

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

In the Matter of the Request for Amendment	)	FINAL ORDER ON
of the Sunstone Solar Project Site Certificate	)	REQUEST FOR AMENDMENT TO
	)	TRANSFER SITE CERTIFICATE TO
	)	NEW OWNER
_____	)	

Issued by

Energy Facility Siting Council
550 Capitol Street NE
Salem, Oregon 97301-3742

June 2026



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I. INTRODUCTION

The Energy Facility Siting Council (Council), issues this Final Order in accordance with ORS 469.405 and OAR 345-027-0400, approving the Request for Amendment to transfer the Site Certificate for the Sunstone Solar Project (Facility) from Sunstone Solar, LLC to Oregon Solar 1, LLC.

The Council issued the original Site Certificate for the Sunstone Solar Project on November 18, 2024. The certificate authorized construction and operation of a 1,200 megawatt solar photovoltaic facility with up to 7,200 MWh of battery storage in Morrow County.

This Final Order addresses the request to transfer certificate ownership due to the acquisition of the Facility by Oregon Solar 1, LLC following Sunstone Solar's bankruptcy proceedings. No changes to facility design, construction, operation, retirement, or site boundary are proposed. No changes to the site certificate are proposed other than updating references to the certificate holder to identify the new owner and its parent company and updating the name of the facility.

Pursuant to OAR 345-027-0400(1), a site certificate amendment is required for any transaction that results in a change in ownership, possession, or control of the facility or certificate holder.

I.A. Existing Certificate Holder

Current certificate holder:
Sunstone Solar, LLC
Subsidiary of Pine Gate Renewables, LLC

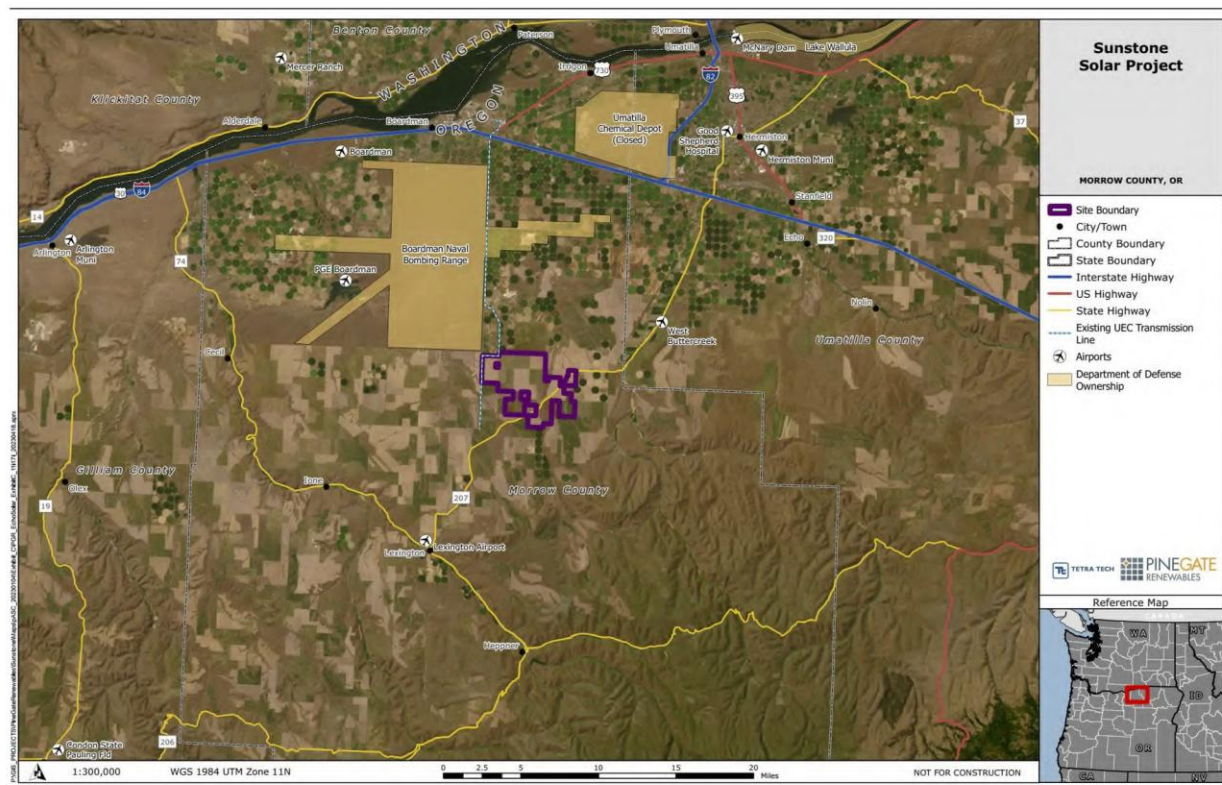
I.B. Proposed New Certificate Holder

New owner / certificate holder:
Oregon Solar 1, LLC
Owned by Amazon Energy, LLC, a wholly-owned subsidiary of Amazon.com, Inc.

I.C. Description of Facility and Location

Sunstone Solar Project is an approved not yet constructed 1,200 MW solar photovoltaic power generation facility. Under the existing site certificate, the facility is authorized to occupy up to 9,442 acres of private Exclusive Farm Use (EFU)-zoned land within a 10,960-acre site boundary in north-central Morrow County. Figure 1 below presents the regional location of the approved facility site.

Figure 1: Regional Location of Facility Site



1 II. THE TRANSFER PROCESS

2 II.A. Description of the Transfer Request

3 Oregon Solar 1, LLC requests Council approval to transfer the Site Certificate from Sunstone
 4 Solar, LLC to Oregon Solar 1, LLC. The request seeks no other changes to certificate conditions,
 5 facility design, or components.

6 II.B. Procedural History

- 7 • **November 18, 2024** – EFSC issued a Final Order approving the application for site
- 8 certificate submitted by Sunstone Solar, LLC and issued a Site Certificate for Sunstone
- 9 Solar Project.
- 10 • **October 31, 2025** – Sunstone Solar, LLC submitted an amendment request to divide the
- 11 Facility. The request was later withdrawn.
- 12 • **February 4, 2026** – Sunstone Solar, LLC notified the Department of its pending transfer
- 13 of ownership to Oregon Solar 1, LLC, consistent with OAR 345-027-0400(2).
- 14 • **February 27, 2026** – Oregon Solar 1, LLC closed on acquisition of the facility.
- 15 • **May 14, 2026** – Oregon Solar 1, LLC submitted the Request for Amendment to Transfer.

On May 29 2026, the Department issued Public Notice of Request for Transfer of the Sunstone Solar Site Certificate to all persons on the Council's general mailing list, the special mailing list established for the facility, an updated list of property owners supplied by the new owner, and reviewing agencies as defined in OAR 345-001-0010(28).

The comment period ran from May 29 through June 26, 2026. During its June 26, 2026 meeting, Council conducted a public hearing on the Request for Transfer of Sunstone Solar Project Site Certificate. Following the public hearing, Council received a staff presentation on the details of the transfer request, including the Department's recommendations as presented in a June 12, 2026 staff report (including the draft Final Order). Following review of the transfer request and comments received, Council approved the Request for Transfer and issued this Final Order granting the Request for Transfer and issuance of the related First Amended Site Certificate.

II.C. Comments on the Transfer Request

Two commenters provided written comments on the record of the Request for Transfer. The comments were from underlying landowners and both expressed support for the transfer request.¹

III. APPLICABLE COUNCIL STANDARDS AND EVALUATION OF TRANSFER REQUEST

Under OAR 345-027-0400(4):

To request an amendment to transfer the site certificate, the new owner must submit a written request to the Department that includes the information described in OAR 345-022-0010 and OAR 345-022-0050, a certification that the new owner agrees to abide by all terms and conditions of the site certificate currently in effect and, if known, the expected date of the transaction. If applicable, the new owner must include in the request the information described in 345-024-0500(4)(b)(O)(iv).

Oregon Solar 1, LLC certified it will comply with all terms and conditions of the existing Site Certificate.² The Council finds that this certification satisfies OAR 345-027-0400(4).

Under OAR 345-027-0400(8), the Council may approve a transfer if:

- a. The new owner complies with OAR 345-022-0010 (Organizational Expertise), OAR 345-022-0050 (Retirement and Financial Assurance), and, if applicable, OAR 345-024-0710 (Monetary Path Payment re: Carbon Dioxide Standard); and

¹ SSPAMD1Doc7 Public Comment (Grieb) 2026-06-17; SSPAMD1Doc8 Public Comment (Doherty) 2026-06-25.

² SSPAMD1Doc5 Revised RFA1. 2026-06-18. Cover Page.

b. The new owner is or will be lawfully entitled to possession or control of the site or Facility.

The evaluation of OAR 345-027-0400(8)(a) is presented in Section III.A. *Organizational Expertise* and III.B. *Retirement and Financial Assurance* of this order. OAR 345-024-0710(1), *Monetary Path Payment Requirement* is related to the Carbon Standard; it doesn't apply to solar energy facilities and therefore is not evaluated in this order.

The evaluation of OAR 345-027-0400(8)(b) is presented in Section III.C of this order, *Possession or Control of the Facility*.

III.A. Organizational Expertise [OAR 345-022-0010]

*(1) To issue a site certificate, the Council must find that the applicant has the organizational expertise to construct, operate and retire the proposed facility in compliance with Council standards and conditions of the site certificate. To conclude that the applicant has this expertise, the Council must find that the applicant has demonstrated the ability to design, construct and operate the proposed facility in compliance with site certificate conditions and in a manner that protects public health and safety and has demonstrated the ability to restore the site to a useful, non-hazardous condition. The Council may consider the applicant's experience, the applicant's access to technical expertise and the applicant's past performance in constructing, operating and retiring other facilities, including, but not limited to, the number and severity of regulatory citations issued to the applicant. ***³*

Findings of Fact

The new owner, Oregon Solar 1, LLC ("Oregon Solar 1"), is a limited liability company that was formed in the State of Delaware on December 29, 2025. Oregon Solar 1 filed Articles of Organization and registered to do business in the State of Oregon on April 23, 2026.⁴ Oregon Solar 1 is owned by Amazon Energy, LLC, a wholly owned subsidiary of Amazon.com, Inc. (Amazon or parent company).

Because Oregon Solar 1 is a newly formed project-specific LLC, to meet the Council's Organizational Expertise standard it seeks to rely on the organizational expertise of its parent company and Amazon Energy, as well as Amazon Services, Inc. (AWS) and Amazon Data Services, Inc. (ADS), each of which is a subsidiary or indirect subsidiary of Amazon. Oregon Solar 1 has provided a letter in which Amazon (Amazon.com, Inc.) confirms that Oregon Solar 1 will

³ OAR 345-022-0010(2) through (4) are not relevant to this Request to Transfer because the certificate holder does not rely on an ISO 9000 or ISO 14000 certificate to meet the standard, and because the proposed transfer of ownership would not require any new or different third-party permits to be obtained.

