

Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

ODOE Office/Meitner
550 Capitol St NE
Salem, Or

June 14, 2024



Opening Items:

- Call to Order
- Roll Call
- Announcements

Announcements:

- Reminder that this meeting is being held in its entirety via teleconference and webinar.
- Reminder to Council and to anyone addressing the Council to please remember to state your full name clearly, and do not use the speakerphone feature, as it will create feedback.
- You may sign up for email notices by clicking the link on the agenda or the Council webpage.
- You are also welcome to access the online mapping tool and any documents by visiting our website.

Announcements continued:

- Please silence your cell phones
- Please use the “Raise Your Hand” feature in Webex to speak during the public comment period, or press *3 to raise your hand if you are participating by telephone.
- Energy Facility Council meetings shall be conducted in a respectful and courteous manner where everyone is allowed to state their positions at the appropriate times consistent with Council rules and procedures. Willful accusatory, offensive, insulting, threatening, insolent, or slanderous comments which disrupt the Council meeting are not acceptable. Pursuant to Oregon Administrative Rule 345-011-0080, any person who engages in unacceptable conduct which disrupts the meeting may be expelled.

Agenda Item A (Action Item & Information Item)

Consent Calendar

- April 19 Council Meeting Minutes
- Council Secretary Report

June 14, 2024

Compliance Updates - Incidents

| Facility | Incident Date | Incident Type | Details |
|-------------------------|---------------|-----------------------------------|--|
| Biglow Canyon Wind Farm | 06/3/24 | Wind Turbine Nose Cone Detachment | <ul style="list-style-type: none">• 7-foot diameter fiberglass nose cone and two of the six nine-inch connector turnbuckles were found approximately 150 feet from the turbine. Two turnbuckles were still connected to the turbine and two are missing.• Incident reported within 72 hours, in compliance with Condition #37• No damage to turbine, which is operational replacement• Cause is being investigated by Portland General Electric |

Agenda Item B (Information Item)

Wagon Trail Solar Application for Site Certificate Council Review of Draft Proposed Order

**Chase McVeigh-Walker, Senior Siting Analyst,
Oregon Department of Energy**

June 14, 2024



Agenda Item C (Information Item)

Briefing on HB 3630 – Directed State Energy Strategy

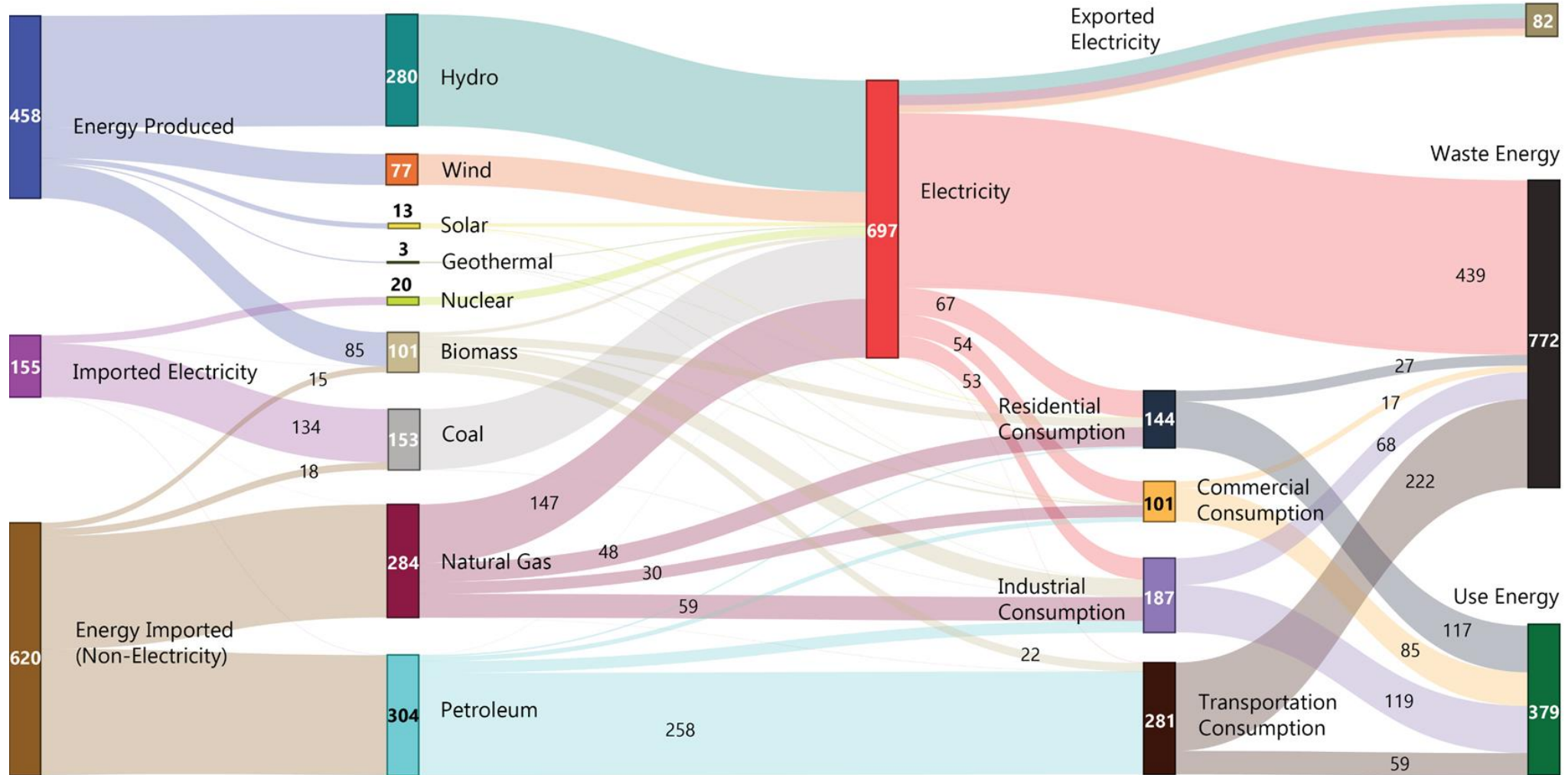
**Edith Bayer, Energy Team Lead, ODOE &
Michael Freels, Senior Policy Analyst, ODOE**

June 14, 2024

AGENDA OVERVIEW

- Oregon's energy landscape
- What is the Energy Strategy and why do we need it?
- Technical analysis
- Engagement opportunities
- Q&A

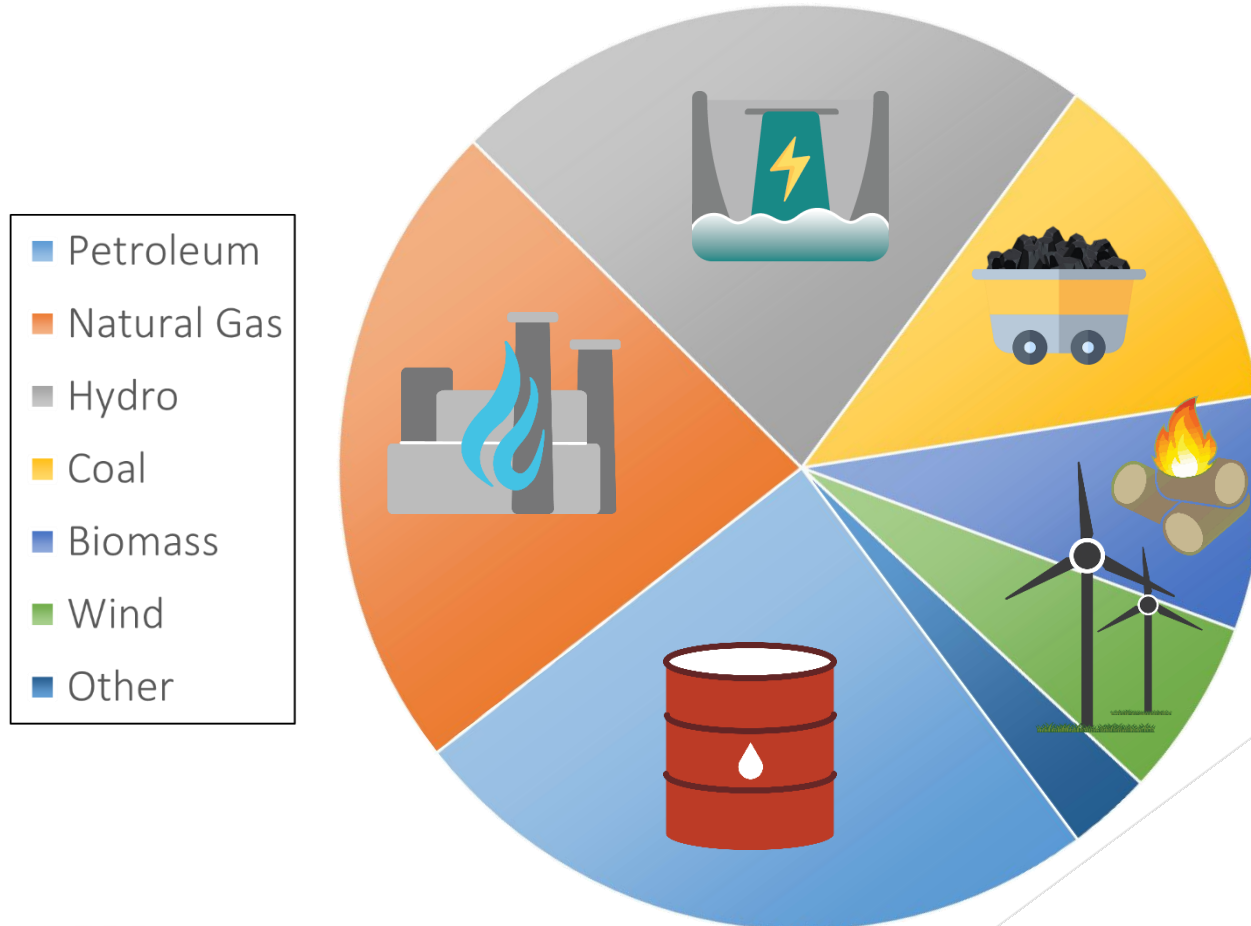
OREGON'S ENERGY FLOW 2020



Numbers are in trillions of British thermal units (Btus)

