

Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

Virtual Only

July 19, 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

- May 30-31 and June 14 Council Meeting Minutes
- Council Secretary Report

July 19, 2024

Compliance Updates - Incidents

Facility	Incident Date	Incident Type	Details
Montague Wind	06/20/24	Fire	<ul style="list-style-type: none"> Avian interaction caused a portion of the collector system to trip offline, an avian carcass was found at the base of the pole. The fire was confined to only the pole. Incident reported within 72 hours, in compliance with Condition #23. The incident is now closed.
Leaning Juniper IIB	06/20/24	Fire	<ul style="list-style-type: none"> Avian interaction caused a portion of the collector system to trip offline, an avian carcass was found at the base of the pole. A total of 5 acres of grassland was burned. Incident reported within 72 hours, in compliance with Condition #23. The incident is still under ODOE's review.
Klondike II	06/20/24	Fire	<ul style="list-style-type: none"> A transformer fault triggered Feeder 1 to trip offline, causing 23 turbines to shut down and a fire was that was contained to the Pad mounted transformer area. No transformer oil was released. Incident reported within 72 hours, in compliance with Condition #25. The incident is now closed.

Agenda Item B (Information Item)

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

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

July 19, 2024



Wagon Trail Solar Project: Council Review DPO/Comments

Presentation Overview

- Overview of proposed facility and applicant
- Procedural history
- Review of Council standards/issues raised in comments received

Wagon Trail Solar Project: Project Overview

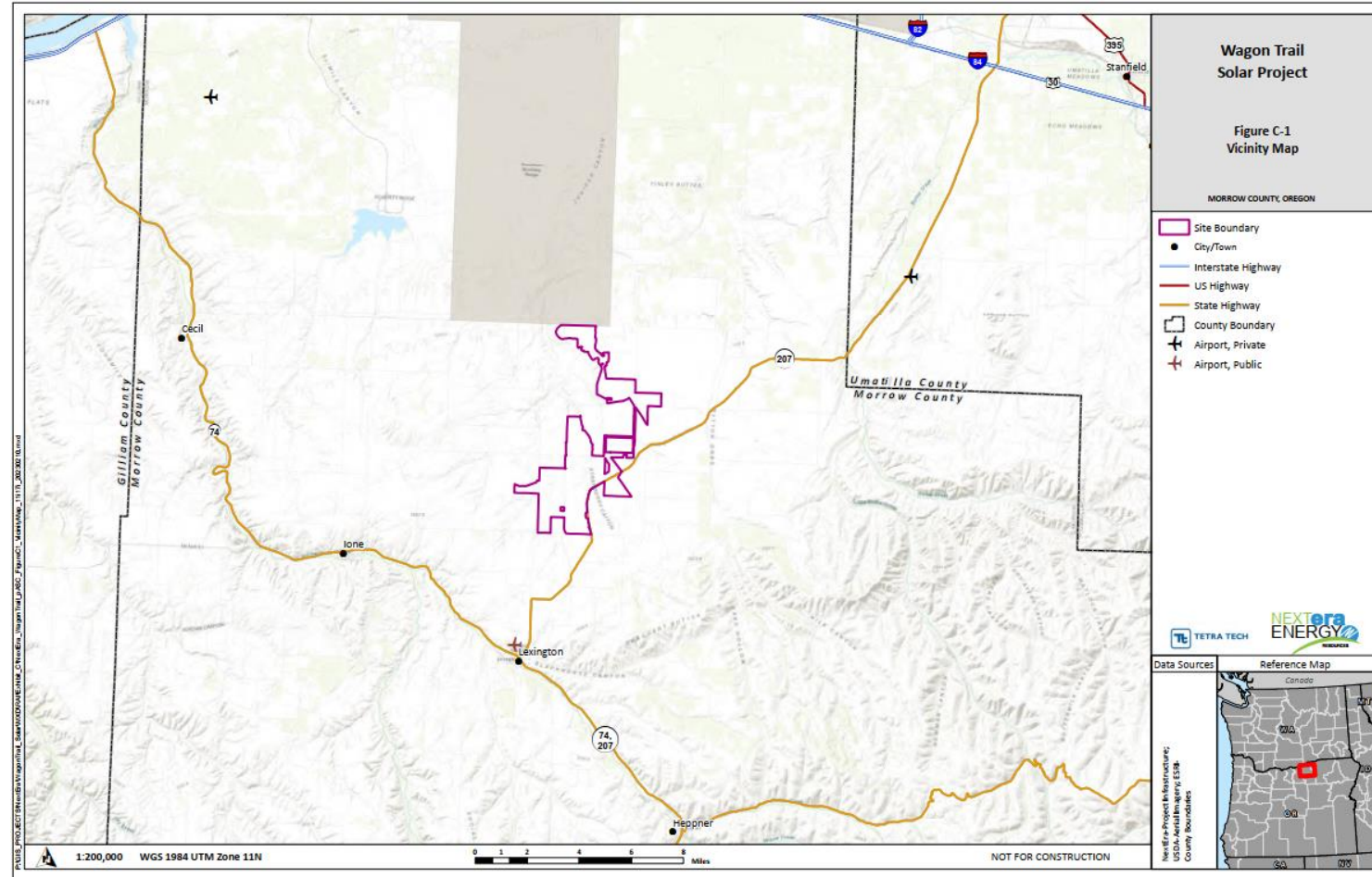
Applicant: Wagon Trail Energy Center, LLC

Proposed Facility: (up to) 500 megawatts (MW) of solar photovoltaic energy generation components.

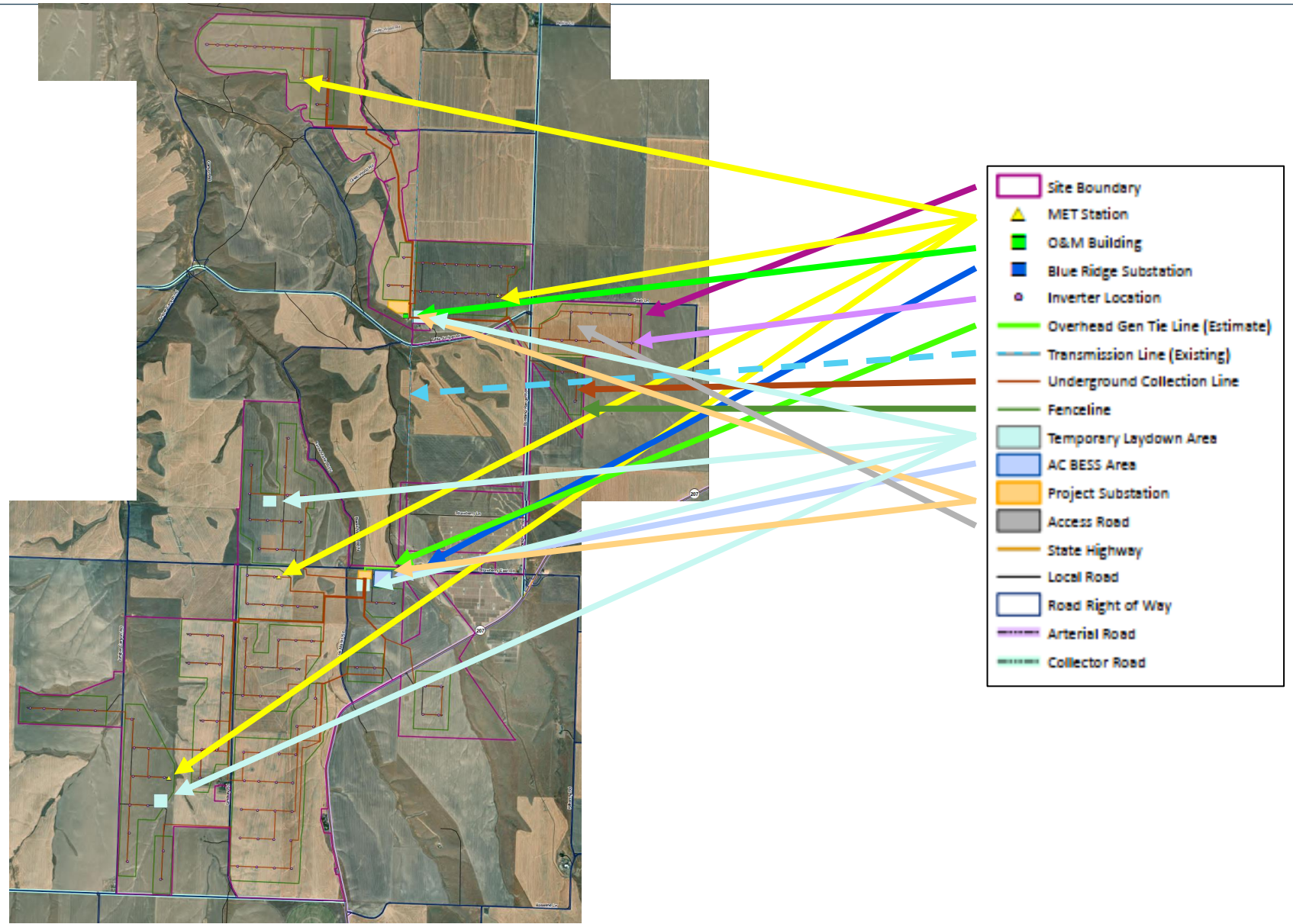
Location/Site Boundary: 7,450 acres in Morrow County