⁴ SSPAMD1Doc5 Revised RFA1. 2026-06-18., Attachment A and Attachment B.

1 have access to resources and expertise, through Amazon.com, Inc. or an affiliate thereof,
2 sufficient to construct, own, operate and maintain Sunstone Solar Project.⁵

3
4 Amazon and its affiliates (AWS, ADS) possess substantial organizational expertise in the
5 development, construction and operation of large-scale infrastructure and energy generation
6 facilities, as well as with renewable energy procurement and operations.

7
8 *Relevant experience*

9
10 The new owner describes the following relevant experience of its parent company and
11 affiliates⁶:

- 12 • Extensive global and U.S. experience developing, constructing, and operating data
13 centers with large on-site energy generation facilities.
- 14 • Experience constructing and managing solar energy systems on rooftops and grounds of
15 its facilities (more than 270 on-site solar arrays).
- 16 • A large renewable energy portfolio exceeding 40 GW worldwide, including more than
17 300 utility-scale solar and wind farms.
- 18 • Experienced internal personnel and engagement of qualified development partners,
19 including Gallatin Power.
- 20 • Robust procurement, contractor qualification, and safety programs.

21
22 Oregon Solar 1 has provided a summary table describing the work that it, its parent company,
23 Gallatin Power and an engineering, procurement and construction (“EPC”) contractor would be
24 responsible for in the design, construction, operation and retirement of the facility.⁷ In short,
25 Oregon Solar 1 would maintain overall responsibility for construction, operation and retirement
26 of the facility. Amazon and entities will provide overall project oversight from design through
27 retirement, Gallatin Power will support project design, development and construction activities
28 and a qualified EPC contractor will perform physical construction of the facility.

29
30 *Compliance history*

31
32 As to its compliance history / regulatory citations, the new owner acknowledges certain past
33 violations that the Oregon Department of Environmental Quality (“DEQ”) identified related to
34 Amazon Data Services facilities in Oregon (e.g., failure to collect monitoring data required
35 under a water pollution control facilities permit (WPCF) and construction of a wastewater pond
36 without DEQ approval, and violation of an air contaminant discharge permit by operating an
37 emergency stationary internal combustion engine for more than 50 hours in a non-emergency

⁵ SSPAMD1Doc5 Revised RFA1. 2026-06-18., Attachment C.

⁶ SSPAMD1Doc5 Revised RFA1. 2026-06-18., pp. 7-9.

⁷ SSPAMD1Doc4-1 RAI Responses. 2026-06-02.

1 situation). The Request for Transfer describes corrective actions Amazon took to address those
2 violations and the payment of a penalty related to the WPCF permit violations.⁸

3
4 The Council evaluated the aforementioned regulatory compliance matters and corrective
5 responses and conferred with DEQ about them. DEQ confirmed that Amazon Data Services
6 corrected the violations that could be corrected, paid a \$10,400 penalty on 10/15/2025 and the
7 DEQ closed that case on October 27, 2025.

8
9 DEQ informed ODOE that it also has an active enforcement referral for Amazon.com Services,
10 LLC for stormwater violations at the Amazon PDX6, Amazon SOR3, and Amazon EUG5 facilities
11 (all in Portland). The violations relate to industrial stormwater permit coverage, including
12 effluent exceedances that were not promptly addressed (but have since been addressed),
13 failure to implement certain best management practices related to garbage at the facility,
14 poorly maintained catch basins (which have also been corrected), and failure to collect
15 monitoring samples. On June 17, 2026 DEQ issued a civil penalty notice, imposing a penalty of
16 \$17,958 for these violations. As of June 26, 2026 this matter is still pending before DEQ.

17
18 Given that there have not been a significant number of compliance issues and that these
19 Amazon entities took corrective actions regarding the identified permit violations, the Council
20 finds that the new owner's parent company and affiliates have taken appropriate actions in
21 response to environmental regulatory compliance matters in Oregon.

22
23 Here, because the new owner's parent company and affiliates have substantial experience with
24 constructing and operating energy facilities, including utility-scale solar facilities, and because
25 the parent company has provided a letter committing to provide the resources and expertise
26 needed for the new owner to construct, operate and maintain the facility, the Council finds that
27 Oregon Solar 1 has the organizational expertise to construct, operate and retire the facility in
28 compliance with Council standards and conditions of the site certificate.

29 30 Conclusions of Law

31
32 Based on the above findings, the Council concludes that Oregon Solar 1 has demonstrated
33 adequate organizational expertise to construct, operate, and retire the facility in compliance
34 with Council standards and site certificate conditions.

35 **III.B. Retirement and Financial Assurance [OAR 345-022-0050]**

36 *To issue a site certificate, the Council must find that:*
37

⁸ SSPAMD1Doc5 Revised RFA1. 2026-06-18, pp. 18-19.

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

4
5 (2) To assist the Council in determining whether the standard outlined in (1) has been
6 met, the applicant must submit information about site restoration, providing evidence to
7 support a finding by the Council as required by this rule. The applicant must include:

8 (a) The estimated useful life of the proposed facility;

9 (b) Specific actions and tasks to restore the site to a useful, non-hazardous
10 condition;

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

13 (d) A discussion and justification of the methods and assumptions used to
14 estimate site restoration costs; and

15 (e) For facilities that might produce site contamination by hazardous materials, a
16 proposed monitoring plan, such as periodic environmental site assessment and
17 reporting, or an explanation why a monitoring plan is unnecessary.

18
19 (3) The applicant has a reasonable likelihood of obtaining a bond or letter of credit in
20 a form and amount satisfactory to the Council to restore the site to
21 a useful, non- hazardous condition.

22
23 (4) To assist the Council in determining whether the standard outlined in (3) has been
24 met, the applicant must submit information:

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

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

33 (B) The type and amount of the applicant's proposed bond or letter of
34 credit to meet the requirements of OAR 345-022-0050; and

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

38 (b) A materials analysis, including:

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

41 (B) The applicant's plans to manage hazardous substances during
42 construction and operation, including measures to prevent and contain
43 spills; and

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

Findings of Fact

In its Final Order on the Sunstone Solar Project Application for Site Certificate, the Council found that the site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility. Council further found that \$117,945,000 (Q1 2023 dollars) was a satisfactory amount to restore the site to a useful, nonhazardous condition.⁹

No changes to the design, construction, operation or retirement of the facility are proposed as part of the Request for Transfer. The proposed change in ownership will not change the decommissioning tasks or decommissioning estimate for the facility that Council previously approved, therefore the Council finds that the proposed transfer of ownership does not impact its previous finding of compliance with OAR 345-022-0050(1) – i.e., that the site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction of the facility.

Under OAR 345-022-0050(3), the Council must find that the new owner has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition. Under the existing site certificate, Condition PRE-RF-01, the certificate holder must provide a bond or letter of credit prior to construction of the facility or phase, using the unit costs and contingencies presented in the Final Order Table 8. Subject to criteria set forth in the condition, the approved amount of \$117,945,000 (Q1 2023 dollars) may be adjusted based on the design configuration of the facility, or phase of the facility and must be adjusted for inflation.

The new owner proposes no changes to retirement tasks or methodologies previously approved in the Site Certificate. The new owner submitted:

- An updated retirement cost estimate adjusted for inflation.¹⁰
- A commitment that the bond or letter of credit will equal the approved net retirement costs and will be adjusted for inflation.
- Evidence that Amazon has strong financial capability and established relationships with qualified financial institutions, along with a May 28, 2026 letter from Deutsche Bank.¹¹ The letter states that Amazon is a valued client of the bank, the bank has issued letters of credit to support the contractual obligations of Amazon and its' subsidiaries and the Bank understands Oregon Solar 1 may be asked to provided a letter of credit up to \$124,608,607.18. The letter does not represent a binding commitment to providing such

⁹ Sunstone Solar Project – Final Order on Application for Site Certificate, pp. 144-147, including Table 8.

¹⁰ SSPAMD1Doc5 Revised RFA1. 2026-06-18, Attachment D. Estimated Retirement Costs.

¹¹ SSPAMD1Doc4-1 RAI Responses. 2026-06-02.

financial assurance, rather it states the bank would be interested in potentially providing a letter of credit, subject to its regular review.

Under OAR 345-022-0050(4), an applicant must submit an opinion from legal counsel stating that, to counsel's best knowledge, the applicant has the legal authority to construct and operate the facility without violating its bond indenture provisions, articles of incorporation, common stock covenants, or similar agreements. Here, Oregon Solar has provided a June 3, 2026 letter from the law firm Davis Wright Tremaine opining that Oregon Solar meets applicable laws and has the authority to construct and operate the project without violating its entity documents.¹²

Conclusions of Law

In light of the foregoing items, the Council finds that the facility site can be restored adequately to a useful, non-hazardous condition following cessation of construction or operation, and that Oregon Solar 1, LLC has a reasonable likelihood of obtaining the required financial assurance to restore the site to a useful, non-hazardous condition, and therefore, the proposed transfer to Oregon Solar 1 complies with OAR 345-022-0050.

III.C. Possession or Control of the Facility [OAR 345-027-0400(8)(b)]

Per OAR 345-027-0400(8)(b), to approve a transfer of the site certificate, the Council must find that the new owner is or will be lawfully entitled to possession or control of the site or the facility described in the site certificate. To evaluate whether the new owner is lawfully entitled to possession or control of the site or facility, OAR 345-027-0400(5) states, "The Department may require the new owner to submit a written statement from the current certificate holder...verifying the new owner's right, subject to the provisions of ORS Chapter 469 and the rules of this chapter, to possession or control of the site or the facility." On June 22, 2026, Senior Vice President and Deputy General Counsel Monica Lamb of Pine Gate Renewables (parent company of existing certificate holder) stated that, on behalf of Sunstone Solar, LLC Oregon Solar 1 has the right to possess and control the Sunstone Solar Facility.¹³ The Council finds that this statement satisfies the requirements of OAR 345-027-0400(8)(b).

IV. GENERAL CONCLUSIONS

Subject to compliance with all existing Site Certificate conditions, the proposed transfer of ownership from Sunstone Solar, LLC to Oregon Solar 1, LLC will not affect compliance with applicable Council standards. The Council finds:

1. The new owner meets the requirements of OAR 345-022-0010 and OAR 345-022-0050.

¹² Request for Transfer, Attachment F.

¹³ SSPAMD1Doc4-1-2 Certificate Holder Statement of Possession. 2026-06-22.

- 1 2. The new owner is lawfully entitled to possession or control of the Facility under OAR
- 2 345-027-0400(8)(b).
- 3 3. Issuance of an amended Site Certificate naming Oregon Solar 1, LLC as certificate holder
- 4 is warranted.

