



■ Kent Howe, Chair ■ Cindy Condon, Vice-Chair ■ Marcy Grail ■ Perry Chocktoot ■ Ann Beier ■ Richard Devlin ■ Katie Imes

Energy Facility Siting Council Updated Meeting Notice and Agenda

Thursday August 22, 2024 4:30 PM
Friday August 23, 2024 8:30 AM

Maxwell Event Center
145 N. First Place
Hermiston, Oregon

Thursday WebEx Webinar Information:

<https://odoe.webex.com/odoe/j.php?MTID=m2ad8bd61fc874b61d6f3ccd0d0da5f65>

Or join WebEx meeting by phone: 408-418-9388 Access Code: 2333 011 8388 Meeting password: EFSC

Please Note: Every effort will be made to consider items as they are indicated. However, the Council agenda and the order of agenda items are subject to change.

Roll Call, Opening Remarks and Agenda Modifications

***G.1 Boardman to Hemingway Request for Amendment 2 – Council Decision on Requests for Contested Case (Action Item)** – Kellen Tardaewether, Senior Siting Analyst. The Boardman to Hemingway Transmission Line is an approved but not yet constructed 270.8-mile-long single-circuit 500-kV electric transmission line, with eight alternative route variations, that crosses Morrow, Umatilla, Union, Baker, and Malheur counties.

Request for Amendment 2 (RFA2) includes: 1) expansion of the site boundary for most of the facility; 2) the addition of micrositing areas to relocate the transmission line in 12 locations including approximately 40 miles of 500-kV transmission line alternatives and 0.6 mile of 230-kV transmission line alternatives; 3) refining 58 miles of roads resulting from additional design and engineering review; 4) proposed alternative temporary work areas; 5) adding a Midline Capacitor Substation; 6) widening roads used for construction; and 7) amending existing site certificate condition language.

1. Council Decision on Requests for Contested Case – Council will begin its consideration of requests for contested case on the Department’s Proposed Order on RFA2 submitted on or before August 29, 2024. If a contested case request or requests are granted, Council will provide the next steps for initiating a contested case proceeding for the issues granted.

*Agenda was amended after staff reports were issued resulting in the agenda items being out of sequence.

Contested Case Request Issues Reviewed:
Kevin March Issue 1
Irene Gilbert Issues 1-4 (as time allows)

- A. (5:30 P.M.) Sunstone Solar Project Application for Site Certificate – Public Hearing on Draft Proposed Order (Public Hearing)** – The Sunstone Solar Project (proposed facility; formerly Echo Solar Project), is proposed by Sunstone Solar, LLC (applicant), a subsidiary of Pine Gate Renewables, LLC. While the proposed site boundary is 10,960-acre (17-sq. mile), the proposed facility would permanently occupy approximately 9,442 acres (14.75 sq. miles) of private land.
1. Proposed Facility Overview: Christopher M. Clark, Senior Siting Analyst, will provide an overview of the proposed facility and siting process.
 2. Public Hearing Overview: Kent Howe, Chair, acting as the Presiding Officer will explain the legal requirements for providing comments on the record and will facilitate the hearing.
 3. Public Hearing: Interested individuals will have an opportunity to provide oral testimony on the Application for Site Certificate and Draft Proposed Order. Written comments may also be submitted to the Department through the close of the public hearing. The duration of the time for individual commenters will be 7 minutes, but that may be lengthened or shortened based on the number of people who comment.

Anticipated Recess at 6:30 PM

Friday WebEx Webinar Information:

<https://odoe.webex.com/odoe/j.php?MTID=m5eeac3a6f8c83bdd44cbde7f4b4ab43f>

Or join WebEx meeting by phone: 408-418-9388 Access Code: 2330 592 5172 Meeting password: EFSC

Roll Call, Opening Remarks, and Agenda Modifications

- B. Consent Calendar (Action & Information Item)** – Approval of June and July 2024 Meeting Minutes; Council Secretary Report; and other routine Council business.
- C. (8:45 A.M) Carbon Offset Rulemaking (Public Hearing)** – Christopher Clark, Senior Siting Analyst and Alternate Rules Coordinator will preside over a rulemaking hearing to solicit public comments on the amended rules regarding updates to the Council’s existing carbon dioxide emissions offset rate, which may be increased or decreased by no more than 50% every two years. Written comments must be received by 5:00 pm on August 26, 2024 to be considered.
1. Public Hearing Overview: Christopher Clark, acting as the Presiding Officer, will explain the legal requirements for providing comments on the record and will facilitate the hearing.
 2. Public Hearing: Interested individuals will have an opportunity to provide oral testimony on Contested Case rulemaking and the proposed rule language. Written comments may also be submitted to the Department through the close of the public hearing.