Related or Supporting facilities include:

- 500 MW lithium-ion energy storage system
- (2) collector substations
- a 34.5 kilovolt (kV) collection system
- Operation and Maintenance (O&M) Building
- 0.6 miles of 230 kV transmission line
- Etc.



Wagon Trail Solar Project: Project Overview

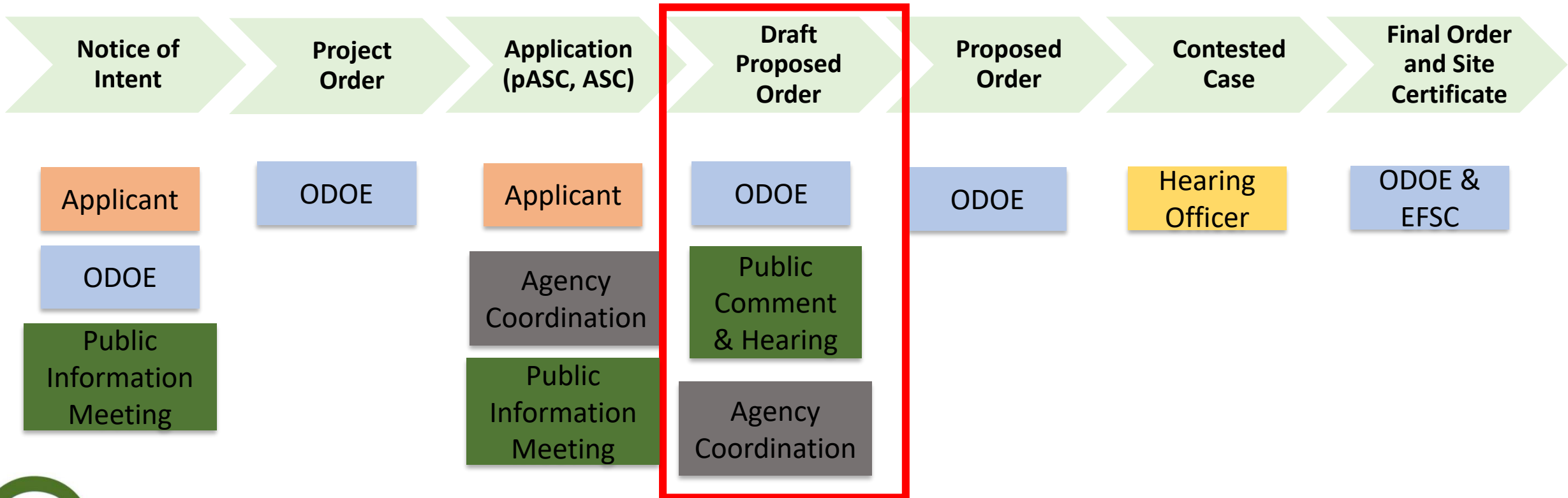


Wagon Trail Solar Project: Procedural History

Milestone	Responsible Party	Date
Notice of Intent (NOI)	Applicant	11/3/2020
Amended NOI	Applicant	6/11/2021
Preliminary Application for Site Certificate (pASC)	Applicant	8/31/2022
Application for Site Certificate (ASC)	Applicant	1/3/2024
Draft Proposed Order (DPO)	ODOE	5/7/2024
Draft Proposed Order Public Hearing	ODOE/EFSC	5/30/2024
Close of Public Comment Period	Public	6/7/2024
EFSC Review of DPO & Public Comments	EFSC	6/14/2024
EFSC Review of DPO & Public Comments (Cont.)	EFSC	7/19/2024
Proposed Order and Notice of Contested Case	ODOE	TBD
Potential Final Decision	EFSC	TBD

Energy Facility Siting Process

Application for Site Certificate (ASC)



Wagon Trail Solar Project: Council Review DPO/Comments

Council Scope of Review

OAR 345-015-0230

- Review DPO, DPO comments by issue/standard, applicant's response to issues raised; Department recommendations
- Provide comments for Department consideration in Proposed Order
- The next process step will be the Department's issuance of a Proposed Order in accordance with ORS 469.370(4)

Wagon Trail Solar Project: Council Review DPO/Comments

DPO Public Comment Period (May 7 – June 7, 2024):

- **5 oral comments at DPO hearing:** 4 public comments
1 Reviewing Agency (Morrow Co.)
- **2 written comments:** 1 public comment
1 Reviewing Agency (Morrow Co.)
- Certificate holder responses provided on **June 11, 2024**

Wagon Trail Solar Project: Council Review DPO/Comments

Summary of Issues Raised in Comments:

- **Vegetation Management within solar array**
- **Soil Stabilization**
- Ground contamination from solar array (wildfire, hail)
- Reviewing Agency coordination
- **Goal 3 exception – Justification**
– Mitigation
- Applicant's Organizational Expertise

Wagon Trail Solar Project: Council Review DPO/Comments

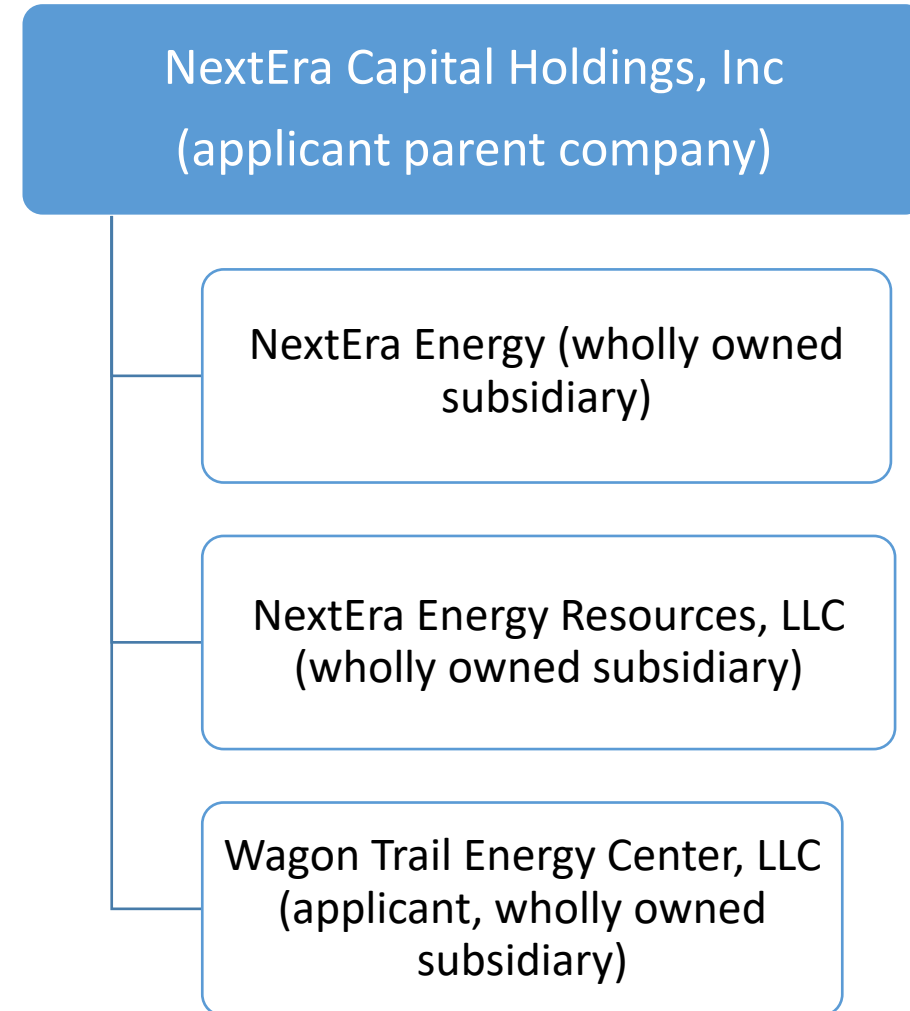
Based upon review and evaluation of comments received on the record of the DPO, the Department does not recommend substantive changes (or plan to provide an overview in this presentation) to the following Council Standards:

- **General Standard of Review** (Section IV.A., p.19-28)
- **Structural Standard** (Section IV.C., p. 36-43)
- **Protected Areas** (Section IV.F., p. 132-144)
- **Retirement and Financial Assurance** (Section IV.G., p. 133-144)
- **Fish and Wildlife Habitat** (Section IV.H., p. 145-156)
- **Threatened and Endangered Species** (Section IV.I., p. 156-166)
- **Scenic Resources** (Section IV.J., p. 167-171)
- **Historic, Cultural, and Archeological Resources** (Section IV.K., p. 171-178)
- **Recreation** (Section IV.L., p. 214-222)
- **Public Services** (Section IV.M., p. 187-205)
- **Wildfire Prevention and Risk Mitigation** (Section IV.N., p. 206-226)
- **Waste Minimization** (Section IV.O., p. 226-231)
- **Siting Standards for Transmission Lines** (Section IV.P., p. 232-237)
- **Removal-Fill** (Section IV.R.2., p. 256-257)
- **Water Rights** (Section IV.R.3., p. 257-260)

Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.B. Organizational Expertise: OAR 345-022-0010 (Pages 28-35)

- Wagon Trail Energy Center, LLC (applicant) is a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC (NextEra).
- NextEra has 175 energy facilities in 36 states and four Canadian provinces (as of year-end 2019)
- NextEra subsidiaries operate EFSC approved facilities in Morrow County:
 - Wheatridge Renewable Energy Facility II
 - Wheatridge Renewable Energy Facility III
 - Stateline 1 and 2
 - Vansycle II Wind Energy Facility



Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.D. Soil Protection: OAR 345-022-0022 (Pages 43-49)

- The applicants evaluation of potential adverse impacts to soils, considered the entire area of the solar array (approximately 3,641 acres) to be permanently disturbed. Including the O&M building, substation areas, and battery storage areas, the total area of disturbance increased to 3,684.9 acres.
- The DPO recommends conditions that would require the Finalizing of an Erosion and Sediment Control Plan (ESCP), a Reclamation and Revegetation Plan, Construction and Operations Spill Prevention Control and Countermeasure Plan (SPCC)

Wagon Trail Solar Project: Council Review DPO/Comments

Comments Related to Soil Protection Standard

- Public Comments raised concerns with the long-term vegetation management for areas within the fence line of the Solar Array.
- Upon review, the Department recommends additional measures for long term site stabilization and vegetative management, developed in consultation with Oregon Department of Agriculture. These measures include:
 - Quantifying disturbance levels based on final design/layout
 - Development of a Fugitive Dust Control Plan (prior to construction)
 - Additional consultation for the development of revegetation methods
 - Soil compaction testing (pre and post construction)
 - Long term monitoring at temporary and permanent impact areas

Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.E. Land Use: OAR 345-022-0030 (Pages 49-116)

- The proposed site boundary consists of 7,450 acres of private land, located entirely within Morrow County's Exclusive Farm Use (EFU) zone.
- The Applicant elected to obtain a Council determination of compliance under ORS 469.504(1)(b), and requested Council take an exception to the statewide policy embodied in Goal 3 for Agricultural Lands.

Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.E. Land Use: OAR 345-022-0030 (Pages 49-116)

- In the DPO, the Department considered the following “Reasons” as appropriate for consideration for the proposed facility Goal 3 exception:
 - locationally dependent
 - minimal impacts to agriculture
 - agricultural related economic benefit
 - minimal impacts to other environmental resources
- In the DPO, the Department rejects the applicant’s argument that the proposed facility responds to important state and county goals and priorities, as a reason justifying a Goal 3 exception.

Wagon Trail Solar Project: Council Review DPO/Comments

Comments Related to Land Use Standard

- Both the SAG and EFSC expressed concern with the reasons recommended by the Department to justify an exception to Goal 3 (specifically the evidence and analysis for the minimal impacts to agriculture within the subject tracts).
- Upon review, the Department recommends:
 - Council find that “minimal impacts to agriculture” is not a reason to support a goal exception

Wagon Trail Solar Project: Council Review DPO/Comments

Comments Related to Land Use Standard

- EFSC raised questions about the difference between the mitigation approach proposed by the applicant and the applicant of the Sunstone Solar Project.
 - *Both projects relied upon an Agricultural Economic Analysis Report by EcoNorthwest*
- Upon review, the Department recommends Council find that there are no unsupported discrepancies between the mitigation approach of the Wagon Trail Solar Project and the Sunstone Solar Project.
- Additionally, the Department recommends Council amend the condition language for Land Use Conditions 14 and 15, to ensure that the mitigation funds represented in the ASC are remitted prior to construction.

Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.Q. Other Applicable Regulatory Requirements Under Council Jurisdiction (Pages 237-257)

- Noise sources (operations):
 - the battery storage heating, ventilation, and air conditioning units,
 - the electrical components of the inverters,
 - the step-up transformer associated with each power conversion station,
 - the main power transformer at the collector substation
 - the transmission line
- 33 Noise Sensitive Receptors identified
- The DPO recommends Council find that the facility, as proposed would not comply with the requirements of OAR 340-035-0035 without additional mitigation.

Wagon Trail Solar Project: Council Review DPO/Comments

Section IV.Q. Other Applicable Regulatory Requirements Under Council Jurisdiction (Pages 237-257)

- Upon review, the Department recommends Council amend the condition language for Noise Control Condition 1(C), as provided below:

Recommended Noise Control Condition 1:

...

- c. The results of the noise analysis of the final facility design performed in a manner consistent with the requirements of OAR 340-035-0035(1)(b)(B)(iii) ~~(IV) and (VI)~~. The analysis will demonstrate, by phase of development, prior to construction that the total noise generated by the facility, including the transmission line, will meet the “ambient noise degradation standard” in OAR 340-035-0035(1)(b)(B)(i) and (ii) and not exceed the “maximum allowable noise standard” in OAR 340-035-0035(1)(b)(B)(i) at the appropriate measurement point for all potentially-affected noise sensitive properties.