5 **V. ORDER**

- 6 Based on the findings and conclusions above, the Council approves the Request for
- 7 Amendment to transfer the Site Certificate for the Sunstone Solar Project to Oregon Solar 1,
- 8 LLC, and issues an amended Site Certificate naming Oregon Solar 1, LLC as the certificate
- 9 holder.

Issued this 26th day of June 2026

OREGON ENERGY FACILITY SITING COUNCIL

By: 
Cynthia R. Condon (Jul 6, 2026 20:23:09 PDT)
Cindy Condon, Chair

10 **ATTACHMENTS**

- 11 Attachment A: Amended Site Certificate

VI. NOTICE OF RIGHT TO APPEAL

Judicial review of this Order is as provided under ORS 469.403(3) and 469.405(1). Notwithstanding ORS 183.482 and 183.484, judicial review of the Council's approval of a request for an amendment to a site certificate is conferred only on the Supreme Court of Oregon. Pursuant to ORS 469.405(1), only the certificate holder or persons who submitted comments on the request for an amendment in compliance with council rules may seek judicial review. A person who seeks judicial review is limited to the issues the person raised in their comments.

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

**SITE CERTIFICATE FOR THE
SUNSTONE SOLAR PROJECT**

ISSUANCE DATES

NOVEMBER 18, 2024
JUNE 26, 2026

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1.0 Introduction and Site Certification

This site certificate is a binding agreement between the State of Oregon (State), acting through the Energy Facility Siting Council (EFSC or Council), and Oregon Solar 1, LLC (certificate holder), owned by Amazon Energy, LLC, a wholly owned subsidiary of Amazon.com, Inc. (parent company). Both the State and certificate holder must abide by local ordinances, state law, and the rules of the Council in effect on the date this site certificate is executed. However, upon a clear showing of a significant threat to public health, safety, or the environment that requires application of later-adopted laws or rules, the Council may require compliance with such later-adopted laws or rules (ORS 469.401(2)).

This site certificate binds the State and all counties, cities and political subdivisions in Oregon as to the approval of the site and the construction, operation, and retirement of the facility as to matters that are addressed in and governed by this site certificate (ORS 469.401(3)). Each affected state agency, county, city, and political subdivision in Oregon with authority to issue a permit, license, or other approval addressed in or governed by this site certificate, shall upon submission of the proper application and payment of the proper fees, but without hearings or other proceedings, issue such permit, license or other approval subject only to conditions set forth in this site certificate. In addition, each state agency or local government agency that issues a permit, license or other approval for this facility shall continue to exercise enforcement authority over such permit, license or other approval (ORS 469.401(3)). For those permits, licenses, or other approvals addressed in and governed by this site certificate, the certificate holder shall comply with applicable state and federal laws adopted in the future to the extent that such compliance is required under the respective state agency statutes and rules (ORS 469.401(2)).

This site certificate does not address, and is not binding with respect to, matters that are not included in and governed by this site certificate, and such matters include, but are not limited to: employee health and safety; building code compliance; wage and hour or other labor regulations; local government fees and charges; other design or operational issues that do not relate to siting the facility (ORS 469.401(4)); and permits issued under statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council (ORS 469.503(3)).

The obligation of the certificate holder to report information to the Department or the Council under the conditions listed in this site certificate is subject to the provisions of ORS 192.502 *et seq.* and ORS 469.560. To the extent permitted by law, the Department and the Council will not publicly disclose information that may be exempt from public disclosure if the certificate holder has clearly labeled such information and stated the basis for the exemption at the time of submitting the information to the Department or the Council. If the Council or the Department receives a request for the disclosure of the information, the Council or the Department, as appropriate, will make a reasonable attempt to notify the

certificate holder and will refer the matter to the Attorney General for a determination of whether the exemption is applicable, pursuant to ORS 192.450.

Council shall have continuing authority over the site and may inspect, or direct the Oregon Department of Energy (Department) to inspect, or request another state agency or local government to inspect, the site at any time in order to ensure that the facility is being operated consistently with the terms and conditions of this site certificate (ORS 469.430).

The duration of this site certificate shall be the life of the facility, subject to termination pursuant to OAR 345-027-0110 or the rules in effect on the date that termination is sought, or revocation under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. The Council shall not change the conditions of this site certificate except as provided for in OAR Chapter 345, Division 27.

In interpreting this site certificate, any ambiguity will be clarified by reference to the following, in order, incorporated herein by this reference: 1) *Final Order on Request for Amendment 1 of the Sunstone Solar Project* issued June 26, 2026; 2) *Final Order on the Application for Site Certificate for the Sunstone Solar Project* issued on November 18, 2024 (hereafter, *Final Order on the ASC*); 2) the record of the proceedings that led to the above referenced orders.

The definitions in ORS 469.300 and OAR 345-001-0010 apply to the terms used in this site certificate, except where otherwise stated, or where the context clearly indicates otherwise.

2.0 Facility Location and Site Boundary

The facility is located within an approximately 10,960-acre (17 sq. mile) site in Morrow County. The site is located on both sides of State Route 207 and is approximately 15 miles northeast of the Town of Lexington and approximately 4.5 miles west of Butter Creek Junction. The site is approximately 3 miles west of the Umatilla County line at its closest point. Table 1 below provides the Township, Range, and Sections occupied wholly, or in part, by the site. Up to 9,442 of land within the site boundary would be occupied by facility components. The regional location of the facility site boundary, transmission line corridor, and approximately 1,518 acres within the site boundary are excluded from development as shown on ASC Exhibit C, Figures C-2, and C-2.1 to C-2.3, attached to this site certificate as Attachment 1.

Table 1: Township, Range, and Section for Areas Occupied by the Site Boundary

Township	Range	Sections
1N	26E	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15
2N	26E	27, 28, 29, 30, 31, 32, 33, 34, 35, 36
Reference: SSPAPPD0c25-03 ASC Exhibit C Project Location, Table C-1. 2024-05-15.		



3.0 Facility Description

The energy facility is approved to include the components presented in Table 2 below. Additional details regarding specific components, and discussion of alternative designs or technologies under consideration are provided in the sections that follow.

Table 2: Facility Component Summary

Component and Design Standard	No.	Unit
Site Boundary		
Site Boundary	10,960	acres
Maximum Footprint	9,442	acres
Permanent Impacts ¹	9,442	acres
Solar Components		
PV Solar Modules		
Approx. total number	3,937,536	modules
Max Height at full-tilt	15	feet
Posts		
Approx. total number (assumes concrete foundation)	535,056	posts
Cabling		
Combiner Boxes	61,524	each
Inverter Step Up (ISU) Transformer Units		
Approx. total number	319	each
Noise level	89	dBA
Transformer oil-containing capacity	800	gallons
Related or Supporting Facility Components		
34.5 kV Collection System		
Collector line length, belowground	82	miles
Collector line length, overhead (OH)	4.3	miles
Wood Monopoles (max estimate for OH)	151	each
Collector Substations		
Substations w SCADA; GSU transformers per each	6; 1	each
Site size	1.6	acres
Transformer oil-containing capacity	16,000	gallons/each
Transformer noise level	100	dBA
Max height of structures	45	feet
Switchyards		

¹ The energy facility would occupy approximately 9,442 acres within up to 20 separately fenced areas. Most related or supporting facilities will be located within the energy facility's footprint; however, portions of the overhead 34.5 kV collector and 230-kV transmission lines running between solar array areas would result in additional temporary and permanent disturbance areas.

Table 2: Facility Component Summary

Component and Design Standard	No.	Unit
Stations; Transformers per each	2; 0	each
Site size (northern and/or within solar fence line); with foundations and graveled areas	3	acres
230 kV Transmission Line		
Length (total; northern line; southern line)	9.5; 3.2; 6.3	miles
Structures: Type (Wood or Galvanized Steel); quantity	H-frame; 50	each
Height of structures	70- 180	feet
Battery Energy Storage System (Lithium-ion/Zinc)		
Zinc		
Approx. total battery containers on foundations with fans/heating systems; SCADA	14,946	each
Site size	0.2 to 0.4	acres
Approx. container dimensions	9.5 x 8 x 20	H x W x L; feet
Noise level (broadband)	66	dBA
Lithium-ion		
Approx. total battery containers on foundations with HVAC and fire suppression systems; SCADA	12,000	each
Site size	0.2 to 0.4	acres
Approx. container dimensions	11.25 x 8.1 x 5.2	H x W x L; feet
Noise level (broadband)	66	dBA
O&M Building		
Quantity	4	each
Site size	2.8	acres
Height	20	feet
Appurtenances	On-site well, septic system, SCADA System	
Storage for Replacement Solar Panels		
Containers	50	each
Approx. container dimensions	8.5 x 8 x 40	H x W x L; feet
Location	Dispersed within fence line if not next to O&M, gravel base	
Facility Roads		
Length	55	miles
Width	10- 20	feet
Perimeter Fence		
Length	58	miles
Height	7-8	feet

Table 2: Facility Component Summary

Component and Design Standard	No.	Unit
Access/gates	52	each
Temporary Construction Areas		
Quantity	54	each
Site size	5	acres
Description	Gravel base; diesel/gas storage; within fence line	

Energy Facility

The facility includes a solar photovoltaic power generation facility with up to 1,200 MW of electric generation capacity. The energy facility consists of up to 20 separately fenced solar arrays organized into six 200 MW blocks.

Photovoltaic Modules

Solar photovoltaic modules, or solar panels, convert sunlight into DC electric power. The typical module contains crystalline silicon photovoltaic cells arranged within glass panels equipped with an anti-reflective coating, a metal frame, and wire connectors.

Racking System

The photovoltaic modules are connected in series into strings and then mounted on a racking system. Each rack would contain 2 strings of 32 modules mounted on a single-axis tracking system. Multiple racks are organized into rows between 200 and 400 feet in length depending on topography. Rows would be spaced at least 10 feet apart and at least 15 feet from perimeter fencing to provide vehicle access.

Posts

Each row of tracker mounted modules is supported by multiple hollow, screw pile, or pile-type steel posts. Posts are typically installed to a depth of 6-8 feet below surface and extend 5 feet above grade. Posts at the end of rows may be installed at greater depths to withstand wind uplift. Posts may be installed directly in the ground or concrete backfill may be required in some soil conditions.

DC Cabling System

Combiner boxes or a Big Lead Assembly (BLA) harness system is used to aggregate the DC output of the photovoltaic modules for transmission to an inverter by low-voltage DC cables. Using the combiner boxes, strings of modules are connected to a pad-mounted combiner box installed at each row, which in turn, are connected to the inverters by low voltage DC cables

that are either mounted to the tracking system, installed in trays, or buried underground. Using the BLA system, strings are connected directly to a rack-mounted cabling system.