OREGON'S ENERGY LANDSCAPE

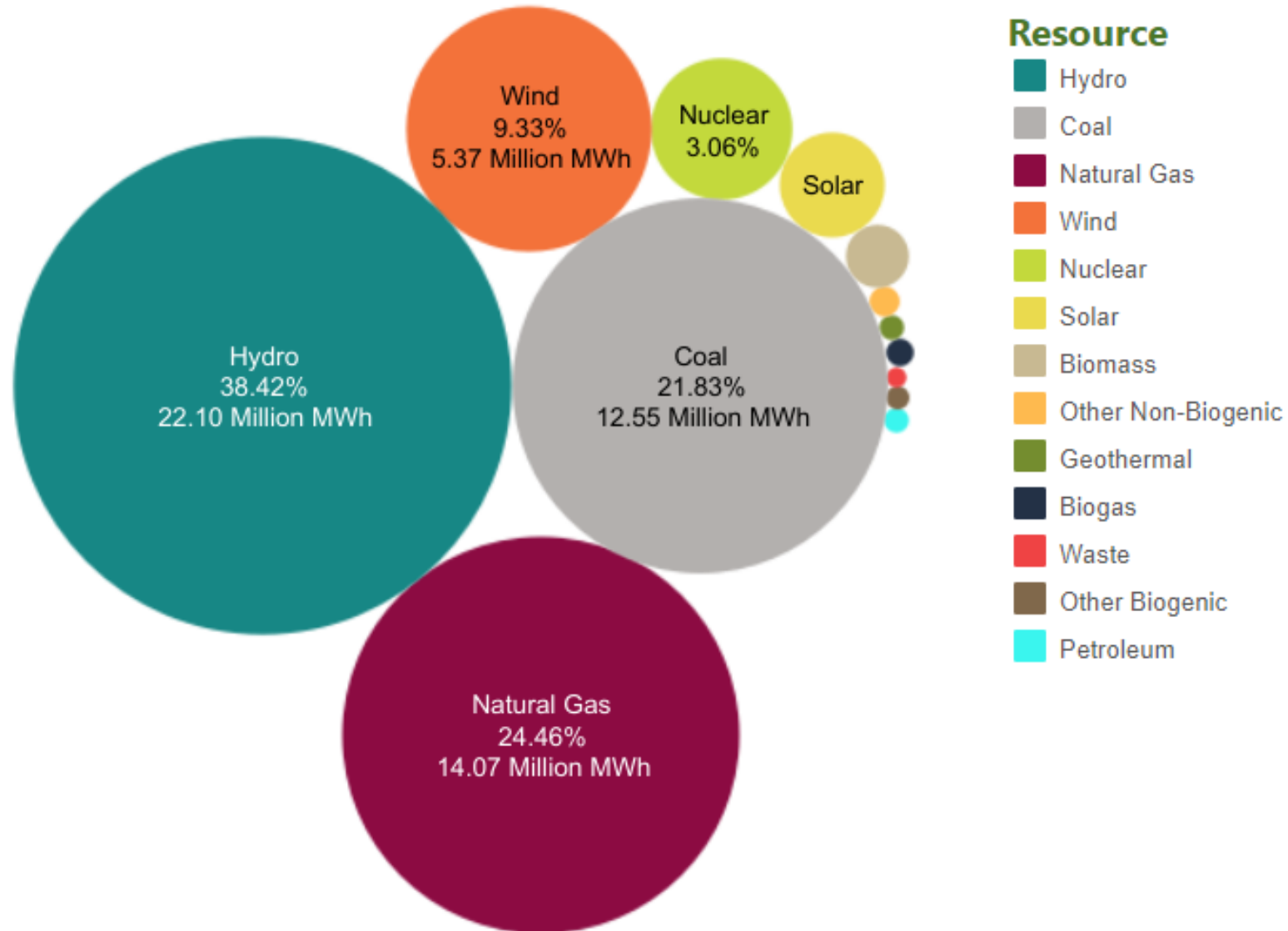
ENERGY SOURCES



ENERGY SOURCES

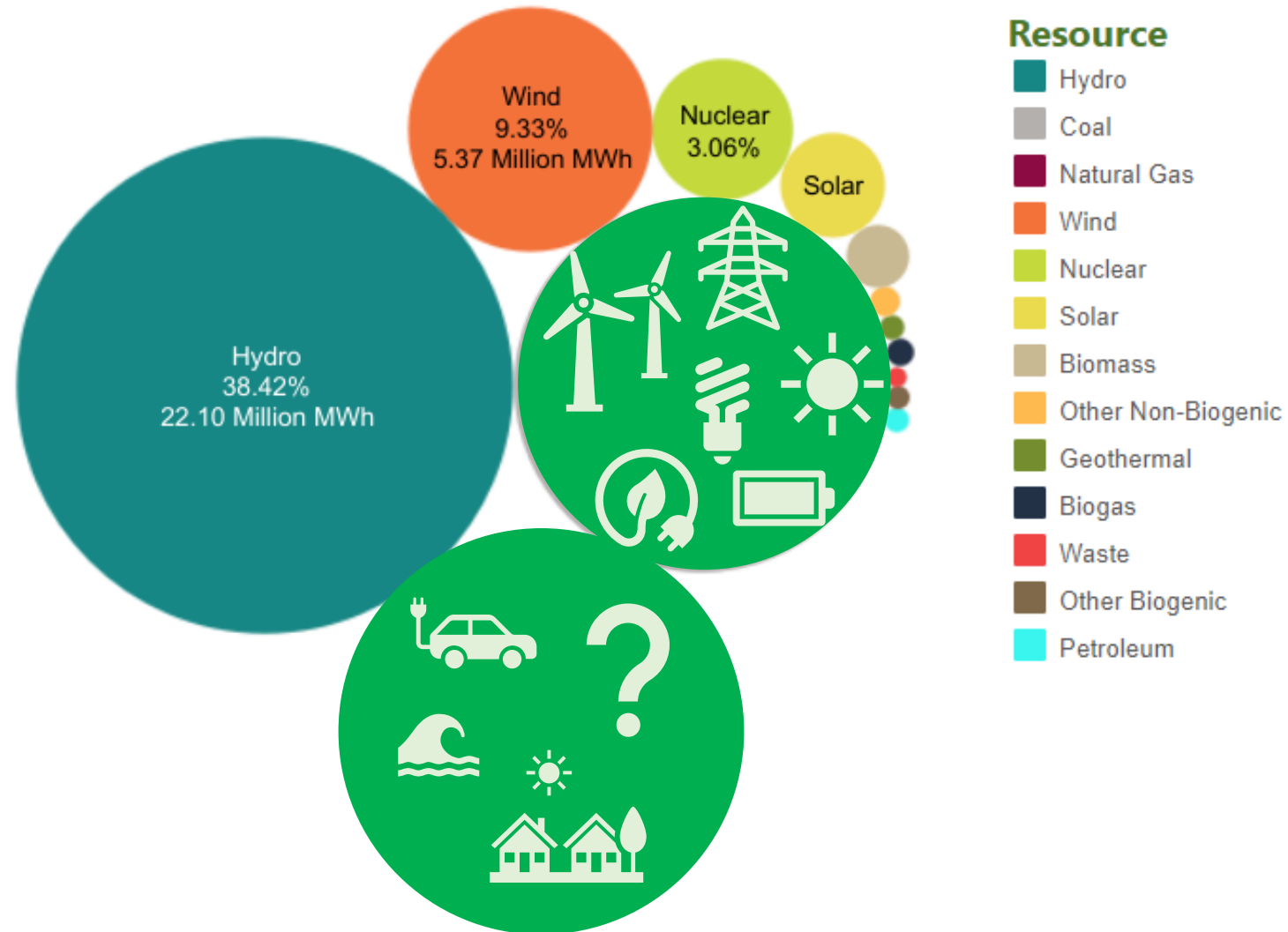


RESOURCES USED TO GENERATE OREGON'S ELECTRICITY (2021)

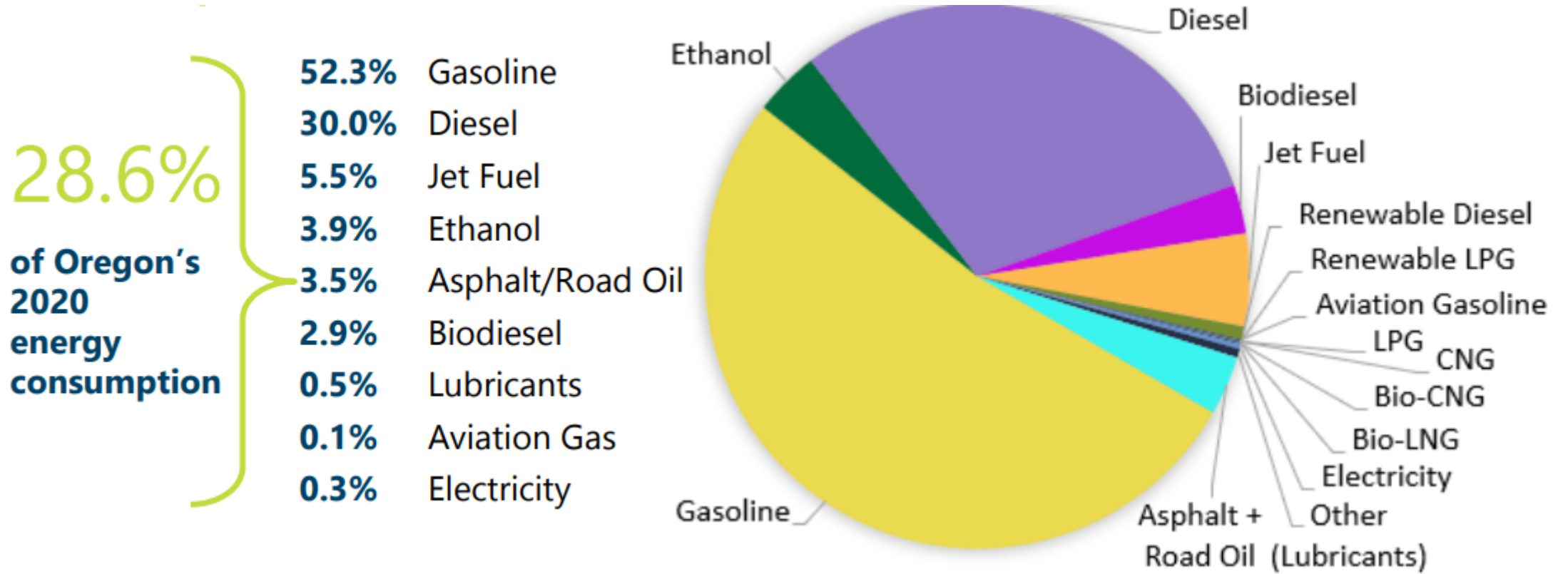


RESOURCES USED TO GENERATE OREGON'S ELECTRICITY (2040)

HB 2021:
100% clean
electricity
by 2040

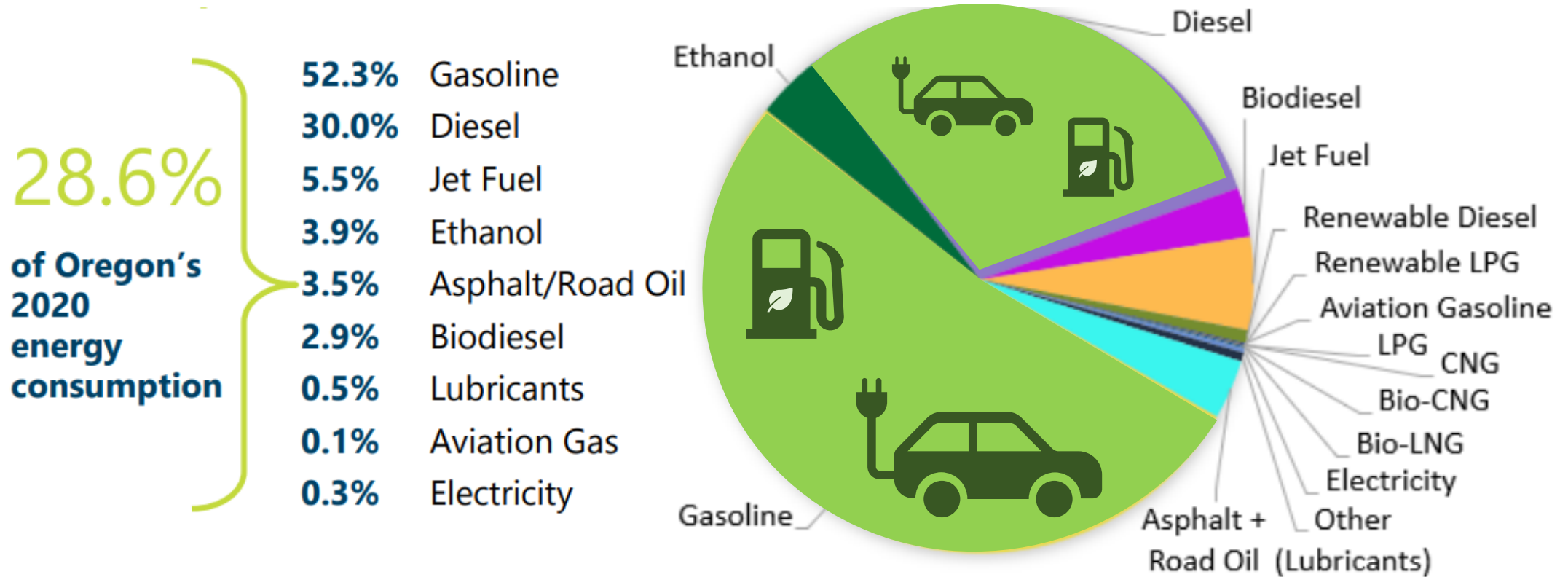


TRANSPORTATION FUELS (2020)



TRANSPORTATION FUELS (2050)