Council Deliberation

BREAK

Agenda Item C (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:

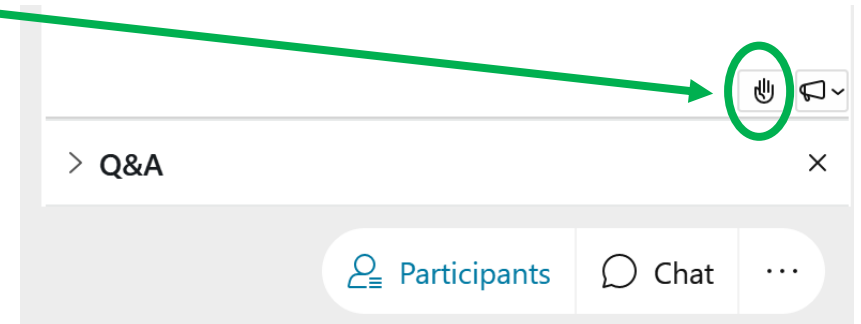
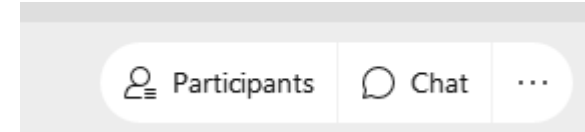
Webinar Participants

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 D (Action Item)

2024 Carbon Dioxide Emission Offset Rate Rulemaking

**Thomas Jackman, Rules Coordinator,
Oregon Department of Energy**

July 19, 2024

CO2 Monetary Offset Rulemaking: What?



CO2 Monetary Offset Rulemaking: What?

- Applicants for gas energy facilities are required by law and rule to meet certain efficiency requirements.
- This is measured in allowable CO2 per kwh or per horsepower hour, depending on the application.
- Compliance can be demonstrated in several ways, including through a monetary offset, calculated in dollars per ton of CO2.

CO2 Monetary Offset Rulemaking: What?

OAR 345-024-0580

“The monetary offset rate is \$4.27 per ton of carbon dioxide emissions.”

CO2 Monetary Offset Rulemaking: What?

ORS 469.503(c)(C) (emphasis added)

“[T]he council may by rule increase or decrease the monetary offset rate [which] shall be based on:

- 1) [the] empirical evidence of the cost of offsets; and
- 2) the council’s finding that the standard will be economically achievable with the modified rate for natural gas-fired power plants.”

CO2 Monetary Offset Rulemaking: What?

Rate Increase Limitations

- The rate increase or decrease can be no more than fifty percent in a two-year period.
- As of July 25, 2024, two years will have passed since the last rate change, and a maximum increase would take the existing rate to \$6.40.

CO2
Monetary
Offset
Rulemaking:
Why?



CO2 Monetary Offset Rulemaking: Why?

- Years of failing to increase the offset rate means the rate is still relatively low despite recent rate increases (in 2020 and 2022).
- Due to statutory limitations, failure to correct the offset rate on a regular interval renders the Council unable to timely “true up” the rate to an amount where it has the intended effect.

CO2 Monetary Offset Rulemaking: Why?

Reasons to Increase Rate

- Despite existing restrictions on generating facilities, the future is unknown – the failure to raise rates when the Council can do so will render the offset meaningless should future emissive energy facilities be allowed again.
- Nongenerating gas facilities are still allowed. Solely for these facilities, it is important that the offset rate be kept up to date.

CO2 Monetary Offset Rulemaking

Staff Proposal

Staff is proposing that the Council approve a rate increase of **50%**, which will take the existing rate of **\$4.27** → **\$6.40** per ton of carbon.

CO2 Monetary Offset Rulemaking: Empirical Evidence of Costs

Who	Rate Per Ton
Staff's Proposed Rate	\$6.40
NA Voluntary Carbon Markets (2023)	\$6.97
Regional Greenhouse Gas Initiative (2024)	\$21.03
California Cap and Trade (2024)	\$41.76
Washington Cap and Trade (2023)	\$48.50

CO2 Monetary Offset Rulemaking: Economically Achievable

- Calculations based on a typical 480MW natural gas plant show that the increased cost of compliance of this rate increase represents **just 0.111% of the retail value of the energy produced.**
- NOTE: This only applies to new energy facilities, and thus the rate increase will affect zero existing facilities.

CO2 Monetary Offset Rulemaking: Economically Achievable

- Considering:
 - Cap-and-trade pricing for CO2 at auction is **3X** to **7X** higher than the proposed rate.
 - The proposed rate is lower than even the voluntary market rate.
- There is **strong evidence that the proposed rate is economically achievable.**

CO2
Monetary
Offset
Rulemaking:
When?



CO2 Monetary Offset Rulemaking: When?

Council approves Carbon Offset rulemaking as part of 2024 schedule.	January 26, 2024
Possible Council approval of proposed rules and authorization Notice of Proposed Rulemaking	July 19, 2024
Issue Notice of Proposed Rulemaking	July 22, 2024
Rulemaking hearing (At Next Council Meeting)	August 23, 2024
Public comment deadline	August 23, 2024
Possible adoption of permanent rules	Sept 20, 2024

Council Options

Option 1 - Recommended

Approve issuance of
the NOPR as
recommended

Option 2

Approve issuance of
the NOPR as
recommended with
changes

Option 3

Deny issuance of the
NOPR as recommended

Council Deliberation

Agenda Item E (Action Item)

Research Reactors Rulemaking

**Thomas Jackman, Rules Coordinator,
Oregon Department of Energy**

July 19, 2024

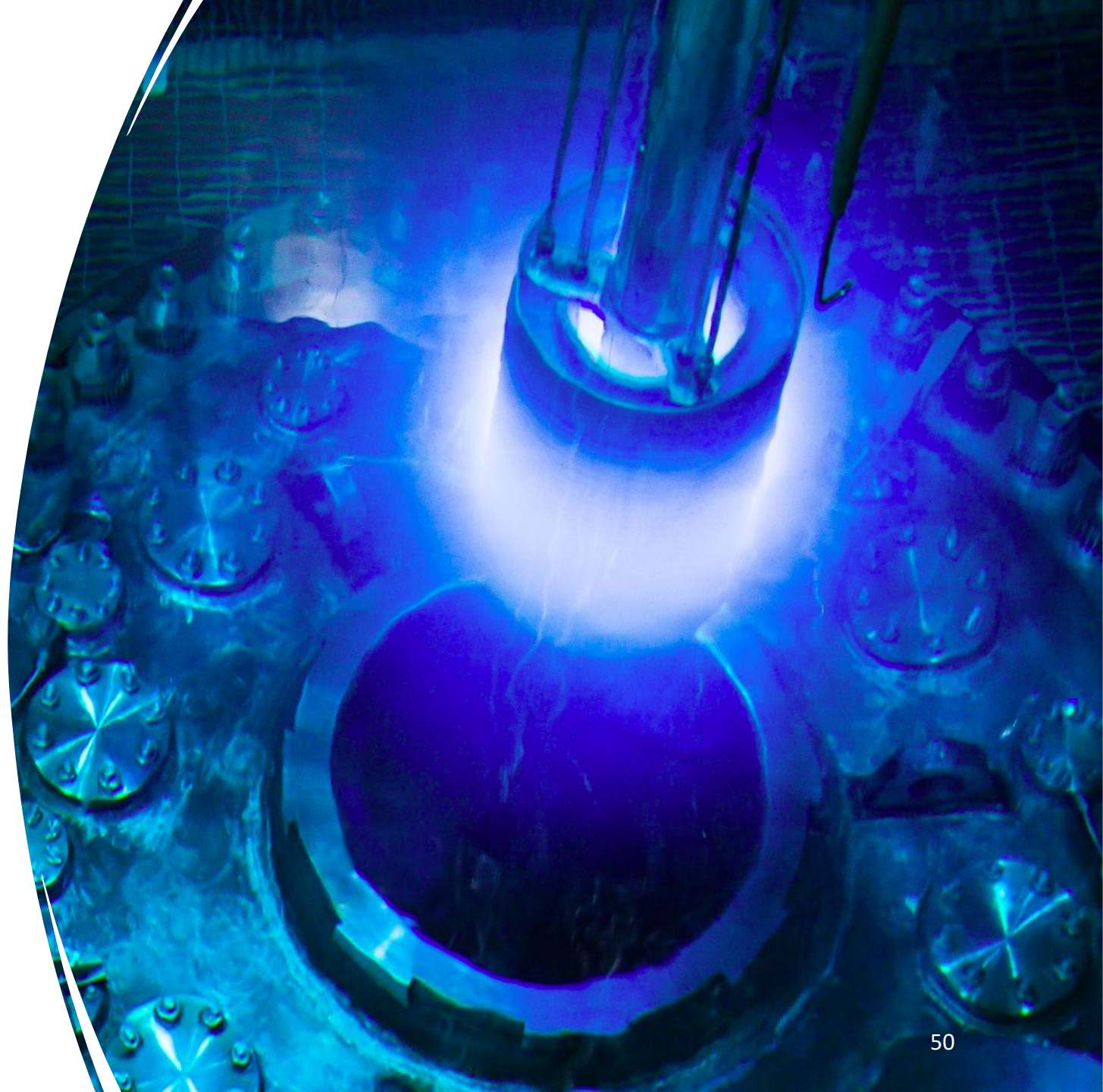
Research
Reactors
Rulemaking:
Why?