Inverters and Inverter Step Up (ISU) Transformers

Inverters convert the DC output of the photovoltaic modules to AC power that can be transmitted to the electric grid. A typical inverter in utility scale solar facilities converts the 900 to 1,500 volt DC module output to 660 volt AC output. After conversion, the output is sent to an inverter step-up (ISU) transformer to increase the voltage to 34.5 kV power for transmission to the collector substation via the electrical collector system. Inverters and ISU transformers are collocated on concrete slabs near each module block.

Related or Supporting Facilities

Related or supporting facilities include a battery energy storage system, an interconnection substation, up to six collector substations, up to four operations and maintenance building, and other structures.

Battery Energy Storage System

The battery energy storage system (BESS) is designed to provide up to 7.2 gigawatt-hours (GWh) of storage capacity. The BESS may use either Lithium-Ion (Li-ion) or Zinc-based battery technology. Under either technology, batteries are contained in pre-constructed modular containers, or "segments," placed on concrete slab foundations.

The battery storage system includes, but is not limited to, the following elements:

- Batteries and containers, inverters, isolation transformers, and switchboards;
- Balance of plant equipment, which may include medium-voltage and low-voltage electrical systems, fire suppression and HVAC systems (for Li-ion technology, if selected), building auxiliary electrical systems, and network/SCADA systems;
- Cooling system, which may include a separate chiller plant located outside the battery racks with chillers, pumps, and heat exchangers (Li-ion only, if selected); zinc batteries will have fans and a heating unit for climate control; and
- High-voltage (HV) equipment, including a step-up transformer, circuit breaker, current transformers and voltage transformers, a packaged control building for the breaker and transformer equipment, towers, structures, and cabling.

The batteries and associated equipment may be oversized or periodically augmented in accordance with the manufacturer's recommendations to ensure a minimum of 7,200 MWh of energy storage capability over the life of the BESS, taking into account natural degradation of the batteries over time.

Li-ion batteries are currently the most common battery type used in utility-scale battery energy storage systems. If a Li-ion battery technology is used at the facility, it would use Li-ion phosphate batteries, which are more thermally stable than Li-ion cathode batteries. Each module contains approximately 10 hermetically sealed battery cells filled with a gel or liquid electrolyte. The module containers serve as secondary containment for the cells. Each container holds approximately 840 cells with a combined capacity of approximately 740 kilowatt-hour AC, and approximately 12,000 containers would be required to meet the capacity needs of the facility.

The electrolyte used in Li-ion batteries is flammable and susceptible to overheating and vaporization, so Li-ion Battery Systems typically require cooling, ventilation, and fire suppression systems included in each container. If Li-ion battery technology is used at the site, it would implement the following design features and fire prevention and control methods to minimize fire and safety risks:

- Batteries would be stored in completely contained, leak-proof modules.
- Ample working space would be provided around the BESS for maintenance and safety purposes.
- An off-site, 24-hour monitoring system with shutdown capabilities would be implemented.
- Batteries would be transported in accordance with Department of Transportation Pipeline and Hazardous Material Administration regulations under 49 CFR 173.185
- Battery systems would be designed in accordance with applicable Underwriters Laboratories, National Electric Code, and National Fire Protection Association Standards, including but not limited to, UL 1642, 1741, 1973, and 9540A, and NFPA 855.
- An advanced and proven battery management system would be employed;
- Battery Containers would be equipped with:
 - Heating, ventilation, and air conditioning (HVAC) systems to maintain optimal battery temperatures;
 - Fire control panels with 24-hour battery backup;
 - Fire sensors, smoke and hydrogen detectors, alarms, emergency ventilation systems, cooling systems, and aerosol fire suppression/extinguishing systems;
 - Doors equipped with a contact that will shut down the battery container if opened;
 - Fire extinguishing and thermal insulation sheets between each individual battery cell;
 - Locks and fencing to prevent entry of unauthorized personnel;
 - Remote power disconnect switches with clear and visible signs identifying their location.²

Li-ion battery modules under consideration for this facility have an expected useful life of 20 years and it is expected that every module at the facility would need to be replaced at least once during the life of the facility. Used Li-ion batteries are generally considered to be

² SSPAPPDoc25-02 ASC Exhibit B Project Description 2024-05-15, Section 2.7.1.

hazardous waste by the EPA and must be transported and disposed of according to the most current guidelines at end of life.

A typical zinc-based BESS container includes 144 zinc-hybrid cathode powered batteries with a combined 700 kWh capacity. Zinc batteries are estimated to have a lifespan of at least 20 years. Zinc battery systems can operate across a higher range of temperatures and only require cooling fans rather than a full HVAC system. Zinc batteries have a lower fire-risk than lithium-ion batteries and do not require fire suppression systems to be included in the container design.

The BESS may be designed either as a DC-coupled system, with containers distributed throughout the energy facility site near inverter/transformer station sites, or as an AC-coupled system with containers concentrated in a single area near the switchyards. In either case, the containers and other BESS equipment are located within the fenced solar array areas and may have their own additional fencing.

34.5 kV Electrical Collection System

The facility includes up to 86 miles of 34.5 kV electrical collector lines that connects energy facility components to the collector substations described below. The majority of the collector lines are buried underground; however, overhead lines are installed at long “home run” stretches, stream or canyon crossings, and other areas where burial is infeasible. The collector lines are generally located within the energy facility footprint except at road crossings and crossings between fenced solar array areas.

Communication and SCADA System

The facility includes a system of fiber optic and copper communication lines that connect the solar arrays, BESS, and substations to Supervisory Control and Data Acquisition (SCADA) system control rooms within each collector substation. The communication lines are collocated with the 34.5 kV electrical collection system described above. The SCADA system monitors meteorological conditions, critical operating parameters, and power output, for each solar string, battery energy storage system, and substation. The SCADA system is monitored by a remote operations center. Smoke and fire detectors placed around the site also connect to the SCADA system and will contact local emergency responders in the event of a fire at the site.

Collector Substations

The facility includes up to six collector substations at the site. Each substation includes a generator-step up (GSU) transformer and control building, and may also include circuit-breakers and fuses, transmission line termination structures, power transformers, bus bars and insulators, disconnect switches, relaying, battery and charger, surge arresters, AC and DC

supplies, control systems, metering equipment, grounding, a lightning protection system and associated control wiring.

The GSU transformers increase the 34.5-kV ISU transformer output to 230-kV power. The GSU transformers are ground-mounted units constructed on concrete pads. Each of the six GSU transformers are filled with up to 16,000 gallons of non-toxic oil such as mineral or seed oil.

Each GSU transformer is equipped with a secondary spill containment catchment system designed to minimize the possibility of accidental leakage. The concrete catchment system is sized to contain approximately 1.25 times the amount of oil inside the transformer.

All substation structures and components are surrounded by a graveled area and enclosed by an 8-foot-tall chain-link fence with three strands of barbed wire one foot above the top. Access to substation sites is limited with a locked gate.

230-kV Transmission Line

The facility includes up to two 230-kV overhead transmission lines that connect the collector substations to the two primary interconnection switchyards located at the point of interconnection. The transmission lines are supported by steel or wood monopole or H-Frame structures, spaced approximately 1,000 feet between structures, and have a combined length of approximately 9.5 miles. The northern line connects two collector substations along the south side of Alpine Lane to the switchyard and extends approximately 3.2 miles. The southern line connects four collector substations across the southern portion of the site and extend approximately 6.3 miles. The two lines run in parallel for approximately 1-mile between Bombing Range Road and the switchyards.

The transmission lines are located within the fenced solar array areas except where the lines span roads or corridors between areas and between the switchyards and the point of interconnection. All transmission line components are sited within the facility lease boundary.

No new or expanded right-of-way will be required, but some portions of the transmission lines are located within existing public rights-of-way. A portion of the transmission line that runs along the western boundary of energy facility footprint is within the public right-of-way on the east side of Bombing Range Road. Additionally, portions of the transmission line that connect solar array areas in the southern portion of the site cross Doherty Road and the Lexington-Echo Highway.

Project Switchyards and Interconnection Facilities

The facility interconnects with the existing Umatilla Electric Cooperative 230kV Blue Ridge Line at the northwest corner of the facility. Two switchyards are approved to be located within a separately fenced site either within or adjacent to the energy facility footprint, each

approximately 3 acres. The interconnection switchyards do not contain transformers and are constructed on foundations with surrounding gravel areas.

Operations and Maintenance Buildings

The facility includes up to four operations and maintenance (O&M) buildings, each including a utility room, storage for maintenance supplies and equipment, and a SCADA control room. The buildings each have an on-site well and septic system. Power is supplied by a local service provider using overhead and/or underground lines. Each O&M building site also has graveled parking and storage areas.

Small quantities of chemical materials, including cleaners, insecticides or herbicides, paint, lubricants, degreasers, and solvents, may be stored at the O&M buildings during construction and operation of the facility. No extremely hazardous materials would be stored on site; other chemicals will be handled in accordance with label instructions as well as state and federal standards.

The facility includes an aboveground fuel storage tank with capacity to store up to 500 gallons of diesel fuel or gasoline at each O&M building site.

The O&M buildings are equipped with basic firefighting equipment for use on-site during maintenance activities, such as shovels, beaters, portable water for hand sprayers, fire extinguishers, and other equipment.

Replacement Solar Panel Storage

To store spare solar panels and associated equipment, the facility is approved to store materials either at the O&M building sites or within approximately 50 locked Conex storage containers distributed throughout the site. The containers may be placed directly on the ground or on gravel pads. The containers would store up to the approximately 204,720 replacement panels needed over the life of the facility.

Access and Service Roads

The facility includes up to 55 miles of new roads (graded and graveled to meet load requirements for all equipment) to provide access to facility components. Corridors between module racking are at least 10 feet wide and racking are no closer than 15 feet from perimeter fencing. Some new road construction is required to access site features. Roads will be 10 to 20 feet in width, with some exceptions, including access to the substations and main travel corridors where two-way traffic is required. In these cases, roads will be 20 feet wide. A 5-foot maintained vegetative surface or noncombustible base, approved by the fire code official, will be maintained along the fenced perimeter of the site boundary. Use of the roads may continue

after construction, or new roads may be removed and the land reclaimed to pre-construction conditions.

Security Fencing and Gates

The facility includes approximately 58 miles of security fence to enclose each solar array area, substation, and switchyard site. The perimeter fencing has lockable vehicle and pedestrian access gates to provide access to the site.

Temporary Construction Areas

The facility includes up to 54 temporary construction areas within the energy facility footprint to support construction, store supplies and equipment, and facilitate the delivery and assembly of materials and equipment. Each area consists of a 5-acre site that would be cleared and graveled prior to construction.

Up to five above-ground diesel tanks and one temporary above-ground gasoline tank may be stored in the temporary construction areas. The tanks each hold up to 1,000 gallons of fuel. Most fuel containers have self-contained secondary containment (e.g., double-walled containers) that provide capacity for the entire container plus precipitation, but in some cases may be placed in a constructed secondary containment area that is impervious and is diked or otherwise contained to provide the required fuel and precipitation capacity.

