

Attachment 2: Draft Proposed Order Comments

(comments received to date, as of November 13, 2024)

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MCVEIGH-WALKER Chase * ODOE

From: CLEARANCE ORSHPO * OPRD
Sent: Monday, October 21, 2024 3:07 PM
To: MCVEIGH-WALKER Chase * ODOE
Subject: RE: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

THIS E-MAIL CONFIRMS RECEIPT OF AN ELECTRONIC SUBMISSION FOR AN HISTORIC RESOURCE/106 REVIEW

THIS E-MAIL DOES NOT REPRESENT CONCLUSION OF THE REVIEW/106 CONSULTATION.....

We received a clearance submission on your above referenced project. Thank you.

The assigned SHPO Case Number is 18-0246 . Refer to this case number on all future correspondence or submitting any change to the scope of work for review using the provided SHPO case number. Please retain this email for your records.

If the SHPO chooses to not respond within 30 calendar days from receipt of this submittal your responsibilities under Section 106 of the National Historic Preservation Act of 1966 as amended, Oregon Revised Statute 358.653, local permitting process, and/or other similar request are complete and the project may proceed as described in the submitted scope of work. The 30-day SHPO response period for this project ends after 11/16/2024 .

Federal and state laws protecting cultural resources, local permitting requirements; and necessary consultation with Native American Indian Tribes for federal, state and local government projects still apply.

See <https://www.oregon.gov/oprd/OH/Pages/lawsrules.aspx> .

Do not respond to this email.

From: MCVEIGH-WALKER Chase * ODOE <chase.mcveigh-walker@oregon.gov>
Sent: Friday, October 18, 2024 4:54 PM
To: CLEARANCE ORSHPO * OPRD <orshpo.clearance@oregon.gov>
Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>
Subject: FW: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

Please see the attached documents.

Click [here](#) if you are having trouble viewing this message.



Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

On October 18, 2024, the Oregon Department of Energy issued its Draft Proposed Order (DPO) on Request for Amendment 1 (RFA1) of the Madras Solar Energy Facility Site Certificate. On the same date, the Department issued a Public Notice of a public comment period on the Complete RFA1, DPO, and public hearing. These documents and the notice are available on the [Department's website](#).

RFA1 seeks Council approval to extend the construction commencement deadline 3 years; from June 25, 2024 to June 25, 2027; with a new completion deadline of 18 months after construction commences; and adjustments to quantities of previously approved facility components.

The Madras Solar Energy Facility is an approved but not yet constructed 63 megawatt (MW) solar PV electrical generating facility located within a site boundary of 284 acres, approximately 5.5 miles west of the City of Madras in Jefferson County, OR.

The certificate holder is Madras PV1, LLC., a wholly owned subsidiary of Ecoplexus Inc.

Comment Period:

Written comments on the DPO and RFA1 must be received by the Department **before the close of the record of the public hearing on November 14, 2024** and must be submitted in writing through the [public comment portal](#), by mail, email, or fax to the address below, or via oral or written comments submitted at the public hearing:

Chase McVeigh-Walker, Senior Siting Analyst
550 Capitol Street NE
Salem, OR 97301
Phone: 971-600-5323
Email: chase.mcveigh-walker@energy.oregon.gov
Fax: 503-373-7806

The goal of the [online comment portal](#) is to provide a convenient option to submit input on projects. To get started, choose the “Madras Solar Energy Facility RFA1” project from the drop-down menu. Click “Next” and follow the instructions on screen. You will receive an email confirmation after submitting your comment.

ODOE also has a new [docket system](#) available which displays comments that have been submitted. Comments for this RFA1 and DPO will be [posted to the docket](#) and will normally be available to view within 3 business days of receipt.

Public Hearing:

A Public Hearing on the RFA1 and DPO will be held on November 14, 2024 in Madras, OR, to provide the public opportunity to comment. It will be held in person and remotely. Details on how to attend in person, or participate remotely, are included in the Public Notice that is posted to the [project website](#).

In Person/Webinar Public Hearing Information:

Date: November 14, 2024
Start Time: 5:30 p.m. Pacific Time (PT)
In Person: Inn at Cross Keys Station
66 NW Cedar Street
Madras, Oregon 97741

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If you have any questions or comments about ClickDimensions please feel free to contact ODOE’s Administrative Assistant Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or email to Nancy.Hatch@energy.oregon.gov.