D. The Climate Trust Annual Audit Update & 5-year Report (Information Item) – Todd Cornett, ODOE Assistant Director for Siting/Council Secretary will provide an overview of the 2024 Financial Audit. Kyler Sherry, The Climate Trust Program Manager will provide an overview of 5-year report of The Climate Trust.

E. Public Comments (Information Item) – This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment. Items closed for comment including the Boardman to Hemingway Transmission Line Request for Amendment 2 Draft Proposed Order, the Wagon Trail Solar Project Draft Proposed Order, the Sunstone Solar Project Draft Proposed Order.

Per OAR 345-011-0020 the Chair establishes the duration of the time for individual commenters at 7 minutes but may lengthen or shorten that timeframe as the length of the meeting and timing and duration of other Council business dictate.

F. Compliance Program Update (Information Item) – Duane Kilsdonk, ODOE Compliance Officer, Ash Woods, ODOE Compliance Officer and Sarah Esterson, ODOE Senior Policy Advisor will provide Council with an update on compliance program activities.

G.2 Boardman to Hemingway Request for Amendment 2 – Continuation of Council Decision on Requests for Contested Case and Possible Final Decision (Action Item) – Kellen Tardaewether, Senior Siting Analyst.

1. Council Decision on Requests for Contested Case Continued – Council will continue its consideration of requests for contested case on the Department’s Proposed Order on RFA2 submitted on or before August 29, 2024. If a contested case request or requests are granted, Council will provide the next steps for initiating a contested case proceeding for the issues granted.

Contested Case Request Issues Reviewed:

- Irene Gilbert Issues 1-4 (remaining)
- Sam Myers Issues 1-2
- Stop B2H Issues 1-5
- Wendy King Issues 1-3
- Greg Larkin Issue 1
- Susan Geer Issues 1-9

2. Council Decision on Proposed Order – Unless a contested case proceeding is granted, Council will proceed to review the Proposed Order on Amendment 2 and will either adopt, modify or reject the Proposed Order as the Final Order.

Anticipated Adjournment at 4:00 PM

Anticipated Future Energy Facility Siting Council Meetings:

- **September 19-20, 2024**
- **October 24-25, 2024**

Webex Webinar Additional Information

When you join, please use your full name so it is easier to identify attendees and manage public comments. Public participants will be in listen-only mode, but can use the WebEx tool to “raise your hand” to provide comments during Agenda Items A and E.

Phone participants will be in listen-only mode, but to notify the host that you wish to make a comment press *3 to raise your hand. Council will offer an opportunity for phone participants to provide comments during Agenda Items A and E.

[WebEx Meeting Instructions](#)

[WebEx How to Raise Your Hand](#)

Meeting Materials associated with the agenda items are available at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>

Siting Project Updates:

To sign up for siting project updates click here: <http://web.energy.oregon.gov/cn/a6n53/subscribe>

Requests to the Council to Address an Issue:

Pursuant to Oregon Administrative Rule 345-011-0035, the public may ask the Council formally to address relevant issues within the Council’s jurisdiction at future meetings. Please be sure to include information about why the issue should be on the agenda. Your request must be in writing and received at least 14 days before the Council meeting.

To ask the Council to address an issue, call or write:

EFSC Secretary

Energy Siting Division/ODOE

550 Capitol St. NE

Salem, OR 97301-3737

Toll-Free (in Oregon): 1-800-221-8035

Phone: 503-378-8328

<https://www.oregon.gov/energy/facilities-safety/facilities>

Americans with Disabilities Act: The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Nancy Hatch at 503-378-3895 (office) or 503-428-7905 (mobile); Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.