4.0 Facility Development

4.1 Construction

The applicant proposed to construct the proposed facility in six phases, with each phase including approximately 200 MWs of generating capacity.

Portions of the site, including substation sites, inverter and battery energy storage system sites, and access roads will be cleared and graded, prior to construction of the applicable facility components. Existing vegetation (e.g., crop stubble, fallow vegetation) and associated root systems in the energy facility footprint are left intact during construction to the maximum extent practicable to minimize soil and erosion impacts, and that grading in solar arrays is limited to those areas where the slope and gradient are outside of panel and racking tolerances. Typical grading tolerances within the array are 10% maximum on North slopes and 15% maximum in other directions. Following construction, operational requirements include long-term site stabilization and revegetation of disturbed areas.

Adherence to the requirements of a Fugitive Dust Control Plan is required under Condition PRE-SP-02. Measures implemented under this plan include maintaining existing vegetative root systems, applying dust suppressants, and restricting traffic speeds on-site. Typically, water is

applied as a dust suppressant on access roads, but under drought conditions, alternative dust suppressants including synthetic polymer emulsions, chemical suppressants, organic glues, and wood fiber materials may be applied at the site by qualified vendors.

Construction of the facility will generate 910 commuting trips and 250 truck trips per day over approximately 1,224 construction workdays. At the peak of construction, it is estimated a maximum of approximately 1,266 commuting trips per day and 250 truck trips per day. The primary route to the site would be Bombing Range Road via Interstate Highway 84 (I-84) at the I-84/Irrigon Junction. Alternate routes would be via OR-207 via I-84 south of Hermiston.

4.2 Operations and Maintenance

Operation and maintenance activities include routine inspections, replacement of solar modules and battery components, panel washing, and vegetation management. Up to 10 permanent employees would operate and maintain the facility, with occasional delivery truck accessing the site during operations depending on the type of maintenance activity.

Individual batteries associated with the BESS will be inspected according to the manufacturer's recommendations and will need to be replaced approximately every 20 years, and every battery will be replaced during the life of the facility. Each type of electrical facility component would have routine inspections as designated in the operational Wildfire Mitigation Plan. The solar panels may require periodic washing during operations, and other incidental water use for sanitation and equipment washing.

Vegetation will be cleared and maintained along access roads to provide a vegetation clearance area for fire safety. This includes mowing to a height of no more than 12 inches. Use of the roads may continue after construction, or new roads may be removed, and the land reclaimed to pre-construction conditions.

An aboveground 500-gallon fuel storage tank sized may be installed at each O&M building. Secondary containment and refueling procedures for on-site fuel storage during operations will continue to follow the SPCC Plan and requirements for secondary containment. No extremely hazardous materials are expected to be produced, used, stored, transported, or disposed of at the facility during operation.

4.3 Retirement

The estimated useful life of the proposed facility is 40 years. Operational jobs would be eliminated after the facility ceased operating; however, some short-term contract jobs to monitor restored areas may be added to facilitate retirement activities. Decommissioning requires similar workforce numbers as required for the construction of the facility and is estimated to require a similar duration of up to 47 months.

Final retirement activities will be designated in a retirement plan but would begin with disconnecting all electrical equipment disassembling equipment and components such as the battery storage units, solar panels and transformers. Larger containers and equipment would be removed, trucked off-site and recycled and disposed of. Solar panels would be disconnected, and piles would be removed including the excavation of any concrete foundations. Gravel and foundations from the inverters and transformers, O&M building, substations, and battery units would be removed by trenching and excavation. The facility site would then be restored through grading, filling, and revegetation with plants or seed mix consistent with applicable plans and conditions discussed in this order or landowner interests.

5.0 Site Certificate Conditions

The conditions of this Site Certificate are organized and coded to indicate the phase of implementation, the standard the condition is required to satisfy, and an identification number (1, 2, 3, etc.).³ The table below presents a “key” for phase of implementation:

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

To align with the phased construction approach, preconditions requiring applicant actions prior to construction allow for phased compliance. These apply specifically to the area in which the phased activities would occur, rather than the entirety of the site.

³ The identification number is not representative of an order that conditions must be implemented; it is intended only to represent a numerical value for identifying the condition.

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

Condition Number	General (GEN) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
GEN-GS-01	The certificate holder must design, construct, operate and retire the facility: - Substantially as described in the site certificate; - In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the site certificate was issued; and - In compliance with all applicable permit requirements of other state agencies. [Mandatory Condition OAR 345-025-0006(10); General Standard Condition 1; Final Order on ASC]
GEN-GS-02	The certificate holder must begin and complete construction of the facility or facility phase by the following dates: - Construction of the facility or first facility phase must begin on or before November 18, 2027. Within 7 days of construction commencement, the certificate holder must provide the Department with written verification that it has met the deadline by satisfying applicable preconstruction conditions and completing at least \$250,000 work at the site. - Construction of the final facility phase must begin on or before November 18, 2028. Within 7 days of construction commencement, the certificate holder must provide the Department with written verification that it has met the deadline by satisfying applicable preconstruction conditions and completing at least \$250,000 work at the site. - All facility construction must be completed within 2 years after the date construction of the final facility phase (under (b)) begins. Within 7 days after completing construction, the certificate holder shall provide the Department written verification that it has met the deadline. [General Standard Condition 2; Final Order on ASC]
GEN-GS-03	If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder must, as soon as possible, submit a written report to the Department describing the impact on the facility and any affected site certificate conditions. [Mandatory Condition OAR 345-025-0006(6); General Standard Condition 3; Final Order on ASC]
GEN-GS-04	The certificate holder must prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder. [Mandatory Condition OAR 345-025-0006(7); General Standard Condition 4; Final Order on ASC]

Condition Number	General (GEN) Conditions
GEN-GS-05	Upon completion of construction, the certificate holder must restore vegetation to the extent practicable and must landscape all areas disturbed by construction in a manner compatible with the surroundings and proposed use. Upon completion of construction, the certificate holder must remove all temporary structures not required for facility operation and dispose of all timber, brush, refuse and flammable or combustible material resulting from clearing of land and construction of the facility. [Mandatory Condition OAR 345-025-0006(11); General Standard Condition 6; Final Order on ASC]
GEN-GS-06	The certificate holder is authorized to construct the 230 kV transmission lines anywhere within the approved transmission line corridors, subject to the conditions in the site certificate. The approved transmission line corridor includes: - Southern transmission line: Approximately 6.3 miles, extending between the facility switchyard to four collector substations, as further described in ASC Exhibit B and C as presented in Attachment 1 of the site certificate. - Northern transmission line: Approximately 3.2 miles, extending between the facility switchyard to two collector substations, as further described in ASC Exhibit B and C as presented in Attachment 1 of the site certificate. [Site Specific Condition OAR 345-025-0010(5); General Standard Condition 7; Final Order on ASC]
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
GEN-OE-01	Before any transfer of ownership of the facility or ownership of the site certificate holder, the certificate holder must inform the Department of the proposed new owners. The requirements of OAR 345-027-0400 apply to any transfer of ownership that requires a transfer of the site certificate. [Organizational Expertise Condition 1; Final Order on ASC]
GEN-OE-02	Any matter of non-compliance under the site certificate is the responsibility of the certificate holder. Any notice of violation issued under the site certificate will be issued to the certificate holder. Any civil penalties under the site certificate will be levied on the certificate holder. [Organizational Expertise Condition 4; Final Order on ASC]
GEN-OE-03	The certificate holder must notify the Department within 72 hours of any occurrence of the following: - There is an attempt by anyone to interfere with the facility's safe operation. - There is a significant nature event such as a fire, earthquake, flood, tsunami or tornado, or human-caused event such as a fire or explosion. - There is any fatal injury at the facility. [Organizational Expertise Condition 5; Final Order on ASC]
GEN-OE-04	The certificate holder shall, as soon as reasonably possible: Report incidents or circumstances that may violate the terms or conditions of the site certificate, terms or conditions of any order of the Council, or the terms

Condition Number	General (GEN) Conditions
	or conditions of any order issued under OAR 345-027-0230, to the Department. In the report to the Department, the certificate holder shall provide all pertinent facts including an estimate of how long the conditions or circumstances existed, how long they are expected to continue before they can be corrected, and whether the conditions or circumstances were discovered as a result of a regularly scheduled compliance audit; b. Initiate and complete appropriate action to correct the conditions or circumstances and to minimize the possibility of recurrence; c. Submit a written report within 30 days of discovery to the Department. The report must refer to the language in (d) of the condition and contain: i. A discussion of the cause of the reported conditions or circumstances; ii. The date of discovery of the conditions or circumstances by the responsible party; iii. A description of immediate actions taken to correct the reported conditions or circumstances; iv. A description of actions taken or planned to minimize the possibility of recurrence; and v. For conditions or circumstances that may violate the terms or conditions of a site certificate, an assessment of the impact on the resources considered under the standards of OAR Chapter 345 Divisions 22 and 24 as a result of the reported conditions or circumstances. d. Upon receipt of the written report in sub(c) of this condition, the Department may review the facility record for incidents or circumstances reported or reportable under sub(a) related to public health and safety, the environment, or other resources protected under Council standards. If these incidences are determined by the Department to impact the adequacy of the facility decommissioning cost, the Department or Council may adjust the contingencies identified in Final Order on ASC Table 4 and shall request and receive an updated bond or letter of credit from certificate holder in the adjusted amount. [Organizational Expertise Condition 6; Final Order on ASC]
STANDARD: Structural Standard (SS) [OAR 345-022-0020]	
GEN-SS-01	The certificate holder must design, engineer and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. "Seismic hazards" include ground shaking, ground failure, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction. [Mandatory Condition OAR 345-025-0006(12); Structural Standard Condition 1; Final Order on ASC]

Condition Number	General (GEN) Conditions
GEN-SS-02	The certificate holder must notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the Department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Mandatory Condition OAR 345-025-0006(13); Structural Standard Condition 2; Final Order on ASC]
GEN-SS-03	The certificate holder must notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site. After the Department receives notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Mandatory Condition OAR 345-025-0006(14); Structural Standard Condition 3; Final Order on ASC]
GEN-SS-04	The certificate holder shall design, engineer, and construct the facility in accordance with the versions of the International Building Code, Oregon Structural Specialty Code, and local building codes in effect at the time of construction. [Structural Standard Condition 5; Final Order on ASC]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
GEN-LU-01	The certificate holder shall provide evidence to the Department of coordination with the owners of adjacent lands dedicated to agricultural use. Coordination must include information about the facility that could impact agricultural activities. The certificate holder must document any recommendations made by adjacent landowners regarding measures to reduce or avoid any adverse impacts to farm practices on surrounding lands and to avoid any increase in farming costs as well as any responses made to these recommendations. [Land Use Condition 9; Final Order on ASC]
GEN-LU-02	The certificate holder must adhere to the terms of the Memorandum of Agreement for Agricultural Mitigation Fund included in Attachment F of the Final Order on the ASC. It is the certificate holder's responsibility to ensure that the Council and Department receive all reports and notifications required by the agreement. [Land Use Condition 12; Final Order on ASC]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
GEN-RF-01	The certificate holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder.

