of potential significant impacts to a significant or important
7 recreational opportunity outside of the analysis area, the impacts must be disclosed and
8 evaluated in the exhibit.

9
10 **(A) Direct or indirect loss of a recreational opportunity as a result of facility**
11 **construction or operation;**

12
13 **Discussion:** This section is applicable and must be included in the Exhibit.

14
15 **(B) Noise resulting from facility construction or operation;**

16
17 **Discussion:** This section is applicable and must be included in the Exhibit. Compliance with the
18 DEQ noise rules does not correlate to compliance with the noise assessment considered in the
19 Recreation standard. Particularly, while construction noise is exempt from the DEQ noise rules,
20 construction noise must be considered under the Recreation standard. However, information
21 developed to demonstrate compliance with the DEQ noise rules such as noise modeling can be
22 used in the assessment under the Recreation standard.

23
24 **(C) Increased traffic resulting from facility construction or operation; and**

25
26 **Discussion:** This section is applicable and must be included in the Exhibit.

27
28 **(D) Visual impacts of facility structures or plumes, including but not limited to,**
29 **changes in landscape character or quality.**

30
31 **Discussion:** This section is applicable and must be included in the Exhibit. While no specific
32 methodology is required for the visual impacts assessment, the applicant must submit sufficient
33 evidence to demonstrate how the proposed facility would comply with the Recreation
34 standard. The applicant should consider the extent of impacts and prior Council evaluations
35 when designing the impact assessment methodology. Visual simulations or other visual
36 representations are not required but are an important tool to help the Department, Council,
37 and general public understand the potential visual impact of the proposed facility to important
38 recreational opportunities.

39
40 **(c) An evaluation of the significance of the potential adverse impacts identified**
41 **under subsection (b);**

42
43 **Discussion:** This section is applicable and must be included in the Exhibit.

1 (d) A description of any measures the applicant proposes to avoid, reduce or
2 otherwise mitigate any significant adverse impacts identified in subsection (b);
3

4 **Discussion:** This section is applicable and must be included in the Exhibit.
5

6 (e) A map of the analysis area showing the locations of important recreational
7 opportunities identified in subsection (a); and
8

9 **Discussion:** This section is applicable and must be included in the Exhibit.
10

11 (f) The applicant's proposed monitoring program, if any, for impacts to
12 important recreational opportunities.
13

14 **Discussion:** This section is applicable and must be included in the Exhibit.
15

16 **IV.M. Public Services – OAR 345-022-0110** 17

18 **IV.M.1 Standard and Applicability – OAR 345-022-0110(1)-(3)** 19

20 (1) Except for facilities described in sections (2) and (3), to issue a site
21 certificate, the Council must find that the construction and operation of the
22 facility, taking into account mitigation, are not likely to result in significant
23 adverse impact to the ability of public and private providers within the
24 analysis area described in the project order to provide: sewers and sewage
25 treatment, water, storm water drainage, solid waste management, housing,
26 traffic safety, police and fire protection, health care and schools.
27

28 (2) The Council may issue a site certificate for a facility that would produce
29 power from wind, solar or geothermal energy without making the findings
30 described in section (1). However, the Council may apply the requirements of
31 section (1) to impose conditions on a site certificate issued for such a facility.
32

33 (3) The Council may issue a site certificate for a special criteria facility under
34 OAR 345-015-0310 without making the findings described in section (1).
35 However, the Council may apply the requirements of section (1) to impose
36 conditions on a site certificate issued for such a facility.
37

38 **Discussion:** The Public Services Exhibit must include adequate information for the Council to
39 make the findings required under section (1). As described in section (2), this information will
40 be used to impose conditions of approval as the Council determines to be appropriate to
41 address potential impacts on public service providers. Section (3) is not applicable to the
42 proposed facility.
43

1 **IV.M.2 Information Requirements – OAR 345-022-0110(4)**
2

3 *(4) To assist the Council in determining whether the standard outlined in (1)*
4 *through (3) has been met, the Applicant must submit:*

5
6 *(a) Information about significant potential adverse impacts of construction*
7 *and operation of the proposed facility on the ability of public and private*
8 *providers in the analysis area to provide the services listed in OAR 345-022-*
9 *0110, providing evidence to support a finding by the Council as required by*
10 *OAR 345-022-0110. The applicant must include:*

11
12 **IV.M.2.1 General Requirements and Analysis Areas**

13
14 **Discussion:** As described above, the Exhibit must contain sufficient information to demonstrate
15 that the design, construction and operation of the facility, taking into account mitigation, are
16 not likely to result in significant adverse impact to private and public service providers.

17
18 *(A) The important assumptions the applicant used to evaluate potential*
19 *impacts;*

20
21 **Discussion:** This section is applicable and must be included in the Exhibit.

22
23 **Additional Clarification and Information Requested:** Specific assumptions should include:

- 24
- 25 • 100 percent of the workforce is non-local.
 - 26 • Most construction workers stay at local/regional RV parks.

27 *(B) Identification of the public and private providers in the analysis area that*
28 *would likely be affected;*

29
30 **Discussion:** This section is applicable and must be included in the Exhibit.

31
32 **Additional Clarification:** Identify the providers in the analysis area.

- 33
- 34 • **Sewer and Stormwater management:** In the NOI, the applicant indicates that the
35 proposed facility would not connect to a developed public or private sewer or
36 stormwater drainage system. The Public Services Exhibit must confirm whether this is
37 the case. If so, no further analysis of these services is needed.
 - 38
 - 39 • **Water:** Include all potential sources of water for construction and operation of the
40 proposed facility.
- 41

- 1 • **Solid Waste Management:** Include the likely transporters and receivers of hazardous
2 and nonhazardous solid waste generated by the construction and operation of the
3 facility.
4
- 5 • **Housing:** The housing analysis should be limited to short-term housing providers in the
6 analysis area that would serve the housing needs from the construction workforce,
7 focusing on capacity of RV parks. If onsite workforce housing is proposed, provide
8 analysis.
9
- 10 • **Air Traffic Safety:** Identify any air navigation facilities in the analysis area, including
11 civilian and military airports, and distance from the airport to the facility.
12
- 13 • **Road Traffic Safety:** Identify all transportation routes and existing road conditions, to
14 the extent known, likely to be used by workers and heavy vehicles to access the site and
15 the public bodies responsible for maintaining them. Gilliam County identified a potential
16 traffic issue associated with the two rail crossings required to access the site boundary
17 and needed for existing uses. Recommended traffic impact analysis.²⁵
18
- 19 • **Police, Fire Protection, and Emergency Response –** Identify all emergency services
20 providers that may respond to a structural or wildfire at the site, or emergency situation
21 including law enforcement. Exhibit must include, but is not limited to, identification and
22 coordination with the County’s Sheriff’s Office, North Gilliam Rural Fire Protection
23 District (RFPD), the South Gilliam RFPD, and the Arlington Fire Department. Exhibit
24 should incorporate the Gilliam County Multi-Jurisdictional Natural Hazards Mitigation
25 Plan²⁶, as applicable to emergency response.²⁷
26
- 27 • **Health Care –** Identify health care providers and facilities likely to receive workers with
28 serious injuries if an accident occurred at the site and emergency medical service
29 providers needed to transport workers, including, but not limited to, the Gilliam County
30 Emergency Services.
31

32 *(C) A description of any likely adverse impact to the ability of the providers*
33 *identified in (B) to provide the services listed in OAR 345-022-0110;*
34

35 **Discussion:** This section is applicable and must be included in the Exhibit.
36

37 *(D) Evidence that adverse impacts described in (C) are not likely to be*
38 *significant, taking into account any measures the applicant proposes to avoid,*
39 *reduce or otherwise mitigate the impacts; and*

²⁵ SBEFNOIDoc33 RA Comments (SAG) 2026-02-04; SBEFNOIDoc38-1 RA Comments N Gilliam RFPD 2026-03-12

²⁶ Gilliam County Multi-Jurisdictional Natural Hazards Mitigation Plan (2024). Available at: [Gilliam County NHMP 2024.pdf](#) Accessed by the Department March 13, 2026.

²⁷

1
2 **Discussion:** This section is applicable and must be included in the Exhibit.

3
4 **Additional Clarification and Information Requested:** Provide letters/correspondence from the
5 service providers, as applicable, confirming their capacity and legal ability to meet the demand
6 for services generated by the construction and operation of the proposed facility. Adverse
7 impacts that must be evaluated include the lack of capacity to meet the demand for specific
8 types or levels of service required for the construction or operation of the facility, or a decrease
9 in the quality or availability of services for local communities in the analysis area.

- 10
11
- 12 • **Sewer and Stormwater management:** If the proposed facility would not connect to a
13 developed public or private sewer or stormwater drainage system, no further analysis of
14 these services is needed.
 - 15 • **Water:** The Exhibit must include evidence that the water sources identified under (B)
16 have the legal ability to meet the assumed water demand of the proposed facility.
 - 17
 - 18 • **Solid Waste Management:** The Exhibit must include evidence demonstrating that the
19 disposal source has the legal ability to receive and dispose of the forecasted waste types
20 and quantities.
 - 21
 - 22 • **Housing:** The Exhibit must include evidence demonstrating that there is adequate
23 housing supply for the expected temporary construction workforce, taking into account
24 other known demands on housing during the anticipated construction period. If there
25 are not enough RV parks/spaces within the region, identify a housing plan and/or other
26 means to reduce potential impacts from temporary workers. If on-site workforce
27 housing is proposed, it must be evaluated here and in the next sub-section.
 - 28
 - 29 • **Air Traffic Safety:** The Exhibit must demonstrate that the proposed facility would not
30 present a hazard to air navigation or interfere with the operation of the air navigation
31 facilities identified under (B).

32
33 The applicant must provide coordinates of proposed turbine locations, meteorological
34 towers, and other tall structures using DMS format, the ground elevation at that
35 location, and the above ground height of the structures, if less than the maximum
36 identified in the facility description.

- 37
- 38 • **Road Traffic Safety:** The Exhibit must include a draft Road Use/Access Agreement with
39 the Gilliam County Roads Department, showing how traffic impacts will be avoided or
40 mitigated. Gilliam County identified a potential traffic issue associated with the two rail

1 crossings required to access the site boundary and needed for existing uses.
2 Recommend traffic impact analysis.²⁸

- 3
- 4 • **Police, Fire Protection, and Emergency Response** – The Exhibit must include an
5 Emergency Response Plan (or equivalent emergency and safety measures provided in
6 another mitigation plan), demonstrating how the applicant will prepare for and respond
7 to emergencies at the site to reduce impacts to police, fire, and health care providers.
8 **NOTE – if the applicant, its contractor, or its parent company have construction and**
9 **operational Spill Prevention Plans (or similar) that include spill, safety and emergency**
10 **response procedures, include these plans in the Exhibit to reduce the potential for**
11 **duplicative mitigation plans in other exhibits.** Coordinate with County’s Sheriff’s Office,
12 North Gilliam Rural Fire Protection District (RFPD), the South Gilliam RFPD, and the
13 Arlington Fire Department. Exhibit should incorporate the Gilliam County Multi-
14 Jurisdictional Natural Hazards Mitigation Plan²⁹, as applicable to emergency response.
15
 - 16 • **Health Care** – The Exhibit must provide evidence that the healthcare providers
17 identified in (B) have the capacity to provide treatment to potential electric or
18 mechanical injuries or falls, including the number of existing staff and volunteers,
19 available equipment, and any constraints on ability to respond.

20

21 *(E) The applicant's proposed monitoring program, if any, for impacts to the*
22 *ability of the providers identified in (B) to provide the services listed in OAR*
23 *345-022-0110.*

24

25 **Discussion:** This section is applicable and must be included in the Exhibit.

26

27 *(b) A materials analysis, including:*

28

29 *(A) An inventory of substantial quantities of industrial materials flowing into*
30 *and out of the proposed facility during construction and operation;*

31

32 *(B) The applicant's plans to manage hazardous substances during construction*
33 *and operation, including measures to prevent and contain spills; and*

34

35 *(C) The applicant's plans to manage non-hazardous waste materials during*
36 *construction and operation.*

37

38 **Discussion:** This section is applicable and must be addressed in the ASC; however, to the extent
39 that sections (A) and (B) are addressed in other exhibits, the information need not be repeated

²⁸ SBENOIDoc33 RA Comments (SAG) 2026-02-04

²⁹ Gilliam County Multi-Jurisdictional Natural Hazards Mitigation Plan (2024). Available at: [Gilliam County NHMP 2024.pdf](#) Accessed by the Department March 13, 2026.

1 in the Public Services Exhibit. The applicants’ plans to manage waste should be discussed in the
2 Exhibit.

3
4 **IV.N. Wildfire Prevention and Risk Mitigation – OAR 345-022-0115**

5
6 **IV.N.1 Wildfire Risk Analysis – OAR 345-022-0115(1)(a)**

7
8 *(1) To issue a site certificate, the Council must find, by way of supporting*
9 *evidence from the applicant, that:*

10
11 *(a) The applicant has adequately characterized wildfire risk within the analysis*
12 *area using current data from reputable sources, by identifying:*

13
14 **Discussion:** This section is applicable to and must be addressed in the Wildfire Prevention and
15 Risk Mitigation Exhibit. See the below section for comments regarding data sources for fire
16 data.

17
18 *(A) Baseline wildfire risk, based on factors that are expected to remain fixed*
19 *for multiple years, including but not limited to topography, vegetation,*
20 *existing infrastructure, and climate;*

21
22 **Discussion:** This section is applicable and must be included in the Exhibit.

23
24 *(B) Seasonal wildfire risk, based on factors that are expected to remain fixed*
25 *for multiple months but may be dynamic throughout the year, including but*
26 *not limited to, cumulative precipitation and fuel moisture content;*

27
28 **Discussion:** This section is applicable and must be included in the exhibit.

29
30 *(C) Areas subject to a heightened risk of wildfire, based on the information*
31 *provided under paragraphs (A) and (B) of this subsection;*

32
33 **Discussion:** This section is applicable and must be included in the Exhibit.

34
35 *(D) High-fire consequence areas, including but not limited to areas containing*
36 *residences, critical infrastructure, recreation opportunities, timber and*
37 *agricultural resources, and fire-sensitive wildlife habitat; and*

38
39 **Discussion:** This section is applicable and must be included in the Exhibit.

40
41 *(E) All data sources and methods used to model and identify risks and areas*
42 *under paragraphs (A) through (D) of this subsection.*

43
44 **Discussion:** This section is applicable and must be included in the Exhibit.

1
2 **Additional Clarification or Information Requested:** Sources that should be consulted in the
3 development of the Wildfire Prevention and Risk Mitigation Exhibit include:

- 4 • Oregon Community Wildfire Protection Plan Planning Tool
- 5 • Oregon Wildfire Risk Explorer
- 6 • Information about vegetation, agricultural operations, and wildfire risk based on
7 landowner consultations.
- 8 • Gilliam County Multi-Jurisdictional Natural Hazards Mitigation Plan³⁰

9
10 **IV.N.2 Wildfire Mitigation Plan – OAR 345-022-0115(1)(b)**

11
12 *(b) That the proposed facility will be designed, constructed, and operated in*
13 *compliance with a Wildfire Mitigation Plan approved by the Council. The*
14 *Wildfire Mitigation Plan must, at a minimum:*

15
16 **Discussion:** This section is applicable and must be addressed in the Wildfire Prevention and Risk
17 Mitigation Exhibit.

18
19 **Additional Clarification or Information Requested:** The Exhibit must include separate draft
20 Wildfire Mitigation Plans (WMPs) for construction and operations of the proposed facility.
21 Templates for the draft wildfire plans are provided in Attachment 5.

22
23 The Exhibit must include evidence of consultation with the North Gilliam RFPD³¹, South Gilliam
24 RFPD, Arlington Fire Department, or any other fire department or district that would respond to
25 a fire at the facility, and the Gilliam County Emergency Services Manager in the development of
26 the plan.

27
28 *(A) Identify areas within the site boundary that are subject to a heightened*
29 *risk of wildfire, using current data from reputable sources, and discuss data*
30 *and methods used in the analysis;*

31
32 **Discussion:** This section is applicable, however, because this information is provided in the
33 Exhibit as stated above and because the WMPs will be updated prior to construction and
34 operation of the facility, this information does not need to be included in the WMP attached to
35 the Exhibit.

36
37 *(B) Describe the procedures, standards, and time frames that the applicant*
38 *will use to inspect facility components and manage vegetation in the areas*
39 *identified under subsection (a) of this section;*

40

³⁰ Gilliam County Multi-Jurisdictional Natural Hazards Mitigation Plan (2024). Available at: Gilliam County NHMP
2024.pdf Accessed by the Department March 13, 2026.

³¹ SBEFNOIDoc38-1 RA Comments N Gilliam RFPD 2026-03-12

1 **Discussion:** This section is applicable and must be included in the WMP.

2
3 *(C) Identify preventative actions and programs that the applicant will carry*
4 *out to minimize the risk of facility components causing wildfire, including*
5 *procedures that will be used to adjust operations during periods of heightened*
6 *wildfire risk;*

7
8 **Discussion:** This section is applicable and must be included in the WMP.

9
10 *(D) Identify procedures to minimize risks to public health and safety, the*
11 *health and safety of responders, and damages to resources protected by*
12 *Council standards in the event that a wildfire occurs at the facility site,*
13 *regardless of ignition source; and*

14
15 **Discussion:** This section is applicable and must be included in the Exhibit.

16
17 *(E) Describe methods the applicant will use to ensure that updates of the plan*
18 *incorporate best practices and emerging technologies to minimize and*
19 *mitigate wildfire risk.*

20
21 **Discussion:** This section is applicable and must be included in the Exhibit.

22
23 *(2) The Council may issue a site certificate without making the findings under*
24 *section (1) if it finds that the facility is subject to a Wildfire Protection Plan*
25 *that has been approved in compliance with OAR chapter 860, division 300.*

26
27 **Discussion:** The applicant is not a public utility subject to the requirements of OAR chapter 860,
28 division 300, this section is not applicable.

29
30 *(3) This Standard does not apply to the review of any Application for Site*
31 *Certificate or Request for Amendment that was determined to be complete*
32 *under OAR 345-015-0190 or 345-027-0363 on or before the effective date of*
33 *this rule.*

34
35 **Discussion:** This section is **not applicable**.

36
37 **IV.O. Waste Minimization – OAR 345-022-0120**

38
39 **IV.O.1 Standard and Applicability – OAR 345-022-0120(1)-(3)**

40
41 *(1) Except for facilities described in sections (2) and (3), to issue a site*
42 *certificate, the Council must find that, to the extent reasonably practicable:*
43

1 (a) The applicant's solid waste and wastewater plans are likely to minimize
2 generation of solid waste and wastewater in the construction and operation
3 of the facility, and when solid waste or wastewater is generated, to result in
4 recycling and reuse of such wastes;

5
6 (b) The applicant's plans to manage the accumulation, storage, disposal and
7 transportation of waste generated by the construction and operation of the
8 facility are likely to result in minimal adverse impact on surrounding and
9 adjacent areas.

10
11 (2) The Council may issue a site certificate for a facility that would produce
12 power from wind, solar or geothermal energy without making the findings
13 described in section (1). However, the Council may apply the requirements of
14 section (1) to impose conditions on a site certificate issued for such a facility.

15
16 (3) The Council may issue a site certificate for a special criteria facility under
17 OAR 345-015-0310 without making the findings described in section (1).
18 However, the Council may apply the requirements of section (1) to impose
19 conditions on a site certificate issued for such a facility.

20
21 **Discussion:** The Waste Minimization Exhibit must include adequate information for the Council
22 to make the findings required under section (1). As described in section (2), this information will
23 be used to impose conditions of approval as the Council determines to be appropriate to
24 address solid waste and wastewater generated by the construction and operation of the
25 facility. Section (3) is not applicable to the proposed facility.

26
27 **IV.O.2 Information Requirements – OAR 345-022-0010(5)**

28
29 (4) To assist the Council in determining whether the standard outlined in (1)
30 through (3) has been met, the Applicant must submit:

31
32 (a) Information about the applicant's plans to minimize the generation of solid
33 waste and wastewater and to recycle or reuse solid waste and wastewater,
34 providing evidence to support a finding by the Council as required by OAR 345-
35 022-0120. The applicant must include:

36
37 (A) A description of the major types of solid waste and wastewater that
38 construction, operation and retirement of the facility are likely to generate,
39 including an estimate of the amount of solid waste and wastewater;

40
41 (B) A description of any structures, systems and equipment for management
42 and disposal of solid waste, wastewater and storm water;

1 (C) A discussion of any actions or restrictions proposed by the applicant to
2 reduce consumptive water use during construction and operation of the
3 facility;
4

5 **Discussion:** This section is applicable and must be included in the Exhibit.

6
7 (D) The applicant's plans to minimize, recycle or reuse the solid waste and
8 wastewater described in (A);
9

10 **Discussion:** This section is applicable and must be included in the Exhibit. **NOTE – if the**
11 **applicant, its contractor, or its parent company have construction and operational Waste**
12 **Management Plans (or similar) that include recycling and waste management procedures,**
13 **include these plans in the Exhibit.**

14
15 (E) A description of any adverse impact on surrounding and adjacent areas
16 from the accumulation, storage, disposal and transportation of solid waste,
17 wastewater and stormwater during construction and operation of the facility;
18

19 **Discussion:** This section is applicable and must be included in the Exhibit.