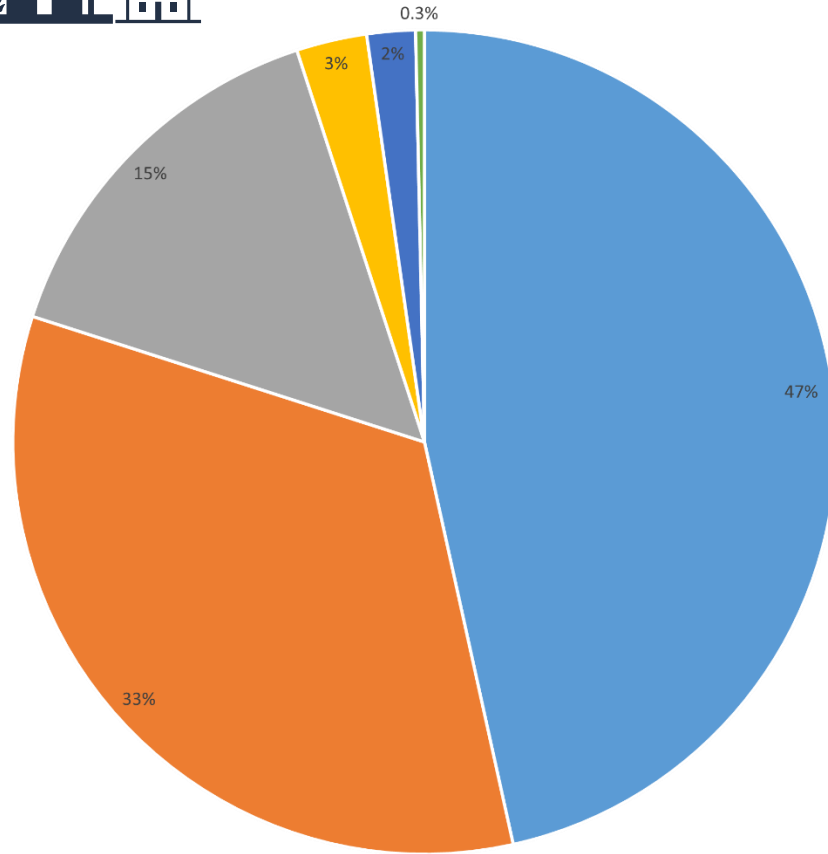
The Climate Protection Program



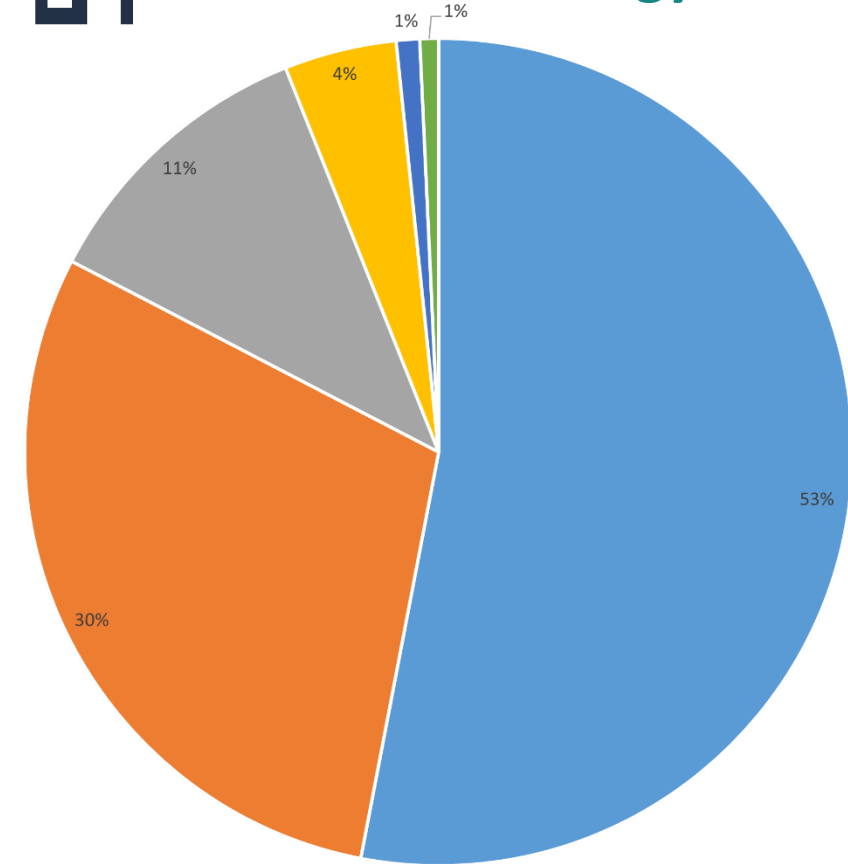
OREGON'S ENERGY CONSUMPTION



Residential Energy Use



Commercial Energy Use



- Electricity
- Natural Gas
- Biomass
- Petroleum
- Solar
- Geothermal

Why an Energy Strategy?

2022 Biennial Energy Report

- Reviewed 20 technical studies from around the country
- Concluded that the state would benefit from a State Energy Strategy

An Energy Strategy can help

- Align policy development, regulation, investment, and technical assistance
- Identify pathways to meet the state's policy goals, considering different technologies, approaches, and tradeoffs
- Maintain affordability, reliability
- Strengthen the economy
- Prioritize equity
- Maximize benefits and minimize harms

HB 3630: COMPREHENSIVE STATE ENERGY STRATEGY

ODOE directed to develop an energy strategy that identifies pathways to achieve Oregon’s energy policy objectives and is informed by the following:

- Stakeholder perspectives
- Existing resource plans, energy-related studies, and analyses

The Oregon Energy Strategy must account for a variety of factors, such as:

- Costs, efficiencies, feasibility, and availability of energy resources and technologies
- Economic and employment impacts
- Energy burden, affordability, environmental justice, and community impacts and benefits
- Land use and natural resource impacts and considerations
- Energy resilience, security, and market implications

ELEMENTS OF THE OREGON ENERGY STRATEGY

1.

Summary of the Energy Strategy and pathways to achieve Oregon's policy objectives

2.

Description of stakeholder engagement and how stakeholder perspectives informed the strategy

3.

Recommendations of policy options

Technical Analysis

APPROACH TO TECHNICAL ANALYSIS

Scenario modeling - quantitative analysis

- Considers the whole energy sector and economy
- Explores different assumptions about the future
- Structured to ensure reliability, meet Oregon's energy policy objectives, and look for least cost solutions
- Evaluates tradeoffs
- Answers "what if" questions (ex. "What if more or less transmission is available?")

The model can't answer all questions

- Complementary analysis
- Apply results of modeling to other areas like jobs, public health, land use
- Evaluate equity effects

GOAL OF TECHNICAL ANALYSIS

Serves to inform decision making

- Not a prediction of the future but an investigation of choices
- Can illuminate the pros and cons of going one direction versus another
- Uncover strategies that can help manage or mitigate uncertainty
- Looking to 2050 can inform near-term actions needed, as well as policy gaps/opportunities

DEFINING KEY QUESTIONS

Questions drive the shape of the Oregon Energy Strategy

What are the most pressing questions, uncertainties, and state priorities that will provide the most valuable information to policymakers?

Example questions:

- What if developing new clean energy resources is delayed?
- What if consumer adoption of technologies like heat pumps and EVs occurs more slowly than expected?
- What if transmission expansion to access resources outside of Oregon is harder than expected?
- What if hydrogen pipelines and other clean fuel delivery systems cannot be constructed between Oregon and other states?

SCENARIO DEVELOPMENT

Model of Oregon's Economy

- Residential
- Commercial
- Industrial
- Transportation

Oregon's Energy Needs

- Electricity
- Transportation fuels
- Direct use fuels

Meeting our energy needs

- Reliability must be maintained
- Meet energy policy objectives
- Minimize cost
- Constraints lead to different results

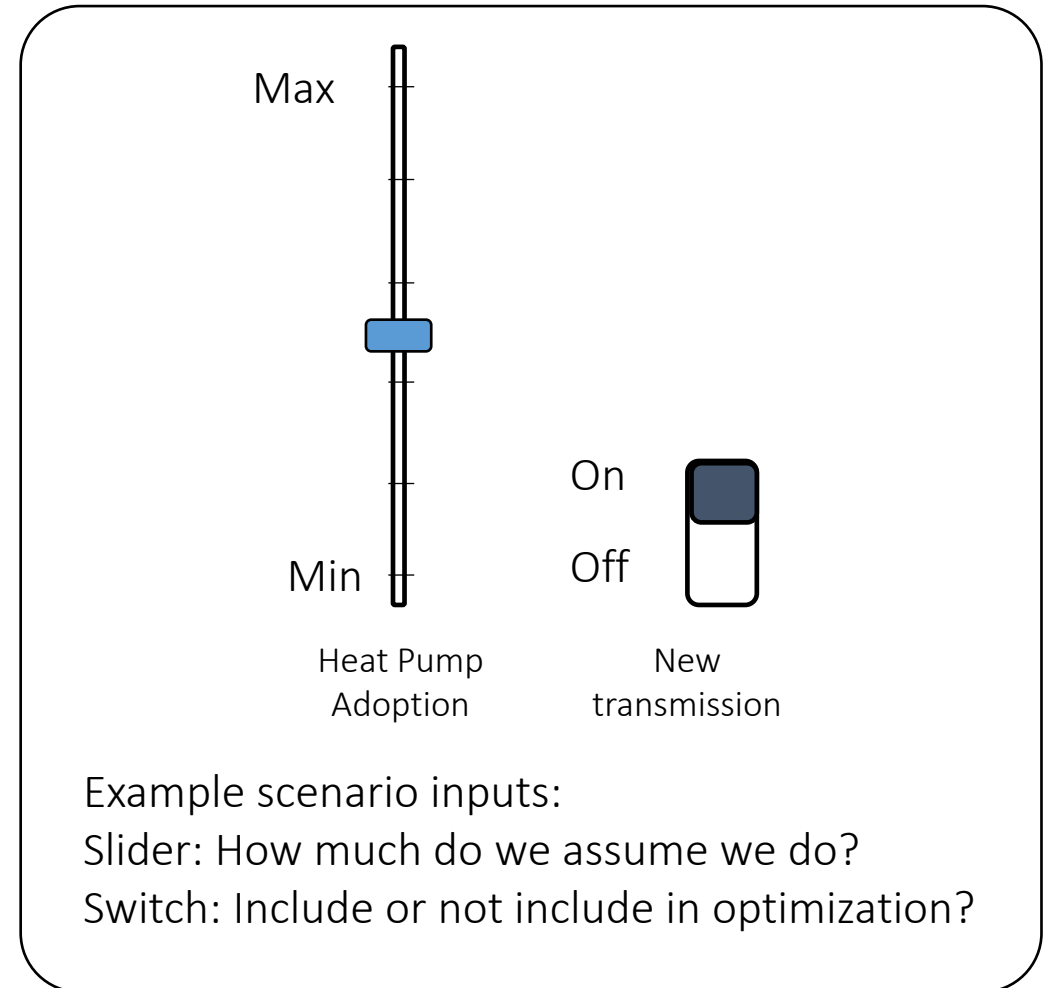
WHAT GOES INTO A SCENARIO?

Many assumptions go into projecting an energy pathway. Different levers can be set to test options:

- More or less
- Yes/no

The model optimizes decisions, informed by those levers

- Test uncertainties
- See impacts of policies/actions/customer behavior on energy needs and how energy is supplied.



ENERGY CONSUMING SUB-SECTORS



Residential

- Air conditioning
- Space heating
- Water heating
- Lighting
- Cooking
- Dishwashing
- Freezing
- Refrigeration
- Clothes washing
- Clothes drying



Commercial

- Airconditioning
- Space heating
- Water heating
- Ventilation
- Lighting
- Cooking
- Refrigeration



Industrial Sector

- Boilers
- Process heat
- Space heating
- Curing
- Drying
- Machine drives
- Additional subsectors
(e.g., machinery, cement)



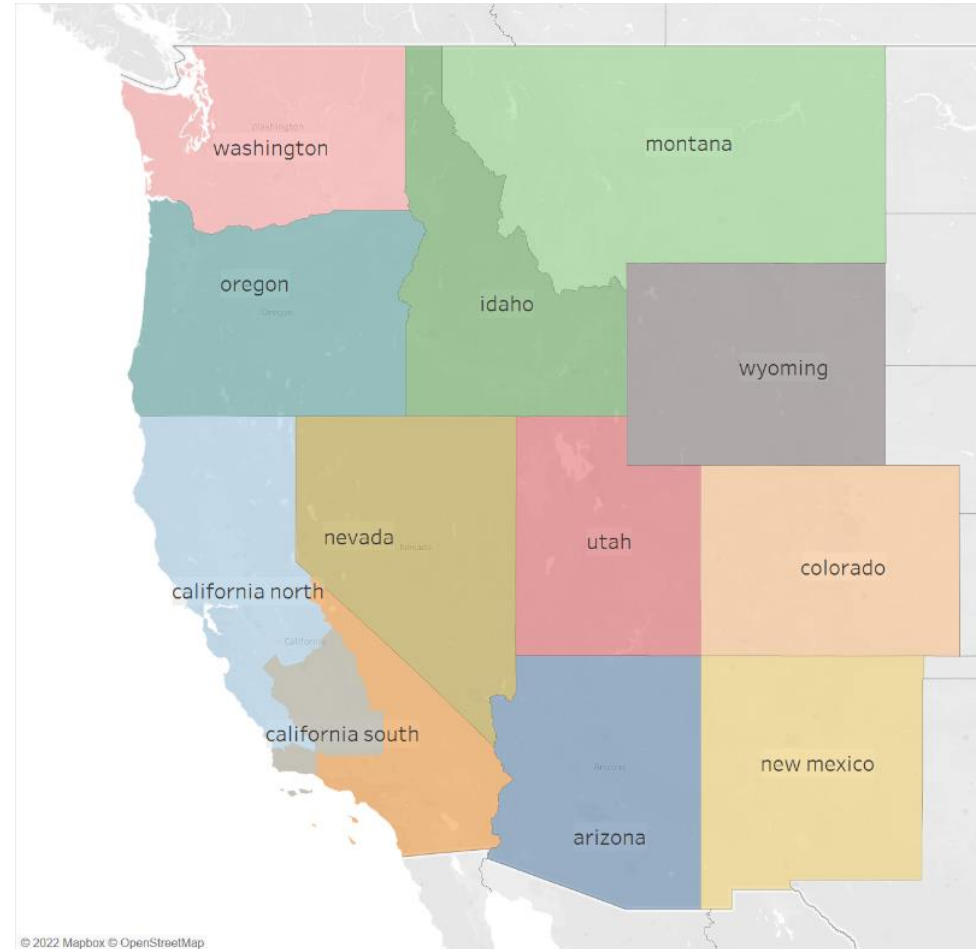
Transportation Sector

- Cars
- Light duty trucks
- Medium duty vehicles
- Heavy duty vehicles
- Transit buses
- Aviation
- Marine vessels