Research Reactors Rulemaking: Why?

- The main intent behind this rulemaking is to remove the annual reporting mismatch between the Oregon and Nuclear Regulatory Commission (NRC) annual reporting requirements.
- Feedback suggested that we should also unify the incident written report deadline from 10 to 14 days, as this is in line with the NRC requirements

Research Reactors Rulemaking: What?



Research Reactors Rulemaking

- Oregon State University and Reed College both operate Training, Research, Isotopes and General Atomic (TRIGA) Class nuclear research reactors.
- The reactors operate under licenses issued by NRC (which details the “Technical Specifications” of the license), and the Council provides state level monitoring and oversight of the facilities.

Research Reactors Rulemaking: What?

- Staff communicated with:
 - Steve Reese (OSU) and Jerry Newhouse (Reed College), the operators of the research reactors,
 - The Oregon Department of Energy Nuclear Safety Team, and
 - Hillary Haskins, the Emergency Response Manager for the Oregon Health Authority

Research Reactors Rulemaking: What?

There are two proposed rule changes:

- 1) Change the annual reporting requirement in 345-030-0010(1) from **August 1** → **October 1** and;
- 2) Change the written report deadline in 345-030-0010(2)(a) from **10 days** → **14 days**.

Research Reactors Rulemaking: What?

OAR 345-030-0010(2)(a) (emphasis added):

The operator of any reactor . . . shall **promptly notify** the Council . . . of any incident or condition relating to the operation of the reactor that could have prevented a nuclear system from performing its safety functions . . . **In addition**, the operator shall **submit a written report within ~~10~~ 14 days** after the occurrence.

Research Reactors Rulemaking: What?

Reactor operators also requested the following change:

The operator of any reactor . . . shall ~~promptly notify~~ **by the next working day** the Council . . . of any incident or condition relating to the operation of the reactor that could have prevented a nuclear system from performing its safety functions . . . In addition, the operator shall submit a written report within 10 days after the occurrence.

Research Reactors Rulemaking: What?

Promptly (Flexibility)

VS.

Next Working Day (Certainty)

Research
Reactors
Rulemaking:
When?



CO2 Monetary Offset Rulemaking: When?

Council approves Research Reactor rulemaking as part of 2024 schedule.	January 26, 2024
Possible Council approval of proposed rules and authorization Notice of Proposed Rulemaking	July 19, 2024
Issue Notice of Proposed Rulemaking	July 22, 2024
NO HEARING	N/A
Public comment deadline	August 23, 2024
Possible adoption of permanent rules	Sept 20, 2024

Council Options

Option 1 - Recommended

Approve issuance of
the NOPR as
recommended

Option 2

Approve issuance of
the NOPR as
recommended with
changes

Option 3

Deny issuance of the
NOPR as recommended

Agenda Item F (Action Item)

Oregon Department of Environmental Quality Rulemaking

**Thomas Jackman, Rules Coordinator,
Oregon Department of Energy**

July 19, 2024



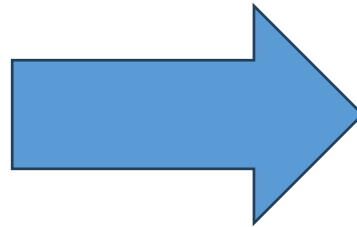
DEQ Solar Noise Rulemaking: What?



DEQ Solar Noise Rulemaking: What?

- Despite the Department of Environmental Quality (DEQ) no longer implementing a noise control program, the Division 35 (OAR 340) rules remain applicable to EFSC jurisdictional projects.
- In 2004, the EQC amended Division 35 to streamline the siting of wind energy facilities while continuing to protect the public.

DEQ Solar Noise Rulemaking: What?



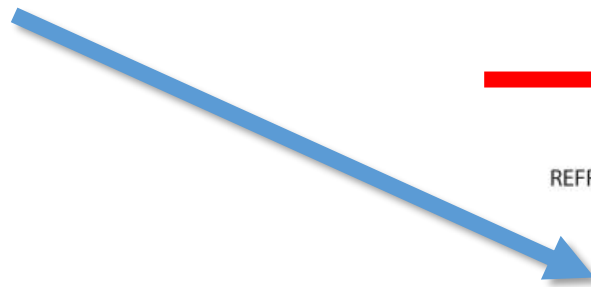
DEQ Solar Noise Rulemaking: What?

This means two things:

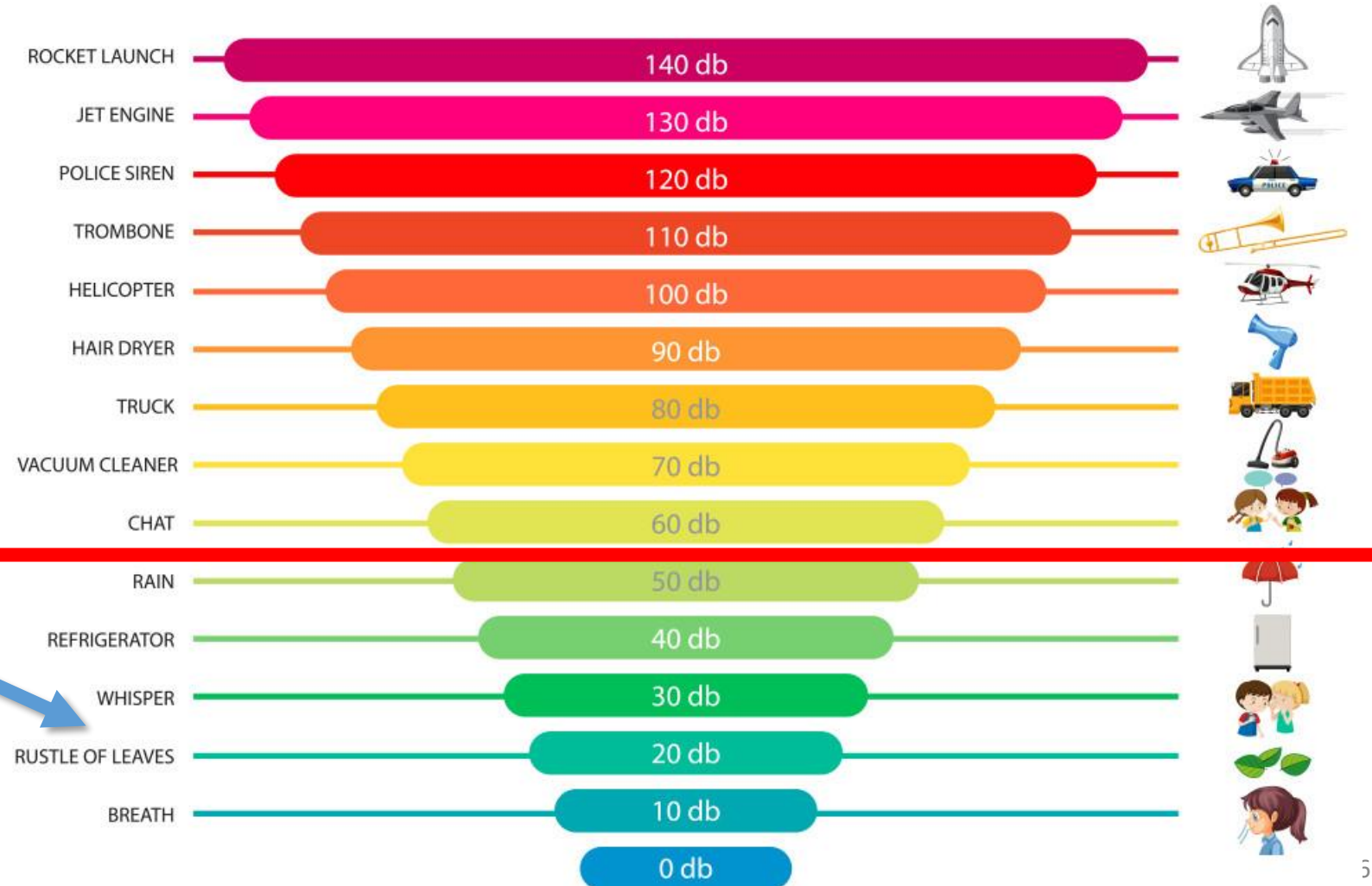
- 1) Allowing for an assumed ambient background noise level of 26dBA; and
- 2) Allowing a solar facility to increase the ambient statistical noise levels by > 10 dBA (but not above the limits specified in Table 8), **if** landowners sign a waiver (via easement)