20
21 (F) Evidence that adverse impacts described in (E) are likely to be minimal,
22 taking into account any measures the applicant proposes to avoid, reduce or
23 otherwise mitigate the impacts; and
24

25 **Discussion:** This section is applicable and must be included in the Exhibit. The applicant is
26 encouraged to reference information provided under other exhibits, including but not limited
27 to the Soil Protection Exhibit, Water Use Exhibit, and Public Services Exhibit, in the
28 development of this exhibit.

29
30 (G) The applicant's proposed monitoring program, if any, for minimization of
31 solid waste and wastewater impacts.
32

33 **Discussion:** This section is applicable and must be included in the Exhibit.

34
35 (b) A materials analysis, including:

36
37 (A) An inventory of substantial quantities of industrial materials flowing into
38 and out of the proposed facility during construction and operation;

39
40 (B) The applicant's plans to manage hazardous substances during construction
41 and operation, including measures to prevent and contain spills; and
42

43 (C) The applicant's plans to manage non-hazardous waste materials during
44 construction and operation.

1
2 **Discussion:** This section is applicable and must be included in the Exhibit. **NOTE – if the**
3 **applicant, its contractor, or its parent company have construction and operational Waste**
4 **Management Plans (or similar) that include recycling and waste management procedures,**
5 **include these plans in the Exhibit.**
6

7 **IV.P. State and Local Laws and Regulations – OAR 345-022-0160**
8

9 *To assist the Council in determining compliance with all state and local laws*
10 *and regulations applicable to EFSC and the siting process, submit the*
11 *following, as directed by the project order described in OAR 345-015-0160:*
12

13 The State and Local Laws and Regulations Exhibit must identify, by legal citation, all state
14 statutes and administrative rules and local government ordinances containing standards or
15 criteria that the proposed facility must meet for the Council to issue a site certificate, other
16 than statutes, rules and ordinances identified in the Organizational Expertise Exhibit, and
17 identification of the agencies administering those statutes, administrative rules, and
18 ordinances. The applicant must identify all statutes, administrative rules, and ordinances that
19 the applicant knows to be applicable to the proposed facility, whether or not identified in the
20 project order. To the extent not addressed by other materials in the application, the applicant
21 must include a discussion of how the proposed facility meets the requirements of the
22 applicable statutes, administrative rules, and ordinances.
23

24 **IV.P.1 Waters of the State – OAR 345-022-0160(1)(a)**
25

26 *(1) Regarding Water*
27

28 *(a) Information based on literature and field study, as appropriate, about*
29 *waters of this state, as defined under ORS 196.800, including:*
30

31 *(A) A description of all areas within the site boundary that might be waters of*
32 *this state and a map showing the location of these features;*
33

34 **Discussion:** This section is applicable and must be addressed in the State and Local Laws and
35 Regulations Exhibit. The Exhibit must identify waters of the state, as defined under ORS
36 196.800, including, but not limited to all natural waterways, intermittent and perennial
37 streams, lakes, and wetlands within the proposed site boundary.
38

39 **NOTE:** A wetland delineation report that complies with OAR chapter 141, division 90 must be
40 provided to the Department and DSL before the application is determined to be complete. The
41 wetland delineation must be conducted using the standard wetland delineation methodology
42 as outlined in the 1987 Army Corp manual and relevant supplements.
43

1 The applicant must provide the final GIS data including the study area boundary and the
2 boundaries of all delineated wetlands and waters to both ODOE and DSL.

3
4 *(B) An analysis of whether construction or operation of the proposed facility
5 would adversely affect any waters of this state;*

6
7 **Discussion:** This section is applicable and must be included in the Exhibit.

8
9 *(C) A description of the significance of potential adverse impacts to each
10 feature identified in (A), including the nature and amount of material the
11 applicant would remove from or place in the waters analyzed in (B);*

12
13 **Discussion:** This section is applicable and must be included in the Exhibit.

14
15 *(D) If the proposed facility would not need a removal-fill authorization, an
16 explanation of why no such authorization is required for the construction and
17 operation of the proposed facility;*

18
19 **Discussion:** This section is applicable and must be included in the Exhibit if a removal fill permit
20 is needed.

21
22 *(E) If the proposed facility would need a removal-fill authorization,
23 information to support a determination by the Council that the Oregon
24 Department of State Lands should issue a removal-fill permit, including
25 information in the form required by the Department of State Lands under OAR
26 Chapter 141 Division 85; and*

27
28 **Discussion:** This section is applicable if a removal fill permit is required and must be included in
29 the exhibit.

30
31 *(F) A description of proposed actions to mitigate adverse impacts to the
32 features identified in (A) and the applicant's proposed monitoring program, if
33 any, for such impacts.*

34
35 **Discussion:** This section is applicable if a removal fill permit is required and must be included in
36 the Exhibit.

37
38 **IV.P.2 Water Use – OAR 345-022-0160(1)(b)**

39
40 *(b) Information about anticipated water use during construction and
41 operation of the proposed facility. The applicant must include:*

42
43 *(A) A description of the use of water during construction and operation of the
44 proposed facility;*

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Discussion: This section is applicable and must be included in the Exhibit.

(B) A description of each source of water and the applicant’s estimate of the amount of water the facility will need during construction and during operation from each source under annual average and worst-case conditions;

Discussion: This section is applicable and must be included in the Exhibit.

(C) A description of each avenue of water loss or output from the facility site for the uses described in (A), the applicant’s estimate of the amount of water in each avenue under annual average and worst-case conditions and the final disposition of all wastewater;

Discussion: This section is applicable and must be included in the Exhibit.

(D) For thermal power plants, a water balance diagram, including the source of cooling water and the estimated consumptive use of cooling water during operation, based on annual average conditions;

Discussion: The proposed facility is not a thermal power plant; therefore, this section is **not applicable**.

(E) If the proposed facility would not need a groundwater permit, a surface water permit or a water right transfer, an explanation of why no such permit or transfer is required for the construction and operation of the proposed facility;

Discussion: This section is applicable and must be included in the Exhibit.

(F) If the proposed facility would need a groundwater permit, a surface water permit or a water right transfer, information to support a determination by the Council that the Water Resources Department should issue the permit or transfer of a water use, including information in the form required by the Water Resources Department under OAR Chapter 690, Divisions 310 and 380; and

Discussion: This section is **not applicable**. The applicant has proposed that water needed for construction is anticipated to come from permitted wells or from nearby municipalities with existing water rights. For operations, water would be obtained from on-site well in amounts exempted under ORS 537.545 or from nearby municipalities with existing water rights.

(G) A description of proposed actions to mitigate the adverse impacts of water use on affected resources.

1
2 **Discussion:** This section is applicable and must be included in the Exhibit.

3
4 **IV.P.3 Noise – OAR 345-022-0160(2)**

5
6 *(2) Information about noise generated by operation of the proposed facility,*
7 *providing evidence to support a finding by the Council that the proposed*
8 *facility complies with the Oregon Department of Environmental Quality’s noise*
9 *control standards in OAR 340-035-0035, including:*

10
11 (a) Predicted noise levels resulting from construction and operation of the proposed facility;
12 **Discussion:** This section is applicable and must be included in the Exhibit. If the noise analysis
13 indicates that potential exceedances of the noise standards may occur beyond 1-mile, impacts
14 to noise sensitive properties within the area of potential exceedance must be evaluated.

15
16 *(b) An analysis of the proposed facility's compliance with the applicable noise*
17 *regulations in OAR 340-035-0035, including a discussion and justification of*
18 *the methods and assumptions used in the analysis;*

19
20 **Discussion:** This section is applicable and must be included in the Exhibit. Noise generated by
21 the facility may not increase the ambient statistical noise levels, L10 or L50, by more than 10
22 dBA in any one hour, and may not exceed the levels specified in Table 7 below.

23
24 **Table 7: New Industrial and Commercial Noise Source Standards Allowable**
Statistical Noise Levels in Any One Hour (OAR 340-035-0035, Table 8)

7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
L50 – 55 dBA	L50 – 50 dBA
L10 – 60 dBA	L10 – 55 dBA
L1 – 75 dBA	L1 – 60 dBA

25 **Additional Clarification:** The analysis must include a discussion and justification of the methods
26 and assumptions used, including methods used to measure ambient noise levels at the site. An
27 assumed ambient noise level of 26 dBA may be used. If the applicant chooses to utilize actual,
28 measured ambient noise in the analysis, it must follow OAR 340-035-0035(3) which establishes
29 procedures set forth in Sound Measurement Procedures Manual (NPCS-1). If the applicant’s
30 sound measurement procedures differ from the NPCS-1, please provide a request to the
31 Department with a discussion and basis for the variation.

32
33 If the applicant chooses not to rely on the assumed 26 dBA ambient noise level but rather
34 conducts ambient noise monitoring, the applicant may propose representative monitoring
35 positions for groups of NSRs if the applicant describes how those monitoring positions
36 reasonably represent the ambient noise conditions at noise sensitive receptor locations in
37 closest proximity to the proposed site.

1
2 The analysis must separately evaluate noise impacts using the maximum expected noise levels
3 from all noise-generating equipment during construction and operation. Operational noise shall
4 be evaluated from both stationary sources and corona noise from transmission lines.
5

6 If there are potential exceedances to the ambient degradation standard, under OAR 340-035-
7 0035(1)(b)(B)(iii), the noise levels from a solar or wind facility may increase the ambient
8 statistical noise levels L10 and L50 by more than 10 dBA (but not above the limits specified in
9 Table 8), if the person who owns the NSR executes a legally effective easement or real covenant
10 that benefits the property on which the facility is located (meaning - benefits the certificate
11 holder or operation of the facility). Note – whether or not a landowner is a participating
12 landowner does not impact whether or not a noise waiver would be needed if there is an
13 exceedance of the noise rules.
14

15 *(c) Any measures the applicant proposes to reduce noise levels or noise*
16 *impacts or to address public complaints about noise from the facility;*
17

18 **Discussion:** This section is applicable and must be included in the Exhibit. This information must
19 be provided regardless of whether or not any exceedances of the ambient antidegradation
20 standard are expected.
21

22 *(d) Any measures the applicant proposes to monitor noise generated by*
23 *operation of the facility; and*
24

25 **Discussion:** This section is applicable and must be included in the Exhibit. This information must
26 be provided regardless of whether or not any exceedances of the ambient antidegradation
27 standards are expected.
28

29 *(e) A list of the names and addresses of all owners of noise sensitive property,*
30 *as defined in OAR 340-035-0015, within one mile of the proposed site*
31 *boundary.*
32

33 **Discussion:** This section is applicable and must be included in the Exhibit.
34

35 **IV.Q. Specific Siting Standards – OAR chapter 345, division 024**

36

37 **IV.Q.1 Public Health and Safety Standards for Wind Energy Facilities – OAR 345-024-0010**

38

39 *To issue a site certificate for a proposed wind energy facility, the Council must*
40 *find that the applicant:*
41

42 *(1) Can design, construct and operate the facility to exclude members of the*
43 *public from close proximity to the turbine blades and electrical equipment.*
44

1 **Discussion:** This standard is applicable and must be addressed in the Specific Standards Exhibit.
2 The Exhibit should describe all design or safety features that will be installed to exclude
3 members of the public from close proximity to the turbine blades and electrical equipment.
4

5 *(2) Can design, construct and operate the facility to preclude structural failure*
6 *of the tower or blades that could endanger the public safety and to have*
7 *adequate safety devices and testing procedures designed to warn of*
8 *impending failure and to minimize the consequences of such failure.*
9

10 **Discussion:** This standard is applicable and must be included in the Exhibit.
11

12 **IV.Q.2 Cumulative Effects Standard for Wind Energy Facilities – OAR 345-024-0015** 13

14 *To issue a site certificate for a proposed wind energy facility, the Council must*
15 *find that the applicant can design and construct the facility to reduce*
16 *cumulative adverse environmental effects in the vicinity by practicable*
17 *measures including, but not limited to, the following:*
18

19 *(1) Using existing roads to provide access to the facility site, or if new roads*
20 *are needed, minimizing the amount of land used for new roads and locating*
21 *them to reduce adverse environmental impacts.*
22

23 **Discussion:** This standard is applicable and must be included in the Exhibit.
24

25 *(2) Using underground transmission lines and combining transmission routes.*
26

27 **Discussion:** This standard is applicable and must be included in the Exhibit.
28

29 *(3) Connecting the facility to existing substations, or if new substations are*
30 *needed, minimizing the number of new substations.*
31

32 **Discussion:** This standard is applicable and must be included in the exhibit.
33

34 *(4) Designing the facility to reduce the risk of injury to raptors or other*
35 *vulnerable wildlife in areas near turbines or electrical equipment.*
36

37 **Discussion:** This standard is applicable and must be included in the Exhibit.
38

39 *(5) Designing the components of the facility to minimize adverse visual*
40 *features.*
41

42 **Discussion:** This standard is applicable and must be included in the Exhibit.
43

1 (6) Using the minimum lighting necessary for safety and security purposes and
2 using techniques to prevent casting glare from the site, except as otherwise
3 required by the Federal Aviation Administration or the Oregon Department of
4 Aviation.
5

6 **Discussion:** This standard is applicable and must be included in the Exhibit.
7

8 **Additional Clarification or Information Requested:** Include light-mitigating technology systems
9 that will be used on facility turbines.³²
10

11 **IV.Q.3 Siting Standards for Transmission Lines – OAR 345-024-0090** 12

13 IV.Q.3.1 Standard and Applicability – OAR 345-024-0090(1)-(2) 14

15 *To issue a site certificate for a facility that includes any transmission line under*
16 *Council jurisdiction, the Council must find that the applicant:*
17

18 (1) *Can design, construct and operate the proposed transmission line so that*
19 *alternating current electric fields do not exceed 9 kV per meter at one meter*
20 *above the ground surface in areas accessible to the public;*
21

22 (2) *Can design, construct and operate the proposed transmission line so that*
23 *induced currents resulting from the transmission line and related or*
24 *supporting facilities will be as low as reasonably achievable.*
25

26 **Discussion:** The Specific Standards Exhibit must include adequate information for the Council to
27 make the findings required under section (1) and (2). While the Exhibit must address magnetic
28 and electric fields generated by all proposed transmission lines, detailed information is only
29 required for the proposed 230-kV overhead transmission line and the 500 kV gen-tie line.
30

31 IV.Q.3.2 Information requirements – OAR 345-024-0090(3) 32

33 (3) *If the proposed energy facility is a transmission line or has, as a related or*
34 *supporting facility, a transmission line of any size, the applicant must submit*
35 *the following:*
36

37 (a) *Information about the expected electric and magnetic fields, including:*
38

39 (A) *The distance in feet from the proposed center line of each proposed*
40 *transmission line to the edge of the right-of-way;*

³² HB 2375 requires any person applying to Federal Aviation Administration for a determination of hazard or no hazard to air navigation with regard to a wind energy facility on or after January 1, 2028, to request approval for the installation and use of light-mitigating technology systems on the turbines

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Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

(B) The type of each occupied structure, including but not limited to residences, commercial establishments, industrial facilities, schools, daycare centers and hospitals, within 200 feet on each side of the proposed center line of each proposed transmission line;

Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

(C) The approximate distance in feet from the proposed center line to each structure identified in (3);

Discussion: This standard is applicable to all transmission lines and must be addressed in the Exhibit.

(D) At representative locations along each proposed transmission line, a graph of the predicted electric and magnetic fields levels from the proposed center line to 200 feet on each side of the proposed center line;

Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

(E) Any measures the applicant proposes to reduce electric or magnetic field levels;

Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

(F) The assumptions and methods used in the electric and magnetic field analysis, including the current in amperes on each proposed transmission line;

Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

(G) The applicant's proposed monitoring program, if any, for actual electric and magnetic field levels; and

Discussion: This standard is applicable to all proposed transmission lines and must be addressed in the Exhibit.

1 *(b) An evaluation of alternate methods and costs of reducing radio*
2 *interference likely to be caused by the transmission line in the primary*
3 *reception area near interstate, U.S. and state highways.*

4
5 **Discussion:** This standard is applicable to all proposed transmission lines and must be
6 addressed in the Exhibit.

7
8 **V. EXPIRATION DATE OF THE NOTICE OF INTENT**

9
10 The NOI will expire on **Monday, December 13, 2027**, unless the applicant submits a petition to
11 extend the expiration date in accordance with OAR 345-020-0060, not less than 45 days before
12 that date. If the Council finds that such a petition shows good cause, the Council may extend
13 the expiration date for a period of up to one year. The applicant's submission of a timely
14 petition for an extension under this rule stays the expiration of the NOI until the Council's
15 decision to grant or deny the extension.

16
17 **VI. PROJECT ORDER AMENDMENT AND APPLICATION COMPLETENESS**

18
19 This Project Order is not a Final Order. As provided in ORS 469.330(4) and OAR 345-015-
20 0160(3), the Council or the Department may amend this Project Order at any time.
21 Amendments may include changes to the analysis areas.

22
23 **VII. APPLICABILITY AND DUTY TO COMPLY**

24
25 Failure to include an applicable statute, rule, ordinance, permit or other requirement in this
26 Project Order does not render that statute, rule, ordinance, permit or other requirement
27 inapplicable, nor in any way relieve applicant from the duty to comply with the same.

28
29 OREGON DEPARTMENT OF ENERGY

30 *Todd Cornett*

31 [Todd Cornett \(May 1, 2026 14:23:10 PDT\)](#)

32
33 Todd R. Cornett, Assistant Director, Siting Division
34 Energy Facility Siting Division
35 Oregon Department of Energy

36
37 Date of Issuance: May 1, 2026

**Attachment 1:
Public Comments**

Saddle Butte Energy Facility

Public Comment Index: Public Comments Received on Notice of Intent

Commenter Name	Organization (if any)	Date of Comment
Joe Clought	North Gilliam Fire Department	01/13/2026
Jerry Gabbey		01/13/2026
Stacey Hibbard	Oregon and Southern Idaho District Council, Laborers International Union of America (LIUNA)	01/30/2026
Dave Welch	Northwest Chapter of the Oregon-California Trails Association	02/12/2026

SBEF NOI Public Info Meeting Oral Comments 1/13/2026:

71 "Energy Siting" (3555770112)
00:22:54.359 --> 00:23:10.739

Next slide, please. Okay, so now we're going to transition into the public comment portion of the night, and I think we are going to open the floor for.

72 "Energy Siting" (3555770112)
00:23:10.739 --> 00:23:28.799

Public commenters and we'll start with any commenters in the room and then we'll transition to those tuning in via the webinar, and then lastly we'll conclude with anyone on the phone.

73 "Energy Siting" (3555770112)
00:23:28.799 --> 00:23:46.619

And now I will look to Wally and Sarah to see if we received any public comment, sheets which are also at the back of the room. Should you like to fill out a public comment in written form but not speak or.

74 "Energy Siting" (3555770112)
00:23:46.619 --> 00:24:06.619

Speak and fill in out there backed by that monitor. Thanks chase. We haven't seen any forms submitted yet, so if somebody is in the room would like to provide a comment tonight if you could please grab one of those forms off the table and fill it out, bring it up to us and then you can.

75 "Energy Siting" (3555770112)
00:24:06.619 --> 00:24:22.079

Provide your comments. Maybe lacking that we'll say or in addition to that that if anybody would like to provide comments who's online and I see that somebody's already figured out how to raise their hand online.

76 "Energy Siting" (3555770112)
00:24:22.079 --> 00:24:39.269

And wants to comment that you can do that. So raise your hand and leave it up until we call on you, you're un or you're muted right now and we will unmute you when it's your turn. So, can I go ahead and do that?

77 "Energy Siting" (3555770112)
00:24:39.269 --> 00:24:58.181

Okay, so one more time if anybody is in the room, and if you change your mind, go ahead and get a form while we're listening for other comments, but I'm gonna go ahead and unmute North Gilliam Fire.

78 "North Gilliam Fire" (2099074816)

00:24:58.181 --> 00:25:29.435

Hello, this is for North Gilliam [Fire]. I, my question is, is there a map? I see the map of the boundaries, but, is there a map of a proposed layout in reference to the O and M building and the possible Beth battery storage facility?

79 "Energy Siting" (3555770112)
00:25:29.435 --> 00:25:50.159

Hey Joe, It's here we are working on a layout, haven't quite advanced it in pools, but happy to share it when ready. The I can tell you that the best contemplated best is going to be most likely adjacent to the.

80 "Energy Siting" (3555770112)

00:25:50.159 --> 00:26:19.541

Substation that's indicated by that green triangle that we were showing earlier. Okay. Was it possible to the substation with respect to the On building, we haven't quite picked the location kind of just yet, that is going to come in further phases of the design but like I said as soon as we have a few options we'll we'll circle back with you and get your input to any suggestions currently you might have.

81 "North Gilliam Fire" (2099074816)

00:26:19.541 --> 00:26:29.877

Okay, well I think you all have my my email so whenever you kind of figure out a layout or I'd sure appreciate the info on that.

82 "Energy Siting" (3555770112)

00:26:29.877 --> 00:26:49.759

Yeah, absolutely happy to. Thank you. And Joe, are you still there? Yes. Okay, this is Sarah with the Oregon Department of Energy. You know, to the extent you have recommendations about setbacks or how the sighting of the best.

83 "Energy Siting" (3555770112)

00:26:49.759 --> 00:26:55.479

Sir on M building should be considered, we would welcome those type of comments.

84 "North Gilliam Fire" (2099074816)

00:26:55.479 --> 00:27:08.213

Okay, yeah, I'm I'm available most anytime, so, anytime you wanna, have a meeting with me, we can certainly do that.