MODEL GEOGRAPHY

Oregon operates as part of a larger energy system

- Competition for fuels including biomass, renewables, and hydrogen derived from renewables
- Balances the electricity system over a large and diverse region
- Captures transmission line and pipeline flow and build constraints
- Resource, load, and temporal diversity contribute to economy and region-wide least cost strategy to reduce GHG emissions



LAND USE AND NATURAL RESOURCE IMPACTS

- Draw on Evolved Energy Research's modeling and ORESA (OR Renewables Siting Assessment)
- Literature review
- Quantify area of land use for resource development in each scenario
- Qualitatively discuss challenges that may be encountered
- Risks of not being able to build resources; mitigation strategies
- Stakeholder outreach

From our brainstorming and discussions:

- Tension between development and land conservation
- Redevelopment of industrial zoned areas: solar vs. urban growth boundary for housing
- Siting constraints for centralized facilities
- Land Conservation and Development Commission – Solar Siting RAC
- Utility-scale solar on farmland and agrivoltaics

EQUITY CONSIDERATIONS

Energy Wallet

Energy wallet for representative customer groups to examine costs when usage shifts between petroleum, electricity, and natural gas

Health Impacts

EPA Co-Benefits Risks Assessment (COBRA) model to determine health benefits of reduced air pollutant emissions

Geospatial Mapping

Process to be refined to ensure energy metrics identified and prioritized by communities are considered (mapping likely at census tract level)

Community Benefits

Draw from, supplement, and expand on current discussions in Oregon

Economy & Employment

Leverage economic and job impacts studies conducted in the region and nationally—review to be informed by feedback

STARTING POINT: EXISTING MODELS & PLANS

Ground analysis in recent utility IRPs, CEPs, and CPP Compliance Plans

Review Oregon energy policies and document how modeling accounts for them

Review recent relevant work to identify potential data for incorporation

Review for regional perspective

Review program design elements

Engagement opportunities

GROUPS INFORMING THE ENERGY STRATEGY

Interagency Steering Group

- State agency coordination
- ODOE, DLCD, ODOT, PUC, DEQ, Business OR, Governor's Office; other agencies invited to share their expertise
- Meets 1x/month

Advisory Group

- Sounding board
- Composed of people with diverse perspectives from across Oregon
- Meets 1x/month

Working Groups

- Get into the weeds
- Composed of people interested in discussing technical and modeling aspects of the Energy Strategy
- Meet through July/Aug 2024 to inform technical analysis

- Focused Government-to-Government consultation with each of the nine federally recognized Tribes in Oregon
- ODOE will also engage with Tribal communities and organizations as appropriate

CONSULTATION WITH TRIBES

MEETINGS TO INFORM THE ENERGY STRATEGY

Listening Sessions

- Tell us what you think!
- Scheduling a few meetings, so everyone can find a time that works

Organiz'l Meetings

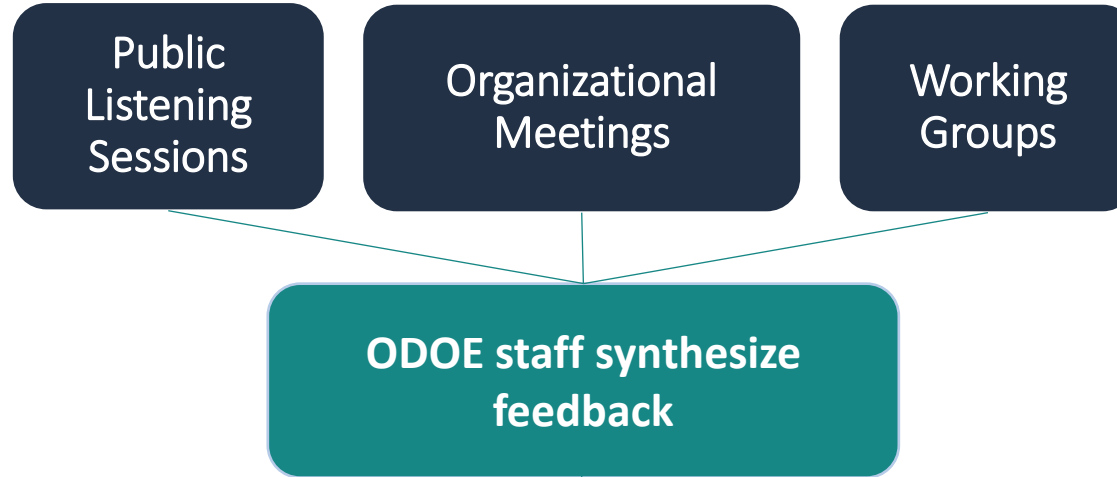
- Extra meetings to deepen our understanding
- Stay tuned to our website and email list for more

Webinars

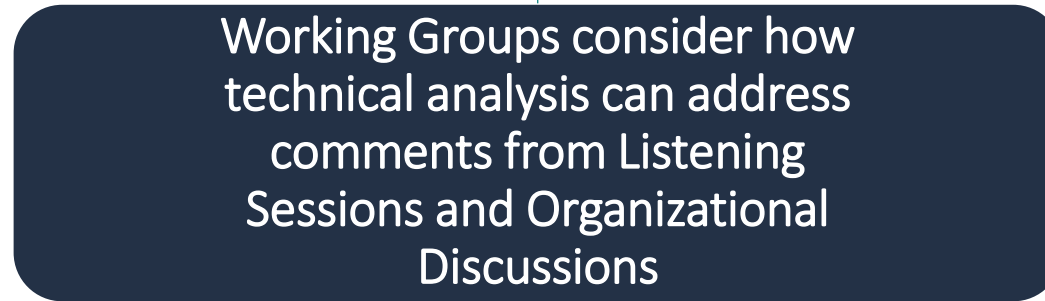
- Get updates on the Energy Strategy
- 1-2 more webinars planned for 2024

ENGAGEMENT TIMELINE

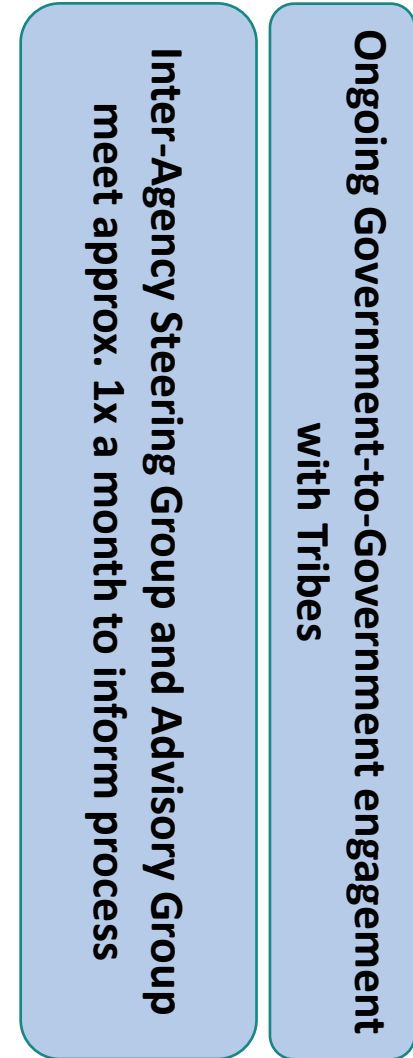
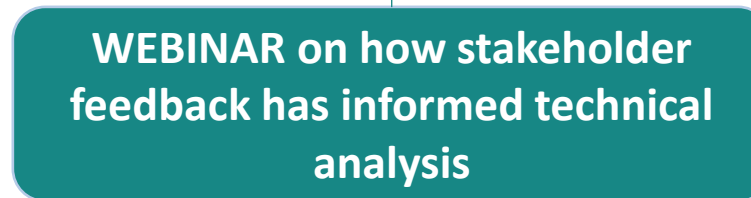
Step 1: July - August



Step 2: end of August



Step 3: September



ADVISORY GROUP DESCRIPTION

- **Role:**
 - Provide insights, suggest recommendations, ask questions, advise
 - Members will be asked to engage with their networks to help bring robust views to the meetings
- **Composition:**
 - Diverse representation of communities, socioeconomic backgrounds, geographic areas, perspectives, lived experiences, and subject matter expertise
 - No restrictions on who can express interest
- **Meetings:**
 - ODOE will be asking for expressions of interest: June 10 – 24
 - First Advisory Group meeting: July 9 or 10

HOW DO I GET INVOLVED?

Stay informed!

- Check out our project page:
www.tinyurl.com/OregonEnergyStrategy
- Sign up for email updates! (on our project page)
- Consider filling out an expression of interest for the Advisory Group (June 10-24)
- Contact us at energy.strategy@energy.Oregon.gov





OREGON
DEPARTMENT OF
ENERGY

Discussion, Questions & Answers





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ENERGY

Thank You

RESOURCES

Visit: www.tinyurl.com/OregonEnergyStrategy

Email: energy.strategy@energy.Oregon.gov



BREAK

Agenda Item D (Information Item)

PUBLIC COMMENT

Items Closed for Public Comment

- Wagon Trail Solar Draft Proposed Order
- Boardman to Hemingway Amendment 2 Draft Proposed Order

Time Limit – 7 Minutes per commentor

How to Raise Your Hand in Webex:

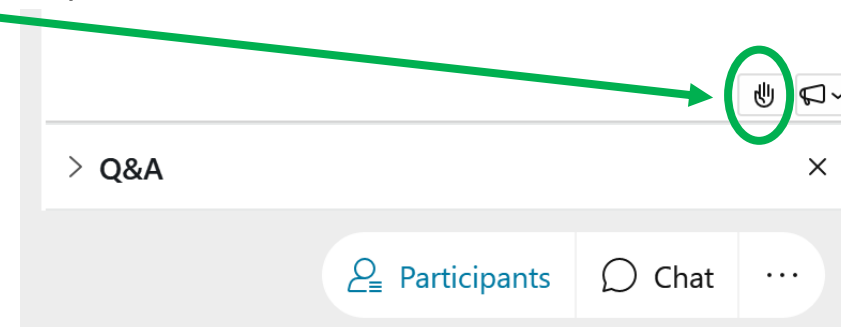
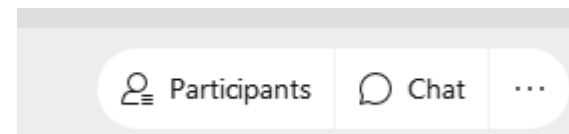
Webinar Participants

The bottom right of the main window is a set of icons:

Click on “Participants”

The bottom right of the participant window is a hand icon, click on the hand:

Clicking on it again will lower your hand.



Phone Participants

Press *3 on your telephone keypad to raise your hand.

Press *3 again on your telephone keypad to lower your hand.

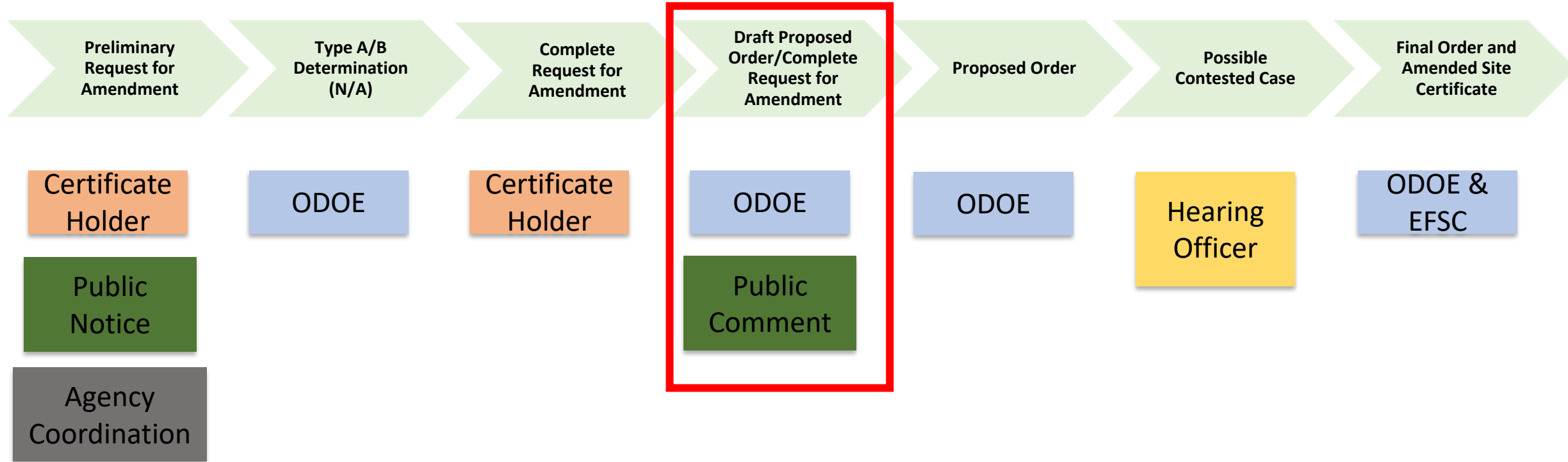
Agenda Item E (Information Item)

Boardman to Hemingway Transmission Line Request for Amendment 2 of Site Certificate Council Review of Draft Proposed Order