Condition Number	General (GEN) Conditions
	[Mandatory Condition OAR 345-025-0006(7); Retirement and Financial Assurance Condition 1; Final Order on ASC]
<i>STANDARD: Siting Standards for Transmission Lines (TL) [OAR 345-024-0090]</i>	
GEN-TL-01	The certificate holder shall: a. Design, construct and operate the transmission lines in accordance with the requirements of the National Electrical Safety Code as approved by the American National Standards Institute; and b. Develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line. [Siting Standards for Transmission Line Condition 1; Final Order on ASC]

5.3 Pre-Construction (PRE) Conditions

Condition Number	Preconstruction (PRE) Conditions
<i>STANDARD: General Standard of Review (GS) [OAR 345-022-0000]</i>	
PRE-GS-01	Except as necessary for the initial survey, the certificate holder may not begin construction of the facility or phase, or create a clearing on any part of the site of the facility or phase, as applicable, until the certificate holder has the legal right to engage in construction activities on the relevant parts of the site for the facility or phase. [Mandatory Condition OAR 345-025-0006(5); General Standard Condition 5; Final Order on ASC]
PRE-GS-02	At least 90 days prior to construction of the facility or phase, as applicable (unless otherwise agreed to by the Department), the certificate holder shall submit to the Department a compliance plan documenting and demonstrating actions completed or to be completed to satisfy the requirements of all site certificate terms and conditions and applicable statutes and rules. The plan shall be provided to the Department for review and compliance determination for each requirement. The Department may request additional information or evaluation deemed necessary to demonstrate compliance. [OAR 345-026-0048, General Standard Condition 8; Final Order on ASC]
<i>STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]</i>	
PRE-OE-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall notify the Department of the identity and qualifications of the major design, engineering and construction contractor(s). The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities. The certificate holder shall report to the Department any changes of major contractors. [Organizational Expertise Condition 2; Final Order on ASC]
PRE-OE-02	Prior to construction of the facility or phase, as applicable, the certificate holder shall select a construction contractor with a low rate of historic environmental and safety compliance citations. Certificate holder shall provide the following documentation to the Department: a. Qualifications and contact information of the of the major design, engineering and construction contractor(s) and subcontractors, as applicable. b. Construction contractor compliance history. c. Contract excerpt affirming that contractors are required to comply with the terms and conditions of the site certificate, including selecting design layout and construction materials that minimize impacts to resources protected under Council standards. [Organizational Expertise Condition 7; Final Order on ASC]
PRE-OE-03	Prior to construction of the facility or phase, as applicable, the certificate holder shall provide to the Department the qualifications and contact information of the certificate holder's construction manager.

Condition Number	Preconstruction (PRE) Conditions
	[Organizational Expertise Condition 8; Final Order on ASC]
PRE-OE-04	Prior to construction of the facility or phase, as applicable, the certificate holder shall: - Provide the Department a list of federal, state and local permits, including any third-party permits related to facility siting; and a schedule for obtaining identified permits. - Once obtained, provide copies of all permits, including third-party permits, required for facility siting to the Department. [Organizational Expertise Condition 12; Final Order on ASC]
STANDARD: Structural (SS) [OAR 345-022-0020]	
PRE-SS-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall submit a site-specific geotechnical investigation report, consistent with the Oregon State Board of Geologist Examiners Guideline for Preparing Engineering Geologic Reports, or newer guidelines if available to the Department, for review in consultation with its third-party consultant. [Structural Standard Condition 4; Final Order on ASC]
STANDARD: Soil Protection (SP) [OAR 345-022-0020]	
PRE-SP-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall provide a Vegetation and Grading Plan that demonstrates contractors are required to adhere to the following: - Existing vegetation (e.g., crop stubble, fallow vegetation) and associated root systems shall be left intact to the maximum extent practicable. - Grading within solar arrays shall be limited to areas where the slope and gradient are outside of panel and racking tolerances (typically 10% maximum on North slopes and 15% maximum in other directions). [Soil Protection Condition 1; Final Order on ASC]
PRE-SP-02	Prior to construction of the facility or phase, as applicable, the certificate holder shall: - Obtain a NPDES 1200-C Permit from DEQ. A copy of the approved permit and attached Erosion and Sediment Control Plan (ESCP) must be submitted to the Department. - Finalize the Fugitive Dust Control Plan, as provided in the Final Order on ASC Attachment D. Finalization includes verification of names and contact information of individuals responsible for implementation, measures to be implemented and forms to be used for monitoring and reporting. [Soil Protection Condition 3; Final Order on ASC]
PRE-SP-03	Prior to construction of the facility or phase, as applicable, the certificate holder must submit to the Department a Construction Spill Prevention Countermeasures and Control (SPCC) Plan. [Soil Protection Condition 6; Final Order on ASC]
STANDARD: Land Use (LU) [OAR 345-022-0030]	

Condition Number	Preconstruction (PRE) Conditions
PRE-LU-01	Prior to construction of the facility or phase, as applicable, the certificate holder must provide to the Department a copy of the approved Conditional Use Permit and applicable Zoning Permit(s). [Land Use Condition 1; Final Order on ASC]
PRE-LU-02	Prior to construction of the 230 kV transmission lines, the certificate holder shall demonstrate to the Department that the transmission lines will be sited within the exiting road rights-of-way, unless Morrow County Public Works Department and Oregon Department of Transportation, as applicable, confirm that use of the existing road rights-of-way is not feasible. [Land Use Condition 2; Final Order on ASC]
PRE-LU-03	Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the draft Noxious Weed Control Plan, as provided in the Final Order on ASC Attachment E, and submit to the Department for review and approval in consultation with the Morrow County Weed Department. [Land Use Condition 3; Final Order on ASC]
PRE-LU-04	Prior to construction of the facility or phase, as applicable, the certificate holder must submit an executed document prohibiting the certificate holder, and the certificate holder's successors in interest, from pursuing a claim for relief or cause of action alleging injury from farming or forest practices as defined in ORS 30.930(2) and (4), and provide evidence that the document has been recorded in the deed records for Morrow County. [Land Use Condition 6; Final Order on ASC]
PRE-LU-05	Prior to construction of the facility or phase, as applicable, the certificate holder shall demonstrate that the final design adheres to the following setbacks: a. All facility structures and above-ground components except the perimeter fenceline must be sited: 1. At least 20 feet from a property line fronting the right-of-way of a local minor collector or marginal access street, including but not limited to Sand Hollow Road, Grieb Lane, Alpine Lane, Doherty Road, or Melville Road. 2. At least 30 feet from a property line fronting the right-of-way, of a major collector, including but not limited to, Bombing Range Road. 3. At least 80 feet from a property line fronting the right-of-way for an arterial road, including but not limited to State Highway 207. b. All facility structures, and all on-site septic systems or other sewage disposal systems must be set back at least 100 feet from delineated waterways. [Land Use Condition 7; Final Order on ASC]
PRE-LU-06	Prior to construction of the facility or phase, as applicable, the certificate holder shall submit a final site plan that includes all information required by MCZO 4.165.E to the County and the Department. The Department may defer review and approval to the County. [Land Use Condition 8; Final Order on ASC]

Condition Number	Preconstruction (PRE) Conditions
PRE-LU-07	Prior to construction of the facility or phase, as applicable, the certificate holder must complete the preconstruction requirements identified in the Memorandum of Agreement for Agricultural Mitigation Fund, as provided in the Final Order on ASC Attachment F. [Land Use Condition 11; Final Order on ASC]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
PRE-RF-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall submit to the State of Oregon, through the Council, a bond or letter of credit naming the State of Oregon, acting by and through the Council, as beneficiary or payee. The approved bond or letter of credit amount of \$117,945,000 (Q1 2023 dollars) may be adjusted based on the design configuration of the facility, or phase of the facility, as provided in Sub(a) and adjusted to the year and quarter of issuance as provided under Sub(b). - The bond or letter of credit amount may be adjusted based on actual design/number of components of the facility or phase, as applicable, and shall use the same unit costs and contingencies presented in the Final Order on the ASC Table 8. - Adjust the amount of the bond or letter of credit using the U.S. Gross Domestic Product Implicit Price Deflator, Chain Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast" or by any successor agency by using the index value for the year and quarter of the nominal value and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the index is no longer published, the Council shall select a comparable calculation to adjust the amount for inflation. - The bond or letter of credit must be issued by a financial institution that is included on the Council's pre-approved financial institution list. The certificate holder may request to have a financial institution added to the list at any time. - The bond or letter of credit must be prepared using the most recent Council-approved template. [Retirement and Financial Assurance Condition 4; Final Order on ASC]
STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]	
PRE-FW-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the Revegetation and Reclamation Plan, based on Attachment G of the Final Order on the ASC, and submit to the Department for review and approval. [Fish and Wildlife Habitat Condition 1]
PRE-FW-02	Prior to construction of the facility or phase, as applicable, the certificate holder shall submit the draft legal agreement for review and approval by the Department, in consultation with ODFW. The legal agreement shall ensure that payment provided for long-term management and enhancement of the mitigation area is adequate to cover the permanent habitat loss from the facility.