85 "Energy Siting" (3555770112)

00:27:08.213 --> 00:27:22.019

Okay, and I think that what we can do, I'm not sure if we have your email on the record, but we can reach out to coordinate. Do you, have you submitted a comment in the past?

86 "North Gilliam Fire" (2099074816)

00:27:22.019 --> 00:27:25.656

I have not. Okay, ok.

87 "Energy Siting" (3555770112)

00:27:25.656 --> 00:27:29.056

We'll get an email sent out to you this week.

88 "North Gilliam Fire" (2099074816)

00:27:29.056 --> 00:27:34.932

Okay, and I I'm sure we've I've got some emails. I can give you my email right now if you'd like.

89 "Energy Siting" (3555770112)

00:27:34.932 --> 00:27:36.476

Okay, that would be wonderful.

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Okay, it's J clot. So J C L A U G HT as in Tom@gmail.com.

91 "Energy Siting" (3555770112)
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Okay perfect. Yeah, at this phase for notice of intent, we don't, our rules don't require that a site layout map be provided, but again, if you have recommendations about like minimum minimum setbacks or anything else we are interested in that type of feedback. So we'll reach out.

92 "Energy Siting" (3555770112)
00:28:09.539 --> 00:28:29.415

Perfect, thank you. Okay, thanks Joe. I'm gonna mute your line and I am going to unmute Jerry Gabby who has his hand up and Jerry, you should be able to talk.

93 "Jerry Gabbey" (3885561600)
00:28:29.415 --> 00:28:49.409

Yeah, can you hear me? Yes. Oh, ok. But one of the questions we've already answered as far as the site map. The other question I had was the size of the towers, 698 ft tip of the blade. The standard tower around here isn't that like four 80 to 500?

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We're talking another hundred and 52 almost 200 ft.

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Yeah, I can answer that question. So we have not yet chosen the turbine, so we don't know what the actual dimension of it will be yet.

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00:29:04.532 --> 00:29:05.817
That.

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No, that number is kind of a max to up to. So once we have that information, likely in the actual full application, we will provide that.

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Okay, yeah, that was one of my questions along with the noise that makes. So, yeah, I was just curious on the heights and the noise.

99 "Energy Siting" (3555770112)
00:29:23.459 --> 00:29:41.818

Absolutely, and we will absolutely follow all noise standards and requirements. There really aren't any or there aren't very many at all, noise sensitive receptors in the area, but we will comply with all requirements there and that information will be detailed in the upcoming application.

100 "Jerry Gabbey" (3885561600)
00:29:41.818 --> 00:29:49.180

Okay, thank you very much. Thank you. Yeah.

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00:29:49.180 --> 00:30:07.349

Okay, thanks Jerry. I'm going to looks like you've already muted your own line, so that's great. So, for everybody else, just a reminder that on your screen hopefully you can see how to raise your hand so you click on the.

102 "Energy Siting" (3555770112)

00:30:07.349 --> 00:30:26.189

Participants area and there's a hand icon, you click it to raise your hand, you click it again to lower your hand. So if anybody else would like to comment that's online, please raise your hand. We do have a person who's on the phone and for that you press star three.

103 "Energy Siting" (3555770112)

00:30:26.189 --> 00:30:46.189

On your keypad to raise your hand if you'd like to make a comment. And at this time we don't have any other hands raised or request for comments in the room, but we can wait a few minutes.

104 "Energy Siting" (3555770112)

00:30:52.409 --> 00:31:09.479

So this, this slide up here.

105 "Energy Siting" (3555770112)

00:31:09.479 --> 00:31:25.859

Is a slide that identifies a few of our helpful online resources via hyperlink that are featured on our webpage, starting with the.

106 "Energy Siting" (3555770112)

00:31:25.859 --> 00:31:43.799

Primary F Sex energy facility setting council facilities page. There's a link on the screen here to the public guide as well as a link to a more detailed explanation of the siting standards.

107 "Energy Siting" (3555770112)

00:31:43.799 --> 00:32:01.889

About midway through the list here is a link to the Ariza tool, which is a GIS based facilities map, interactive map. Then the the last helpful link here on the page is a link to the comment portal, should you like to.

108 "Energy Siting" (3555770112)

00:32:01.889 --> 00:32:21.889

Comment on this project or any projects open to commenting right now, and I guess we'll, that was a good break. We'll see if there's anyone else on the phone. Yep, so one more call for any comments in the room or.

109 "Energy Siting" (3555770112)

00:32:21.889 --> 00:32:24.029

Online. And again.

110 "Energy Siting" (3555770112)

00:32:24.029 --> 00:32:44.029

If you're online, please raise your hand. If you're on the phone, star three to raise your hand.

111 "Energy Siting" (3555770112)

00:32:44.029 --> 00:32:48.719

Okay.

112 "Energy Siting" (3555770112)

00:32:48.719 --> 00:33:05.789

I think if we wanna go to the last slide, I just want to reiterate that we we thank you all for being here tonight and as Sarah mentioned at the forefront of the presentation, the Webex of tonight's meeting will be available on our webpage.

113 "Energy Siting" (3555770112)

00:33:05.789 --> 00:33:25.789

And don't hesitate to reach out to me or Sarah or anyone in the signing division with any questions that you may have, and thank you very much for coming.

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104 "Energy Siting" (3555770112)

00:30:52.409 --> 00:31:09.479

So this, this slide up here.

105 "Energy Siting" (3555770112)

00:31:09.479 --> 00:31:25.859

Is a slide that identifies a few of our helpful online resources via hyperlink that are featured on our webpage, starting with the.

106 "Energy Siting" (3555770112)

00:31:25.859 --> 00:31:43.799

Primary F Sex energy facility setting council facilities page. There's a link on the screen here to the public guide as well as a link to a more detailed explanation of the siting standards.

107 "Energy Siting" (3555770112)

00:31:43.799 --> 00:32:01.889

About midway through the list here is a link to the Ariza tool, which is a GIS based facilities map, interactive map. Then the the last helpful link here on the page is a link to the comment portal, should you like to.

108 "Energy Siting" (3555770112)

00:32:01.889 --> 00:32:21.889

Comment on this project or any projects open to commenting right now, and I guess we'll, that was a good break. We'll see if there's anyone else on the phone. Yep, so one more call for any comments in the room or.

109 "Energy Siting" (3555770112)

00:32:21.889 --> 00:32:24.029

Online. And again.

110 "Energy Siting" (3555770112)

00:32:24.029 --> 00:32:44.029

If you're online, please raise your hand. If you're on the phone, star three to raise your hand.

111 "Energy Siting" (3555770112)

00:32:44.029 --> 00:32:48.719

Okay.

112 "Energy Siting" (3555770112)

00:32:48.719 --> 00:33:05.789

I think if we wanna go to the last slide, I just want to reiterate that we we thank you all for being here tonight and as Sarah mentioned at the forefront of the presentation, the Webex of tonight's meeting will be available on our webpage.

113 "Energy Siting" (3555770112)

00:33:05.789 --> 00:33:25.789

And don't hesitate to reach out to me or Sarah or anyone in the signing division with any questions that you may have, and thank you very much for coming.

From: [Stacey L. Hibbard, NWLECET](#)
Sent: Friday, January 30, 2026 12:13 PM
To: [MCVEIGH-WALKER Chase](#) * [ODOE](#)
Subject: Public Comment Letter - Saddle Butte Energy Facility
Attachments: [01.30.26- Saddle Butte, Pub Comments.pdf](#)

You don't often get email from stacey@nwlecet.org. [Learn why this is important](#)
Hi Chase,

Attached please find a letter in support of the NOI on the Saddle Butte Energy Facility, on behalf of the Oregon & S. Idaho District Council of Laborers.

Thank you,
Stacey

--

Stacey L. Hibbard
Construction Market Representative
17230 NE Sacramento, Suite 201
Portland, OR 97230

Cell: 503.568.2171 / Office: 206.728.1282
Email: stacey@nwlecet.org



**Submission on behalf of the Oregon and Southern Idaho District Council of Laborers
to the Oregon Energy Facility Siting Council**

Comments regarding the Saddle Butte Energy Facility

On behalf of the Oregon and Southern Idaho District Council, Laborers International Union of America (LIUNA), we want to thank you for the opportunity to provide comments regarding the Notice of Intent for the Saddle Butte Energy Facility. While the proposed facility would have an average generating capacity of more than 50 MW and must obtain a site certificate from EFSC prior to construction, we urge this Council to support this project and move it forward as soon as possible.

If Oregon wants to meet its clean energy goals, wind farm production will need to be a critical component. The Heppner project provides an opportunity to move closer to achieving these goals. We have increased electricity demands throughout the State making every renewable project important for Oregon businesses and residents to have reliable, affordable power.

Our Union also supports this project because many developers like Brookfield Renewable have previously utilized the skilled workers from the local and surrounding communities in Eastern Oregon. It is important to highlight these efforts, as we have encouraged developers to explore the opportunities for creating hundreds of jobs for local workers, providing economic benefit back to the communities in which these workers live.

We are committed to helping make this project successful. Our members are trained and skilled in wind energy technologies, being part of the trade unions that have built most of the utility scale wind farms in Oregon dating back over twenty years. We take pride in every project we are a part of and know that we can add value to this one as well. We also operate the largest apprenticeship program for construction craft laborers in Oregon. Our training center provides certified instructors that train our members and apprentices. Along with the on-the-job training our employer partners provide, this creates a safe and skilled work environment ensuring the job is done safely and on time.

I support the approval of this NOI, as this project will bring good jobs to the communities our members live in, and also help with meeting the energy goals of Oregon. We ask the Commission to approve the Saddle Butte Energy Facility NOI and move this project forward. Thank you for your consideration of my comments.

Sincerely,

Jeffery D. Gritz

Jeffrey D. Gritz, Business Mgr./Sec-Treas.
17230 NE Sacramento Street
Ste. 201 Portland, Or 97230
503-760-2933 Office / 541-968-5998 Work Cell

From: welchdj@comcast.net
Sent: Thursday, February 12, 2026 2:42 PM
To: [MCVEIGH-WALKER Chase](#) * [ODOE](#)
Cc: [David J Welch](#); [Jenny Miller](#); [Leta & Joe Niederheiser](#); [Rod Schobert](#);
[Wendell Baskins](#)
Subject: Saddle Butte Energy Facility

You don't often get email from welchdj@comcast.net. [Learn why this is important](#)

I am the lead of the preservation team of the Northwest Chapter of the Oregon-California Trails Association. I do not see any record that OCTA submitted comments on the Saddle Butte Energy Facility. The facility overlays the Oregon National Historic Trail for almost its entire width. It is important that a search of the entire effected segment be conducted. The National Park Service has maps of the segment that should permit examination. We would be happy to provide assistance and wish to participate as the project proceeds.

The short response time over the Christmas holidays probably caused our oversight.

Thank you,

Dave Welch
Oregon-California Trails Association
welchdj@comcast.net
360-923-0438

**Attachment 2:
Reviewing Agency Comments**

Saddle Butte Energy Facility Notice of Intent

Project Order Attachment 2: Reviewing Agency Comments on NOI

Reviewing Agency Comment Index

Commenter	Reviewing Agency	Date of Comment(s)
Cris Patnode, County Judge; Grant Wilkins and Lea Watkins, County Commissioners	Gilliam County Court, Special Advisory Group	02/04/2026
Jason McClaughry, Geological Survey and Services Program Manager	Oregon Department of Geology and Mineral Industries	01/16/2026
Casey Kump, Supervising Deputy	Oregon State Fire Marshall	01/26/2026
Jamie Somers, Regional Habitat Biologist	Oregon Department of Fish and Wildlife	01/30/2026
Daniel Evans, Wetlands Ecologist	Oregon Department of State Lands	02/05/2026
Eric J. Quaempts, Director	Confederated Tribes of the Umatilla Indian Reservation, Department of Natural Resources	02/26/2026
Brandon Pike, Aviation Planner	Oregon Department of Aviation	02/26/2026
Jordan Brown and Danielle Marshall, Native Plant Conservation Biologists	Oregon Department of Agriculture	01/12/2026
Joe Claughton, Fire Chief	North Gilliam Rural Fire Department	01/13/2026, 03/12/2026



County Court

221 S. Oregon St. PO Box 427 Condon, OR 97823
Office: 541.351.9499 Fax: 541.351.9544

February 4, 2026

Dear Mr. McVeigh-Walker:

Thank you for the opportunity to comment on the Notice of Intent (NOI) and to provide the applicable substantive criteria for the Saddle Butte Energy Facility. The Gilliam County Court also acts as the Special Advisory Group (SAG) as appointed by the Energy Facility Siting Council (EFSC). As requested in your letter dated January 8, 2026, Gilliam County provides a response in accordance with OAR 345-015-0120, below.

Description: The Saddle Butte Energy Facility Project is a proposed 488-megawatt (MW) wind power generation facility, with related or supporting facilities including a 488 MW battery energy storage system. The proposed site includes approximately 11,500 acres (18 sq. miles) of privately owned land zoned for Exclusive Farm Use in Gilliam County, approximately six miles southwest of the City of Arlington. The facility has been proposed on land zoned Exclusive Farm Use (EFU). The applicant is Saddle Butte Wind, LLC, a subsidiary of Brookfield Renewable N.A.

OAR 345-015-0120 Memorandum on a Notice of Intent: standards are shown below in bold, followed by a response in standard font.

- 1) The name, address and telephone number of the agency contact person assigned to review the application.**
The local contact person is Cris Patnode, County Judge.
cpatnode@gilliamcountyor.gov, (541) 351-9565
- 2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.**
Gilliam County has responsibility for land use planning, county road maintenance, access management, weed control and prevention, and solid waste. As part of the land use review process, the county coordinates with local, state, and federal agencies.
- 3) A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.**
Gilliam County applicable ordinances include the following: Gilliam County Comprehensive Plan, Gilliam County Zoning and Development Ordinance, Gilliam County Transportation System Plan, and the Gilliam County Natural Hazard Mitigation Plan. A detailed list is attached, and documents can be found on the county website.

Judge Cris Patnode
cris.patnode@gilliamcountyor.gov

Commissioner Leah Watkins
leah.watkins@gilliamcountyor.gov

Commissioner Grant Wilkins
grant.wilkins@gilliamcountyor.gov

4) A list of any permits administered by the agency that might apply to the construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

- Conditional Use Permit
- Zoning or Development Permit (for each parcel)
- Access Permits (to all county roadways)
- Permits as required under State Building Codes

No other permits have been identified at this time, but during further and future review some may.

The County has identified the following that would apply to the project, and our preference would be to work with the applicant as any applicable agreements and plans are prepared.

- Facility Maintenance and Operation Plan
- Road Use Agreement
- Weed Mitigation Plan to apply during construction and post-construction

5) Recommendations regarding the size and location of analysis area.

Gilliam County would recommend that the analysis area be limited to the site or project boundary as the proposed analysis area appears to be adequate. It should be noted, however, that the project is located in a rural area, and based on experience with other renewable energy construction projects in Gilliam County, it is expected that the project will have both potentially positive and negative impacts on all towns in Gilliam County.

6) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.

Gilliam County has been contacted by the applicant and is aware that a number of wildlife and habitat studies are ongoing. The County does not have any additional requests for studies, however based on adopted Gilliam County ordinances, policies and plans, the following is recommended: an analysis of current noxious and invasive weeds and a mitigation plan during construction and post-construction; fire and emergency response plan; emergency services coordination plan; a review of possible flood and other hazards; and a cultural resource analysis of the lands as needed.

Gilliam County also recommends a traffic impact analysis or transportation analysis and notes that access to the project is via Cedar Springs Lane from Highway 19. The concern regarding traffic circulation lies in the fact that Waste Management is located on Cedar Springs Lane. Seattle's solid waste comes to Waste Management by rail, whereby crossing Cedar Springs Lane in two places. Ongoing daily traffic delays due to the train, up to 30 minutes, have impacted Cedar Springs Lane leading to road relocation concepts and study.

Plans have been made to relocate Cedar Springs Lane to avoid the train entirely. Not only will relocation alleviate traffic flow issues for convenience, but also for emergency services and public safety purposes. It has recently been determined there are wetlands concerns with a dry creek bed that is now delaying the relocation project. If the relocation does not occur prior to the Saddle Butte project construction, there will be significant impacts to construction and operations. Additional concerns with the Saddle Butte project include roadway safety with delivery of wind components along Cedar Springs Road, which could cause backups onto Highway 19, due to train traffic. Gilliam

County is concerned with the regulations that are delaying this relocation project which impact the County's economic development opportunities.

Thank you for your consideration of the comments regarding the Notice of Intent submitted by Saddle Butte Wind, LLC for the Saddle Butte Energy Facility in Gilliam County. If you have any comments or questions about this or the Ordinances, Plans and Policies referenced herein, please contact the Gilliam County Planning Director, Gilliam County Road Master, or the Gilliam County Weed Officer.

Sincerely,

Gilliam County Court



Cris Patnode, County Judge



Grant Wilkins, Commissioner



Leah Watkins, Commissioner

Applicable Plans, Ordinances, Policies, Gilliam County:

Gilliam County Comprehensive Plan (GCCP)

<https://cms3.revize.com/revize/gilliamcountyor/Documents/Government/Offices/Planning/7.26.2022-Gilliam%20County%20Comprehensive%20Plan.pdf?t=202601140923500&t=202601140923500>

Citizen Involvement

Land Use Planning

Agricultural Lands

Natural Resources, Scenic and Historic Areas, and Open Spaces

Economic Development

Housing

Public Facilities and Services

Transportation

Energy Conservation

Gilliam County Zoning and Development Ordinance (GCZDO)

<https://cms3.revize.com/revize/gilliamcountyor/Documents/Government/Offices/Planning/7.26.2022-GILLIAM%20COUNTY%20ZONING%20AND%20LAND%20DEVELOPMENT%20ORDINANCE.pdf?t=202601140923500&t=202601140923500>

Article 4 Section 4.020 EFU Exclusive Farm Use Zone

Section 4.020(C)(20) Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale

Article 7 Conditional Uses Criteria

Section 7.020(T) Wind Power Generation Facility Requirements

Article 8 Supplementary Provisions (relative to access, parking and related measures)

Section 8.020 Access

Section 8.040 Outdoor Lighting Standards

Section 8.100 Off Street Parking Requirements

Section 8.130 Standards for Uses in the Exclusive Farm Use Zone

Section 8.140 Site Plan Review

Article 11 Administrative Provisions

Gilliam County Transportation System Plan (TSP)

<https://www.gilliamcountytsp.com/websites/23/pages/201>

Oregon Revised Statutes and Oregon Administrative Rules

ORS 215.243 Agricultural Lands Policy

ORS 215.446 Renewable energy facility; application; standards; notices

ORS 215.296 standards for approval of certain uses in EFU Zones

OAR 660-033-0130(37) Standards for wind power generation facilities.



Oregon

Tina Kotek, Governor

Department of Geology and Mineral Industries

Administrative Offices

800 NE Oregon Street, Suite 965

Portland, OR 97232-2162

(971) 673-1555

Fax: (971) 673-1562

www.oregon.gov/dogami

MEMORANDUM

To: Energy Facility Siting Council, Oregon Department of Energy

From: Jason McClaughry,
Geological Survey and Services Program Manager
Oregon Department of Geology and Mineral Industries

CC: **Lalo Guerrero, PhD, GIT, Geology Hazard specialist**

Date: Thursday, January 15, 2026

Subject: Saddle Butte Energy Facility NOI

Greetings,

The Oregon Department of Geology and Mineral Industries (DOGAMI) prepared this memo for the Energy Facility Siting Council (EFSC), Oregon Department of Energy (ODOE), regarding a Notice of Intent to File an Application for a Site Certificate (NOI) for the Saddle Butte Energy Facility, which is proposed to be constructed in Gilliam County, south of Arlington and adjacent to Rock Creek. After reviewing the project area in the DOGAMI databases, we identified that the site is located near the Arlington/Shuttler Butte fault and sits adjacent to a lineament that may be an extension of the Luna Butte fault, currently mapped north of the Columbia River.

The Oregon Geologic Data Compilation ([OGDC 8](#)) contains the publicly available published geologic mapping for the entire state and can be downloaded from the www.oregon.gov/dogami. Additionally, the references listed below include a mix of new hazard data, such as permanent ground deformation susceptibility (e.g., liquefaction and landslide) and multi-hazard risk reports that include communities in Gilliam County.

- DOGAMI recommends reviewing the geologic hazard data available through the Oregon Hazard Viewer (HazVu : <https://www.oregon.gov/dogami/hazvu/pages/index.aspx>). The data compiled in HazVu is the best publicly available data for the state on geologic hazards, including earthquakes, landslides, and floods. The seismic hazard data in this viewer come from the Oregon Seismic Hazard Database v 1.0, the most recent statewide earthquake hazard dataset included in HazVu, and are accessible for download here: <https://pubs.oregon.gov/dogami/dds/p-OSHD-1.htm>.