**Kellen Tardaewether, Senior Siting Analyst
Oregon Department of Energy**

June 14, 2024

Energy Facility Siting Amendment Process



Boardman to Hemingway: Approved Facility Overview

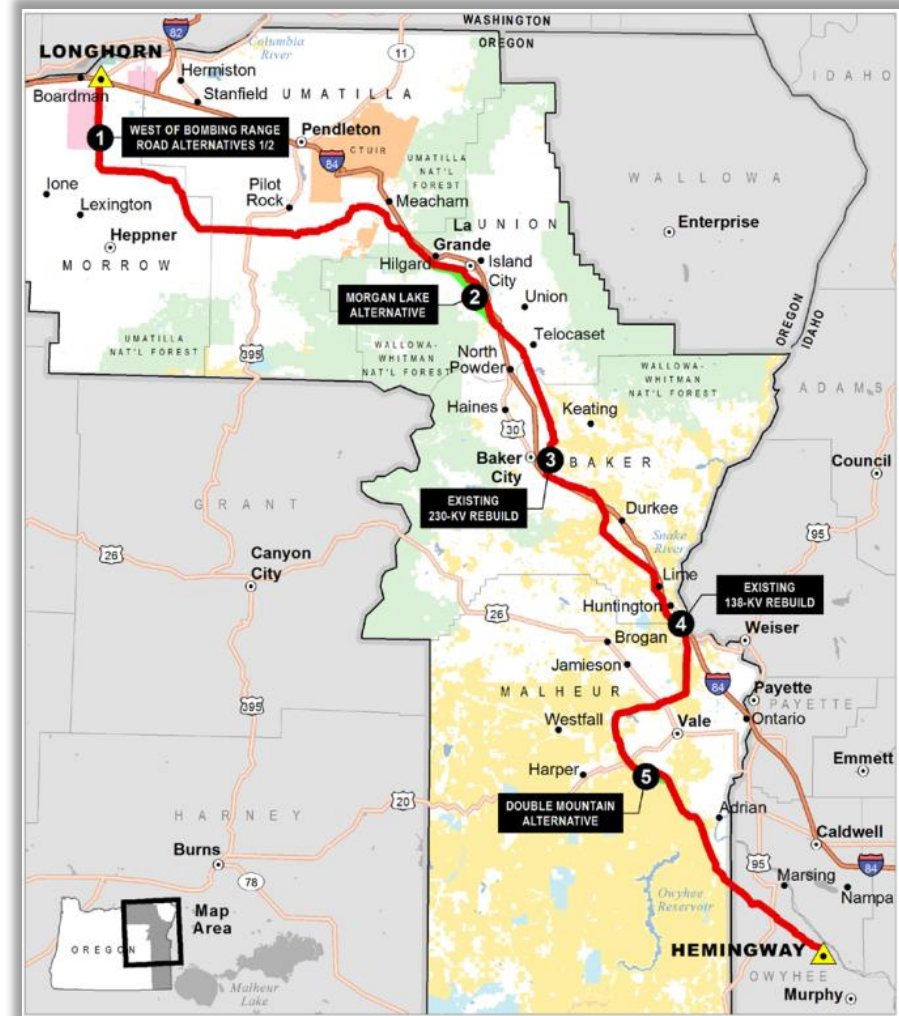
Certificate Holder
Idaho Power Company

Approved Facility

Approximately 273 miles of predominantly 550 kV transmission line, includes 8 alternative routes (ASC and RFA1) and related or supporting facilities

Facility Location:

Morrow, Umatilla, Union, Baker and Malheur Counties



Map Area

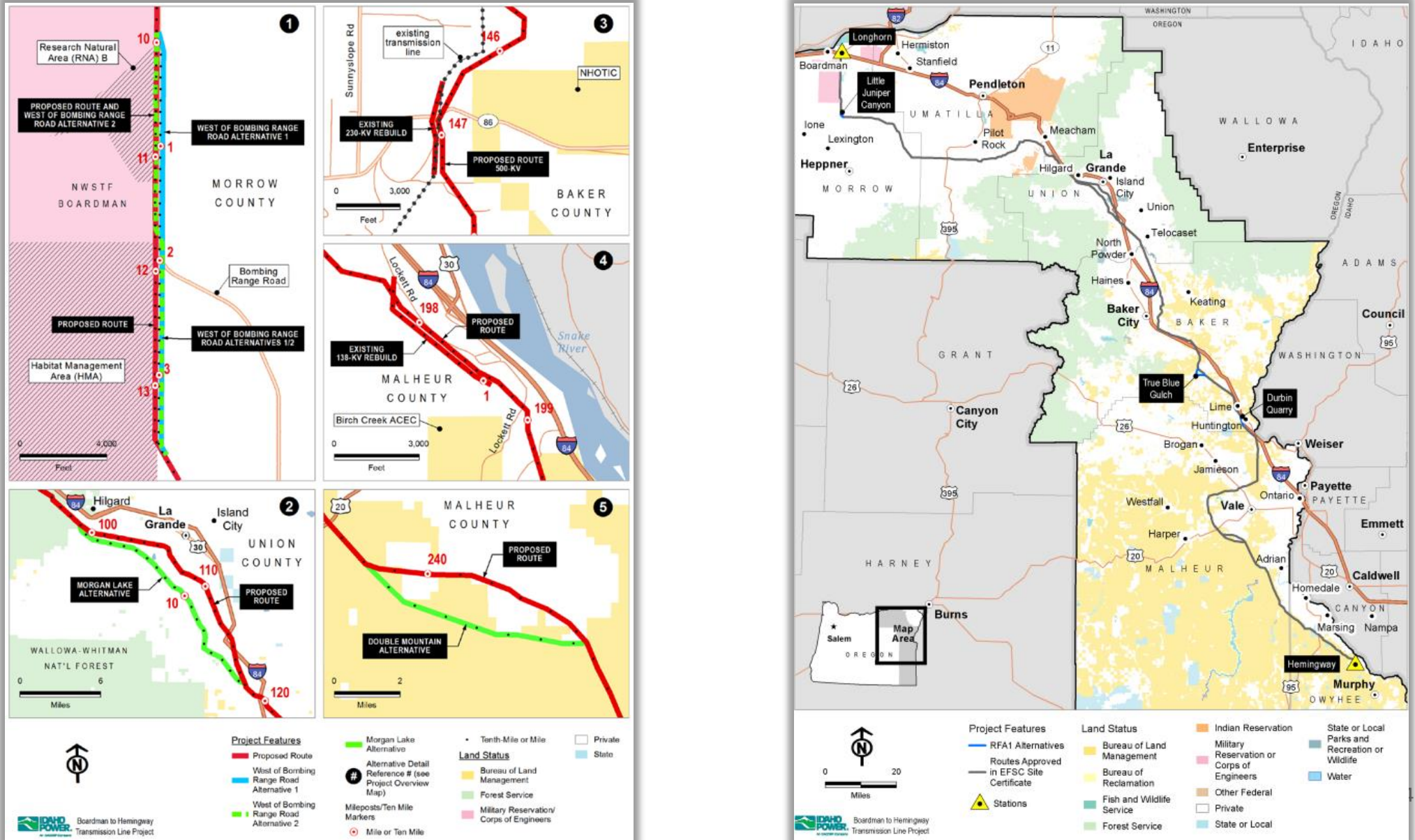
Legend

| Project Features | Land Status | Other |
|---|---------------------------|--|
| Proposed Route | Bureau of Land Management | Indian Reservation |
| Alternative | Bureau of Reclamation | Military Reservation/ Corps of Engineers |
| Stations | Fish and Wildlife Service | Other Federal |
| Alternative Detail Reference # (see Detail Map) | Forest Service | Private |
| | | State |

Scale: 0 to 20 Miles

Logos: OREGON DEPARTMENT OF ENERGY, IDAHO POWER, Boardman to Hemingway Transmission Line Project

Approved Facility Overview



B2H RFA2: Procedural History

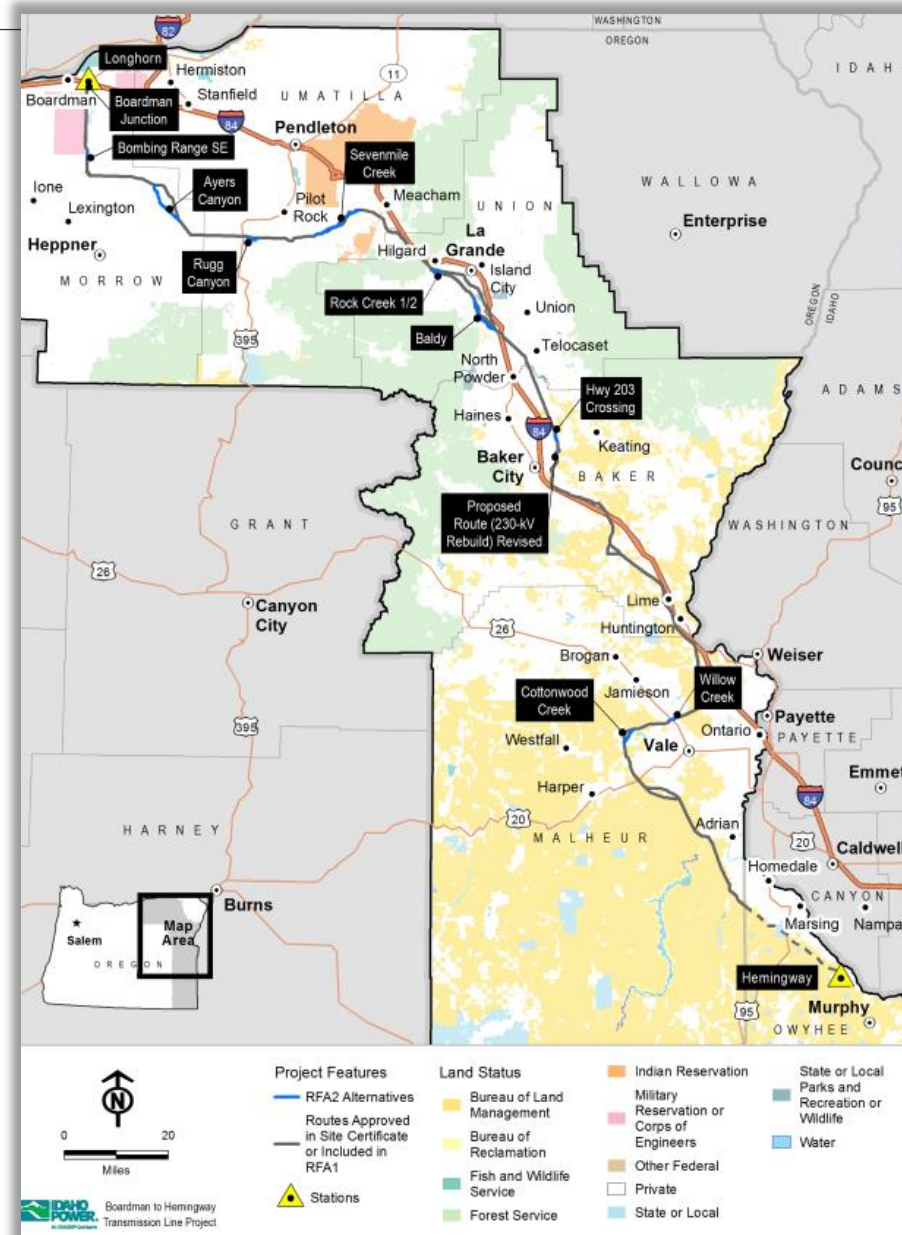
| Milestone | Responsible Party | Date |
|--|--------------------------------------|-------------------------|
| Preliminary RFA2 | Cert Holder | 06/30/2023 |
| Request for Additional Information (RAI) | ODOE | 08/29/2023 (ongoing) |
| Approval of Modified Analysis Area | ODOE | 12/20/2023 |
| Complete RFA2 Filed | Cert Holder | 04/11/2024 |
| Draft Proposed Order | ODOE | 04/16/2024 |
| Draft Proposed Order Public Hearing/Close of Comment Period | EFSC | 05/31/2024 |
| Deadline for Certificate Holder to Respond to Comments | Cert Holder | 06/05/2024 |
| EFSC Review of DPO & Public Comments | EFSC Review of DPO & Public Comments | 06/14/2024 |
| Proposed Order | ODOE | TBD |
| Deadline to Submit Requests for Contested Case/EFSC Review of CC and Final Order | Public/EFSC | TBD |



B2H RFA2: Amendment Request

Request for Amendment 2 (RFA2) seeks approval from EFSC for the following changes:

1. Redefine the site boundary and micro-siting areas; and expand site boundary;
2. Add micro-siting areas for transmission line route alternatives, road and work area alternatives



B2H RFA2: Amendment Request

Request for Amendment 2 (RFA2) seeks approval from EFSC for the following changes (continued):

3. Construct and operate a Midline Capacitor Station in Union County;
4. Increase the width of some temporary construction roads;
5. Amend language of site certificate conditions.