Condition Number	Preconstruction (PRE) Conditions
	[Fish and Wildlife Condition 4, Final Order on ASC]
PRE-FW-03	Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the Habitat Mitigation Plan, as provided in Attachment H of the Final Order on ASC, based on the impacts associated with the final facility design and the legal agreement, as approved by the Department. [Fish and Wildlife Condition 5, Final Order on ASC]
PRE-FW-04	Prior to construction of the facility or phase, as applicable, the certificate holder shall provide evidence to the Department that the design measures included in the Construction Wildlife Monitoring Plan (Final Order on ASC Attachment I) have been included in the final facility design and construction contractor contracts, as applicable. [Fish and Wildlife Condition 7; Final Order on ASC]
STANDARD: Threatened and Endangered Species (TE) [OAR 345-022-0070]	
PRE-TE-01	If construction commences after April 2025, certificate holder shall, prior to construction of the facility or phase, as applicable, conduct protocol-level Washington ground squirrel (WAGS) surveys within areas of planned facility construction that are within suitable WAGS habitat. The certificate holder shall: - Submit a protocol-level survey plan for surveys to be conducted within suitable WAGS habitat, for review and approval by the Department in consultation with ODFW. At a minimum, the survey plan shall specify the survey area (all areas of suitable habitat within 1,000 feet of ground disturbing activities except where there is a habitat barrier (e.g., a paved road) or access restrictions); and survey timing (February 15 to May 31, unless otherwise approved by ODFW). - Complete protocol-level WAGS surveys based on the protocol approved per (a). - Submit survey reports to the Department and ODFW. The certificate holder shall not begin construction within 1,000 feet of Category 1 or Category 2 WAGS habitat until the identified boundaries of Category 1 WAGS habitat have been approved by the Department, in consultation with ODFW. Category 1 habitat includes a 785-foot buffer from an identified active burrow, and the area within the perimeter of multiple active burrows. Category 2 WAGS habitat consists of a 4,136-foot buffer from the exterior boundary of all Category 1 WAGS habitat. The survey results are valid for 3-years. - Develop maps and worker training materials to inform of sensitive Category 1 and Category 2 habitat. Submit to the Department final facility design maps demonstrating that Category 1 habitat, including 785-buffer from any colonies identified per (b), is avoided. - Install flagging or other demarcation, as appropriate, to inform workers of sensitive WGS habitat and of avoidance requirement. [Threatened and Endangered Species Condition 1; Final Order on ASC]
STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]	

Condition Number	Preconstruction (PRE) Conditions
PRE-HC-01	Prior to construction of the facility, or phase, as applicable, the certificate holder shall update the contact information provided in the Final Order on ASC Attachment K, Inadvertent Discovery Plan. [Historic, Cultural and Archeological Condition 1; Final Order on ASC]
STANDARD: Public Services (PS) [OAR 345-022-0100]	
PRE-PS-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall execute a final Road Use Agreement, based on Final Order on ASC Attachment N, and provide a copy to the Department. [Public Services Condition 1, Final Order on ASC]
PRE-PS-02	At least 180-days prior to construction of any phase, the certificate holder shall provide to the Department and Morrow County a temporary housing plan for the construction workforce. The plan shall provide for coordination with contractors and local officials on housing options and strategies to minimize impacts to local housing supply based on an ongoing evaluation of patterns of uses and potential shortages or changes in housing demand. [Public Services Condition 3; Final Order on ASC]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
PRE-WF-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall finalize the Construction Wildfire Mitigation Plan, as provided in Attachment L to the Final Order on ASC. The final Construction Wildfire Mitigation Plan shall be submitted to the Department for review and approval. [Wildfire Prevention and Risk Mitigation Condition 1; Final Order on ASC]
STANDARD: Waste Minimization (WM) [OAR 345-022-0120]	
PRE-WM-01	Prior to construction of the facility, or phase, as applicable, the certificate holder shall require contractors to develop and submit to the Department for review and approval, Construction Waste Management Plan(s) that, at a minimum, include the following: a. All sources and quantities of construction waste and wastewater, including damaged or dysfunctional energy facility components, and where feasible, estimated quantities that can be recycled. b. Process for disposal and recycling, including use of licensed haulers and disposal/recycling facilities; names and locations of licensed recycling and disposal facilities; collection, hauling and tracking requirements. c. Process for requesting a permit exemption from DEQ pursuant to OAR 340-093-0080 to ensure that concrete washout materials reused in foundation backfill are substantially the same as clean fill. d. Process for training workers and tracking compliance with the requirements of the plan. [Waste Minimization Condition 1; Final Order on ASC]
STANDARD: Noise Control Regulations (NC) [OAR 340-035-0035]	

Condition Number	Preconstruction (PRE) Conditions
PRE-NC-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall demonstrate that the operational noise levels comply with OAR 345-035-0035(1)(b), based on an updated acoustic modeling analysis using final design/layout and equipment specifications. [Noise Control Condition 1; Final Order on ASC]
STANDARD: Other – Removal-Fill (WL)	
PRE-WL-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder must provide documentation of a valid jurisdictional determination from the Oregon Department of State Lands demonstrating that no waterways subject to the State Removal-Fill law under ORS 196.795 through 196.990 are present within areas to be disturbed during construction or operation. [Removal-Fill Condition 1, Final Order on ASC]
STANDARD: Other – Water Rights (WR)	
PRE-WR-01	Prior to construction of the facility or phase, as applicable, the certificate holder shall: - Identify all water-related needs and estimate daily and annual water demand for each construction phase, as applicable. - Provide, to the Department, a contract or purchase agreement demonstrating that adequate water supply to meet construction demand has been secured from sources with valid water rights. [Water Rights Condition 1, Final Order on ASC]

5.4 Construction (CON) Conditions

Condition Number	Construction (CON) Conditions
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
CON-OE-01	The certificate holder shall contractually require all contractors and subcontractors to comply with all applicable laws and regulations and with the terms and conditions of the site certificate. The contractual obligation shall be required of each contractor and subcontractor prior to that firm working on the facility. Such contractual provisions shall not operate to relieve the certificate holder of responsibility under the site certificate. [Organizational Expertise Condition 3; Final Order on ASC]
CON-OE-02	During construction, the certificate holder shall: - Maintain an onsite construction manager. - Require that the construction manager implement and monitor all applicable construction related site certificate conditions. - Within six months after beginning construction, and every six months thereafter during construction of the energy facility and related or supporting facilities, the certificate holder shall submit a semiannual construction progress report to the Department. In each construction progress report, the certificate holder shall describe any significant changes to major milestones for construction. The certificate holder shall report on the progress of construction and shall address the following: - Facility Status: An overview of site conditions, the status of facilities under construction and a summary of the operating experience of facilities that are in operation. The certificate holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility. - Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period. - Compliance Report: A report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate. - Facility Modification Report: A summary of changes to the facility that the certificate holder has made during the reporting period without an amendment of the site certificate in accordance with OAR 345-027-0050. [Organizational Expertise Condition 9; Final Order on ASC]
STANDARD: Soil Protection (SP) [OAR 345-022-0020]	

Condition Number	Construction (CON) Conditions
CON-SP-01	During construction, as applicable, the certificate holder shall require that contractors adhere to the requirements of the Vegetation and Grading Plan. [Soil Protection Condition 2; Final Order on ASC]
CON-SP-02	During construction of the facility or phase, as applicable, the certificate holder shall: - Conduct all work in compliance with the NPDES 1200-C Permit and Erosion and Sediment Control Plan (ESCP) or revised ESCP if applicable. The ESCP shall be revised if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department. Any Department-required ESCP revisions shall be implemented within 14-days, unless otherwise agreed to by the Department based on a good faith effort to address erosion issues. - Conduct all work in compliance with the Fugitive Dust Control Plan. The Fugitive Dust Control Plan may be amended, as needed, to ensure that control measures are effective at the site. [Soil Protection Condition 4; Final Order on ASC]
CON-SP-03	During construction, the certificate holder shall require that all onsite contractors and personnel adhere to the requirements of the SPCC Plan. Any SPCC revisions and updates shall be reported to the Department. [Soil Protection Condition 6; Final Order on ASC]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
CON-LU-01	During construction, the certificate holder shall implement and adhere to the Noxious Weed Control Plan required under Condition PRE-LU-02. [Land Use Condition 4, Final Order on ASC]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
CON-RF-01	During construction, the certificate holder shall: - Describe the status of the bond or letter of credit in the semi-annual report submitted to the Department pursuant to OAR 345-026-0080. - If construction extends for more than 12 months, the certificate holder shall adjust the amount of the bond or letter of credit on an annual basis thereafter as described in under Condition PRE-RF-01. - The Department and Council reserve the right to adjust the contingencies, as necessary to ensure that costs to restore the site are adequate. [Retirement and Financial Assurance Condition 5; Final Order on ASC]
STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]	
CON-FW-01	During construction, the certificate holder shall implement and adhere to the Revegetation and Reclamation Plan, as applicable. [Fish and Wildlife Habitat Condition 2, Final Order on ASC]
CON-FW-02	During construction, the certificate holder shall adhere to the requirements of the Construction Wildlife Monitoring Plan (Attachment I of the Final Order on the ASC). Monitoring records shall be maintained throughout construction and included in the semi-annual report submitted to the Department pursuant to OAR 345-026-0080. [Fish and Wildlife Condition 8; Final Order on ASC]

Condition Number	Construction (CON) Conditions
<i>STANDARD: Threatened and Endangered Species (TE) [OAR 345-022-0070]</i>	
CON-TE-01	Prior to and during construction of the facility or phase, as applicable, any incidentally identified occurrence(s) of Lawrence's milkvetch shall be avoided using a 100-foot buffer via mapping and flagging. [Threatened and Endangered Species Condition 2; Final Order on ASC]
<i>STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]</i>	
CON-HC-01	During construction, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan, as submitted to the Department under PRE-HC-01. [Historic, Cultural and Archeological Condition 2; Final Order on ASC]
<i>STANDARD: Public Services (PS) [OAR 345-022-0100]</i>	
CON-PS-01	During construction, the certificate holder shall adhere to the terms and conditions of the Road Use Agreement executed under PRE-PS-01. [Public Services Condition 2; Final Order on ASC]
CON-PS-02	During construction, the certificate holder shall report to the Department the outcomes of the work completed under the temporary housing plan required under PRE-PS-02. The report shall be included in the construction progress report required under CON-OE-02, and shall include, at a minimum: a. Outcome of coordination with construction contractors to identify housing options for incoming workers, including aggregate data on the location (i.e. city) and type of housing used by workers. b. Documentation of coordination with local officials such as the Morrow County Planning Department, nearby cities and towns such as Lexington and Lone, the Lexington Community Development Group, the Lone Community Agri-Business Organization, the Boardman Community Development Association, the Willow Creek Valley Economic Development Group, and other housing providers to identify housing options and strategies to minimize that impacts to local housing supply. [Public Services Condition 4; Final Order on ASC]
<i>STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]</i>	
CON-WF-01	During construction of the facility of phase, as applicable, the certificate holder shall implement and require all onsite contractors and employees to adhere to the Construction Wildfire Mitigation Plan required under Condition PRE-WF-01. Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder, certificate holder's contractor(s), or the Department to address wildfire hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard. [Wildfire Prevention and Risk Mitigation Condition 2; Final Order on ASC]
<i>STANDARD: Waste Minimization (WM) [OAR 345-022-0120]</i>	

Condition Number	Construction (CON) Conditions
CON-WM-01	During construction, as applicable, the certificate holder shall require that contractors adhere to the requirements of the Construction Waste Management Plan(s) and maintain records of employee training and tracking compliance onsite and available upon Department request. [Waste Minimization Condition 2; Final Order on ASC]
CON-WM-02	During construction, on-site concrete washwater disposal is prohibited unless DEQ approval of a permit exemption for materials substantially similar to clean fill is obtained. If DEQ approval of a permit exemption is obtained, concrete washwater must be disposed of onsite via infiltration and evaporation in accordance with the DEQ-issued NPDES 1200-C permit required under Condition CON-SP-02. [Waste Minimization Condition 3; Final Order on ASC]
STANDARD: Other – Water Rights (WR)	
CON-WR-01	During construction: - All water used for construction activities shall be appropriated and used in accordance with the applicable provisions of ORS chapter 537 and OAR chapter 690. - The certificate holder shall report the source and amount of water used during each month of construction under Condition CON-OE-02. The certificate holder shall maintain records adequate to substantiate reports (e.g., written logs and photographs of well meter readings, copies of invoices from water sources) and make such records available to the Department upon request. - If a water right, limited water use license, or water rights transfer is needed and would not be obtained by a third-party, the certificate holder shall submit and obtain approval of the applicable water permit through the site certificate amendment process. [Water Rights Condition 2; Final Order on ASC]