Oregon

Tina Kotek, Governor

Department of Geology and Mineral Industries

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- [GMS-124, Geologic map of the Biggs Junction and Rufus 7.5' quadrangles, Sherman and Gilliam Counties, Oregon](#), by Ian P. Madin and Jason D. McClaughry; published in 2019, contains data for quadrangles located to the west of the proposed Saddle Butte facility, and the data contained in the report can provide complementary information that is included in OGDC 8.
- A review of the USGS Quaternary Faults Database (Q-Faults) shows that the western boundary of the proposed site is within 0.25 Miles of a prominent northwest-southeast trending lineament in the topography that appears to cross the Columbia River, where it is mapped as the Luna Butte fault. The Arlington-Shutler Butte Fault is mapped within 7 miles of the eastern proposed site boundary. Please note that the mapped faults that appear in the Q-faults database were mapped in 1995 and last updated in 2012, prior to the widespread availability of lidar data. Both of these faults are identified as active in the last 750,000 years.
- HazVu shows that there is a moderate landslide hazard along the western site boundary, particularly associated with Butcher Butte and Turner Butte, which are part of the NW-SE trending topographic lineament that might be associated with the Luna Butte fault.
- There are flood hazards along Rock Creek and the John Day River, which flow to the north, along the southern and western boundaries of the site, but it appears that the site is outside of the flood hazard zone.

We look forward to supporting the EFSC process and remain available to answer questions about DOGAMI datasets or other geohazard information.

Sincerely,

Jason D. McClaughry, RG

From: [KUMP Casey](#) * OSFM
Sent: Monday, January 26, 2026 10:32 AM
To: [MCVEIGH-WALKER Chase](#) * ODOE
Cc: [STUART Kyle](#) * OSFM
Subject: FW: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026
Attachments: [SBEFNOI Reviewing Agency Memo 2026-01-08.pdf](#)
[SBEFAPP Public Notice of NOI, Info Meeting and Comment Period 2025-12-30.pdf](#)

Chase – No comments from OSFM on the proposal for the Saddle Butte Energy Facility. There are no permits required from our office. We would be available to assist any local agencies (planning, building, fire) upon their request. Thank you.



Casey Kump
Supervising Deputy – Eastern Oregon
Oregon State Fire Marshal
(541) 667-7422
casey.kump@osfm.oregon.gov

From: CONDON Sean * OSFM <Sean.Condon@osfm.oregon.gov>
Sent: Monday, January 12, 2026 3:57 PM
To: STUART Kyle * OSFM <Kyle.Stuart@osfm.oregon.gov>
Cc: KUMP Casey * OSFM <Casey.Kump@osfm.oregon.gov>
Subject: FW: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026

Kyle,

Here is an energy facility in Gilliam County looking for a review and comments on the proposed development.

Thanks,
Sean



Sean K. Condon
Supervising Deputy -- Technical Services Unit
Oregon State Fire Marshal
Mobile (503)551-0410
Email sean.k.condon@osfm.oregon.gov



From: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Sent: Thursday, January 8, 2026 5:17 PM

To: BLEAKNEY Leann <bleakney@nwcouncil.org>; CANE Jason * OSFM <jason.cane@state.or.us>; HAWKINS Chad * OSFM <Chad.Hawkins@osfm.oregon.gov>; ODA_listedplants <listedplants@oda.oregon.gov>; PIKE Brandon <Brandon.PIKE@odav.oregon.gov>; svlund.greg@deq.oregon.gov; Martha.Cruse@deq.oregon.gov; SOMERS Lindsay N * ODFW <Lindsay.N.Somers@odfw.oregon.gov>; HOLSCHBACH Tim J * ODF <Tim.J.HOLSCHBACH@odf.oregon.gov>; TOKARCZYK John A * ODF <John.A.TOKARCZYK@odf.oregon.gov>; MCCLAUGHRY Jason * DGMI <Jason.MCCLAUGHRY@dogami.oregon.gov>; GUERRERO Lalo * DGMI <lalo.GUERRERO@dogami.oregon.gov>; JININGS Jon * DLCD <Jon.JININGS@dlcd.oregon.gov>; FOOTE Hilary * DLCD <Hilary.FOOTE@dlcd.oregon.gov>; EVANS Daniel * DSL <Daniel.EVANS@dsl.oregon.gov>; RASHID Yassir * PUC <Yassir.RASHID@puc.oregon.gov>; MULDOON Matt * PUC <Matt.MULDOON@puc.oregon.gov>; LAPP Thomas <Thomas.Lapp@odot.oregon.gov>; CLEARANCE ORSHPO * OPRD <orshpo.clearance@oregon.gov>; BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; BACHELLER Noel * OPRD <noel.bachelor@oregon.gov>; KENNEDY Tracy D <Tracy.Kennedy@burnspaiute-nsn.gov>; trey.wall@burnspaiute-nsn.gov; cessilee.meyers@burnspaiute-nsn.gov; Kat Brigham <katbrigham@ctuir.org>; TearaFarrowFerman@ctuir.org; Eric Quaempts <ericquaempts@ctuir.org>; Audie Huber <AudieHuber@ctuir.org>; d.white@wstribes.org; austin.smithjr2@ctwsbnr.org; austin.smithjr2@wstribes.org; lawrence.squiemphen@ctwsbnr.org; edhenderson@wstribes.org; BLM_OR_PR_Mail@blm.gov; BLM_OR_PR_Mail@blm.gov; INFO Park * OPRD <park.info@oregon.gov>; INFO Park * OPRD <park.info@oregon.gov>; ODFW Info * ODFW <odfw.INFO@odfw.oregon.gov>

Subject: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026

Good evening,

As a state reviewing agency, the Department requests your review and comment on the Notice of Intent for the proposed Saddle Butte Energy Facility, a proposed 488 MW wind power generating facility in Gilliam County. Please see attached public notice for details about the process, project and of a Public Informational Meeting to be held virtually and in-person on Tuesday, Jan 13.

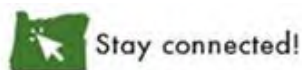
The NOI is available on the project webpage via the following link: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/SBEF.aspx>

We are requesting your agency comments by **January 30, 2026**; but please let us know if you would like additional time. The attached letter outlines the information requested for your review.

I will be following up with specific agencies in the next couple of weeks. If you would like to schedule a call or teams meeting to discuss, please let me know your availability and I will arrange it.

Thank you,
Sarah

Sarah T. Esterson
Senior Policy Advisor
550 Capitol St. NE | Salem, OR 97301
P: 503-559-5218
1-800-221-8035





YEARS *of* SERVICE

OREGON
DEPARTMENT OF
ENERGY



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

John Day Watershed
East Region
73471 Mytinger Lane
Pendleton, Oregon 97801
(541) 276-2344
FAX (541)276-4414

January 28, 2026

Chase McVeigh-Walker
Senior Siting Analyst
Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301

RE: Request for comments on Notice of Intent to Apply for a Site Certificate for Saddle Butte Energy Facility

Dear Chase,

Oregon Department of Energy (ODOE) has requested comments from the Oregon Department of Fish and Wildlife (ODFW) on the Notice of Intent (NOI) to apply for a Site Certificate for Saddle Butte Energy Facility which is located near Arlington, OR. This letter contains 1) ODFW contact information for the project; and 2) ODFW's comments on the NOI.

Contacts

I will be the main contact person for ODFW for the Energy Facility Siting Council (EFSC) permitting process and my contact information is: Lindsay Somers, 73471 Mytinger Lane, Pendleton, OR 97801. My phone number is 541-276-2344, Lindsay.n.somers@odfw.oregon.gov.

General Comments

ODFW reviews and makes recommendations for the proposed project based on the following Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR), and associated plans.

Oregon Revised Statutes

- ORS 496.012 Wildlife Policy
- ORS 506.036 Protection and Propagation of Fish

- ORS 496.171 through 496.192 Threatened and Endangered Wildlife and Fish Species. A listing of State and Federal threatened, endangered and candidate species can be found on ODFW's website at:
http://www.dfw.state.or.us/wildlife/diversity/species/threatened_endangered_candidate_list.asp
- ORS 498.301 through 498.346 Screening and By-pass devices for Water Diversions or Obstructions
- ORS 506.109 Food Fish Management Policy
- ORS 509-140 Placing Explosives in Water
- ORS 509.580 through 509.910 Fish Passage; Fishways: Screening Devices- a listing of requirements under ODFW's Fish Passage Program can be found on ODFW's website at
<http://www.dfw.state.or.us/fish/passage/>

Oregon Administrative Rules

- OAR Chapter 635, Division 100 provides authority for adoption of the State sensitive species list and the Wildlife Diversity Plan, and contains the State list of threatened and endangered wildlife and fish species. A current list of State sensitive species can be found on ODFW's website at:
https://www.dfw.state.or.us/wildlife/diversity/species/sensitive_species.asp
- OAR Chapter 635, Division 415 (ODFW's Fish and Wildlife Mitigation Policy found on ODFW's website at: https://www.dfw.state.or.us/habitat/mitigation_policy.asp describes six habitat categories and establishes mitigation goals and standards for each wildlife habitat ranging from Category 1 (irreplaceable, essential, limited) to Category 6 (non-habitat). The Policy goal for Category 1 habitat is no loss of either habitat quantity or quality via avoidance of impacts through development alternatives, or an ODFW recommendation of denial of the proposed development action if impacts cannot be avoided. Categories 2-4 are essential or important but not irreplaceable habitats. Category 5 habitat is not essential or important habitat, but has a high restoration potential. The application for a site certificate must identify the appropriate habitat category for all affected areas of the proposed project on mapping; provide basis for each habitat category selection; and provide an appropriate mitigation plan; all subject to ODOE and ODFW review and comment. ODOE has adopted this rule into OAR 345-022-0060 as an energy facility siting standard for Applicants to meet in order to obtain a site certificate.
- ODFW also provides technical review and recommendations on compliance with Oregon EFSC rules, particularly OAR 345-02100010(1) (p) and (q) and 345-22-040, 060 and 070.
- ODFW also advocates for project proponents to site wind facilities in a manner consistent with Oregon Columbia Plateau Ecoregion Wind Energy Siting and Permitting Guidelines (2008).

Which includes the best available guidelines for avoiding and minimizing impacts to wildlife and their habitats.

Specific Comments

- ODFW recommends that the Applicant produce a map of the vegetation classifications within the project area to help identify potential wildlife occurrences and further classify the habitat available within the project area based on ODFW’s Mitigation Policy.

- ODFW appreciates the Applicant’s early communication and the coordination of an onsite meeting to review Washington Ground Squirrel survey results and project site conditions. This site has specific challenges including existing infrastructure, adjacent land use practices, and terrain. ODFW is committed to working collaboratively to avoid impacts to Category 1 habitat. To support this effort, ODFW recommends that preconstruction surveys for Washington Ground Squirrels be conducted following the protocol described in [Washington Ground Squirrel Protections and Survey Requirements](#).

- During construction of the project ODFW recommends that the applicant avoid removal of bird nests and minimize disturbance to nesting birds during the general bird breeding season (March 1- July 15th).

- ODFW recommends that the Applicant conduct raptor and eagle nest surveys within 2 miles of the project area during the active nesting season and that no construction activities occur within the specified distance and seasonal restriction dates for active raptor nests (specific dates listed below). Additionally, ODFW recommends the Applicant consult with US Fish and Wildlife Service on potential impact to eagles and raptors covered under the Golden and Bald Eagle Protection Act and Migratory Bird Treaty Act.

DISTURBANCE-FREE DATES AND BUFFERS FOR RAPTOR NESTS IN OREGON.

Dates cover territory establishment through fledging. Release dates can be used for unoccupied or failed nests.

** Indicates Oregon Conservation Strategy Species

Species	Spatial Buffer	Seasonal Restriction	Release Date if Unoccupied
Golden eagle	0.5 – 1 mile	Feb 1 – Aug 15	May 15
Bald eagle	0.5 mile	Jan 1 – Aug 15	May 31
Ferruginous hawk**	0.5 mile	Mar 15 – Aug 15	May 31
Northern goshawk**	0.5 mile	May 1 – Aug 15	June 30
Peregrine falcon**	0.25 mile	Jan 1 – Jul 1	May 15
Swainson’s hawk**	0.25 mile	Apr 1 – Aug 15	May 31
White-tailed kite	0.25 mile	Jan 1 – Aug 15	
Osprey	0.25 mile	Mar 1 – Sep 15	
Burrowing owl**	0.25 mile	Apr 1 – Aug 15	May 31
Red-tailed hawk	0.10 mile	Mar 1 – Aug 15	May 31
Other hawks and owls	0.25 mile	Mar 1 – Aug 15	May 31

- ODFW recommends the Applicant record observations of State [Sensitive species](#) or [Oregon Species of Greatest Conservation Need](#) occurring within the project boundary, including pre-construction occurrence of bat species, to inform avoidance and minimization measures..

- ODFW recommends submission of any collected species observation data (including survey type, date, species, location, indication of breeding activity, age/sex if known). Sharing of this data helps inform species management and fills in data gaps for these species. There are Oregon specific data repositories including Oregon Biodiversity Information Center ([ORBIC](#)) as well as species specific databases such as North American Bat Monitoring Program ([NABat](#)).

Sincerely,



Lindsay Somers
Regional Habitat Biologist

ESTERSON Sarah * ODOE

From: Sarah.ESTERSON@energy.oregon.gov
Subject: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026

From: EVANS Daniel * DSL <Daniel.EVANS@dsl.oregon.gov>
Sent: Thursday, February 5, 2026 2:28 PM
To: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>
Subject: RE: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026

Hi Sarah,

Unfortunately my workload prevented a timely response. Here is the DSL response.

For the Saddle Butte Energy Facility

- 1. The name, address and telephone number of the contact person assigned to review the application for your agency.**

A Wetland Delineation has not been submitted to the Agency. The Gilliam County Wetland Ecologist is Trevor Griffiths trevor.griffiths@dsl.oregon.gov 971-375-8886.

A Joint Permit Application for wetland removal-fill has not been submitted to the Agency. The Gilliam County Aquatic Resource Coordinator is Richard Fitzgerald Richard.W.FITZGERALD@dsl.oregon.gov 541-910-4565

- 2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of your agency.**

DSL will formally review wetland delineation reports for identification of the geographic location and extents of Waters of this State. Any temporary or permanent impacts proposed within concurred boundaries of Waters of this State may require a Wetland Removal-Fill Permit, which DSL also reviews.

- 3) A list of statutes, administrative rules and local government ordinances administered by your agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.**

Wetland delineations will be reviewed per OAR 141-090

Wetland Removal-Fill applications will be reviewed per OAR 141-085

- 4) A list of any permits administered by your agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.**

Wetland Removal-Fill Permit

- 5) Recommendations regarding the size and location of analysis areas (see below for more information).**

Based on the proposed project area, it appears many potential resources, as mapped on the Statewide Wetland Inventories are present. A concurred with wetland delineation is recommended as the next step with DSL. A wetland delineation will provide project designers the footprint of wetlands and waters and allow for avoidance and minimization of impacts to Waters of the State to the extent practicable.

Any consultants working on this project are recommended to do a public records request <https://www.oregon.gov/dsl/Pages/public-records-requests.aspx> by Township Range and Section to receive any of the numerous expired wetland delineations that are in and around this area, especially the Leaning Juniper Facility that appears may share or adjoin some of this project's study area.

6) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.

Wetland Delineation, which may include additional supporting studies, depending on the site. These may include but are not limited to Stream Duration Assessment Method, identification of Aquatic Resources of Special Concern (e.g.: vernal pools)

Wetland Removal-Fill Permit, which may include additional supporting studies, depending on the site. These may include but are not limited to the Oregon Rapid Wetland Assessment Protocol and Stream Function Assessment Method.

Regards,

Daniel Evans, PWS

He/him/his

Wetland Ecology Specialist

[Oregon Department of State Lands](#)

Mobile: 503-428-8188

DSL's Removal-Fill Program fee schedule took effect January 1, 2026. **Learn more about the new fees [here](#).**

Questions? [Submit questions to the Contact Us form](#).

From: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Sent: Thursday, January 8, 2026 5:17 PM

To: BLEAKNEY Leann <bleakney@nwcouncil.org>; CANE Jason * OSFM <jason.cane@state.or.us>; HAWKINS Chad * OSFM <Chad.Hawkins@osfm.oregon.gov>; ODA_listedplants <listedplants@oda.oregon.gov>; PIKE Brandon <Brandon.PIKE@odav.oregon.gov>; svlund.greg@deq.oregon.gov; Martha.Cruse@deq.oregon.gov; SOMERS Lindsay N * ODFW <Lindsay.N.Somers@odfw.oregon.gov>; HOLSCHBACH Tim J * ODF <Tim.J.HOLSCHBACH@odf.oregon.gov>; TOKARCZYK John A * ODF <John.A.TOKARCZYK@odf.oregon.gov>; MCCLAUGHRY Jason * DGMI <Jason.MCCLAUGHRY@dogami.oregon.gov>; GUERRERO Lalo * DGMI <lalo.GUERRERO@dogami.oregon.gov>; JININGS Jon * DLCDC <Jon.JININGS@dlcd.oregon.gov>; FOOTE Hilary * DLCDC <Hilary.FOOTE@dlcd.oregon.gov>; EVANS Daniel * DSL <Daniel.EVANS@dsl.oregon.gov>; RASHID Yassir * PUC <Yassir.RASHID@puc.oregon.gov>; MULDOON Matt * PUC <Matt.MULDOON@puc.oregon.gov>; LAPP Thomas <Thomas.Lapp@odot.oregon.gov>; CLEARANCE ORSHPO * OPRD <orshpo.clearance@oregon.gov>; BJORK Mary F * WRD <Mary.F.BJORK@water.oregon.gov>; BACHELLER Noel * OPRD <noel.bacheller@oregon.gov>; KENNEDY Tracy D <Tracy.Kennedy@burnspaiute-nsn.gov>; trey.wall@burnspaiute-nsn.gov; cessilee.meyers@burnspaiute-nsn.gov; Kat Brigham <katbrigham@ctuir.org>; TearaFarrowFerman@ctuir.org; Eric Quaempts <ericquaempts@ctuir.org>; Audie Huber <AudieHuber@ctuir.org>; d.white@wstribes.org; austin.smithjr2@ctwsbnr.org; austin.smithjr2@wstribes.org; lawrence.squiemphen@ctwsbnr.org; edhenderson@wstribes.org; BLM OR PR Mail@blm.gov; BLM OR PR Mail@blm.gov; INFO Park * OPRD <park.info@oregon.gov>; INFO Park * OPRD <park.info@oregon.gov>; INFO Park * OPRD <park.info@oregon.gov>; ODFW Info * ODFW <odfw.INFO@odfw.oregon.gov>

Subject: Saddle Butte Energy Facility Notice of Intent - Request for Comments by Jan 30, 2026

Good evening,

As a state reviewing agency, the Department requests your review and comment on the Notice of Intent for the proposed Saddle Butte Energy Facility, a proposed 488 MW wind power generating facility in Gilliam County. Please see attached public notice for details about the process, project and of a Public Informational Meeting to be held virtually and in-person on Tuesday, Jan 13.

The NOI is available on the project webpage via the following link: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/SBEF.aspx>

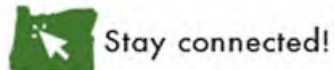
We are requesting your agency comments by **January 30, 2026**; but please let us know if you would like additional time. The attached letter outlines the information requested for your review.

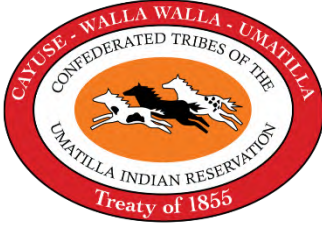
I will be following up with specific agencies in the next couple of weeks. If you would like to schedule a call or teams meeting to discuss, please let me know your availability and I will arrange it.

Thank you,
Sarah



Sarah T. Esterson
Senior Policy Advisor
550 Capitol St. NE | Salem, OR 97301
P: 503-559-5218
1-800-221-8035





(541) 276-3447
EricQuaempts@ctuir.org
ctuir.org
46411 Timíne Way
Pendleton, Oregon 97801

February 25, 2026

Chase McVeigh-Walker
Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE
Salem, Oregon 97301

Sent electronically to: chase.mcveigh-walker@energy.oregon.gov

Re: Notice of Intent (NOI) for Saddle Butte Energy Facility Site Certificate Application

Dear Mr. McVeigh-Walker,

Thank you for contacting the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) regarding the Notice of Intent (NOI) to Apply for a Site Certificate for the Saddle Butte Energy Facility located in Gilliam County by Saddle Butte Wind, LLC, a subsidiary of Brookfield Renewable N.A.

The Department of Energy has requested response to the following questions:

- 1) The name, address and telephone number of the contact person assigned to review the application for your tribe.

CTUIR Response: Teara Farrow Ferman, Cultural Resources Protection Program Manager, 46411 Timíne Way, Pendleton, Oregon 97801, (541) 429-7230, TearaFarrowFerman@ctuir.org.

- 2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of your tribe.

CTUIR Response: See specific comments below.

- 3) A list of statutes, administrative rules and local government ordinances administered by your tribe that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.

CTUIR Response: CTUIR Treaty of 1855

- 4) A list of any permits administered by your tribe that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

CTUIR Response: N/A.

- 5) Recommendations regarding the size and location of analysis areas (see below for more information).

CTUIR Response: The size and location of the analysis area should include a two mile buffer around the site and the impacted viewshed, as determined by digital elevation modeling (DEM) and line of sight analysis, to address nearby properties of historic, religious, and cultural significance to CTUIR.

- 6) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.

CTUIR Response: The CTUIR recommends a cultural resources inventory survey of entire project area, shovel test probes within the footprint of infrastructure and/or of high probability areas, viewshed analysis, cultural monitoring, an inadvertent discovery plan, ethnobotanical/botanical survey, wildlife and avian surveys, and wetlands surveys.