Council Review of RFA2 DPO Comments and Responses

Scope of Council's Review – OAR 345-027-0375

- 1. That the portion of the facility within the area added to the site boundary by the amendment complies with all laws and Council standards applicable to an original site certificate application;*
- 2. The amount of the bond or letter of credit required under OAR 345-022-0050 is adequate; and;*
- 3. The facility, with proposed RFA2 changes, complies with the applicable laws or Council standards that protect a resource or interest that could be affected by the proposed RFA2 changes.*

Council Review of RFA2 DPO Comments and Responses

Commenters on the DPO/RFA2

1. Morrow County
2. City of La Grande
3. Oregon Department of Aviation
4. Oregon Department of Transportation
5. Cunningham Sheep Company
6. Susan Geer
7. Greg Larkin
8. Sam Myers
9. John Luciani
10. Irene Gilbert
11. Irene Gilbert
12. Stop B2H
13. Greater Hells Canyon Council
14. Wendy King
15. Kevin March
16. Megan Cooke
17. Christopher and Margie Marie Lyon
18. Sue McCarthy
19. John Milbert
20. Amanda Baker

Council Review of RFA2 DPO Comments and Responses

Issues Raised in DPO Comments within EFSC Jurisdiction

- Previously Approved ASC/RFA1 Facility:
 - Framework Blasting Plan
 - Protected Areas – Glass Hill and Morgan Lake Alternative
 - Retirement
 - Site Certificate Conditions
 - Noise
 - Visual Impacts of Facility to Century Farm
 - Bat Surveys
 - Expanded Site Boundary – Surveys or Condition Changes for Surveys
- Expanded Site Boundary – ADR/ “Type C” Processes
- ODOE Approval of Revised RFA2 Analysis Areas
- Mapping and GIS Issues
- Party Status
- Noise:
 - Methodologies
 - Sufficiency of Mitigation
 - Sufficiency of Monitoring
- Protected Areas: Wetlands, Weeds and T&E Species
- Protected Areas: Land Management Contact, Coordination and Conditions
- Retirement - Bonding
- F&W – Conditions, Surveys, Habitat Categorization for Streams, Traffic Studies for Sage Grouse
- T&E Species – New T&E Plant Species, Sufficiency of T&E Mitigation Plan
- Historic, Cultural and Archaeological Resources - Thomson Myers Farm
- Wildfire and WMP
- Fish Passage
- Organizational Expertise – Midline Capacitor Station
- ODOT Rock Quarries
- Restoration of Roads

Council Review of RFA2 DPO Comments and Responses

Agency Consultation

- Union County Special Advisory Group
- Oregon Department of Agriculture
- Oregon Department of State Lands
- Oregon Department of Fish and Wildlife

Council Review of RFA2 DPO Comments and Responses

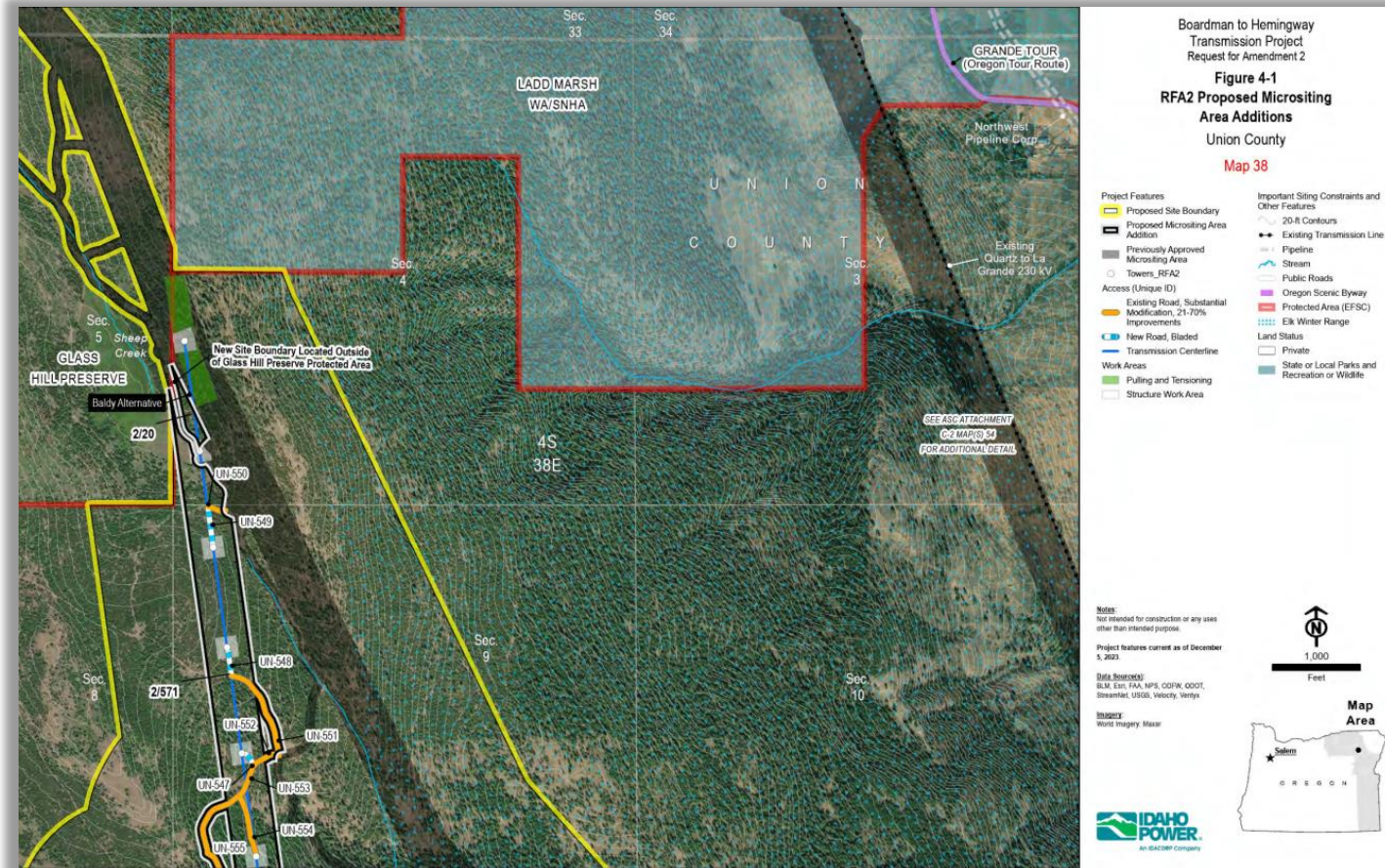
Issues Related to Previously Approved ASC/RFA1 Facility

- Framework Blasting Plan
 - Site Certificate Conditions
 - Visual Impacts of Facility to Century Farm
- Scope of Council Review under OAR 345-027-0375 does not allow review of previously approved facility components or routes as evaluated by Council in its Final Order on ASC and RFA1 that are not requested to be changed in RFA2.

Council Review of RFA2 DPO Comments and Responses

Issues Related to Previously Approved ASC/RFA1 Facility

- Protected Areas – Glass Hill SNA and Morgan Lake Alternative
 - Scope of Council Review for RFA2;
 - Issue of Glass Hill as Protected Area litigated in contested case;
 - Glass Hill SNA was not protected under Council’s standard at the time of approval of ASC.



Council Review of RFA2 DPO Comments and Responses

Issues Related to Expanded Site Boundary – Surveys, Condition Changes, and Council Rules

- Proposed Expanded Site Boundary is an application of Council rules.
- Examples of facilities with larger site boundary, and smaller micro-siting areas which are the areas that field surveys are conducted and where facility components would be located are provided in DPO.
- Changes to conditions with reference to surveys does not eliminate or reduce the area that would be surveyed.
- This request does not have an associated Council standard or statute to be evaluated against. Rather, the certificate holder must demonstrate that it has submitted information to the record to support the expanded site boundary for the evaluation under applicable Council standards, which are described in RFA2 and the DPO.

Council Review of RFA2 DPO Comments and Responses

Issues Related to Expanded Site Boundary – Amendment Determination Request

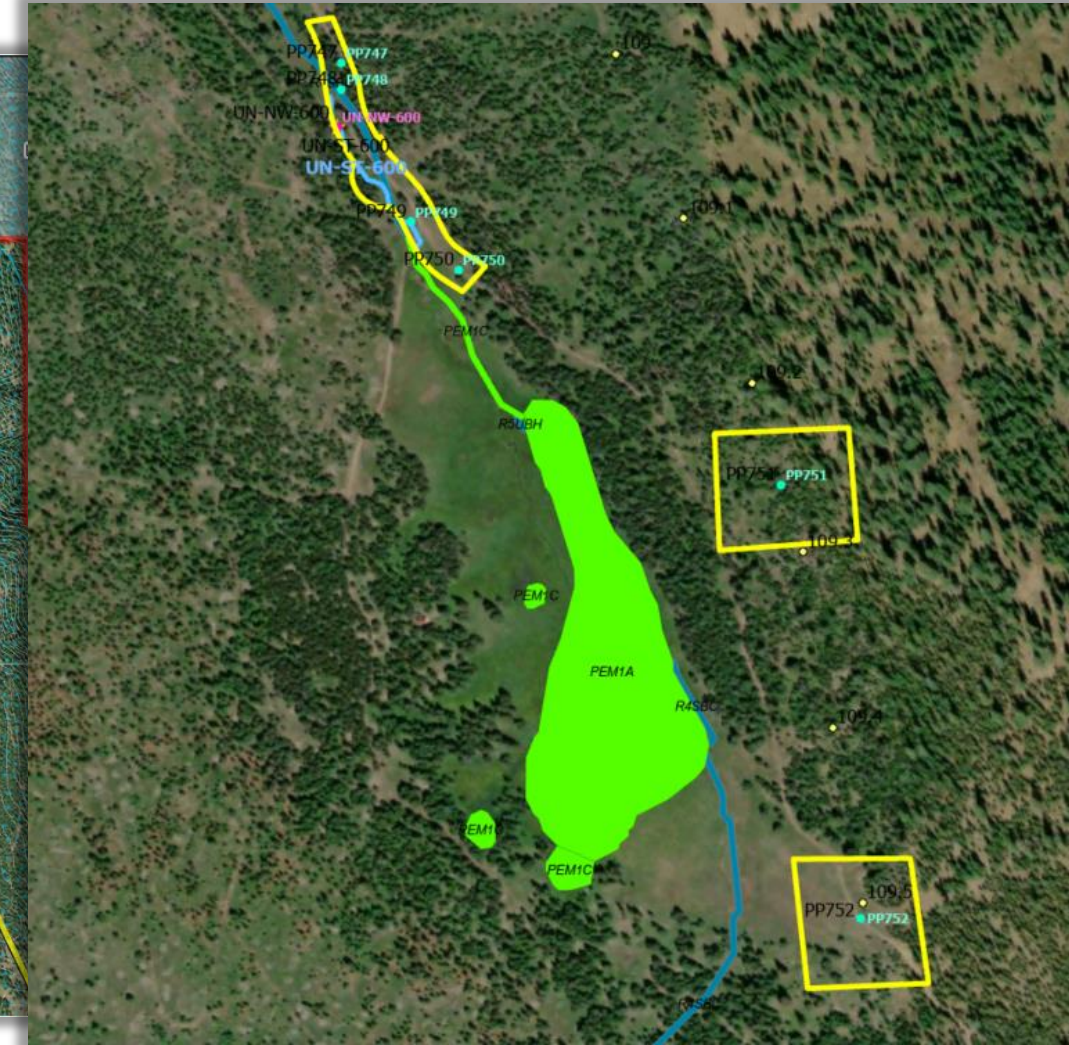
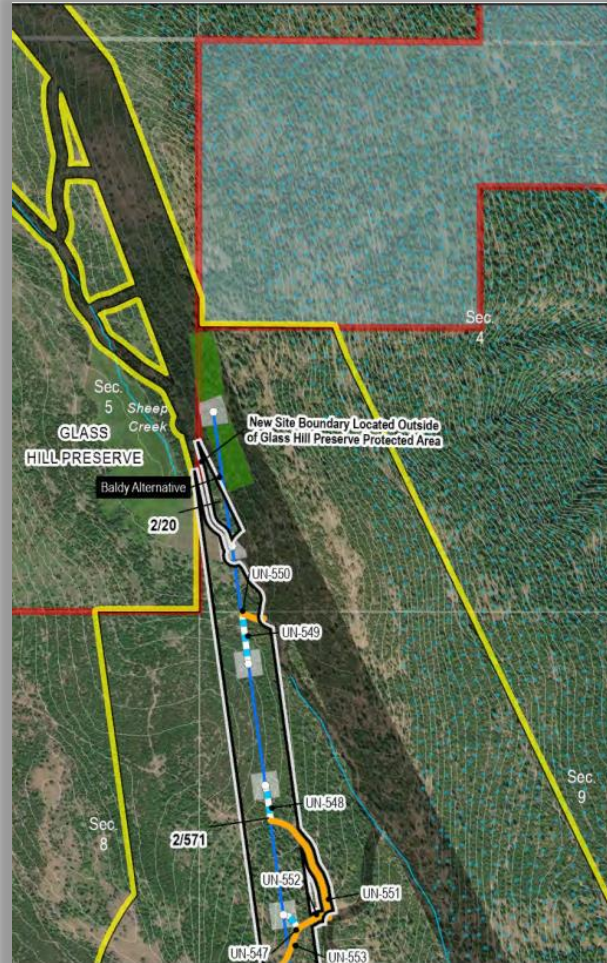
- OAR 345-027-0357 – Amendment Determination Request Process
- OAR 345-027-0350(4) – Proposed changes that require an amendment include changes that:
 - Could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource or interest protected by an applicable law or Council standard;
 - Could impair the certificate holder’s ability to comply with a site certificate condition; or
 - Could require a new condition or a change to a condition in the site certificate.
- Certificate Holder represents, and Department recommends adopting condition to memorialize its intent to coordinate with landowners to accommodate the facility and related or supporting facilities on their land, that in any future ADR, it would include and submit documentation of landowner support or consent for the ADR on the landowners’ property



Council Review of RFA2 DPO Comments and Responses

Issues Related to Protected Areas (Glass Hill SNA) – Land Manger, T&E, Wetlands, Weeds

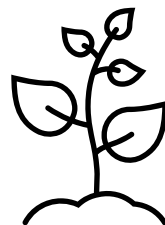
- Winn Meadow – wetlands
 - DSL confirms that Winn Meadows is outside the study areas
- Land Manger–
 - Department recommends amending Condition GEN-PA-01 require coordination on the design and construction methods when actions are planned in proximity to Glass Hill SNA.