5.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Operational (PRO) Conditions
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
PRO-OE-01	Prior to operation, the certificate holder shall provide to the Department the qualifications and contact information of the individuals responsible for monitoring facility operations, including individuals or third-party entity responsible for onsite maintenance. [Organizational Expertise Condition 10; Final Order on ASC]
STANDARD: Soil Protection (SP) [OAR 345-022-0020]	
PRO-SP-01	Following the termination of the 1200-C, the certificate holder shall update the requirements of the Revegetation and Reclamation Plan, specific to the areas within the fenceline not occupied by facility infrastructure. Certificate holder shall provide evidence to the Department that the permit was terminated by DEQ. [Soil Protection Condition 5; Final Order on ASC]
PRO-SP-02	Prior to operation, the certificate holder shall submit to the Department an Operational Spill Prevention Control and Countermeasures (SPCC) Plan. [Soil Protection Condition 8; Final Order on ASC]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
PRO-WF-01	Prior to operation, the certificate holder shall finalize the operational Wildfire Mitigation Plan (WMP) included as Attachment M to the Final Order on ASC. [Wildfire Prevention and Risk Mitigation Condition 3; Final Order on ASC]
STANDARD: Waste Minimization (WM) [OAR 345-022-0120]	
PRO-WM-01	Prior to operation, the certificate holder shall develop an Operational Recycling Plan or protocol requiring that damaged or nonfunctional panels and lithium-ion batteries be recycled to the extent practicable. The certificate holder shall report in its annual report to the Department the quantities of panels and lithium-ion batteries recycled, reused or disposed of in a landfill. Requirements for lithium-ion battery recycling do not apply if the BESS is not constructed. [Waste Minimization Condition 4; Final Order on ASC]
STANDARD: Other - Water Rights (WR)	
PRO-WR-01	Prior to operation, the certificate holder shall provide, to the Department, a copy of the map, well log and all other information it provided to OWRD pursuant to ORS 537.545 and ORS 537.765 to qualify for an exempt ground water use for any onsite exempt wells. [Water Rights Condition 3; Final Order on ASC]

5.6 Operational (OPR) Conditions

Condition Number	Operational (OPR) Conditions
STANDARD: General Standard of Review (GS) [OAR 345-022-0000]	
OPR-GS-01	The certificate holder must submit a legal description of the site to the Department within 90 days after beginning operation of the facility. The legal description must include a description of metes and bounds or a description of the site by reference to a map and geographic data that clearly and specifically identify the outer boundaries that contain all parts of the facility. [Mandatory Condition OAR 345-025-0006(2); General Standard Condition 9]
OPR-GS-02	After January 1 but no later than April 30 of each year after beginning operation of the facility, the certificate holder shall submit an annual report to the Department. The Council Secretary and the certificate holder may, by mutual agreement, change the reporting date. a. The annual report must include the following information for the calendar year preceding the date of the report: 1. Facility Status: An overview of site conditions, the status of facilities under construction and a summary of the operating experience of facilities that are in operation. The certificate holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility. 2. Reliability and Efficiency of Power Production: For electric power plants, the plant availability and capacity factors for the reporting year. The certificate holder shall describe any equipment failures or plant breakdowns that had a significant impact on those factors and shall describe any actions taken to prevent the recurrence of such problems. 3. Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period. 4. Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the previous year in accordance with site certificate terms and conditions, a summary of the results of those activities and a discussion of any significant changes to any monitoring or mitigation program, including the reason for any such changes. 5. Compliance Report: A report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate.

Condition Number	Operational (OPR) Conditions
	6. Facility Modification Report: A summary of changes to the facility that the certificate holder has made during the reporting period without an amendment of the site certificate in accordance with OAR 345-027-0350. b. To the extent that information required by this rule is contained in reports the certificate holder submits to other state, federal or local agencies, the certificate holder may submit excerpts from such other reports to satisfy this rule. The Council reserves the right to request full copies of such excerpted reports. [Mandatory Condition 345-026-0080(1); General Standard Condition 10, Final Order on ASC]
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
OPR-OE-01	During operation, the certificate holder shall provide to the Department the qualifications and contact information of the individuals responsible for monitoring facility operations, including individuals or third-party entity responsible for onsite maintenance. [Organizational Expertise Condition 11; Final Order on ASC]
STANDARD: Soil Protection (SP) [OAR 345-022-0020]	
OPR-SP-01	During operation, the certificate holder shall adhere to the requirements of the Operational SPCC Plan. Any SPCC updates shall be described and included in the Annual Report to the Department. Certificate holder shall report spill and cleanup activities to the Department within 72 hours and shall make inspection records available to the Department upon request. [Soil Protection Condition 9; Final Order on ASC]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
OPR-LU-01	Following the fifth year of monitoring under the Noxious Weed Control Plan required under PRE-LU-03, the certificate holder shall submit a Long-term Noxious Weed Monitoring Plan to the Department, for review and approval. The certificate holder shall implement the plan for the remainder of the facility's operating life. [Land Use Condition 5, Final Order on ASC]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
OPR-RF-01	During operation, the certificate holder shall: - Annually adjust the amount of the bond or letter of credit using the U.S. Gross Domestic Product Implicit Price Deflator, Chain Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast" or by any successor agency by using the index value for the year and quarter of the nominal value and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the index is no longer published, the Council shall select a comparable calculation to adjust the amount for inflation. - Any changes to the template made by the Council must be incorporated into the bond or letter or letter of credit whenever the amount is adjusted under Sub(a). - The Department and Council reserve the right to adjust the contingencies, as

Condition Number	Operational (OPR) Conditions
	necessary to ensure that costs to restore the site are adequate. [Retirement and Financial Assurance Condition 6; Final Order on ASC]
STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]	
OPR-FW-01	During operation, as applicable, the certificate holder shall implement and adhere to the Revegetation and Reclamation Plan. [Fish and Wildlife Habitat Condition 3, Final Order on ASC]
OPR-FW-02	During operation, the certificate holder shall provide reports from The Nature Conservancy on the status of long-term management and enhancement of the habitat mitigation area, consistent with the Habitat Mitigation Plan. [Fish and Wildlife Condition 6, Final Order on ASC]
OPR-FW-03	During operation, the certificate holder shall adhere to the requirements of the Operational Wildlife Monitoring Plan (Attachment J of the Final Order on the ASC). Monitoring records shall be maintained throughout operation and included in the annual report submitted to the Department pursuant to OAR 345-026-0080. [Fish and Wildlife Condition 9; Final Order on ASC]
STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]	
OPR-HC-01	During operations, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan (IDP), as provided for Condition PRE-HC-01. The IDP shall be reviewed and updated annually for current contact information. [Historic, Cultural and Archeological Condition 3; Final Order on ASC]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
OPR-WF-01	During operation, the certificate holder shall: a. Implement the Operational Wildfire Mitigation Plan finalized under Condition PRO-WF-01. b. Every 5 years after the first operational year, review and update the evaluation of wildfire risk under OAR 345-022-0115(1)(b) and submit the results in the annual report required under Condition CON-OE-02 for that year. c. Submit an updated Operational Wildfire Mitigation Plan to the Department if substantive changes are made to the plan because of the review under sub (b) of this condition, or at any other time substantive revisions are made. [Wildfire Prevention and Risk Mitigation Condition 4; Final Order on ASC]
STANDARD: Waste Minimization (WM) [OAR 345-022-0120]	
OPR-WM-01	During operation, the certificate holder shall adhere to the requirements of the Operational Recycling Plan or protocol developed under Condition PRO-WM-01. [Waste Minimization Condition 5; Final Order on ASC]
OPR-WM-02	During operation, the certificate holder shall: a. Prohibit use of chemicals, soaps, detergents and heated water unless Chemical Safety Data Sheets for low volatile organic compound/biodegradable cleaning chemicals and solvents are submitted to the Department for review and approval prior to use.

Condition Number	Operational (OPR) Conditions
	b. Ensure that washing is conducted in a manner that does not remove paint or other finishes. c. Discharge wash water through evaporation and infiltration only. [Waste Minimization Condition 6, Final Order on ASC]
STANDARD: Other – Water Rights (WR)	
OPR-WR-01	During operation, the certificate holder shall verify that any onsite exempt wells do not use more than 5,000 gallons of ground water a day, collectively, and shall monitor the volume of groundwater used on a daily basis, maintain a record of such use and make the monitoring records available to the Department upon request. [Water Rights Condition 4; Final Order on ASC]

5.7 Retirement (RET) Conditions

Condition Number	Retirement (RET) Conditions
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
RET-RF-01	The certificate holder must retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder must retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0410. The certificate holder must pay the actual cost to restore the site to a useful, non-hazardous condition at the time of retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site. [Mandatory Condition OAR 345-025-0006(9); Retirement and Financial Assurance Condition 2; Final Order on ASC]
RET-RF-02	If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0410, the Council must notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Department within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the Department to prepare a proposed final retirement plan for the Council's approval. Upon the Council's approval of the final retirement plan, the Council may draw on the bond or letter of credit described in Condition PRE-RT-01 to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR chapter 345, division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder must pay any additional cost necessary to restore the site to a useful, non-hazardous condition. After completion of site restoration, the Council must issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan. [Mandatory Condition OAR 345-025-0006(16); Retirement and Financial Assurance Condition 3; Final Order on ASC]

6.0 Successors and Assigns

To transfer this site certificate or any portion thereof or to assign or dispose of it in any other manner, directly or indirectly, the certificate holder shall comply with OAR 345-027-0400.

7.0 Severability and Construction

If any provision of this agreement and certificate is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and conditions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the agreement and certificate did not contain the particular provision held to be invalid.

8.0 Execution

This site certificate may be executed in counterparts and will become effective upon signature by the Chair of the Energy Facility Siting Council and the authorized representative of the certificate holder.

IN WITNESS THEREOF, this site certificate has been executed by the State of Oregon, acting by and through the Energy Facility Siting Council and Oregon Solar 1, LLC (certificate holder).

ENERGY FACILITY SITING COUNCIL

By:  Cynthia R. Condon (Jul 6, 2026 20:23:09 PDT)

Cindy Condon, Chair

Date: _____

OREGON SOLAR 1, LLC

Signed by:
By:  Brandon Oyer
053CF9833862445...

Brandon Oyer, Authorized Representative

Date: July 7, 2026

ATTACHMENT 1: FIGURES

Figure 1: Regional Location of Facility and Site Boundary