DEQ Solar Noise Rulemaking: What?

Assumed background noise level of 26dBA is very conservative.



DECIBEL SCALE





DEQ Solar Noise Rulemaking: **Why?**

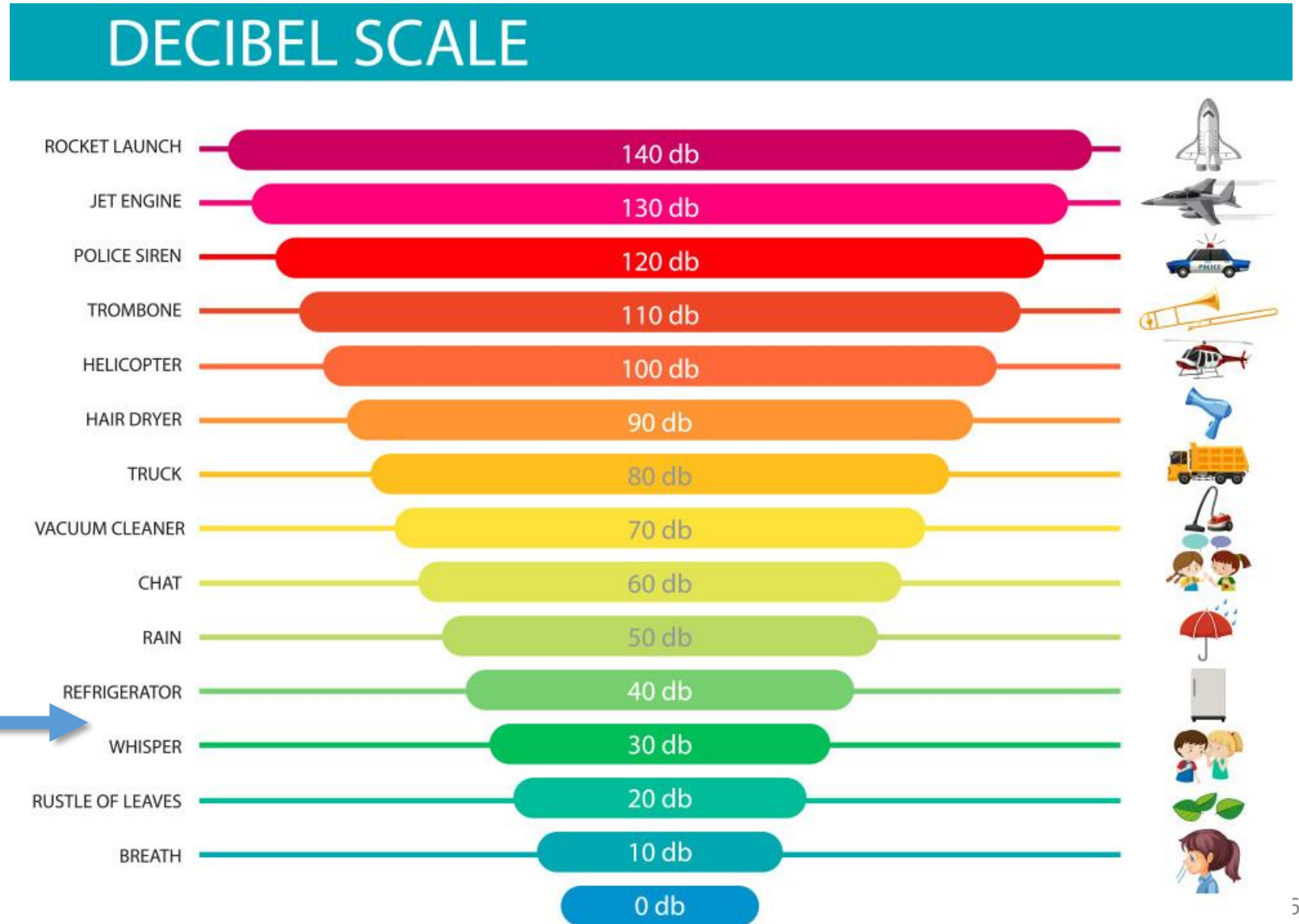
DEQ Solar Noise Rulemaking: Why?



DEQ Solar Noise Rulemaking: What?

10dBA above 26dBA means anything over 36dBA will exceed allowable limit.

That's quieter than a modern fridge.



Council Options

Option 1 - Recommended

Approve recommended finding that no changes are required to DEQ rules as proposed to conform them to state policy.

Option 2

Recommend to DEQ that changes be made to DEQ rules as proposed to conform them to state policy.

Agenda Item G (Information Item & Public Comment Opportunity)

Public Notice Discussion

**Todd Cornett, Assistant Director for Siting/Council Secretary,
Oregon Department of Energy**

July 19, 2024

Agenda Item G Overview

1. Staff presentation
2. Public comment
3. Council discussion



Project Related Public Engagement

Public Notices

Application

- Notice of Intent
- Complete Application
- Draft Proposed Order
- Proposed Order/CC
- Final Order

Amendment

- Preliminary Amendment Request
- **Complete Amendment Request/Draft Proposed Order**
- Proposed Order/CC
- Final Order

Project Related Public Engagement

Meetings/Hearings in Vicinity of Project

Application

- Notice of Intent Public Informational Meeting
- Complete Application Public Informational Meeting
- Draft Proposed Order Public Hearing

Amendment

- Type A - Draft Proposed Order Public Hearing

Project Related Public Engagement

Available Materials - Project Website

- Project Description
- Project Status
- Applicant Contact Information
- ODOE Contact Information
- Preliminary request
- Complete request
- Notices
- Email sign up link
- Draft Proposed Order
- Proposed Order
- Final Order
- ORESA – online mapping tool link
- Wildlife Monitoring Reports
- Amendment Determination Requests and Determinations

Project Related Public Engagement

Available Materials – EFSC Webpages

- Public Guide
- EFSC Standards
- Siting Project Updates
- Public Comment
- Overview of the State Siting Process
- Oregon Revised Statutes
- Oregon Administrative Rules
- Numerous Fact Sheets

Project Related Public Engagement

Complete Amendment Request/Draft Proposed Order – Required Information

OAR 345-027-0367(3)

- Description of the facility
- Location of the facility
- Department representative contact information
- Date, time and location of public hearing
- Location of materials (physical and website)
- Deadline to submit comments
- Specific statements regarding:
 - Receipt of complete amendment request
 - Department has issued DPO
 - Raising issues on the record
 - Failure to raise issues on the record
 - Failure to raise issues with sufficient specificity
 - How to raise an issue with sufficient specificity
 - Council will not accept comments after the close of the record



Project Related Public Engagement

Complete Amendment Request/Draft Proposed Order – Helpful Information

Recently Discussed

- Scope of Council's review – See page 2 of notice
- Oral comment time limits

Typically Included

- Summary
- Amendment Request
- Amendment Review Process Type
- Detailed description of the public comment period