Council Review of RFA2 DPO Comments and Responses

Issues Related to T&E Species –T&E, Weeds

- *Pyrrocoma scaberula* (rough goldenweed) is now listed as Endangered under OAR 603-073-0070, and grows near Morgan Lake Park.
 - Oregon Department of Ag confirms that Ms. Geer submitted reports about the occurrence of the plant in Union County that are yet to be verified by ORBIC; known occurrences of the species are in Wallowa County.



Council Review of RFA2 DPO Comments and Responses

Issues Related to Retirement – Bonding

Hearing Officer and Council previously found that for a PUC-regulated entity operating a transmission line, the risk that the facility would be abandoned or retired after construction and before 50 years of service is very low. Council found that the amount deemed satisfactory under the standard for the first 50 years of operation is \$1; however, the Council retains the authority to adjust the bond or letter of credit amount up to the full amount at any time under the terms of the site certificate.

STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]

Consistent with Mandatory Condition OAR 345-025-0006(8), no later than the date the facility is placed in service (the In-Service Date), 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 certificate holder shall maintain a bond or letter of credit as follows:

- Notwithstanding subsections (b) – (g) of this condition, the Council retains the authority to require the certificate holder to submit a bond or letter of credit, in a timeframe identified by Council, and in an amount equal to the estimated total decommissioning cost for the facility (\$170,276,273 ~~140,779,000~~ in 1st 3rd Quarter 2016 2024 dollars adjusted to present day value), or another amount deemed by the Council to be satisfactory to decommission the facility and restore the site to a useful, nonhazardous condition.
- From the In-Service Date until In-Service Year 51, the amount of bond or letter of credit shall be \$1.00.
- On the 50th anniversary of the In-Service Date, the certificate holder shall begin maintaining a bond or letter of credit in an amount that will increase on an annual basis for the next 50 years. In year 51, the amount of the bond or letter of credit will be set at one-fiftieth (1/50) of the total estimated decommissioning costs, adjusted for inflation, as specified in section (e) of this condition. Each year, through the 100th year of service, the bond or letter of credit shall be increased by one-fiftieth (1/50) of the estimated decommissioning costs. Once the bond or letter of credit is in an amount equal to 100 percent of decommissioning costs, it will remain at that level for the life of the facility.
- On the fifth anniversary of the In-Service Date, and on each subsequent quinquennial thereafter, or any year if requested by Council, the certificate holder shall notify the Department 60 days prior and report to the Council in writing or in-person on the following subjects for the prior 5-year reporting period: (i) the physical condition of the facility; (ii) any evolving transmission or electrical technologies that could impact the continued viability of the facility; (iii) the facility's performance in the context of the larger power grid; and (iv) the certificate holder's general financial condition, including the certificate holder's credit rating and current financial statements for that 5-year reporting period. The Department shall review the 5-year report and may engage its consultant in the review of the 5-year report. The Department may also include other information in its evaluation of the 5 year-report, including but not limited to: expertise of other reviewing agencies and Internal Department staff, consultation with industry experts, or other consulting parties. The certificate holder shall be responsible for all costs associated with review of the 5-year report, in accordance with applicable rules and statutes. Based on the information provided in the 5-year report, and the Department's review and

recommendations, the Council will consider whether the certificate holder should be required to post a bond or letter of credit that varies from the financial assurance requirements set forth in sections (b) and (c) of this condition. The certificate holder shall be subject to Council's determination. The Council's determination may include extending the date on which the certificate holder would be required to begin posting the financial assurances set forth in section (c) of this condition.

- The estimated total decommissioning cost for the facility is \$170,276,273 ~~140,779,000~~ in 1st 3rd Quarter 2016 2024 dollars to be adjusted to the date of issuance of the bond or letter of credit in In-Service Year 51, and on an annual basis thereafter. Subject to Department approval, the certificate holder may request an adjustment of the bond or letter of credit amount based on final design configuration of the facility by applying the unit costs and assumptions presented in the Final Order on the ASC RFA2, Attachment W-1. Such adjustments may be made without amendment to the site certificate. The Council authorizes the Department to agree to these adjustments in accordance with this condition. The certificate holder shall adjust the decommissioning cost for inflation using the following calculation:
 - Adjust the estimated total decommissioning cost (expressed in Q1 2024 16 dollars) to present value, using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast" or by any successor agency and using the ~~third first~~ ~~quarter 2024 2016~~ index value and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the index is no longer published, the Council shall select a comparable calculation to adjust ~~third first~~ ~~quarter 2024 2016~~ index dollars to present value.
 - Round the result total to the nearest \$1,000 to determine the inflation-adjusted estimated total decommissioning cost.
- The certificate holder shall use an issuer of the bond or letter of credit approved by the Council.
- The certificate holder shall use a form of bond or letter of credit approved by the Council. The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under OAR 345-026-0080(1)(b). The certificate holder shall maintain a bond or letter of credit in effect at all times as described in this condition and Retirement and Financial Assurance Condition 4 until the facility has been retired.

[Retirement and Financial Assurance Condition 5; Final Order on ASC]

Council Review of RFA2 DPO Comments and Responses

Noise Assessment for RFA2

- Council previously reviewed and approved the certificate holder’s methodologies for identifying NSRs, monitoring ambient noise conditions and correlating monitored ambient noise data to NSR location, based on environmental conditions. Those same methodologies were applied to RFA2.
- Operational noise from the RFA2 route changes, during foul weather, low wind, and quietest times during the early morning, may exceed the ambient antidegradation standard as represented by the evaluation at 27 NSRs. Of the 27 NSRs, 7 NSR locations represent new NSR locations not previously evaluated by Council.

Recommended Amended Noise Control Condition 1 (GEN-NC-01): Prior to construction, the certificate holder will initiate discussions with the 48~~4~~ NSR property owners at which it has estimated exceedances of the ambient antidegradation standard may occur identified in Attachment X-4 and/or X-5 of the Final Order on the ASC [and Attachment 7-19 Table 2 of the Final Order on RFA2](#) (NSR: 8, 9, 10, 11, 5002, 69, 70, 5004, 46, 118, 125, 5010, 5011, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 518, 111, 112, 132, 133, [515, 520, 521, 662, 664, 666, 671](#), 5008, 5009, 113, and 115) to develop mutually agreed upon Noise Exceedance Mitigation Plans, specific to each NSR location. The site-specific Noise Exceedance Mitigation Plans will include agreed upon measures that would be implemented at the NSR location to minimize or mitigate the ambient antidegradation standard noise exceedance. Prior to and during construction, the certificate holder will initiate (a) – (c), below, to be finalized prior to operations.

...
[Noise Control Condition 1, Final Order on ASC, AMD1, [AMD2](#)]

Council Review of RFA2 DPO Comments and Responses

Issues Related to Noise Assessment, Mitigation, and Complaint Response Plan

- Methodologies - the DEQ/EQC approved 1978 and 1983 Sound Measurement Procedures Manual, NPC-1 (Sound Manual) should be used/baseline at each NSR established;
 - Noise mitigation identified in conditions is not sufficient;
 - Noise compliant response plan is insufficient.
- ✓ Department recommends amending CON-NC-03, to clarify intent of condition is to apply to construction and operation.

Summary of Facts:

- As upheld by the Oregon Supreme Court, Council has the authority to interpret and implement other state agency and Commission rules and statutes that are relevant to the siting of an energy facility, including noise rules adopted by the Environmental Quality Commission and previously administered by the Department of Environmental Quality (DEQ).^{6, 7}
- Under OAR 340-035-0035(3), noise levels must be evaluated at specific measurement points using the DEQ/EQC approved 1978 and 1983 Sound Measurement Procedures Manual, NPC-1 (Sound Manual), unless other measurement points are specified or other measurement procedures are approved in writing by the Department. Neither the rule nor the Sound Manual address or provide methods for establishing ambient noise levels specific to a linear facility and the Sound Manual uses outdated methodologies. The certificate holder's noise consultant developed its own methodology to specify other ambient measurement points and other measurement procedures, which were reviewed by the Department's noise engineer consultants, approved by the Department, concurred by the Hearing Officer, and approved by Council.⁸
- Based on the Department's review of the ASC, supported by two consultants (Standlee and Associates and Golder Associates, Inc) and as evaluated in the contested case proceeding, 21 monitoring positions (MPs) with acoustic environments representative of the acoustic environments of Noise Sensitive Receptors (NSRs) identified within the analysis area (totaling 141 NSR locations) (as identified in Attachment X-6, Idaho Power's sur-sur-rebuttal Testimony of Mark Bastasch for Issues for NC-2, NC-3, and NC-4, Exhibit I, Corrected Tables 1 and 2, and in the Department's Response to Closing Brief, as summarized in Table NC-3 in the Final Order on ASC).⁹
- After the contested case proceeding and issuance of the Hearing Officer's Proposed Contested Case Order (PCCO), limited parties submitted exceptions to the PCCO and the Council held an exceptions hearing where Council reviewed and deliberated exceptions. This included presentations on Noise Issues, Noise Conditions, and Stop B2H proposed changes to conditions. As a result of the exception hearing, certificate holder, Stop B2H, and Council included revisions to Noise Control Conditions addressing Stop B2H's proposed condition changes for baseline noise level updates, notification distance for noise complaint plan distribution and measures within the complaint plan, the inclusion of NSRs without exceedances, the development of mitigation plans with NSRs with predicted exceedances.¹⁰
- The Operational Noise Complaint Response Plan being sent to landowners by the certificate holder is consistent with the requirements of Noise Control Condition 1 and 2.

Council Review of RFA2 DPO Comments and Responses

Wildfire Mitigation Plan

- Wildfire Mitigation Plans at the OPUC undergo rigorous annual review by the OPUC's Safety Staff and are closely analyzed by an OPUC-contracted independent evaluator;
- OPUC concludes that certificate holder's fire model for assessing fire risk is reasonable and while other models may exist, we are satisfied with the adequacy of Idaho the fire risk modeling;
- EFSC record for facility demonstrates likelihood of fire ignition is low;
- Facility must comply with vegetative clearances in WMP and EFSC site certificate conditions (inspections and vegetation maintenance plan, etc.);
- OPUC annually evaluates the vegetation management programs and every 3 years inspects vegetation as part of the National Electrical Safety Code ("NESC") inspection.

ORDER NO. 23-222
ENTERED Jun 26 2023

BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON
UM 2209

In the Matter of
IDAHO POWER COMPANY,
2023 Wildfire Protection Plan.

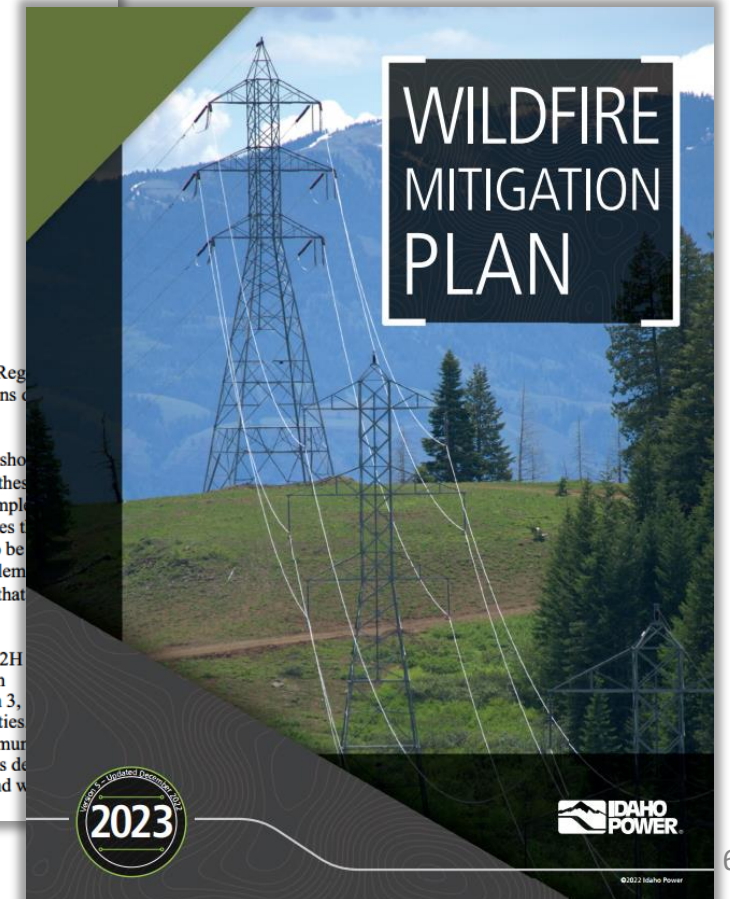
ORDER

DISPOSITION: STAFF'S RECOMMENDATION ADOPTED AS MODIFIED

This order memorializes our decision, made and effective at our June 13, 2023, Reg Public Meeting, to adopt Staff's recommendation in this matter with modifications below. The Staff Report with the recommendation is attached as Appendix A.