Oregon Department of Energy
Leading Oregon to a safe, equitable, clean, and sustainable energy future.

The Oregon Department of Energy helps Oregonians make informed decisions and maintain a resilient and affordable energy system. We advance solutions to shape an equitable clean energy transition, protect the environment and public health, and responsibly balance energy needs and impacts for current and future generations.



AskEnergy@oregon.gov | 503-378-4040 | 550 Capitol St. NE in Salem
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MCVEIGH-WALKER Chase * ODOE

From: RYAN Peter * DSL
Sent: Monday, October 21, 2024 8:45 AM
To: MCVEIGH-WALKER Chase * ODOE
Subject: RE: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

Good Morning Chase,

In response to ODOE's request for comments for the Madras Solar Energy Facility Site Certificate, DSL notes that the approval for the wetland delineation report prepared for the site expired on March 5, 2024. However, that same agency decision from 2019 agreed with the applicant's consultant that no jurisdictional wetlands or waterways were present within the project's study area. Please let me know if you have any questions.

Peter Ryan, PWS Emeritus

Aquatic Resource Specialist

Oregon Department of State Lands | 775 Summer Street, NE, Ste. 100, Salem, Oregon 97301-1279
503.779.4159 | **Workdays:** Monday-Thursday | **Out of Office:** Fridays

From: MCVEIGH-WALKER Chase * ODOE <chase.mcveigh-walker@oregon.gov>
Sent: Friday, October 18, 2024 4:31 PM
To: MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov>
Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>
Subject: FW: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

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ENERGY FACILITY SITING COUNCIL

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Chase McVeigh-Walker, Senior Siting Analyst
550 Capitol Street NE
Salem, OR 97301
Phone: 971-600-5323
Email: chase.mcveigh-walker@energy.oregon.gov
Fax: 503-373-7806

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Leading Oregon to a safe, equitable, clean, and sustainable energy future.

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MCVEIGH-WALKER Chase * ODOE

From: BROWN Jordan A * ODA
Sent: Friday, October 25, 2024 10:11 AM
To: MCVEIGH-WALKER Chase * ODOE
Cc: MARSHALL Danielle * ODA
Subject: Re: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

Chase,

Thanks for checking and for the info you provided. After looking into the project, we still have no comment. No listed plants are known to occur in Jefferson County.

Cheers

Jordan Brown, Program Lead Conservation Biologist
Oregon Department of Agriculture – Native Plant Conservation

635 Capitol St NE, Salem, OR 97301-2532

PH: 541.737.2346 | CELL: 541.224.2245 | WEB: Oregon.gov/ODA

Pronouns: he, him, his

ODA Customer Service Survey – Please share your feedback in just 2-3 minutes: <https://oda.fyi/ODAsurvey>

Encuesta sobre el servicio de atención al cliente de la ODA – Por favor, comparte su opinion en solo 2-3 minutos: <https://oda.fyi/ODAsurveyEspanol>

From: MCVEIGH-WALKER Chase * ODOE <chase.mcveigh-walker@oregon.gov>

Date: Thursday, October 24, 2024 at 8:54 AM

To: BROWN Jordan A * ODA <Jordan.A.BROWN@oda.oregon.gov>

Cc: MARSHALL Danielle * ODA <Danielle.MARSHALL@oda.oregon.gov>

Subject: RE: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

Good morning Jordan (and Danielle),

I looked back through my records on this project, and it doesn't appear ODA commented on the record of the ASC when this project was being reviewed and approved in 2021. However, results of the certificate holders literature review indicate that there are/were no state listed threatened or endangered plants, or suitable habitat within the analysis area. The entirety of the 280-acre site boundary is Category 4 habitat (specifically Exotic annual Grassland, and Rabbitbrush Shrub-Steppe). At this point, feel free to comment on any changes in fact or law since the approval of the Final Order (June 2021) or the amendment request itself (to extend construction commencement and completion dates) if you would like to. Thanks for reaching out, and let me know if you have any additional questions or would like to set up a call.

Regards,
-Chase



Chase McVeigh-Walker

Senior Siting Analyst

pronouns: he/him/his

550 Capitol St. NE | Salem, OR 97301

P: 971-600-5323

P (In Oregon): 800-221-8035



Stay connected!