Specific Comments – Cultural Resources:

There are several known archaeological sites and historic properties of religious and cultural significance to the CTUIR within and surrounding the project area. The CTUIR participated in the cultural resources inventory survey with Brookfield's archaeological contractor in 2025 and identified several new sites including pre-contact and historic resources. The pre-contact resources include stacked rock features and lithic artifacts.

Also, there are known rock images along Cedar Springs Canyon. CTUIR's historic properties of religious and cultural significance also identify upland First Foods harvest locations and water source areas.

We recommend archaeological testing within the footprints of the constructional components (turbines, pads, access roads, temporary construction areas, buildings, etc.) of the project.

CTUIR DNR Letter to Oregon DOE

Re: NOI for Saddle Butte Energy Facility Site Certificate Application

February 25, 2026

Page 3 of 3

Buffers should be established for historic properties and important natural resources and protected areas and if resources cannot be avoided, then mitigation will have to be developed in consultation with the CTUIR.

Specific Comments – CTUIR Climate Adaption Plan:

The Western U.S. energy grid is interconnected with various electrical generating technologies, which is likely to largely insulate the western grid from the worst of climate impacts. Encouraging decentralized supplementary energy generation would assist in buffering much of the climate impacts to generating capacity. Renewables like wind turbines and photovoltaics can be implemented in small scale grid formats, with special attention paid to critical infrastructure and service needs.

Also, Energy sources that reduce greenhouse gas burdens are key to adaptation, and methods that reduce dependence on grid connectivity will also improve resilience to risk of transmission line failure.

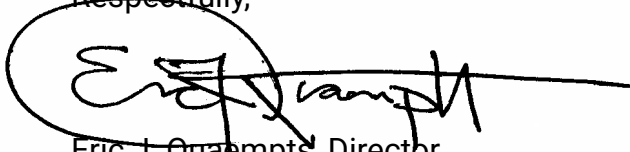
Estimate and report annually the percentage of energy produced that stays within the local community to secure power to medical facilities, transportation networks, emergency shelter, and wastewater treatment plant? We suggest a Project install a microgrid for impacted community.

Please require the developer to produce and implement:

1. A maintenance plan for windmills.
2. A monitoring plan to include detection for windmill oil leaks, with clean up and mitigation for oil spills and annual reporting of monitoring, clean up, and mitigation results.
3. A response plan for extreme weather and emergencies for the entire windmill lot.
4. A fire response plan for the windmill lot.

Please contact Teara Farrow Ferman, Cultural Resources Protection Program Manager, at TearaFarrowFerman@ctuir.org or (541) 429-7230 if you have questions or comments.

Respectfully,



Eric J. Quémpts, Director
CTUIR Department of Natural Resources

RE: Review and Comments on Saddle Butte Notice of Intent

From PIKE Brandon <Brandon.PIKE@odav.oregon.gov>

Date Thu 2/26/2026 4:01 PM

To SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

You're welcome. Reading back through my comment, I hope it's clear that "any structures" would include the wind turbines themselves. I just call out temporary cranes because those often go under the radar in this industry and I want to alert folks as early as possible.

Best,

BRANDON PIKE

OREGON DEPARTMENT OF AVIATION (ODAV)

AVIATION PLANNER

PHONE 971-372-1339

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Sent: Thursday, February 26, 2026 3:41 PM

To: PIKE Brandon <Brandon.PIKE@odav.oregon.gov>

Subject: Re: Review and Comments on Saddle Butte Notice of Intent

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Thanks Brandon!

From: PIKE Brandon <Brandon.PIKE@odav.oregon.gov>

Sent: Thursday, February 26, 2026 3:19 PM

To: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>

Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>; MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov>

Subject: RE: Review and Comments on Saddle Butte Notice of Intent

Hi Kathleen,

Thanks for following up with me. I've been meaning to reach out about this one. ODAV has reviewed the proposal and prepared the following comment(s):

1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development may be required to undergo aeronautical evaluations by the [FAA](#) and [ODAV](#). The applicant can use the FAA's [Pre-Screening Tool](#) to determine which proposed structures (including any cranes or other tall equipment used during development or maintenance) warrant a *notice of construction*. If so, they are required to provide separate notices of construction to both the FAA and ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.

At this location, any structures (including cranes) exceeding 200 feet above ground level (AGL) will warrant a notice of construction to the FAA and ODAV.

Please reach out if you have questions or concerns. I'm available if the applicant has any questions or wants our input at this stage.

Best,

BRANDON PIKE
OREGON DEPARTMENT OF AVIATION
(ODAV)
AVIATION PLANNER



PHONE 971-372-1339

EMAIL brandon.pike@odav.oregon.gov

3040 25TH STREET SE, SALEM, OR 97302

WWW.OREGON.GOV/AVIATION

Alternative Contacts:

COAR Grants: Grants@ODAV.Oregon.Gov

Procurement / Contracts: Contracts@ODAV.Oregon.Gov

Pavement (PEP/PMP): Pavement@ODAV.Oregon.Gov

Land Use / Tall Structures: LandUse@ODAV.Oregon.Gov

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From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Sent: Thursday, February 26, 2026 2:04 PM
To: PIKE Brandon <Brandon.PIKE@odav.oregon.gov>
Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>; MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov>
Subject: Review and Comments on Saddle Butte Notice of Intent

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Brandon,

I am following up on a request for your review and comments on the Notice of Intent for the Saddle Butte Energy Facility, a proposed wind facility in Gilliam County.

The reviewing agency request memo is attached for your convenience and the NOI is available on the project webpage:

[State of Oregon: Facilities - Saddle Butte Energy Facility](#)

This is at the Notice of Intent Phase. The Department is coordinating with all reviewing agencies and working on the Project Order, which will outline the requirements for an application for site certificate.

We would really appreciate your review and comments on this one. We can set up a call to discuss the NOI, if you want. Email or letter format comments work. GIS files are attached, in case that helps with your review.

Thanks,

Kathleen Sloan

Senior Siting Analyst

ODOE Siting Division

Ph: 971.701.4913

[State of Oregon: Facilities - Energy Facility Siting](#)



Stay connected!



OREGON
DEPARTMENT OF
ENERGY

ODA Comments on the proposed facility: Saddle Butte Energy Facility

1) The name, address and telephone number of the contact person assigned to review the application for your agency.

Jordan Brown, 541-224-2245, listedplants@oda.oregon.gov
Danielle Marshall, 971-388-8895, listedplants@oda.oregon.gov
635 Capitol St NE, Salem, OR 97301

The above biologists are only assigned to review threatened and endangered plant-related topics. Additional ODA review may be needed.

2) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of your agency.

No state-listed (threatened or endangered) plants are known to occur in the project area. Giliam County is known to support only one listed plant: *Astragalus collinus* var. *laurentii*. There is at least one known *A. collinus* var. *laurentii* occurrence within 5 miles of the project boundary.

The facility project area should be fully surveyed for threatened and endangered plants and associated habitat to determine whether *A. collinus* var. *laurentii* or any other listed plants may be present, and whether any impacts to such plants may occur.

Please review 'How to Assess Proposed Impacts' here: <https://www.oregon.gov/oda/plant-conservation/permits-consultations/Pages/impacts.aspx>

3) A list of statutes, administrative rules and local government ordinances administered by your agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.

The facility has not fully surveyed the project area for threatened and endangered plants, so the following rules cannot yet be adequately addressed.

ORAR 345-021-0010(1)(q)(D) For each plant species identified under (A), a description of how the proposed facility, including any mitigation measures, complies with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3);

ORAR 345-021-0010(1)(q)(E) For each plant species identified under paragraph (A), if the Oregon Department of Agriculture has not adopted a protection and conservation program under ORS 564.105(3), a description of significant potential impacts of the proposed facility on the continued existence of the species and on the critical habitat of such species and evidence that the proposed facility, including any mitigation measures, is not likely to cause a significant reduction in the likelihood of survival or recovery of the species;

ORS 564.115 applies if state listed plant species are found on non-federal public land within the project area.

4) A list of any permits administered by your agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.

ODA issues permits for actions related to threatened and endangered plant species. Information on the permit application process can be found here: <https://www.oregon.gov/oda/plant-conservation/permits-consultations/Pages/permits.aspx>

Please review 'How to Assess Proposed Impacts' here: <https://www.oregon.gov/oda/plant-conservation/permits-consultations/Pages/impacts.aspx>

To assess the likelihood that threatened and endangered plants and habitat occur within a proposed project area we need the proposed project boundaries (in spatial data format) and a detailed characterization of the site conditions and habitat within the proposed project area. Adequate site characterization includes a description of current and past land use and management, a description of the plant community and structure, a list of vascular plants present on site, information on relevant abiotic conditions (e.g., geology, hydrology, and soils), and may require digital images that are representative of the breadth of habitat conditions. If there is insufficient information for ODA to make a determination, we will reach out to request additional details.

5) Recommendations regarding the size and location of analysis areas (see below for more information).

The entire project footprint needs to be surveyed to accurately determine whether listed plants occur and what the potential impacts of the project may be.

6) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.

See #4 above. The websites include relevant report templates to aid in surveys.

Re: Follow up on your comments at the Saddle Butte Energy Facility Public Info Meeting

From Joe Cloughton <jclaught@gmail.com>
Date Thu 3/12/2026 8:50 AM
To SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Cc sgcrfpd@ortelco.net <sgcrfpd@ortelco.net>

Good morning,

The Saddle Butte energy facility is in the boundaries of North Gilliam County RFPD. We will be the first responders and coordinate with South Gilliam County RFPD if mutual aid is needed.

Please call or email me if you have any questions.

Thank you,

JOSEPH CLAUGHTON

Fire Chief
North Gilliam Co. R.F.P.D.
1500 Railroad Ave
Arlington, OR
Office (541)454-2900
Cell (541)561-6468

From: SLOAN Kathleen * ODOE <Kathleen.SLOAN@energy.oregon.gov>
Sent: Wednesday, March 11, 2026 2:58 PM
To: Joe Cloughton <jclaught@gmail.com>
Cc: sgcrfpd@ortelco.net <sgcrfpd@ortelco.net>
Subject: Follow up on your comments at the Saddle Butte Energy Facility Public Info Meeting

Good Afternoon,

I am reaching out to follow up on comments you made at the public informational meeting in January for the Saddle Butte Energy Facility. The project information is available here:

[State of Oregon: Facilities - Saddle Butte Energy Facility](#)

As the Department prepares the Project Order for the applicant, which outlines the requirements of an application for site certificate, we are seeking input from emergency services and public service providers and responders for recommendations and comments specific to this proposed facility and potential impacts.

You commented at the meeting and the Department would welcome your input on recommended or required setbacks or other fire prevention measures for the design, construction and operation of the proposed facility. Specifically, any recs for fire prevention and risk mitigation, emergency response, and role of the South Gilliam RFPD in relation to the proposed facility (ie: in your service area, would you be the first responders? Do you coordinate with other RFPDs to respond in that area?, etc).

If you would like to submit additional comments you can do so via reply to this email.

Thank you,

Kathleen Sloan
Senior Siting Analyst
ODOE Siting Division
Ph: 971.701.4913

[State of Oregon: Facilities - Energy Facility Siting](#)



Stay connected!



OREGON
DEPARTMENT OF
ENERGY

SBEF NOI Public Info Meeting Oral Comments 1/13/2026:

71 "Energy Siting" (3555770112)

00:22:54.359 --> 00:23:10.739

Next slide, please. Okay, so now we're going to transition into the public comment portion of the night, and I think we are going to open the floor for.

72 "Energy Siting" (3555770112)

00:23:10.739 --> 00:23:28.799

Public commenters and we'll start with any commenters in the room and then we'll transition to those tuning in via the webinar, and then lastly we'll conclude with anyone on the phone.

73 "Energy Siting" (3555770112)

00:23:28.799 --> 00:23:46.619

And now I will look to Wally and Sarah to see if we received any public comment, sheets which are also at the back of the room. Should you like to fill out a public comment in written form but not speak or.

74 "Energy Siting" (3555770112)

00:23:46.619 --> 00:24:06.619

Speak and fill in out there backed by that monitor. Thanks chase. We haven't seen any forms submitted yet, so if somebody is in the room would like to provide a comment tonight if you could please grab one of those forms off the table and fill it out, bring it up to us and then you can.

75 "Energy Siting" (3555770112)

00:24:06.619 --> 00:24:22.079

Provide your comments. Maybe lacking that we'll say or in addition to that that if anybody would like to provide comments who's online and I see that somebody's already figured out how to raise their hand online.

76 "Energy Siting" (3555770112)

00:24:22.079 --> 00:24:39.269

And wants to comment that you can do that. So raise your hand and leave it up until we call on you, you're un or you're muted right now and we will unmute you when it's your turn. So, can I go ahead and do that?

77 "Energy Siting" (3555770112)

00:24:39.269 --> 00:24:58.181

Okay, so one more time if anybody is in the room, and if you change your mind, go ahead and get a form while we're listening for other comments, but I'm gonna go ahead and unmute North Gilliam Fire.

78 "North Gilliam Fire" (2099074816)

00:24:58.181 --> 00:25:29.435

Hello, this is for North Gilliam [Fire]. I, my question is, is there a map? I see the map of the boundaries, but, is there a map of a proposed layout in reference to the O and M building and the possible Beth battery storage facility?

79 "Energy Siting" (3555770112)

00:25:29.435 --> 00:25:50.159

Hey Joe, It's here we are working on a layout, haven't quite advanced it in pools, but happy to share it when ready. The I can tell you that the best contemplated best is going to be most likely adjacent to the.

80 "Energy Siting" (3555770112)

00:25:50.159 --> 00:26:19.541

Substation that's indicated by that green triangle that we were showing earlier. Okay. Was it possible to the substation with respect to the On building, we haven't quite picked the location kind of just yet, that is going to come in further phases of the design but like I said as soon as we have a few options we'll we'll circle back with you and get your input to any suggestions currently you might have.

81 "North Gilliam Fire" (2099074816)

00:26:19.541 --> 00:26:29.877

Okay, well I think you all have my my email so whenever you kind of figure out a layout or I'd sure appreciate the info on that.

82 "Energy Siting" (3555770112)

00:26:29.877 --> 00:26:49.759

Yeah, absolutely happy to. Thank you. And Joe, are you still there? Yes. Okay, this is Sarah with the Oregon Department of Energy. You know, to the extent you have recommendations about setbacks or how the sighting of the best.

83 "Energy Siting" (3555770112)

00:26:49.759 --> 00:26:55.479

Sir on M building should be considered, we would welcome those type of comments.

84 "North Gilliam Fire" (2099074816)

00:26:55.479 --> 00:27:08.213

Okay, yeah, I'm I'm available most anytime, so, anytime you wanna, have a meeting with me, we can certainly do that.

85 "Energy Siting" (3555770112)

00:27:08.213 --> 00:27:22.019

Okay, and I think that what we can do, I'm not sure if we have your email on the record, but we can reach out to coordinate. Do you, have you submitted a comment in the past?

86 "North Gilliam Fire" (2099074816)

00:27:22.019 --> 00:27:25.656

I have not. Okay, ok.

87 "Energy Siting" (3555770112)

00:27:25.656 --> 00:27:29.056

We'll get an email sent out to you this week.

88 "North Gilliam Fire" (2099074816)

00:27:29.056 --> 00:27:34.932

Okay, and I I'm sure we've I've got some emails. I can give you my email right now if you'd like.

89 "Energy Siting" (3555770112)

00:27:34.932 --> 00:27:36.476

Okay, that would be wonderful.

90 "North Gilliam Fire" (2099074816)

00:27:36.476 --> 00:27:51.156

Okay, it's J clot. So J C L A U G HT as in Tom@gmail.com.

91 "Energy Siting" (3555770112)

00:27:51.156 --> 00:28:09.539

Okay perfect. Yeah, at this phase for notice of intent, we don't, our rules don't require that a site layout map be provided, but again, if you have recommendations about like minimum minimum setbacks or anything else we are interested in that type of feedback. So we'll reach out.

92 "Energy Siting" (3555770112)

00:28:09.539 --> 00:28:29.415

Perfect, thank you. Okay, thanks Joe. I'm gonna mute your line and I am going to unmute Jerry Gabby who has his hand up and Jerry, you should be able to talk.

93 "Jerry Gabby" (3885561600)

00:28:29.415 --> 00:28:49.409

Yeah, can you hear me? Yes. Oh, ok. But one of the questions we've already answered as far as the site map. The other question I had was the size of the towers, 698 ft tip of the blade. The standard tower around here isn't that like four 80 to 500?

94 "Jerry Gabby" (3885561600)

00:28:49.409 --> 00:28:55.777

We're talking another hundred and 52 almost 200 ft.

95 "Energy Siting" (3555770112)

00:28:55.777 --> 00:29:04.532

Yeah, I can answer that question. So we have not yet chosen the turbine, so we don't know what the actual dimension of it will be yet.

96 "Jerry Gabby" (3885561600)

00:29:04.532 --> 00:29:05.817

That.

97 "Energy Siting" (3555770112)

00:29:05.817 --> 00:29:15.783

No, that number is kind of a max to up to. So once we have that information, likely in the actual full application, we will provide that.

98 "Jerry Gabby" (3885561600)

00:29:15.783 --> 00:29:23.459

Okay, yeah, that was one of my questions along with the noise that makes. So, yeah, I was just curious on the heights and the noise.

99 "Energy Siting" (3555770112)

00:29:23.459 --> 00:29:41.818

Absolutely, and we will absolutely follow all noise standards and requirements. There really aren't any or there aren't very many at all, noise sensitive receptors in the area, but we will comply with all requirements there and that information will be detailed in the upcoming application.

100 "Jerry Gabby" (3885561600)

00:29:41.818 --> 00:29:49.180

**Attachment 3:
Facility Components Table Templates**

Table 1: Facility Component Summary

Commented [KT1]: Remember that this table should be modified based on what is being proposed. Not all items in this table will apply to each facility and this table should be modified based on what is being proposed by an applicant/certificate holder.

Component and Design Standard	No.	Unit
Site Boundary		
Site Boundary		acres
Micrositing Area		acres
Maximum Footprint ¹		acres
Solar Components		
PV Solar Modules		
Approx. total number		modules
Max Height at full-tilt		feet
Posts		
Approx. total number (assumes XXX concrete foundation)		posts
Cabling		
Combiner Boxes		each
Inverter Step Up Transformer Units		
Approx. total number		each
Noise level		dBA
Transformer oil-containing capacity		gallons
Related or Supporting Facility Components		
34.5 kV Collection System		
Collector line length, belowground		miles
Collector line length, overhead (OH)		miles
Wood Monopoles (max estimate for OH)		each
Collector Substations		
Substations w SCADA; Generator step-up transformers, each		each
Site size		acres
Transformer oil-containing capacity		gallons/each
Transformer noise level		dBA
Max height of structures		feet
Switchyards		
Stations; transformers, each		each
Site size (northern and/or within solar fence line); with foundations and graveled areas		acres
230 kV Transmission Line		
Length (total; northern line; southern line)		miles
Structures: Type (Wood or Galvanized Steel); quantity		each
Height of structures		feet

Table 1: Facility Component Summary

Commented [KT1]: Remember that this table should be modified based on what is being proposed. Not all items in this table will apply to each facility and this table should be modified based on what is being proposed by an applicant/certificate holder.

Component and Design Standard	No.	Unit
Battery Energy Storage System (Lithium-ion/Zinc)		
<i>Zinc</i>		
Approx. total batteries/containers on foundations with fans/heating systems; SCADA		each
Site size		acres
Approx. container dimensions		H x W x L; feet
Noise level (broadband)		dBA
<i>Lithium-ion</i>		
Approx. total batteries/containers on foundations with HVAC and fire suppression systems; SCADA		each
Site size		acres
Approx. container dimensions		H x W x L; feet
Noise level (broadband)		dBA
O&M Building		
Quantity		each
Site size		acres
Height		feet
Appurtenances	On-site well, septic system, SCADA System	
Storage for Replacement Solar Panels		
Containers		each
Approx. container dimensions		H x W x L; feet
Location		
Facility Roads		
Length		miles
Width		feet
Perimeter Fence		
Length		miles
Height		feet
Access/gates		each
Temporary Construction Areas		
Quantity		each
Site size		acres
Description		
Acronyms: dBA = A-weighted decibels; HVAC = heating, ventilation and air conditioning; kV = kilovolt; OH = overhead; O&M = operations and maintenance; SCADA = supervisory, control and data acquisition		
Notes:		

Table 1: Facility Component Summary

Component and Design Standard	No.	Unit
1. The proposed energy facility would occupy approximately XXX acres within fenced micro siting areas. The entire energy facility footprint is considered a permanent disturbance area for the purposes of evaluating Fish and Wildlife Habitat; however, facility components would not occupy the entire area and under Council's Soil Protection standard, impacts within the micro siting area are not considered permanent.		

Commented [KT1]: Remember that this table should be modified based on what is being proposed. Not all items in this table will apply to each facility and this table should be modified based on what is being proposed by an applicant/certificate holder.