Staff's recommendation includes a number of items that Idaho Power Company should include and consider in preparing its next Wildfire Mitigation Plan. We support these recommendations and action items and expect that Idaho Power will generally implement them as written. However, we understand that there may be implementation issues to be worked out and that, in some cases, the recommendation itself may need to be modified as a result. Accordingly, we direct that Idaho Power consult with Staff as to implementation of the recommendations and to detail in its plan next year the specific results of that engagement on each recommendation and the ultimate outcome.

In addition, we specifically note stakeholder comments by Jim Krieder of StopB2H of clarity as to why Idaho Power's designation of high fire risk areas differs from designations by other agencies and entities. We also note Staff Recommendation 3, which seeks clarity on this issue in the context of adjoining or overlapping utilities. In fulfilling Staff's recommendations, Idaho Power should consider the larger community challenge of ensuring that residents in its service territory are aware of why it has designated certain areas as high fire risk zones and not others, and that they better understand w



Council Review of RFA2 DPO Comments and Responses

- *Next steps: Proposed Order and Opportunity to Request Contested Case*
 - Department will continue to consult with reviewing agencies, as necessary, to evaluate public comments, certificate holder responses and comments from Council to incorporate into Proposed Order.
 - A minimum of 30 days is required in the Notice of Proposed Order and Opportunity to Request Contested Case.
 - Scope of next steps (continued)



B2H: RFA2 DPO Public Hearing

Later Consideration of Issues in a Possible Contested Case

A person who intends to raise any issue that may be the basis for a contested case must raise an issue:

- that is within the jurisdiction of the Council;
- in person at the hearing or in a written comment submitted to the Department of Energy before the deadline of the public hearing;
- with sufficient specificity to afford the Council, the Department of Energy and the certificate holder an adequate opportunity to respond, including facts that support the person's position on the issue.

➤ To determine that an issue justifies a contested case proceeding, the Council must find that the request raises a significant issue of fact or law that is reasonably likely to affect the Council's determination whether the facility, with the change proposed by the amendment, meets the applicable laws and Council standards included in chapter 345 divisions 22, 23 and 24. If the Council does not have jurisdiction over the issue raised in the request, the Council must deny the

Council Deliberation

WORKING LUNCH BREAK

Agenda Item F (Action Item)

Sunstone Solar Project Hearing Officer Appointment

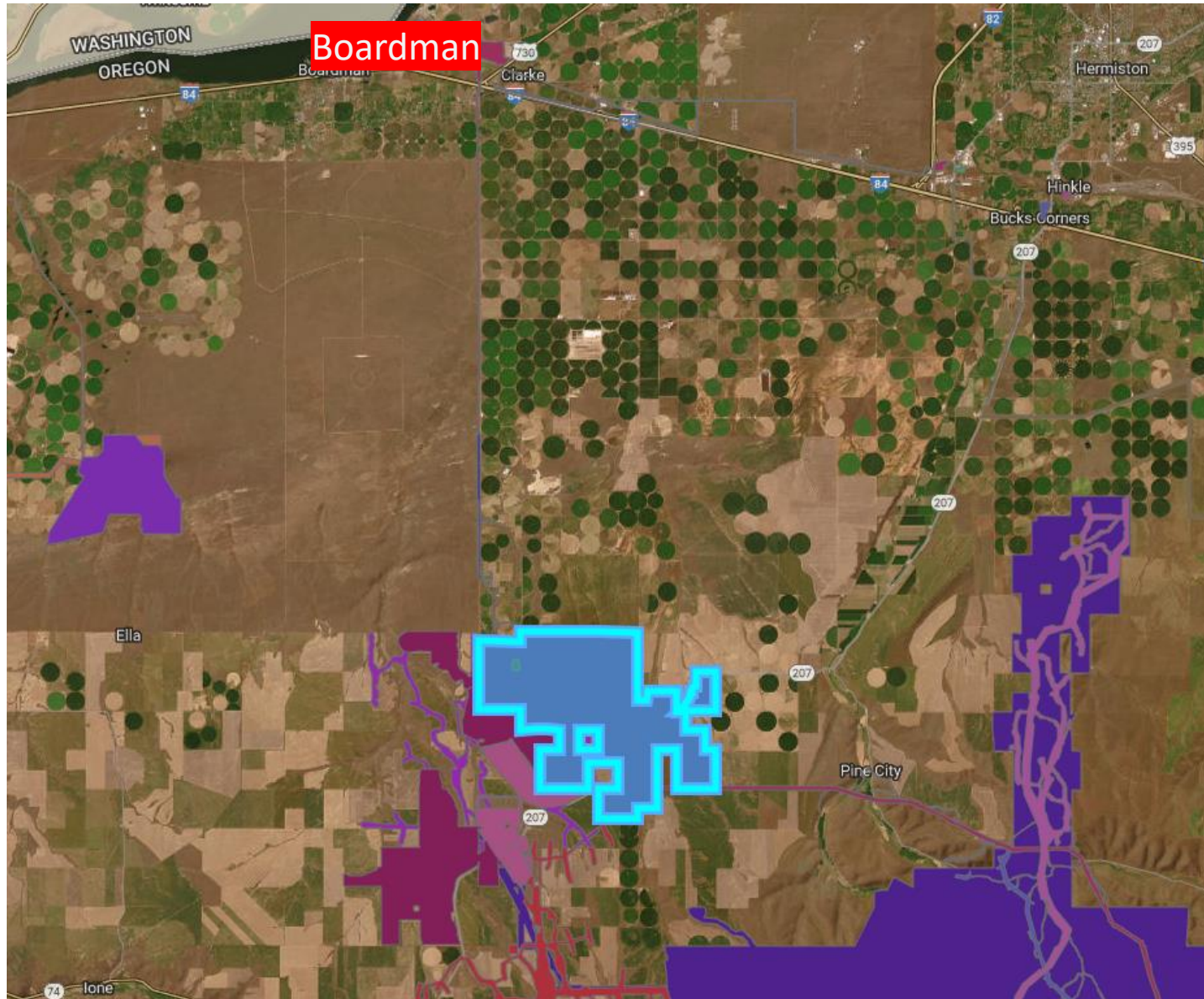
Todd Cornett, Assistant Director for Siting/Council Secretary

June 14, 2024

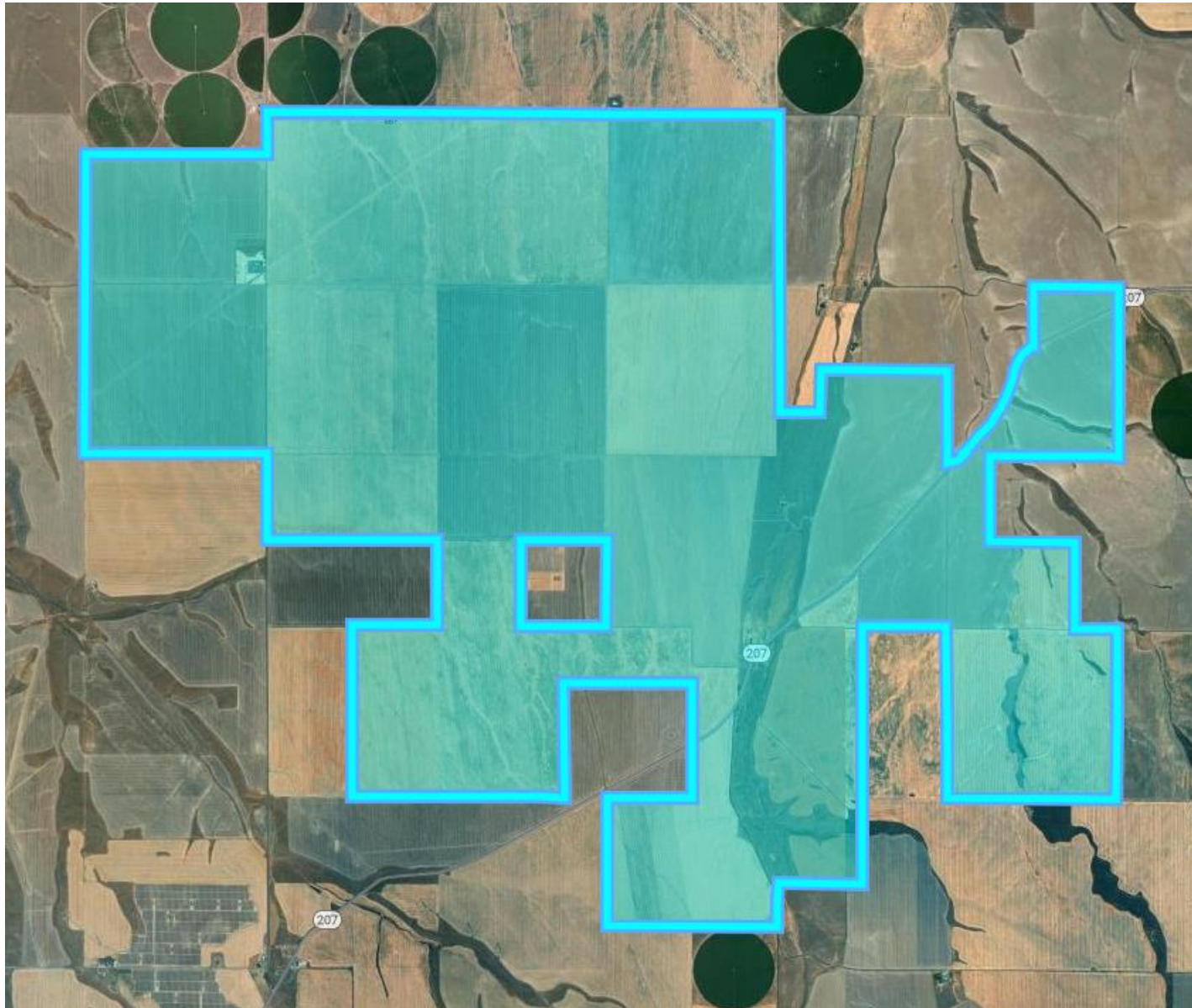
Sunstone Solar Project

| | |
|----------------|--|
| Proposal: | Solar Photovoltaic (PV) Energy Generation Facility with an average generating capacity of 1,200 megawatts (MW) |
| Site Boundary: | 14.75 square miles zoned Exclusive Farm Use in Morrow County |
| Location: | 15 miles south of the City of Boardman. |
| Applicant: | Sunstone Solar, LLC which is a wholly owned subsidiary of Pine Gate Renewables |
| Status: | Complete ASC – Draft Proposing Order is currently being written |

Sunstone Solar Project



Sunstone Solar Project



Oregon Office of Administrative (OAH) Hearings

- Provides an independent and impartial forum for citizens and businesses to dispute state agency actions.
- 65 professional administrative law judges (ALJ) for approximately 70 state agencies.
- ODOE/EFSC is one of the few agencies not required to utilize OAH.
- Entered into agreement with OAH in 2017 based on their expertise in contested cases and the number of ALJ's who could serve as Hearing Officers for EFSC.
- To date EFSC has appointed OAH ALJ's as Hearing Officers for the following projects:
 - B2H Transmission Line
 - Obsidian Solar Center
 - Bakeoven Solar Project
 - Madras Solar Energy Facility
 - Eugene to Medford Transmission Line Amendment 4
 - West End Solar Energy Project
 - Nolan Hills Wind Power Project
 - Wagon Trail Solar Project

Staff Recommended Hearing Officer

Kate Triana

- Council-appointed hearing officer presided over the contested case proceedings for the Nolan Hills Wind Power Project
- Oregon State Bar Certified
- Presided over numerous contested case hearings for a variety of state agencies, boards and commissions.
- Juris Doctorate from Willamette University
- Bachelor's degree in Psychology from Colorado State University

Council Options

Option 1 - Recommended

**Appoint ALJ Triana as
Hearing Officer**

Option 2

**Do not Appoint ALJ
Triana as Hearing
Officer**

Council Deliberation

ADJOURN