From: BROWN Jordan A * ODA <Jordan.A.BROWN@oda.oregon.gov>

Sent: Friday, October 18, 2024 4:40 PM

To: MCVEIGH-WALKER Chase * ODOE <chase.mcveigh-walker@oregon.gov>

Cc: MARSHALL Danielle * ODA <Danielle.MARSHALL@oda.oregon.gov>

Subject: Re: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

Chase,

Did you already receive comment from ODA on this step of the project? I can't recall when we last provided comment on this particular project. If you do still need a response from us, please just let us know.

Thanks!

Jordan Brown, Program Lead Conservation Biologist
Oregon Department of Agriculture – Native Plant Conservation

635 Capitol St NE, Salem, OR 97301-2532

PH: 541.737.2346 | CELL: 541.224.2245 | WEB: Oregon.gov/ODA

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From: MCVEIGH-WALKER Chase * ODOE <chase.mcveigh-walker@oregon.gov>

Date: Friday, October 18, 2024 at 4:30 PM

To: MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov>

Cc: ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>

Subject: FW: Email Summary of Public Notice of Complete Request for Amendment 1 for the Madras Solar Energy Facility Site Certificate, Issuance of Draft Proposed Order on RFA1, Public Comment Period on RFA1 and DPO, and Public Hearing

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550 Capitol Street NE
Salem, OR 97301
Phone: 971-600-5323
Email: chase.mcveigh-walker@energy.oregon.gov
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DESCHUTES VALLEY WATER DISTRICT

881 S.W. Culver Hwy. • Madras, Oregon 97741 • Phone 541.475.3849/Fax 541.475.6013

November 12, 2024

Paul Szewczykowski
Ecoplexus
pszewczykowski@ecoplexus.com

Dear Mr. Szewczykowski,

Deschutes Valley Water District is a municipal corporation incorporated under Chapter 264 of the O.R.S for the purpose of delivering domestic water to persons within and without the District boundaries that request it.

Ecoplexus has requested access to water during construction up to 12.8 MG and water on an annual basis of up to 1.7 MG for maintenance and cleaning of a solar array. We are willing and able to serve the needs with domestic drinking water for the requested amounts provided. Ecoplexus would have access to the water provided at our nearby fill station only. The fill station is located at 881 SW Culver Hwy, Madras, OR 97741.

Deschutes Valley Water District reserves the right to reject any or all applications for future water services when, in our opinion, additional services would jeopardize the sanitary water supply to our customers and/or if the applicant has not met the rules and regulations of the District.

Respectfully,

A handwritten signature in blue ink that reads "Joel Gehrett".

Joel Gehrett, P.E.
General Manager

From: [Paul Szewczykowski](#)
Sent: Wednesday, November 13, 2024 6:50 AM
To: [MCVEIGH-WALKER Chase * ODOE](#)
Cc: [Rosalie Annand](#); [Andrews, Carrie](#); [Kyle Robrock](#)
Subject: Re: DPO Public Comment Period Extension Request (CTWS) 2024-11-12
Attachments: [24.11.12 Will Serve Letter - Ecoplexus.pdf](#)

Chase, if needed here is an updated letter of water availability from Deschutes Valley Water District.

On Tue, Nov 12, 2024 at 5:27 PM Paul Szewczykowski <pszewczykowski@ecoplexus.com> wrote:

Received. Thanks again.

On Tue, Nov 12, 2024 at 5:00 PM MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov> wrote:

No Problem Paul.

Yes, I did receive your email yesterday (sorry for not confirming). I can/will incorporate the two photos into the PowerPoint.

(in an effort to not send you a bajillion more emails)... Attached to this email, please find three additional "comments" from reviewing agencies received the last week of October. If any additional comments are received before the public hearing, I will provide them as promptly as possible to you and the Madras Team.

Regards,
-Chase



Chase McVeigh-Walker
Senior Siting Analyst
pronouns: he/him/his
550 Capitol St. NE | Salem, OR 97301
P: 971-600-5323
P (In Oregon): 800-221-8035



Stay connected!