SAMPLE Facility Components Table for Wind

Table 1: Wind Micrositing Area Facility Component Summary

Component and Design Standard	No.	Unit
Wind Components		
Wind micrositing area		acres
Wind turbines		total
Max. blade tip height		Feet (above pedestal)
Min. aboveground blade tip clearance		feet
Max. hub height		feet
Max. rotor diameter		feet
Max. noise Level, per turbine		dba
Turbine Foundations -area		acres
Turbine Pads - area		acres
Transformers, pad- or nacelle mounted		total
Transformer oil-containing capacity		Gallons, mineral/synthetic
Wind Related or Supporting Facility Components		
<i>Access Roads - Wind</i>		
Access Roads (length, width)		mile/feet
Permanent Improved Roads (length, width)		miles/feet
Temporary Improved Roads (length, width)		miles/feet
Crane Paths (width)		feet
<i>34.5 kV Collector lines</i>		
Aboveground		miles
Structure Type/Height		Type, feet
Belowground		miles
Notes:		

Attachment 4:
Facility Decommissioning Spreadsheet

Table X: Proposed Facility Decommissioning Tasks and Cost Estimate

Task or Component	Quantity	Unit Cost (\$)	Unit	Estimate (\$)
Mobilization / Demobilization				
<i>Equipment Mob</i>			Lump Sum	\$0.00
<i>Site Facilities</i>			Lump Sum	\$0.00
<i>Crew Mob & Site Setup</i>			Day	\$0.00
<i>Crew Demob & Site Cleanup</i>			Day	\$0.00
<i>Mob-Erection Sub</i>			Lump Sum	\$0.00
			[1.2] Subtotal =	\$0.00
Site Facilities			Month	\$0.00
Field Management			Week	\$0.00
Substation & Switchyard Removal				
<i>Fence Removal</i>			Day	\$0.00
<i>Transformer & Switchyard Equip Removal</i>			Each	\$0.00
<i>Remove Control Building</i>			Each	\$0.00
<i>UG Utility & Ground Removal</i>			Day	\$0.00
<i>Remove Foundations to Subgrade</i>			Cubic Yd.	\$0.00
<i>Misc. Material Disposal</i>			Each	\$0.00
<i>Restore Yard</i>			Each	\$0.00
			Subtotal =	\$0.00
Construct & Remove Temporary Crane Pads				
<i>Crane Pad</i>			Ton	\$0.00
<i>Remove stone after erection</i>			Each	\$0.00
			Subtotal =	\$0.00
Wind Turbine Generation Removal				
<i>Remove Top, Nacelle, Rotor</i>			Each	\$0.00
<i>Remove Base & Mid</i>			Each	\$0
			Subtotal =	\$0.00
Wind Turbine Generation Sizing & Loadout				
<i>Oil Removal & Disposal</i>			Each	\$0.00
<i>Demo & Prepare for Shipment Offsite</i>			Ton	\$0.00
<i>Blade T&D</i>			Ton	\$0.00
<i>Scrap Trucking Cost</i>			Ton	\$0.00
			Subtotal =	\$0.00
Wind Turbine Generation Foundation Removal				
<i>Remove Cylindrical Pedestal</i>			Cubic Yd.	\$0.00
<i>Remove Top 2' of Octagonal Base</i>			Cubic Yd.	\$0.00
<i>Concrete Transport Offsite</i>			Cubic Yd.	\$0.00
			Subtotal =	\$0.00
Pad Mount Transformer Removal				
<i>Oil Removal & Disposal</i>			Each	\$0.00
<i>Remove & Loadout Transformer</i>			Each	\$0.00
<i>Scrap Trucking Cost</i>			Ton	\$0.00
<i>Remove Foundations to Subgrade</i>			Each	\$0.00
			Subtotal =	\$0.00
MET Tower Removal				
<i>Structure Demo</i>			Each	\$0.00
<i>Remove Foundation</i>			Cubic Yd.	\$0.00
<i>Concrete Transport Offsite</i>			Cubic Yd.	\$0.00
<i>Scrap Trucking Cost</i>			Ton	\$0.00
			Subtotal =	\$0.00
Solar Array Removal				

Table X: Proposed Facility Decommissioning Tasks and Cost Estimate

Task or Component	Quantity	Unit Cost (\$)	Unit	Estimate (\$)
<i>Fence Removal</i>			LF	\$0.00
<i>Inverter / Transformer Removal</i>			Each	\$0.00
<i>Remove Foundations To Subgrade</i>			Cubic Yd.	\$0.00
<i>Solar Panel Removal</i>			Each	\$0.00
<i>Solar Rack (Trackers) & Post Removal</i>			Each	\$0.00
<i>Subtotal =</i>				\$0.00
DC Storage System Removal				
<i>Battery Removal & Disposal</i>			Each	\$0.00
<i>Structure & Components Removal</i>			Each	\$0.00
<i>Remove Foundations to Subgrade ¹</i>			Cubic Yd.	\$0.00
<i>Subtotal =</i>				\$0.00
Collector Line Removal (OH, 34.5 KV)				
<i>Collector Line – Wind</i>			Lump Sum	\$0.00
<i>Collector Line – Solar</i>			Lump Sum	\$0.00
<i>Remove Wood 2-pole H frames</i>			Each	\$0.00
<i>Subtotal =</i>				\$0.00
Transmission Line Removal (OH, 230 KV)				
<i>Conductor Removal</i>			Mile	\$0.00
<i>Remove Wood 2-pole H-frames</i>			Each	\$0.00
<i>Subtotal =</i>				\$0.00
O&M Building Removal				
<i>Structure Demo</i>			Ton	\$0.00
<i>Remove Foundations To Subgrade</i>			Cubic Yd.	\$0.00
<i>Subtotal =</i>				\$0.00
Private Access Road Removal (New Roads)				
<i>Private Access Road Removal (New Roads) – Wind</i>			Mile	\$0.00
<i>Private Access Road Removal (New Roads) – Solar</i>			Mile	\$0.00
<i>Subtotal =</i>				\$0.00
Spot Grade Disturbed Areas – Solar Array				
			Acre	\$0.00
Re-Seed with Native Vegetation – Roads & Areas Disturbed by Construction				
<i>Re-Seed with Native Vegetation – Roads & Areas Disturbed by Construction – Wind</i>			Lump Sum	\$0.00
<i>Re-Seed with Native Vegetation – Roads & Areas Disturbed by Construction – Solar</i>			Lump Sum	\$0.00
<i>Subtotal =</i>				\$0.00
XXX Facility Max Potential Decommissioning Cost (Cost) <i>Subtotal =</i>				\$0.00
Decommissioning Subtotal for Wind and Solar (98% of Total Cost)				\$0.00
Decommissioning Total for Battery (BESS) (2% of Total Cost)				\$0.00
Applicant Applied Contingencies				
<i>Home Office, Project Management (5% Of Cost)</i>	5		Percent	\$0.00
<i>Contractor Contingency (3% Of Cost)</i>	3		Percent	\$0.00
<i>Contractor OH & Fee (13% Of Cost)</i>	13		Percent	\$0.00
Applicant Contingency Subtotal =				\$0.00
Total Applicant Contingencies for Wind and Solar (98% of total contingencies)				\$0.00
Total Applicant Contingencies for Battery (BESS) (2% of total contingencies)				\$0.00

Table X: Proposed Facility Decommissioning Tasks and Cost Estimate

Task or Component	Quantity	Unit Cost (\$)	Unit	Estimate (\$)
Subtotal of Cost and Applicant Contingencies (Q4 2020 Dollars) ³ - <i>Rounded to nearest \$1</i>				\$0
Total Applicant Contingencies for Wind and Solar (98% of total contingencies)				\$0
Total Applicant Contingencies for Battery (BESS) (2% of total contingencies)				\$0
Subtotal of Cost and Applicant Contingencies (Q1 2022 Dollars) ⁴				\$0.00
<i>Performance Bond</i>	1		Percent	\$0.00
Adjusted Gross Cost				\$0.00
Department Applied Contingencies				
<i>Department Administration and Project Management</i>	10		Percent	\$0.00
	10		percent	\$0.00
<i>Future Development Contingency</i>	20 (BESS)		percent	\$0.00
	<i>subtotal</i>			\$0.00
ODOE Contingency Subtotal =				\$0.00
Total Site Restoration Cost with Department Adjusted Contingencies (Q1 2022 Dollars) <i>Rounded to nearest \$1</i>				\$0

Notes:

- See ASC Exhibit X Attachment X-1 for detailed breakdown of tasks, actions and unit costs for the sum total costs presented in this Table.
- To allow continued use of the land for agricultural or other purposes deemed appropriate at the time of decommissioning purposes, all subsurface features including underground collector lines and concrete foundations associated with the O&M, Substation, Solar, Battery, Transmission Line, and Met towers will be removed under the Final Order on ASC, or as agreed with the landowner, in a final Retirement Plan.
- Tasks associated with a Lump Sum unit cost may be calculated using a fraction (in decimal form) of the actual quantities constructed or by using the more detailed breakdown of unit costs associated with the Lump Sum task identified in the cost estimating worksheet in ASC Exhibit X, Attachment X-1.
- Added or modified by Department.



Adjustment Factor - Ask Sisily when yo Adjustment Factor - Ask Sisily when you're ready
Adjustment only necessary if a long duration between pASC and DPO,
delete if not needed

Attachment 5:

Wildfire Mitigation Plan/Landowner Letter Templates

5A: Construction Wildfire Mitigation Plan/Landowner Letter Template

5B: Operations Wildfire Mitigation Plan/Landowner Letter Template

Contents

1.0	Finalizing Wildfire Mitigation Plan Prior to Construction (PRE).....	4
1.1	Update Applicable Sections of WMP.....	4
2.0	Prior to Construction Task List (PRE).....	4
2.1	Training (PRE):.....	4
2.2	Facility Site Map(s) Submission (PRE):.....	5
3.0	Construction Wildfire Mitigation Plan (CON)	5
3.1	Summary of Construction Phasing	5
3.2	Facility Site Map(s):	5
3.3	Specifications for Fire Protection Equipment	6
3.4	Facility Contact Information and Emergency Response Procedures	6
3.5	Use of Vehicles and Power Driven Machinery at Site	7
3.6	Fire Precaution Levels and Restrictions during Fire Season.....	8
3.7	Vegetation Management	11
3.7.1	Vegetation-free, Noncombustible Space, and Vegetation Standards.....	11
3.8	Construction Training(s).....	11
3.8.1	Safety Training	11
4.0	Plan Updates: Amendments and Reporting Requirements:.....	12

Draft Construction Wildfire Mitigation Plan

ODOE Template

Instructions for Siting Analyst during review of an ASC/RFA:

XXX Energy Facility

- Provide template to applicant/certificate holder. To the extent it can be determined during review of an ASC/RFA, determine facility design features such as setbacks, road widths and locations, vegetation management etc. This information should be reflected in Section 3.0 and should be consistent with the facility description in ASC/RFA exhibits and in other mitigation plans (Noxious Weed Plan, Reveg Plan, and Dust Control Plan).
- Provide WMP to County and fire department(s), and ask if the measures (setbacks, fire protection equipment) are sufficient. If comments indicate or request additional measures, work with analyst team and Senior Policy Advisor to determine if any changes should be made to the WMP.
- Delete this prior to sending to applicant/certificate holder.

Instructions for Applicant's and Certificate Holders:

- This template includes preventative actions, procedures, and standards commonly proposed to meet the requirements of OAR 345-022-0115(1)(b) and reflects practices the Department and EFSC have identified as appropriate to minimize wildfire risk at solar photovoltaic power generation facilities. **Use of the template is not required**, and provisions in this template may be modified depending on the type of energy facility under review. Use of the template does not guarantee satisfaction with the Council's Wildfire Prevention and Risk Mitigation Standard. Use of the template does not establish a defense for any enforcement action for violation of a site certificate, Council order or rule. Use of the template or a separately-developed Wildfire Mitigation Plan does not relieve a certificate holder from proactively managing wildfire risk and taking steps to protect against wildfire beyond the measures included in the template or a separately-developed Plan.
- Areas in **yellow highlight** to be update based on the applicant/certificate holder facility proposal and should be filled out to the extent known at the time of review of the ASC/RFA. This information will also be updated/finalized based on facility design and the construction plan prior to construction of the facility.
- All changes to this template must be made in track changes for the Department to determine the scope of changes made.

Applicable EFSC Site Certificate Conditions

Wildfire Prevention and Risk Mitigation Condition 1 (PRE): Prior to construction of the facility or phase, as applicable, the certificate holder shall:

- a. Finalize the Construction Wildfire Mitigation Plan, as provided in Attachment XX to the Final Order on ASC. The final Construction Wildfire Mitigation Plan shall be submitted to the Department for review and approval.
- b. Complete pre-construction tasks and actions designated in the Construction Wildfire Mitigation Plan approved under sub a of PRE-WF-01.

[PRE-WF-01, Final Order on ASC]

Wildfire Prevention and Risk Mitigation Condition 2 (CON): During construction of the facility or phase, as applicable, the certificate holder shall:

- a. Implement and require all onsite contractors and employees to adhere to, the Construction Wildfire Mitigation Plan required under PRE-WF-01.
- b. After the first six months of construction; and then semi-annually during construction, review and update Construction Wildfire Mitigation Plan as designated in the Plan, and submit the results in the semi-annual construction report.

- c. Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department to address wildfire hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.

[CON-WF-01, Final Order on ASC]

1.0 Finalizing Wildfire Mitigation Plan Prior to Construction (PRE)

1.1 Update Applicable Sections of WMP

To finalize this WMP prior to construction of the facility:

Update Section 3.1 with a summary of construction phasing including vegetation removal and grading based on areas of construction work or facility component.

Update Section 3.2 and include in this WMP the facility site maps described in Section 3.2.

Update Section 3.4 with fire department, certificate holder, and operational manager contact information and emergency response procedures. Update Section 3.4 with analysis area residence contact information and confirm analysis area residence contact letter sent to residences within site boundary and 0.5 miles from the facility.

Update section 3.7 to describe vegetation management and areas that will be managed to be vegetation-free, noncombustible space, or gravel surface.

2.0 Prior to Construction Task List (PRE)

Prior to construction of the facility, complete the activities in Sections 2.1 and 2.2.

2.1 Training (PRE):

Before beginning construction, the certificate holder will hold an on-site training for contractors and construction personnel, inviting specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency. The training will cover:

- Description of construction phasing;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment usage and maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of construction maintenance activities during Fire Season and Red Flag Warnings designated in this Plan;
 - Designation of individual(s) responsible for Fire Watch Service;

- Designation of individual(s) responsible for checking fire danger/designations for the day.
- Rescue, Alarm, Contain and Extinguish RACE procedures including:
 - Rescue anyone in danger (if safe to do so);
 - Alarm – call the control room, who will then determine if 911 should be alerted;
 - Contain the fire (if safe to do so); and
 - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County’s emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

The certificate holder will fill out and submit to the Department the template residence outreach letter provided as Attachment 1 of this WMP. Once Department confirms the letter to be sufficient, the certificate holder will mail to each residence within the 0.5 mile analysis area. Certificate holder will confirm mailing and submit to Department.

2.2 Facility Site Map(s) Submission (PRE):

Submit updated site maps from Section 3.2 concurrently to local fire department(s), County emergency management office, and the Department.

3.0 Construction Wildfire Mitigation Plan (CON)

3.1 Summary of Construction Phasing

Provide a summary of construction phasing including vegetation removal and grading based on areas of construction work or facility component.

3.2 Facility Site Map(s):

This Construction WMP includes facility site maps as Attachment XX that identify:

- The phasing for construction, including location of vegetation removal and grading, for facility features and components;
- Location and dimensions of facility roads. Facility perimeter roads are XX feet wide and service roads are XX feet wide;
- Location of vegetation free, noncombustible, defensible spaces;
- Wildfire risk at the site;
- High-fire consequence areas/resources (includes existing infrastructure, residences, sensitive habitat, or cultural resources)
- The location of facility access points. Primary access points are located at XX road at the N/S/E/W portion of the facility;
- A description and the location of emergency access procedures, including how emergency responders and/or adjacent landowners may access site for fire protection equipment or to extinguish an on-site fire when personnel will not be onsite (e.g. The facility will be gated

and accessible by access codes. Local fire departments and emergency officials will receive codes to access the facility in the event of a fire);

- The type and location of fire protection equipment on site;
- The location(s) of water source(s) that will be on-site during construction. (e.g. Water trucks on site during construction will be staged at the O&M building and moved to locations where construction/hot work will be conducted).
-

3.3 Specifications for Fire Protection Equipment

The following fire suppression equipment will be carried in vehicles conducting maintenance activities and stored on-site at the O&M building at all times:

- Fire Extinguisher: Dry chemical. 2A:10BC (5 pound), properly mounted or secured;
- Pulaski;
- Hand Shovel: Round point. 26 to 28 in "D" Handle, blade - 12 inches long and 10 inches wide;
- Collapsible Pail or Backpack Pump: 5-gallon capacity; and
- Drip Can: 5-gallon capacity.

During fire season (as designated in this Plan) water truck(s)/water source, water buffalo, or tank with minimum 500-gallon capacity must be on site. The water truck or water supply shall include the following, unless approved by the Department:

- Pump should be maintained ready to operate and capable to provide a discharge of not less than 20 gallons per minute at 115 psi at pump level. Note: Volume pumps will not produce the necessary pressure to effectively attack a fire start. Pressure pumps are recommended.
- Provide enough hose (500 feet minimum) not less than 3/4" inside diameter to reach areas where power driven machinery has worked.
- Water supply, pump, and at least 250' of hose with nozzle must be maintained as a connected, operating unit ready for immediate use.

All internal combustion engines must be equipped with exhaust systems, mufflers and screens, or include an appropriate spark arrestor; and must be kept in good operating condition. All combustion engines (including but not limited to off road vehicles, chainsaws, and generators) will be equipped with a spark arrestor that meets U.S. Forest Service Standard 5100-1.

All power driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.4 Facility Contact Information and Emergency Response Procedures

Describe fire detection, fire suppression, and emergency procedures that will be implemented in the event of a fire.

Local fire department and county emergency management contact information:

- X
- X

Fire department response times to the site:

- X
- X

Certificate holder primary contact and contact of construction contractor manager(s):

- X
- X

Provide list of residence addresses within the site boundary and 0.5 miles from the site boundary.

Residence/landowner outreach letter is provided as Attachment 1 of this WMP. Use this letter to provide to new or updated residences with the analysis area as designated in Section 4.0, Plan Updates and Reporting Requirements.

Contact 911 in the event of:

- A fire or emergency on-site that cannot be addressed by personnel on-site and requires the assistance of fire or emergency medical personnel;
- A fire ignition on-site that spreads out of the fence line;
- Any fire off-site that does not have emergency responders on site.
 - To the extent that construction personnel can safely assist and/or provide equipment to help extinguish off-site fires until emergency responders are on site, it is encouraged to do so to assist in the spread of the fire, loss of life, property and damage to the environment.

3.5 Use of Vehicles and Power Driven Machinery at Site

The following best management practices (BMPs) to minimize fire risk from vehicle travel, equipment use, and fueling activities will be implemented at the site during construction:

- The movement of vehicles will be planned and managed to minimize fire risk.
- The contractor(s) will be responsible for identifying and marking paths for all off-road vehicle travel. All off-road vehicle travel will be required to stay on the identified paths. No off-road vehicle travel will be permitted while working alone. Travel off road or parking in vegetated areas will be restricted during fire season as designate din this Plan.
- Areas with grass that are as tall or taller than the exhaust system of a vehicle must be wetted before vehicles travel through it.
- Workers will be instructed to shut off the engine of any vehicle that gets stuck, and periodically inspect the area adjacent to the exhaust system for evidence of ignition of vegetation. Stuck vehicles will be pulled out rather than “rocked” free and the area will be inspected again after the vehicle has been moved.
- The contractor(s) will designate a location for field fueling operations at the temporary construction yards. Any fueling of generators, pumps, etc. shall take place at this location only.
- Fuel containers, if used, shall remain in a vehicle or equipment trailer, parked at a designated location alongside a county right-of-way. No fuel containers shall be in the


vehicles that exit the right-of-way except the five-gallon container that is required for the water truck pump.


- All power driven machinery will be kept free of excess flammable material which may create a risk of fire.


3.6 Fire Precaution Levels and Restrictions during Fire Season

Definitions:

 **Non-Fire Season** – Approximately October - May

 **Fire Season** – Approximately June-September, formally designated by the Oregon Department of Forestry (ODF). Under ORS 478.960 (4), a Fire Chief can establish Fire Season within a Fire District when ODF, under ORS 477.505, declares Fire Season. Begins seasonal restrictions for public and industry.

 **Fire Weather Watch** - A fire weather watch is issued when there is a high potential for the development of a red flag event. A watch is issued 18 to 96 hours in advance of the expected onset of criteria. Intent of a fire weather watch is to alert forecast users at least a day in advance for the purposes of resource allocation and fire fighter safety. A watch means critical fire weather conditions are possible but not imminent or occurring.

 **Red Flag Weather Warning** - A red flag warning is used to warn of impending or occurring red flag conditions. Its issuance denotes a high degree of confidence that weather and fuel conditions consistent with local red flag event criteria will occur in 48 hours or less. Specific Red Flag criteria differ for each situation and district in Oregon. Be extremely careful with open flames and other activities that emit sparks.

Hot Work - Any cutting, grinding, welding, or other activity that creates spark or open flame.

Fire Watch Service -

Fire watch shall:

- Be physically capable and experienced to operate firefighting equipment.
- Have facilities for transportation and communications to summon assistance.
- Observe portions of the facility where equipment activity occurred during the day.