Project Related Public Engagement

Complete Amendment Request/Draft Proposed Order – Helpful Information

Typically Includes

- Department's Recommendation
- Overview of the EFSC Process
- Overview of each Process Step and the public's role
- Explanation of Comment Portal and Comment Docket
- Map
- Mapping link for ORESA online mapping tool
- Why the person is receiving the notice
- Accessibility Information

Project Related Public Engagement

Complete Amendment Request/Draft Proposed Order – Helpful Information

Typically Includes

- Specific links
 - Project Page with all applicable material
 - Youtube video on on the amendment contested case process
 - Type A Amendment contested case rules
 - A Public Guide to Energy Facility Siting in Oregon
 - EFSC Standards
 - Energy Facility Siting landing page with more handouts

Agenda Item G – Public Comment

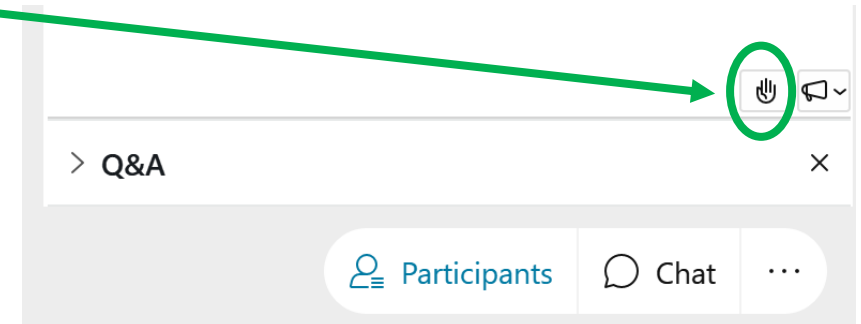
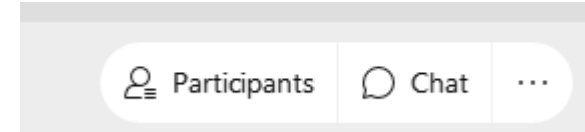
Webinar Participants

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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.

Council Discussion

Agenda Item H (Information Item)

Operations and Policy Analyst Process Improvement Work Plan

**Amrit Kaur, Operations and Policy Analyst,
Oregon Department of Energy**

July 19, 2024

Agenda Item H Overview

- Overview of the OPA 2 work plan
- February – July work plan task review
- Stakeholders
- Consultant assessment
- 2024 - 2025 proposed tasks

Annual Work Plan - Overview

- Each year, the Siting Division prepares an annual work plan
 - Current process improvement activities
 - Progress on past activities
 - Identifies potential future tasks
 - Provides historical record of completed tasks
- Tasks in the Work Plan link to the imperatives in ODOE's Strategic Plan
 - Expand and improve stakeholder engagement
 - Build practices and processes to achieve more inclusive and equitable outcomes
 - Assess and enhance organizational data capabilities
 - Assess and modernize agency programs and activities
 - Optimize organizational efficiency and impact

Interim Work Plan - Overview

- Interim workplan from February 2024 – July 2024
 - Allowed the Division to move back to fiscal year timeframe starting in July 2024
 - Focused on short term projects
- Areas of focus
 - Compliance
 - Finance
 - Increase transparency
 - Support rulemaking

Interim Work Plan - Progress Update

Description: Compliance	Status
<p><u>Assessment</u></p> <ul style="list-style-type: none">• Conduct a review of current compliance processes and Compliance Program workload.• Data mine with the goal of understanding more of the unknowns within the Compliance Program, and to gain a deeper understanding of the challenges the Compliance Program faces.	<ul style="list-style-type: none">• OPA has completed a review of current Compliance processes and is working with the team on a variety of process improvement efforts• Data mining continues with the goal of assessing Compliance program workloads and discovering further unknowns within the program• OPA worked to support the annual reporting and inspection processes• OPA created 2024-2025 plan to include follow up on process improvement tasks which developed out of compliance program assessment

Interim Work Plan - Progress Update

Description: Financial	Status
<p><u>Assessment</u></p> <ul style="list-style-type: none">• With guidance of draft recommendations from the ongoing program assessment, work with the Division’s Fiscal Analyst to data mine timesheets, invoices, and general billable tasks. The focus will be on answering a variety of questions aimed at helping to create metrics to measure future process improvement efforts against.• Work with Fiscal Analyst to understand current financial processes and where processes could be more transparent.	<ul style="list-style-type: none">• OPA started work on data mining time sheets, primarily focused within Compliance• Tasks related to this project are included in the 2024-2025 work plan

Interim Work Plan - Progress Update

Description: Additional Projects

Status

Contested Case Comment Portal

Work with IT and Division staff to develop a comment portal that will streamline stakeholders petitioning to be considered in contested case processes

- OPA has been working with IT and run into technical roadblocks which are being worked through

Cassette Tapes

Research and engage an appropriate company to transfer EFSC meeting recordings from cassette tape to digital recording.

- OPA worked with Siting Secretary to identify an in house option for this, and is working to design the SOP on how to transfer tapes and will be handing that off to ODOE staff to assist with in the coming year

Interim Work Plan - Progress Update

Description: Additional Projects

Status

Continue On-Boarding for the Siting Division

Continue on-boarding/learning the systems, processes, and procedures of the Siting Division.

- Onboarding continued throughout the interim plan, and will continue throughout the year. OPA primarily focused on gaining understanding of Compliance, Rule Making, and understanding EFSC meeting processes. OPA will continue to onboard throughout 2024 with an emphasis on Fiscal, and Applications and Amendments processes.

Stakeholders

Stakeholders Included in 2024 Interim Plan	Stakeholders Included in 2024-2025 Work Plan
Siting Division Team	Applicants & site certificate holders
Certificate Holders	The public
Operational Sites	Energy Facility Siting Council members
	Reviewing agencies; State agencies, local govts., tribal govts.
	The Siting Division team

Consultant Assessment Overview

- In 2022 Merina was contracted to conduct an assessment of the EFSC application & amendment processes and recommend areas for improvement.
- Merina finalized their assessment late in 2023 and issued their recommendations in 2024.
- OPA assessed recommendations and incorporated aspects into the work plan.

Merina Recommendations Overview

Areas for Improvement	Recommendations
Oversight & Accountability	<ul style="list-style-type: none"> Establish formal performance metrics and formal accountability and feedback channels Strengthen alignment of Siting Division operations with ODOE strategic planning imperatives and initiatives by establishing clear goals and performance expectations/objectives
Program Management	<ul style="list-style-type: none"> Clarify expectations for overall program management and optimize the distribution of project oversight responsibilities to maintain capacity for enhanced program management Clarify responsibilities for internal process improvement, performance reporting, and financial reporting.
Performance Management	<ul style="list-style-type: none"> Establish clear expectations and accountability measures for individual performance Define clear performance metrics for measuring, evaluating, and reporting on program performance
Staffing & Qualifications	<ul style="list-style-type: none"> Narrow the scope of responsibilities/expectations for Siting Analysts to prioritize project management, Siting Process expertise, communication and coordination Conduct a detailed skills assessment to identify necessary skills/expertise and gaps within the Siting Division in order to establish and implement internal training and development plans, and identify opportunities to mitigate risks through outsourcing
Financial Transparency	<ul style="list-style-type: none"> Establish/revise internal policies and procedures for tracking, reviewing, and invoicing for siting application review time and expenses and consider leveraging software to address challenges related to timekeeping and billing Implement a clear and transparent methodology for establishing and communicating billable rates and following established Fiscal Management policies