From: Paul Szewczykowski <pszewczykowski@ecoplexus.com>
Sent: Tuesday, November 12, 2024 3:46 PM
To: MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov>
Cc: Rosalie Annand <rannand@ecoplexus.com>; Andrews, Carrie <carrie.andrews@tetrattech.com>; Kyle Robrock <krobrock@ecoplexus.com>
Subject: Re: DPO Public Comment Period Extension Request (CTWS) 2024-11-12

Thank you Chase. I did receive a copy of their request today from Ellen Grover. My understanding is that the Council will need to consider their request at the hearing.

Also, did you receive the current site photos I sent you yesterday? I was hoping you could include those in your presentation materials.

I have attached them again here.

Thanks again and I look forward to meeting you in person at the hearing.

On Tue, Nov 12, 2024 at 4:39 PM MCVEIGH-WALKER Chase * ODOE <Chase.MCVEIGH-WALKER@energy.oregon.gov> wrote:

Good Afternoon Paul,

Earlier today, the Department received an Extension Request for Madras Solar Energy Facility Amendment 1 Draft Proposed Order Public Comment Period. The request was submitted on behalf of the Confederated Tribes of the Warm Springs Reservation of Oregon, and is attached to this email.

I see you were "CC'd" on the original email from Ellen Grover, but I wanted to make sure you received the request.

Regards,

-Chase



Chase McVeigh-Walker

Senior Siting Analyst

pronouns: he/him/his

550 Capitol St. NE | Salem, OR 97301

P: 971-600-5323

P (In Oregon): 800-221-8035



Stay connected!

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[Ecoplexus, Inc.](#) | [LinkedIn](#)

From: [Ellen Grover](#)
Sent: Tuesday, November 12, 2024 11:32 AM
To: [MCVEIGH-WALKER Chase * ODOE](#)
Cc: [Cathy Ehl](#); [Revital Kogot](#); [Paul Szewczykowski](#)
Subject: CTWS Extension of Public Record Request - Madras Solar
Attachments: [Extension request-c1.pdf](#)

Good morning Chase: Attached please find our request to extend the public record. Kind regards,
Ellen



BBK
BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

[Ellen Grover](#)

Partner

ellen.grover@bbklaw.com

T: (541) 382-3011 | D: (541) 318-9807

360 SW Bond Street, Suite 400, Bend, OR 97702

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Ellen Grover
Partner
(541) 318-9807
ellen.grover@bbklaw.com

November 12, 2024

VIA EMAIL: CHASE.MCVEIGH-WALKER@ENERGY.OREGON.GOV

Chase McVeigh-Walker
Senior Siting Analyst
Oregon Department of Energy
550 Capital St. NE, 1st Floor
Salem, OR 97301

Re: Request for Extension of Public Record - Request for Amendment 1 to
Site Certificate for Madras Solar Energy Facility Site Certificate
("Request for Amendment")

Dear Mr. McVeigh-Walker:

This office represents the Confederated Tribes of the Warm Springs Reservation of Oregon and its wholly owned enterprise Warm Springs Power and Water Enterprises (collectively "Tribe"). The Tribe submits this request for a 21-day extension of time to submit comments in this proceeding, from the current due date of November 14, 2024, to November 25, 2024. The Tribe has contacted counsel for Site Certificate Holder Madras PV1, LLC ("Madras") and is authorized to state that Madras does not oppose this motion.

The Commission has well-established discretion to control its own docket. The Tribe is a co-owner of the Federal Energy Regulatory Commission ("FERC") licensed facility on which Madras seeks transmission interconnection. Madras has initiated, and the Tribe is participating in, FERC proceedings regarding their proposed use of the facility. The Tribe is diligently working to prepare comments on the Request for Amendment. However, additional time—at least 11 days—is necessary to fully investigate the factual and legal issues raised by the Request for Amendment and prepare a fulsome response. This extension is consistent with the Tribe's extension request in the FERC proceeding and would allow the Tribe and Madras to focus on their efforts to schedule further discussions that have the potential to streamline the issues presented for the Council's review. No prejudice or inconvenience will result for any party as a result of granting this unopposed motion. Good cause thus exists to grant this request.

Chase McVeigh-Walker

November 12, 2024

Page 2

Accordingly, the Tribe respectfully request that the Council expeditiously grant this request and extend the deadline for submitting public record comments in this proceeding to November 25, 2024.

Sincerely,



Ellen Grover

of BEST BEST & KRIEGER LLP

EG

cc: Cathy Ehli
Paul Szewczykowski