Upon discovery of a fire, fire watch personnel must: First report the fire, summon any necessary firefighting assistance, describe intended fire suppression activities; then, after determining a safety zone and an escape route that will not be cut off if the fire increases or changes direction, immediately proceed to control and extinguish the fire, consistent with firefighting training and safety.

Fire-Prevention Measures and Restrictions Associated with Fire Season:

Certificate holder shall maintain a log when construction activities are impacted by Fire Restrictions during Fire Season as designed in this Section. The log will include:

- The date;
- Fire Precaution Level;
- Description of actions taken, including if any measures were taken to reduce wildfire risk that are not identified in this Plan.

 **Non-Fire Season**

- All hot work must be conducted on roads or on non-combustible surfaces.
- Smoking in designated areas only.

 **Fire Season**

- Before the start of each daily shift, at approximately 07:00 a.m. local time, a designated individual will check the fire danger posting by the National Weather Service for any Red Flag Warnings for that day.
- All hot work (any cutting, welding, or other activity that creates spark or open flame) must be conducted on roads or on non-combustible surfaces.
- Water source meeting specifications in this Plan will be on site during fire season.
- Following the completion of hot work, the Certificate Holder or contractor(s) must maintain a fire watch for 60 minutes to monitor for potential ignition.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- Smoking in designated areas only.

 **Fire Weather Watch**

- No hot work permitted.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.





 **Red Flag Weather Warning**

- No hot work permitted.
- On-site personnel must be aware of Red Flag Warning.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	 Non-Fire Season	 Fire Season	 Fire Weather Watch	 Red Flag Warning
Fire weather advisory	Not required	Check for fire weather advisory	Check for fire weather advisory	Check for fire weather advisory

Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	 Non-Fire Season	 Fire Season	 Fire Weather Watch	 Red Flag Warning
		daily before work begins.	daily before work begins.	daily before work begins. On-site personnel must be aware of Red Flag Warning.
On-site water source	N/A	As specified in Section 3.2	As specified in Section 3.2 and 3.3.	As specified in Section 3.2 and 3.3.
Hot work	Only permitted on roads or on non-combustible surfaces.	Only permitted on roads or on non-combustible surfaces; fire watch required for 60 minutes after completion	Not Permitted	Not Permitted
Fire Watch Service	Not required	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.
Driving and Parking	As described in Section 3.5.	As described in Section 3.5.	Only permitted on roads or on non-combustible surfaces and Section 3.5.	Only permitted on roads or on non-combustible surfaces and Section 3.5.
Smoking	Designated areas only	Designated areas only	Not permitted	Not permitted

3.7 Vegetation Management

3.7.1 Vegetation-free, Noncombustible Space, and Vegetation Standards

Vegetation within the fence line and below the solar arrays will be maintained in accordance with the approved Revegetation and Reclamation Plan for the facility.

- Vegetation will be limited to a height of 10-12 inches, with a minimum clearance of 12 inches from electrical equipment. Vegetation near, at, or taller than the maximum height shall be removed or mowed.
- Mowing must be done in advance of fire season or accordance to any fire restrictions.
- At no point shall vegetation come in contact with electrical equipment.
- Vegetation buildup in the fence line(s), shall be removed.
- Any vegetation removed from the site will be disposed of and not stored onsite. Certificate holder and contractors will prevent the accumulation of combustible “burn piles” on site.

The following areas will be managed to be vegetation-free, noncombustible space, or gravel surface:

- XX foot wide service roads within solar fence line - graveled
- XX wide perimeter roads – graveled
- 10- foot noncombustible, defensible space clearance along the fenced perimeter of the site boundary – vegetation free
- Within and a 10-foot perimeter of the inverter/transformer pads, collector substation and battery energy storage system (BESS) – graveled, similar noncombustible base, or vegetation free
- Parking and O&M building perimeter - graveled
- Vegetation along service roads will be managed by mowing or other vegetation removal

Vegetation in these areas will be managed by the following techniques:

- XX
- XX

3.8 Construction Training(s)

3.8.1 Safety Training

Once a year after construction begins, organize and hold an on-site training with certificate holder and construction personnel, inviting equipment manufacturers, specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency that covers:

- The location of electrical facility components and the fire safety measures associated with each component that have been constructed;
- Description of remaining construction phasing;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment usage and maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;

- Overview of smoking policy and locations;
- Overview of procedures and restrictions of construction activities during Fire Season, Fire Weather Watches, and Red Flag Warnings designated in this Plan;
 - Designation of individual(s) responsible for Fire Watch Service;
 - Designation of individual(s) responsible for checking fire danger/designations for the day.
- Rescue, Alarm, Contain and Extinguish (RACE) procedures including:
 - Rescue anyone in danger (if safe to do so);
 - Alarm – call the control room, who will then determine if 911 should be alerted;
 - Contain the fire (if safe to do so); and
 - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees County’s emergency management notification system.

4.0 Plan Updates: Amendments and Reporting Requirements:

The following information must be provided to the Department in the semi-annual construction report required per OAR 345-026-0080:

- Section 3.1 and 3.2, any changes in wildfire risk at the site or changes in facility components or preventative features.
- Section 3.4, any changes in local fire protection agency personnel and operational managers.
- Section 3.4, any changes in analysis area residence/landowner addresses or contact information.
- A copy of the Fire Season Restriction Log identified in Section 3.6.

Information from the semi-annual construction reporting may be used to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.

This Plan may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council (EFSC) or ODOE, acting within its delegated authority of EFSC. Such amendments may be made without amendment of the site certificate. EFSC authorizes ODOE to agree to amendments to this Plan. ODOE will notify EFSC of all amendments, and EFSC retains the authority to approve, reject, or modify any amendment of this Plan agreed to by ODOE.

Attachment 1: Residence/Landowner Outreach Letter

COMPANY LOGO/LETTERHEAD

DATE

RE: Community Outreach Letter for XXX Energy Facility

My name is XXX and I'm the XXX for XX LLC. We are the certificate holder of the XXX Energy Facility, approved by the Oregon Energy Facility Siting Council (EFSC). Construction of the facility will start/was completed in XX. The facility is a XX megawatt solar facility located XX. You are receiving this letter because your address is within 0.5 miles from the facility site boundary and we want to make sure you are aware of the following information:

- Safety at the facility is our highest priority. We have emergency procedures in place in the event of an emergency on site or off site that may impact the facility and adjacent areas. This includes an EFSC Wildfire Mitigation Plan (WMP) that addresses vegetation management, facility inspections, and maintenance protocols to ensure that the facility minimizes fire risk. The WMP also requires fire protection equipment to be on site and allows for emergency access for fire departments in the event of a fire on site or off site.
- In the event of an emergency on site or off site that cannot be addressed by facility personnel, local emergency and law enforcement will be contacted and procedures designated by the XX County's Office of emergency management will be followed, if necessary.
- If you have not already done so, we recommend you sign up for XX County emergency notification system. You may sign up via the County's webpage or directly via this link:
Link: XX

Please contact me if you have any questions about the facility, XX company, or any other concerns regarding construction and operation of the facility. Further, the Oregon Department of Energy (ODOE) is staff to EFSC and can be contacted if you have questions. Follow the link below for contact information:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Compliance-Program.aspx>

Thank you,

NAME

TITLE

CONTACT INFORMATION

DATE

Contents

1.0	Finalizing Wildfire Mitigation Plan Prior to Operation (PRO)	4
1.1	Update Applicable Sections of WMP	4
2.0	Prior to Operation Task list (PRO)	4
2.1	Training (PRO)	5
2.2	Facility Site Map(s) Submission (PRO)	5
3.0	Operational Wildfire Mitigation Plan (OPR)	5
3.1	Summary of As-Built Facility Description with Design Features	5
3.2	Facility Site Map(s)	6
3.3	Specifications for Fire Protection Equipment	6
3.4	Facility Contact Information and Emergency Response Procedures	7
3.5	Fire Precaution Levels and Restrictions during Fire Season	7
3.6	Vegetation Management	10
3.6.1	Vegetation-free, Noncombustible Space	10
3.6.2	Vegetation Standards, Surveys and Management	10
3.7	Inspections and Maintenance	11
3.8	Use of Vehicles and Power Driven Machinery at Site	18
3.9	Operational Training(s)	18
3.9.1	Annual or Biannual Safety Training	18
3.9.2	Electrical Safety Program	19
3.10	Facility Monitoring	19
4.0	Plan Updates: Amendments and Reporting Requirements	19

Draft Operational Wildfire Mitigation Plan
ODOE Template

Instructions for Siting Analyst during review of an ASC/RFA:

- Provide template to applicant/certificate holder. To the extent it can be determined during review of an ASC/RFA, determine facility design features such as setbacks, road widths and locations, vegetation management etc. This information should be reflected in Section 3.0 and should be consistent with the facility description in ASC/RFA exhibits and in other mitigation plans (Noxious Weed Plan, Reveg Plan, and Dust Control Plan).
- Provide WMP to County and fire department(s), and ask if the measures (setbacks, fire protection equipment) are sufficient. If comments indicate or request additional measures, work with analyst team and Senior Policy Advisor to determine if any changes should be made to the WMP.
- Delete this prior to sending to applicant/certificate holder.

Instructions for Applicants and Certificate Holders:

- This template includes preventative actions, procedures, and standards commonly proposed to meet the requirements of OAR 345-022-0115(1)(b) and reflects practices the Department and EFSC have identified as appropriate to minimize wildfire risk at solar photovoltaic power generation facilities. **Use of the template is not required**, and provisions in this template may be modified depending on the type of energy facility under review. Use of the template does not guarantee satisfaction with the Council's Wildfire Prevention and Risk Mitigation Standard. Use of the template does not establish a defense for any enforcement action for violation of a site certificate, Council order or rule. Use of the template or a separately-developed Wildfire Mitigation Plan does not relieve a certificate holder from proactively managing wildfire risk and taking steps to protect against wildfire beyond the measures included in the template or a separately-developed Plan.
- Areas in **yellow highlight** to be updated based on the applicant/certificate holder facility proposal and should be filled out to the extent known at the time of review of the ASC/RFA. This information will also be updated/finalized based on final design prior to operation of the facility.
- All changes to this template must be made in track changes for the Department to evaluate the scope of changes made.

Applicable EFSC Site Certificate Conditions

Wildfire Prevention and Risk Mitigation Condition 3 (PRO): Prior to operation of the facility or phase, as applicable, the certificate holder shall:

- a. Finalize the Operational Wildfire Mitigation Plan, as provided in Attachment XX to the Final Order on ASC. The final Operational Wildfire Mitigation Plan shall be submitted to the Department for review and approval.
- b. Complete pre-operational tasks and actions designated in the Operational Wildfire Mitigation Plan approved under sub a of PRO-WF-01.

[PRO-WF-01, Final Order on ASC]

Wildfire Prevention and Risk Mitigation Condition 4 (OPR): During operation, the certificate holder shall:

- a. Implement the Operational Wildfire Mitigation Plan required under PRO-WF-01, included as Attachment XX to the Final Order on ASC.

- b. After the first operational year, annually review and update Operational Wildfire Mitigation Plan as designated in the Plan, and submit the results in the annual report for that year.
- c. Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder or the Department to address wildfire hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.

[CON-WF-01, Final Order on ASC]

1.0 Finalizing Wildfire Mitigation Plan Prior to Operation (PRO)

1.1 Update Applicable Sections of WMP

To finalize this WMP prior to operation of the facility:

Update Section 3.1 based on final facility design including a brief description of the facility.

Update Section 3.2 and include in this WMP the facility site maps described in Section 3.2.

Update Section 3.4 with fire department, certificate holder, and operational manager contact information and emergency response procedures. Describe fire detection, fire suppression, and emergency shut off systems that will be activated in the event of a fire. Update Section 3.4 with analysis area residence contact information and confirm analysis area residence contact letter sent to residences within site boundary and 0.5 miles from the facility.

Update section 3.6 to describe vegetation management and areas that will be managed to be vegetation-free, noncombustible space, or gravel surface.

Update Section 3.7 and Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, based on manufacturer recommendations associated with each type of facility component and vegetation management consistent with this WMP and Revegetation Plan; and include an appendix with excerpts of manufacturer recommendations.

Update Section 3.10 with any additional details about facility monitoring.

Update Section 4.0 with any additional standards for future review and plan updates. Note that Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, will be used as a compliance checklist by the Department to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation.

2.0 Prior to Operation Task list (PRO)

Prior to operation of the facility, complete the activities in Sections 2.1 and 2.2.

2.1 Training (PRO)

Before beginning operation, the certificate holder will hold an on-site training for operational personnel, inviting equipment manufacturers, specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency. The training will cover:

- The location of electrical facility components and the fire safety measures associated with each component;
- Battery-specific safety protocols, including how to appropriately address chemical fires, in the event of an emergency;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of operational maintenance activities during Fire Season and Red Flag Warnings designated in this Plan;
 - Designation of individual(s) responsible for Fire Watch Service;
 - Designation of individual(s) responsible for checking fire danger/designations for the day.
- Overview of procedures for Rescue, Alarm, Contain and Extinguish (RACE) procedures, including:
 - Rescue anyone in danger (if safe to do so);
 - Alarm – call the control room, who will then determine if 911 should be alerted;
 - Contain the fire (if safe to do so); and
 - Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County’s emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

The certificate holder will fill out and submit to the Department the template residence outreach letter provided as Attachment 1 of this WMP. Once Department confirms the letter to be sufficient, the certificate holder will mail to each residence within the 0.5 mile analysis area. Certificate holder will confirm mailing and submit to Department.

2.2 Facility Site Map(s) Submission (PRO):

Submit updated site maps from Section 3.2 concurrently to local fire department(s), County emergency management office, and the Department.

3.0 Operational Wildfire Mitigation Plan (OPR)

3.1 Summary of As-Built Facility Description with Design Features

Include a brief summary of the facility.

3.2 Facility Site Map(s):

This Operational WMP includes facility site maps as Attachment XX that identify:

- Location and dimensions of facility roads. Facility perimeter roads are XX feet wide and service roads are XX feet wide;
- Location of vegetation free, noncombustible, defensible spaces;
- Wildfire risk at the site and date;
- High-fire consequence areas/resources (includes existing infrastructure, residences, sensitive habitat, or cultural resources)
- The location of facility access points. Primary access points are located at XX road at the N/S/E/W portion of the facility;
- A description and the location of emergency access procedures, including how emergency responders and/or adjacent landowners may access site for fire protection equipment or to extinguish an on-site fire when personnel will not be onsite. (e.g. The facility will be gated and accessible by access codes. Local fire departments and emergency officials will receive codes to access the facility in the event of a fire);
- The type and location of fire protection equipment on site;
- The location(s) of water source(s) that will be on-site during operations. (e.g. Water trucks on site during fire season will be staged at the O&M building).

3.3 Specifications for Fire Protection Equipment

The following fire suppression equipment will be carried in vehicles conducting maintenance activities and stored on-site at the O&M building:

- Fire Extinguisher: Dry chemical. 2A:10BC (5 pounds), properly mounted or secured;
- Pulaski;
- Hand Shovel: Round point. 26 to 28 in "D" Handle, blade - 12 inches long and 10 inches wide;
- Collapsible Pail or Backpack Pump: 5-gallon capacity; and
- Drip Can: 5-gallon capacity.

During fire season (as designated in this Plan) water truck(s)/water source, water buffalo, or tank with minimum 500-gallon capacity must be on site. The water truck or water supply shall include the following, unless approved by the Department:

- Pump should be maintained ready to operate and capable of providing a discharge of not less than 20 gallons per minute at 115 psi at pump level. Note: Volume pumps will not produce the necessary pressure to effectively attack a fire start. Pressure pumps are recommended. Provide enough hose (500 feet minimum) not less than 3/4" inside diameter to reach areas where power driven machinery has worked.
- Water supply, pump, and at least 250' of hose with nozzle must be maintained as a connected, operating unit ready for immediate use.

All internal combustion engines must be equipped with exhaust systems, mufflers and screens, or include an appropriate spark arrester; and must be kept in good operating condition.

All combustion engines (including but not limited to off road vehicles, chainsaws, and generators) will be equipped with a spark arrester that meets U.S. Forest Service Standard 5100-1.

All power driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.4 Facility Contact Information and Emergency Response Procedures

Describe fire detection, fire suppression, and emergency shut off systems that will be activated in the event of a fire.

Local fire department and county emergency management contact information:

- X
- X

Fire department response times to the site:

- X
- X

Certificate holder primary contact and contact of operational manager(s):

- X
- X

Provide list of residence addresses within the site boundary and 0.5 miles from the site boundary.

Residence/landowner outreach letter is provided as Attachment 1 of this WMP. Use this letter to provide to new or updated residences with the analysis area as designated in Section 4.0, Plan Updates and Reporting Requirements.


Contact 911 in the event of:


- A fire or emergency on-site that cannot be addressed by personnel on-site and requires the assistance of fire or emergency medical personnel;
- A fire ignition on-site that spreads out of the fence line;
- Any fire off-site that does not have emergency responders on site.
 - To the extent that operational personnel can safely assist and/or provide equipment to help extinguish off-site fires until emergency responders are on site, it is encouraged to do so to assist in the spread of the fire, loss of life, property and damage to the environment.

3.5 Fire Precaution Levels and Restrictions during Fire Season

Definitions:

 **Non-Fire Season** – Approximately October - May

 **Fire Season** – Approximately June-September, formally designated by the Oregon Department of Forestry (ODF). Under ORS 478.960 (4), a Fire Chief can establish Fire Season within a Fire District when ODF, under ORS 477.505, declares Fire Season. Begins seasonal restrictions for public and industry.

 **Fire Weather Watch** - A fire weather watch is issued when there is a high potential for the development of a red flag event. A watch is issued 18 to 96 hours in advance of the expected onset of criteria. Intent of a fire weather watch is to alert forecast users at least a day in advance for the

purposes of resource allocation and fire fighter safety. A watch means critical fire weather conditions are possible but not imminent or occurring.



Red Flag Weather Warning - A red flag warning is used to warn of impending or occurring red flag conditions. Its issuance denotes a high degree of confidence that weather and fuel conditions consistent with local red flag event criteria will occur in 48 hours or less. Specific Red Flag criteria differ for each situation and district in Oregon. Be extremely careful with open flames and other activities that emit sparks.

Hot Work -Any cutting, grinding, welding, or other activity that creates spark or open flame.

Fire Watch Service:

Fire watch shall:

- Be physically capable and experienced to operate firefighting equipment.
- Have facilities for transportation and communications to summon assistance.
- Observe portions of the operation on which activity occurred during the day.

Upon discovery of a fire, Firewatch personnel must: First report the fire, summon any necessary firefighting assistance, describe intended fire suppression activities; then, after determining a safety zone and an escape route that will not be cut off if the fire increases or changes direction, immediately proceed to control and extinguish the fire, consistent with firefighting training and safety.

Fire-Prevention Measures and Restrictions Associated with Fire Season:

Certificate holder shall maintain a log when operational activities are impacted by Fire Restrictions during Fire Season as designed in this Section. The log will include:

- The date;
- Fire Precaution Level;
- Description of actions taken, including if any measures were taken to reduce wildfire risk that are not identified in this Plan.

 **Non-Fire Season**

- All hot work must be conducted on roads or on non-combustible surfaces.
- Smoking in designated areas only.



Fire Season

- Before the start of each daily shift, at approximately 07:00 a.m. local time, a designated individual will check the fire danger posting by the National Weather Service for any Red Flag Warnings for that day.
- All hot work (any cutting, welding, or other activity that creates spark or open flame) must be conducted on roads or on non-combustible surfaces.
- Water source meeting specifications in this Plan will be on site during fire season.
- Following the completion of hot work, the Certificate Holder or contractor(s) must maintain a fire watch for 60 minutes to monitor for potential ignition.

- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- Smoking in designated areas only.



Fire Weather Watch

- No hot work permitted.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.



Red Flag Weather Warning

- No hot work permitted.
- On-site personnel must be aware of Red Flag Warning.
- Driving and parking only permitted on graveled surfaces.
- Fire watch shall be on duty during any breaks and for one hour after all power driven machinery used by the operator has been shut down for the day.
- No smoking on site.

Table 1: Fire Prevention Measures During Fire Season Summary









Requirement	 Non-Fire Season	 Fire Season	 Fire Weather Watch	 Red Flag Warning
Fire weather advisory	Not required	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins.	Check for fire weather advisory daily before work begins. On-site personnel must be aware of Red Flag Warning.
On-site water source	N/A	As specified in Section 3.2	As specified in Section 3.2 and 3.3.	As specified in Section 3.2 and 3.3.
Hot work	Only permitted on roads or on non-combustible surfaces.	Only permitted on roads or on non-combustible surfaces; fire watch required for 60 minutes after completion	Not Permitted	Not Permitted

Table 1: Fire Prevention Measures During Fire Season Summary

Requirement	 Non-Fire Season	 Fire Season	 Fire Weather Watch	 Red Flag Warning
Fire Watch Service	Not required	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.	During breaks and for 60 minutes after all power-driven machinery has been shut down for the day.
Driving and Parking	As described in Section 3.9.	As described in Section 3.9.	Only permitted on roads or on non-combustible surfaces and Section 3.9.	Only permitted on roads or on non-combustible surfaces and Section 3.9.
Smoking	Designated areas only	Designated areas only	Not permitted	Not permitted

3.6 Vegetation Management

3.6.1 Vegetation-free, Noncombustible Space

The following areas will be managed to be vegetation-free, noncombustible space, or gravel surface:

- XX foot wide service roads within solar fence line - graveled
- XX wide perimeter roads – graveled
- 10- foot noncombustible, defensible space clearance along the fenced perimeter of the site boundary – vegetation free
- Within and a 10-foot perimeter of the inverter/transformer pads, collector substation and battery energy storage system (BESS) – graveled, similar noncombustible base, or vegetation free
- Parking and O&M building perimeter - graveled
- Vegetation along service roads will be managed by mowing or other vegetation removal

Vegetation in these areas will be managed by the following techniques:

- XX
- XX
-

3.6.2 Vegetation Standards, Surveys and Management

Vegetation within the fence line and below the solar arrays will be maintained in accordance with the approved Revegetation Plan, Soil Reclamation Plan and Noxious Weed Plan for the facility.