Merina Recommendations Overview

Areas for Improvement	Recommendations
Project Management	<ul style="list-style-type: none">• Clarify project management responsibilities for Siting Division staff to ensure fulfillment of duties related to quality assurance, resource management, issue resolution/escalation and management of project scope, timelines, costs, quality, risks, and communications• Leverage technology to enhance project management and coordination between applicants, reviewing agencies, and Siting Division staff
Applicant & Reviewing Agency Coordination	<ul style="list-style-type: none">• Enhance resources and guidance materials available to aid applicants in preparing applications that meet the expectations of the Siting Division• Standardize and streamline the coordination of Requests for Additional Information (RAIs)
Public Engagement	<ul style="list-style-type: none">• Improve communications and resources provided to the public to aid in navigating the complex and legalistic process• Standardize and communicate internal processes for responding to public comments and testimony
Rulemaking Opportunities	<ul style="list-style-type: none">• Continuing efforts to streamline application requirements and standards to provide greater clarity on required information for application review• Evaluating opportunities to collaborate with key stakeholders on ways to streamline application requirements and review process for renewables
Legislative Opportunities	<ul style="list-style-type: none">• Continuing efforts to develop a statewide comprehensive plan for energy development and/or pursuing updates to land-use planning goals to incorporate renewable energy goals• Evaluating alternative approaches to fill Council positions, with the goal of addressing various challenges such as the identification and retention of qualified members, managing heavy workloads, and ensuring applications receive fair consideration from individuals with diverse and relevant expertise

Public Engagement & Information Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Create Youtube Video Tutorials	<i>High Level Goals:</i> 1, 2, 4, 5 <i>Stakeholders:</i> The public; EFSC members; Siting Division team; ODOE <i>Merina Recommendations:</i> Public Engagement
Update Printed Handouts	<i>High Level Goals:</i> 1, 2, 3, 4, 5 <i>Stakeholders:</i> EFSC members; Siting Division team; The public <i>Merina Recommendation Areas:</i> Public Engagement
Comment Portal Updates	<i>High Level Goals:</i> 1, 2, 4, 5 <i>Stakeholders:</i> The public; Siting Division team; EFSC members; Applicants and site certificate holders <i>Merina Recommendation:</i> Public Engagement

Rulemaking Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Update Siting Rulemaking Webpages	<p><i>High Level Goals:</i> 1, 2, 4, 5 <i>Stakeholders:</i> EFSC members; Siting Division Team; Applicants and site certificate holders; The public; Reviewing agencies <i>Merina Recommendations:</i> Public Engagement; Rulemaking Opportunities</p>
Create Rulemaking Handouts	<p><i>High Level Goals:</i> 1, 2, 3, 4, 5 <i>Stakeholders:</i> EFSC members; Siting Division Team; Applicants and site certificate holders; The public <i>Merina Recommendation Areas:</i> Public Engagement; Rulemaking Opportunities</p>

Compliance Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Refine Annual Compliance Processes	<i>High Level Goals:</i> 1, 2, 3, 4, 5 <i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team <i>Merina Recommendations:</i> NA
Refine Tracking Systems	<i>High Level Goals:</i> 1, 2, 3, 4, 5 <i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team <i>Merina Recommendation Areas:</i> NA
Continue Data Mining	<i>High Level Goals:</i> 3, 4, 5 <i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team <i>Merina Recommendation:</i> NA

Applications & Amendments Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Update Applicant Guide	<p><i>High Level Goals:</i> 1, 2, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; Reviewing agencies</p> <p><i>Merina Recommendations:</i> Project Management; Applicant and Reviewing Agency Coordination</p>
Edit/Create Templates and Style Guides	<p><i>High Level Goals:</i> 1, 2, 3, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; The public; Reviewing agencies</p> <p><i>Merina Recommendation Areas:</i> Project Management; Applicant and Reviewing Agency Coordination; Program Management; Project Management</p>

Applications & Amendments Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Update Records Checklist	<p><i>High Level Goals:</i> 1, 2, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; The public; Reviewing agencies</p> <p><i>Merina Recommendation:</i> Applicant and Reviewing Agency Coordination; Program Management; Project Management</p>

Financial Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Assess Financial Program	<p><i>High Level Goals:</i> 1, 2, 3, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; Reviewing agencies</p> <p><i>Merina Recommendations:</i> Oversight & Accountability; Performance Management; Project Management</p>
Fiscal Analyst Overlap Projects	<p><i>High Level Goals:</i> 1, 2, 3, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; Reviewing agencies</p> <p><i>Merina Recommendation Areas:</i> Fiscal Transparency; Oversight & Accountability; Performance Management</p>

General Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Audit Desk Manuals	<p><i>High Level Goals:</i> 3, 4, 5</p> <p><i>Stakeholders:</i> EFSC members; Siting Division team</p> <p><i>Merina Recommendations:</i> Staffing & Qualifications; Program Management</p>
Project Management	<p><i>High Level Goals:</i> 1, 2, 3, 4, 5</p> <p><i>Stakeholders:</i> Applicants & site certificate holders; EFSC members; Siting Division team; Reviewing agencies; The public</p> <p><i>Merina Recommendations:</i> Oversight & Accountability; Performance Management; Project Management; Staffing & Qualifications; Applicant & Reviewing Agency Coordination</p>

General Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Update EFSC Member Onboarding Guide	<i>High Level Goals:</i> 1, 2, 4, 5 <i>Stakeholders:</i> EFSC members; Siting Division team <i>Merina Recommendation Areas:</i> Oversight & Accountability
Cassette Tapes	<i>High Level Goals:</i> 4, 5 <i>Stakeholders:</i> EFSC members; Siting Division team; The public <i>Merina Recommendation Areas:</i> Public Engagement

General Projects

Task Overview	High Level Goals, Stakeholders, & Merina Recommendations
Performance Metrics & Responsibility Scopes	<p><i>High Level Goals:</i> 2, 3, 4, 5</p> <p><i>Stakeholders:</i> EFSC members; Siting Division team</p> <p><i>Merina Recommendation Areas:</i> Oversight & Accountability; Performance Management; Project Management; Staffing & Qualifications</p>

2024-2025 Work Plan Example Calendar

Task	2024						2025						
	July	August	September	October	November	December	January	February	March	April	May	June	July
Compliance:													
Refine and update annual reporting processes:													
Work with IT to create a digital submission system													
Update compliance matrix for annual reporting from each site													
Inform sites of new reporting processes													
Work with compliance to receive & process reports													
Assess reports and new reporting system													
Work with HA to review annual reports & refine systems of working with HA													
Create system of inspection reports to be completed in timely manor													
Analyze current system of reporting with Sarah and re-define how we are approaching compliance cycles where we can to tie in the compliance annual reports, inspections, and incidents													
Refine Tracking Systems:													
Work with Ash to implement Survey 123													
Work with Ash and IT to ensure tablets work correctly and have all software on them													
Work with Sarah to design tracking system and SOP													
Change management for tracking system													
Revisit tracking system to ensure it is being used correctly													
Rule Making													
Update rule making website with Erica and Tom - partially on hold until website update is rolled out													
Update contested case rules handouts													
Work with Tom on creating hand out													
Work with Patrick to ensure it is legaly correct													
Work with comms to ensure readability and correct wording													
Finalize with team and publish (ensure it is added to EFSC meeting handout bin)													
Public Engagement & Information Projects													
Create Youtube tutorials:													
ORESAs Mapping tool:													
Create outline for Comms													
Comms creates script													
Script approval													
Filming													
Editing													
Approval & publishing													
Update printed handouts:													
Create calendar for handout review													
Meet with Siting team to review handout													
Edit based on review													
Review with siting team													
Finalize and publish													
Comment portal updates:													
Work with IT to fix current comment portal issues													
Learn more about MS Project Services & Click Dimensions													
Test IT fixes													
Update SOP on comment portal and present to team													
Remind team on SOP and continue to ensure it is followed													

Future Work Plan Focuses

- The 2024 -2025 work plan is designed to lay foundational steps for future process improvement efforts and to address process improvement in an iterative manor.
- 2024-2025 projects are designed to create an ongoing evaluation of Siting Division's systems and processes from a holistic standpoint.
- Future work plans will use the framework created to further examine and refine Siting Division's efforts towards improving.
- Primary areas of future work are currently projected to be closely tied into the recommendations for improvement by Merina, along with the holistic overview of the Siting Division conducted by the OPA. F
- Future tasks will be designed to build upon current efforts and address needs from all stakeholder groups.

Thank You!



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