- Vegetation will be limited to a height of 10-12 inches.
- At no point shall vegetation come in contact with electrical equipment.
- Vegetation near, at, or taller than the maximum height shall be removed or mowed.
- Mowing must be done in advance of fire season or accordance to any fire restrictions.
- At no point shall vegetation come in contact with electrical equipment.
- Vegetation buildup in the fence line(s), shall be removed.
- Any vegetation removed from the site will be disposed of and not stored onsite. Certificate holder and contractors will prevent the accumulation of combustible “burn piles” on site.

A vegetation assessment survey of the fenced area will be completed at least twice a year to monitor for vegetation clearances and maintenance of fire breaks, and wildfire hazards. One survey will occur before the fire season begins, in May or June. The second survey will occur in October or November. Additional vegetation surveys and management may be required throughout the year based on seasonally heightened fire risk, vegetation growth, or observations from operational maintenance staff.

The survey will be conducted by the a vegetation specialist and will be used to assess the frequency of upcoming vegetation maintenance and will assess and document the following:

- Location;
- Species;
- Height;
- Proximity to facility components;
- Estimated growth rate;
- Abundance;
- Clearance/setbacks; and
- Risk of fire hazard.

Results of surveys shall be provided in the annual updates to this WMP, designated in Section 4.0.

Vegetation control includes: (to be consistent with this WMP, Revegetation Plan, Soil Reclamation Plan and Noxious Weed Plan.)

- XXX
- XXX

3.7 Inspections and Maintenance

Facility components will be inspected and maintained as designated in Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results* below. Update Table 2 based on manufacturer recommendations associated with each type of facility component and vegetation management consistent with this WMP and Revegetation Plan.

Table 2 includes an operational check list that will be filled out designating which personnel conducted inspections and maintenance, the dates of inspections and maintenance, and results. As designated in Section 4.0, of this WMP, this table checklist will be submitted to demonstrate compliance with the WMP and used to determine if changes to the WMP are necessary. Other checklist may be provided prior to operation and in the annual review of the WMP, as approved by the Department.

Manufacturers' recommendations, or excerpts for inspections and maintenance are included as Appendix XX to plan.

Lock Out/Tag Out Program:

During maintenance activities, electrical equipment is de-energized and physically locked or tagged in the de-energized positions to avoid inadvertent events that could result in arc flash.

- Ensure equipment is maintained to prevent and control sources of ignition.

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard ¹	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results	
System Protection	Protection Relays <ul style="list-style-type: none"> Verify calibration and check functionality. Breaker Trip Testing <ul style="list-style-type: none"> Verify the ability to trip breakers via coil. 	X	Manufacturer's maintenance recommendations	Repair or replace once every 5 years	Date:	Date:	
					Personnel:	Personnel:	
					Results:	Results:	
System Protection	System Protection Potential Transducers ("PTs") and Current Transducers ("CTs") <ul style="list-style-type: none"> Verify calibration and check functionality. 	X	Manufacturer's maintenance recommendations	Repair or replace once every 11 years	Date:	Date:	
					Personnel:	Personnel:	
					Results:	Results:	
Solar Inverter	<ul style="list-style-type: none"> Visual inspection of inverter and surrounding area. Verify torque specifications. For alternating current (AC)/direct current (DC), perform inspection of communication and control power terminations. Cycle AC/DC disconnects, inspect AC/DC contactors and cooling fans. Perform infrared scan. Inverter Testing and Preventative Parts Replacement <ul style="list-style-type: none"> Preventative maintenance replacement of inverter parts (e.g.: cooling system and power supplies that are operating effectively but scheduled for replacement per manufacturer's recommendations). 		Spill Prevention, Control, and Countermeasures (SPCC) Plan ³ Manufacturer's maintenance recommendations	<ul style="list-style-type: none"> Monthly SPCC Plan Bi-annual Preventative Maintenance Per manufacturer's recommendations 	Date:	Date:	
					Personnel:	Personnel:	
					Results:	Results:	
						Notes:	Notes:
		Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on gravel pad around inverter to prevent vegetation growth. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon visual inspections listed above.	Date:	Date:
					Personnel:	Personnel:	
					Results:	Results:	
Tracker System	<ul style="list-style-type: none"> Perform visual inspection of tracking components; sync data with the Applicant's Operations Center. Perform visual inspection of module clamps and rail fasteners for integrity. Perform visual inspection of gear drives and shaft assemblies for alignment. Grease gear boxes and/or drive shaft. Verify wind stow functionality and lubricate slew ring. 		Manufacturer's maintenance recommendations	<ul style="list-style-type: none"> Per manufacturer's recommendations 	Date:	Date:	
					Personnel:	Personnel:	
					Results:	Results:	
					Notes:	Notes:	
Solar Array Structures	<ul style="list-style-type: none"> Perform visual inspection of mounting structures, 		Manufacturer's	Repair or replace annually	Date:	Date:	

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard ¹	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
	grounding, and cabling.		maintenance recommendations		Personnel: Results: Notes:	Personnel: Results: Notes:
Solar Array Panels, Harnesses, and Combiner Boxes	At Applicant's sole discretion, to perform one of the following options: <ul style="list-style-type: none"> • Infra-red ("IR") Flyover <ol style="list-style-type: none"> a. IR scan of Site providing DC health of the Facility down to string level reporting; or • Physical DC Health Inspection <ol style="list-style-type: none"> a. Perform visual inspection of whips and wires connectors for damage or exposed conductors in gutters of harness combiner boxes. b. Measure and record current of each whip using clamp-on meter and identify low performing whips. 		Applicant's discretion Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components	Vegetation: Vegetation under solar arrays will be maintained to a height of 10-12 inches, with a minimum clearance of 12 inches from electrical equipment. Methods include manual removal, mowing, or as designate din this Plan.	Vegetation: Twice a year, or more often, as designate din this Plan.	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Collector Substation	<ul style="list-style-type: none"> • Perform visual inspection of the grounding system. • Perform thermographic and visual inspection. • Perform uninterrupted power supply (UPS) inspection and maintenance. 		Manufacturer's maintenance recommendations North American Electric Reliability Corporation (NERC)	Repair or replace annually	Date: Personnel:	Date: Personnel:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on substation gravel pad. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon routine visual inspections.	Results: Notes:	Results: Notes:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard ¹	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
BESS	<ul style="list-style-type: none"> Set battery maintenance (system check, cell balancing). Battery cable, appearance, grounding, dust removal. Inspect battery management system alarms. Visual inspection of electrical terminations using thermal imager. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on substation gravel pad. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon routine visual inspections.	Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	<ul style="list-style-type: none"> Check for correct operations of battery monitoring system and battery charging system. Perform visual inspection of the battery room, mounting rack, batteries, and connections. 		Manufacturer's maintenance recommendations	Repair or replace monthly	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	<ul style="list-style-type: none"> Perform individual cell float charge and specific gravity checks. 		Manufacturer's maintenance recommendations	Repair or replace quarterly	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Unit Control Enclosure Battery	<ul style="list-style-type: none"> Measure float cell voltage, pilot cell voltage, and electrolyte temperature of pilot cell. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Supervisory, Control and Data Acquisition (SCADA) & Network Equipment	<ul style="list-style-type: none"> Plant equipment will be evaluated every 5 years to determine state of health and provide recommendations to Savion. 		Manufacturer's maintenance recommendations	Upgrade, repair, or replace every 5 years	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
BESS Junction Box/ Auxiliary System/Miscellaneous	<ul style="list-style-type: none"> Auxiliary equipment maintenance and inspection. Enclosure dust removal. Inspect cable entry, grounding, sealing, dust removal. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel:	Date: Personnel:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard ¹	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
	<ul style="list-style-type: none"> Critical sensor calibration check. Maintenance report. 				Results: Notes:	Results: Notes:
BESS Fire Safety System	<ul style="list-style-type: none"> Fire alarm and detection system inspection. Fire alarm and detection system maintenance. Fire suppression System Inspection. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel: Results: Notes:	Date: Personnel: Results: Notes:
BESS Thermal Management System	<ul style="list-style-type: none"> Thermal management system inspection. Thermal management system maintenance. Motor Lubrication. Clean Filters by rinsing with water. Electric Heater - Dust accumulation on the coil, signs of overheating on the heater frame, traces of water or rust on the electric heater control box. 		Manufacturer's maintenance recommendations	Repair or replace semi-annually	Date: Personnel: Results: Notes:	Date: Personnel: Results: Notes:
BESS Thermal Management System	<ul style="list-style-type: none"> Coolant tester visual inspection. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel: Results: Notes:	Date: Personnel: Results: Notes:
BESS General	<ul style="list-style-type: none"> System configuration check. 		Manufacturer's maintenance recommendations	Repair or replace annually	Date: Personnel: Results: Notes:	Date: Personnel: Results: Notes:
Medium Voltage (MV) and High Voltage (HV) Breaker	<ul style="list-style-type: none"> Clean out dirt and debris. Perform a manual operation test. Perform an electrical test. Perform a gas leakage test. 		Manufacturer's maintenance recommendations NERC	Repair or replace per manufacturer's recommendations	Date: Personnel: Results: Notes:	Date: Personnel: Results: Notes:
Generator Step-Up (GSU) Transformer	<ul style="list-style-type: none"> Perform a visual inspection and check for proper operation of fan motor, oil pump motor, and breather. Inspect and maintain substation transformer bushings 		SPCC Plan ³	Repair, overhaul, refurbish, or replace per manufacturer's recommendations	Date: Personnel:	Date: Personnel:

Table 2: Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results

Facility Component(s)	Inspection Procedure	Inspection Frequency	Standard ¹	Maintenance Schedule	Date and Personnel Completing Inspection(s); Inspection Results	Date and Personnel Completing Maintenance; Maintenance Results
	and control panel. <ul style="list-style-type: none"> Perform visual inspection of bushings for indications of local heating, oil leaks, proper oil level and indication of contaminants. 		Manufacturer's maintenance recommendations		Results: Notes:	Results: Notes:
Inverter Step-up Transformer	<ul style="list-style-type: none"> Perform infrared scans on low side of transformer when power is >80%. Verify temperature and pressure sync with the contractor's Operations Center. Perform visual inspection of the physical integrity of the enclosure and check for oil leakage. Perform visual inspection for damage or discoloration of bushings. Perform oil sample analysis on MV transformer(s). Collect MV transformer oil sample(s) for 3rd party analysis. Perform electrical test of transformer. Verify integrity of surge arresters and check for proper tap position. 		SPCC Plan ³ Manufacturer's maintenance recommendations	Replace or repair per manufacturer's recommendation	Date: Personnel:	Date: Personnel:
	Vegetation: Visual inspection during component inspections and visual inspections during vegetation surveys twice a year.	Vegetation: Twice a year during vegetation surveys and additional visual inspections during routine inspections of components.	Vegetation: Herbicide application on gravel pad around inverter to prevent vegetation growth. IEEE 80 NEC 70	Vegetation: Yearly, depending on vegetation condition. Or more frequent based on vegetation survey results or upon visual inspections listed above.	Date: Personnel:	Date: Personnel:
					Results: Notes:	Results: Notes:
Overhead electrical lines	Visual inspection of components, grounding and APLIC measures.		APLIC		Date: Personnel:	Date: Personnel:
	Vegetation: Visual inspection of vertical clearance distance between conductor and vegetation.		Vegetation: National Energy Reliability Corporation (NERC) - Vegetation maintenance standard FAC-003-0. Mow vegetation to achieve clearance requirements between conductor and ground.	Vegetation: Yearly, depending on vegetation condition.	Results: Notes:	Results: Notes:

1. The Operational SPCC Plan for the Facility will require these components to be inspected monthly for spills. During these inspections, Operational Staff will also visually inspect the component and surrounding area.

3.8 Use of Vehicles and Power Driven Machinery at Site

The following best management practices (BMPs) to minimize fire risk from vehicle travel, equipment use, and fueling activities will be implemented at the site during operational activities:

- The movement of vehicles will be planned and managed to minimize fire risk.
- As necessary, contractor(s) or operational personnel will be responsible for identifying and marking paths for all off-road vehicle travel. All off-road vehicle travel will be required to stay on the identified paths. No off-road vehicle travel will be permitted while working alone. Travel off road or parking in vegetated areas will be restricted during fire season as designate din this Plan.
- Areas with grass that are as tall or taller than the exhaust system of a vehicle must be wetted before vehicles travel through it.
- Workers will be instructed to shut off the engine of any vehicle that gets stuck, and periodically inspect the area adjacent to the exhaust system for evidence of ignition of vegetation. Stuck vehicles will be pulled out rather than “rocked” free and the area will be inspected again after the vehicle has been moved.
- Fuel containers, if used, shall remain in a vehicle or equipment trailer, parked at a designated location alongside a county right-of-way. No fuel containers shall be in the vehicles that exit the right-of-way except the five-gallon container that is required for the water truck pump.
- All power driven machinery will be kept free of excess flammable material which may create a risk of fire.

3.9 **Operational Training(s)**

3.9.1 **Annual or Biannual Safety Training**

Organize and hold an on-site training with operational personnel, inviting equipment manufacturers, specialty contractors, local fire department(s), participating and adjacent landowners, emergency management office personnel, ODOE, and any other emergency management agency, that covers:

- The location of electrical facility components and the fire safety measures associated with each component;
- Battery-specific safety protocols, including how to appropriately address chemical fires, in the event of an emergency;
- The type, location, and proper use of fire protection equipment;
- Fire protection equipment maintenance requirements;
- The location(s) of water source(s) and proper usage, storing and maintenance for the pump, hose nozzle; and water hose;
- Overview of smoking policy and locations;
- Overview of procedures and restrictions of operational maintenance activities during Fire Season and Red Flag Warnings designated in this Plan; Rescue, Alarm, Contain and Extinguish (RACE) procedures, including:
 - Rescue anyone in danger (if safe to do so);
 - Alarm – call the control room, who will then determine if 911 should be alerted;

- Contain the fire (if safe to do so); and
- Extinguish the incipient fire stage (if safe to do so).
- Provide information and encourage attendees to sign up for the County's emergency management notification system.

Training attendee list and training materials must be provided to the Department to demonstrate compliance.

3.9.2 Electrical Safety Program

All operational workers will be trained in electrical safety and the specific hazards of the facility. This training will address:

- Minimum experience requirements to work on different types of electrical components;
- Lockout/tagout procedures
- Electrical equipment testing and troubleshooting;
- Switching system;
- Provisions for entering high voltage areas (e.g., substation);
- Minimum approach distances; and
- Required personal protective equipment.

3.10 Facility Monitoring

Facility components that are monitored via the supervisory, control, and data acquisition (SCADA) system are the solar inverters, collector substation, battery energy storage system (BESS), and overhead electrical lines associated with the alternate gen-tie line.

Facility components will be monitored remotely with the SCADA system 24 hours a day, 7 days a week.

Smoke and fire detectors are placed throughout the facility, will be connected to the SCADA system, and will contact local firefighting services if needed. The BESS will also have integrated fire safety and monitoring systems to detect and alarm if a fire condition is detected.

Facility has remote shutdown capabilities that involve XXX.

4.0 Plan Updates: Amendments and Reporting Requirements

The following information must be provided to the Department in the annual report required per OAR 345-026-0080::

- Section 3.1 and 3.2, any changes in wildfire risk at the site or changes in facility components or preventative features.
- Section 3.4, any changes in local fire protection agency personnel and operational managers.
- Section 3.4, any changes in analysis area residence/landowner addresses or contact information.
- Fill out Table 2: *Operational Electrical Component and Vegetation Inspection and Maintenance Schedule and Results*, with the dates, personnel, and results of inspections and maintenance performed. A different form or checklist of operational inspection, vegetation

- management, and maintenance may be used if approved by the Department.
- A copy of the Fire Season Restriction Log identified in Section 3.5.

The certificate holder must review this WMP annually to determine if updates to the WMP are necessary. In its annual review, the certificate holder will evaluate changes in standards, policies, future technologies or best practices that could be implemented at the facility to address wildfire prevention or protection, including but not limited to those identified in Table 3, below.

Information from the annual reporting and from the certificate holder or Department review of sources in Table 3 may be used to establish the performance of the WMP. If determined by certificate holder or Department, adjustments or improvements must be proposed to ensure the WMP provides wildfire mitigation. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.

This Plan may be amended from time to time by agreement of the certificate holder and the Oregon Energy Facility Siting Council (EFSC) or ODOE, acting within its delegated authority of EFSC. Such amendments may be made without amendment of the site certificate. EFSC authorizes ODOE to agree to amendments to this Plan. ODOE will notify EFSC of all amendments, and EFSC retains the authority to approve, reject, or modify any amendment of this Plan agreed to by ODOE.

Table 3: Standards for Future Review

Reference	Description	Method
American Clean Power	Industry ground that establishes best practices for renewable energy projects.	The applicant is a member of ACP and participates in best practice development ¹ .
National Electric Reliability	National Energy Reliability Corporation develops electrical standards for large energy facilities.	The applicant will follow NERC Standard FAC-003-0 for its vegetation management program of transmission lines ² , or updates to this standard as approved by NERC.
Oregon Specialty Building Codes	Building codes applicable to inhabitable spaces, including the O&M building and the substation enclosure.	Remodeling to the O&M and enclosure structure that requires permits will follow any updates to the OSPC at that time.
Oregon Fire Code	The Oregon State Fire Marshal adopts the Oregon Fire Code, establishing minimum fire prevention and protection systems requirements applicable to certain structures, including but not limited to, energy systems.	The certificate holder will adhere to any applicable standards of the Oregon Fire Code and will incorporate features necessary to meet those standards into the design of the facility. Certificate holder will annually review and apply applicable standards that may apply to

Table 3: Standards for Future Review

Reference	Description	Method
NFPA Codes and Standards	The National Fire Protection Association publishes codes and standards intended to minimize the possibility and effects of fire and other risks/	The certificate holder will identify and adhere to any applicable codes and standards and will incorporate features necessary to meet those standards into the design of the facility. Certificate holder will annually review and apply applicable standards that may apply to an operational facility.
APLIC	Avian protection methods for electrical facility reduce fires related to bird/mammal nests on electrical equipment.	The certificate holder is a member of APLIC ³ . An operational wildlife monitoring program will inspect for wildlife nesting on facilities that could cause fire, and take actions following applicable laws (e.g., MBTA).
ORS chapter 477, OAR chapter 629-043	Standards and rules for fire prevention in forest and range land administered by Oregon Department of Forestry	The certificate holder will be familiar with and operate consistently with the applicable standards, including any updates to rules or standards and will provide a summary of standards that are updated and implemented at the facility.
OAR chapter 860, division 024	Safety standards for transmission lines adopted by Oregon PUC	The certificate holder will maintain consistency with any applicable vegetation clearance requirements, pruning standards, and high fire risk zone safety standards and will provide a summary of standards that are updated and implemented at the facility.
<p>1. Link to ACP Standards & Practices: https://cleanpower.org/resources/types/standards-and-practices/.</p> <p>2. NERC FAC-003-0: https://www.nerc.com/pa/Stand/Reliability%20Standards/FAC-003-0.pdf.</p> <p>3. Link to APLIC member organization: https://www.aplic.org/member_websites.php.</p>		

Attachment 1: Residence/Landowner Outreach Letter

COMPANY LOGO/LETTERHEAD

DATE

RE: Community Outreach Letter for XXX Energy Facility

My name is XXX and I'm the XXX for XX LLC. We are the certificate holder of the XXX Energy Facility, approved by the Oregon Energy Facility Siting Council (EFSC). Construction of the facility will start/was completed in XX. The facility is a XX megawatt solar facility located XX. You are receiving this letter because your address is within 0.5 miles from the facility site boundary and we want to make sure you are aware of the following information:

- Safety at the facility is our highest priority. We have emergency procedures in place in the event of an emergency on site or off site that may impact the facility and adjacent areas. This includes an EFSC Wildfire Mitigation Plan (WMP) that addresses vegetation management, facility inspections, and maintenance protocols to ensure that the facility minimizes fire risk. The WMP also requires fire protection equipment to be on site and allows for emergency access for fire departments in the event of a fire on site or off site.
- In the event of an emergency on site or off site that cannot be addressed by facility personnel, local emergency and law enforcement will be contacted and procedures designated by the XX County's Office of emergency management will be followed, if necessary.
- If you have not already done so, we recommend you sign up for XX County emergency notification system. You may sign up via the County's webpage or directly via this link:
Link: XX

Please contact me if you have any questions about the facility, XX company, or any other concerns regarding construction and operation of the facility. Further, the Oregon Department of Energy (ODOE) is staff to EFSC and can be contacted if you have questions. Follow the link below for contact information:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Compliance-Program.aspx>

Thank you,

NAME

TITLE

CONTACT INFORMATION

DATE