ENERGY FACILITY SITING COUNCIL

OF THE

STATE OF OREGON

Site Certificate for Wagon Trail Solar Project

ISSUE DATE

September 20, 2024

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1.0 Introduction and Site Certification

This site certificate is a binding agreement between the State of Oregon (State), acting through the Energy Facility Siting Council (EFSC or Council), and Wagon Trail Energy Center, LLC (certificate holder), a wholly owned subsidiary of NextEra Energy Resources, LLC (parent company). Both the State and certificate holder must abide by local ordinances, state law, and the rules of the Council in effect on the date this site certificate is executed. However, upon a clear showing of a significant threat to public health, safety, or the environment that requires application of later-adopted laws or rules, the Council may require compliance with such later-adopted laws or rules (ORS 469.401(2)). As authorized under Oregon Revised Statute (ORS) Chapter 469, the Council issues this site certificate authorizing the certificate holder to construct, operate, and retire Wagon Trail Solar Project (facility) within the below described approved site boundary in Morrow County, subject to the conditions set forth herein.

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

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

The obligation of the certificate holder to report information to the Department or the Council under the conditions listed in this site certificate is subject to the provisions of ORS 192.502 *et seq.* and ORS 469.560. To the extent permitted by law, the Department and the Council will not publicly disclose information that may be exempt from public disclosure if the certificate holder has clearly labeled such information and stated the basis for the

exemption at the time of submitting the information to the Department or the Council. If the Council or the Department receives a request for the disclosure of the information, the Council or the Department, as appropriate, will make a reasonable attempt to notify the certificate holder and will refer the matter to the Attorney General for a determination of whether the exemption is applicable, pursuant to ORS 192.450.

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

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

In interpreting this site certificate, any ambiguity will be clarified by reference to the following, in order, incorporated herein by this reference: 1) *Final Order on the Application for Site Certificate for Wagon Trail Solar Project* issued on September 20, 2024 (hereafter, *Final Order on the ASC*), and 2) the record of the proceedings that led to the Final Order on the ASC.

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

2.0 Facility Location, Site Boundary and Micrositing Areas

This facility site is in Morrow County, Oregon, approximately 6 miles north of Lexington, Oregon and 6 miles northeast of Ione, Oregon, as presented in Attachment 1 Figure 1: *Facility Regional Location*. The facility site boundary covers approximately 7,450 acres. The certificate holder is approved to have flexibility for micrositing the facility and related or supporting facilities anywhere; the authorized maximum permanent disturbance is approximately 3,684 acres anywhere within the approved site boundary.

A micrositing corridor, by definition, means a continuous area of land within which construction of facility components may occur, subject to site certificate conditions.[1] Micrositing corridors or areas are intended to allow some flexibility in specific component locations and design in response to site-specific conditions and engineering requirements to be determined prior to construction.

[1] OAR 345-001-0010(21)

3.0 Facility Description

The approved facility is a solar photovoltaic (PV) energy generation facility and related or supporting facilities[2] with an approved nominal and average generating capacity of up to 500 megawatts (MW). Related or supporting facilities components include a 500 MW lithium-ion energy storage system, two collector substations, a 34.5 kilovolt (kV) collection system, Supervisory Control and Data Acquisition (SCADA) System, driveway and access roads, an Operation and Maintenance (O&M) Building, 0.6 miles of 230 kV transmission line, four meteorological stations and four construction staging areas.

The approximate dimensions and specifications of energy facility and related or supporting facility components approved to be constructed and operated are presented in Table 1 below. The final design of the energy facility and related or supporting facility components must substantially comply with these dimensions and specifications.

Table 1: Facility Component Summary

Component and Design Standard	No.	Unit
Site Boundary		
Site Boundary/Micrositing Area	7,450	acres
Permanent disturbance	3,685	acres
Solar Components		
PV Solar Modules		
Approx. Total number	965,007	modules
Max Height at full-tilt	16	feet
Posts		
Approx. Total number	213,585	posts
Inverters/Transformer Units		
Approx. total number	142	each
Noise level	99	dBA
Transformer oil-containing capacity	244	gallons
Related or Supporting Facility Components		
34.5 kV Collection System		
Collector line length, belowground	67.9	miles
Collector line, temporary disturbance corridor (limit)	50	feet
Collector Substations		
Substations; Transformers per each	2; 3	each
Site size (northern; southern)	11; 5	acres
Transformer oil-containing capacity	263,387	gallons
Transformer noise level	98	dBA
Height of dead-end structures	65	feet

[2] OAR 345-001-0010(21) and – (50)

Table 1: Facility Component Summary

Component and Design Standard	No.	Unit
230 kV Transmission Line		
Length	0.6	miles
Transmission line, temporary disturbance corridor (limit)	50	feet
Structures: Type; quantity	H-frame; 20	each
Height of structures	70- 180	feet
Solar/Substation/O&M Perimeter Fence		
Length	60,192	linear feet
Height	6-8	feet
Fenceline, temporary disturbance area	6	feet
Facility Roads		
New roads (length, width)	47	miles
Width (within solar fence line; outside solar fence line/between solar and substation)	12; 20	feet
Battery Energy Storage System (Lithium-ion)		
Approx. total batteries	604	each
Site size (northern; southern)	10; 25	acres
Approx. total containers	604	each
Approx. container dimensions	8 x 9.5 x 20	H x W x L, feet
Noise level (broadband)	100	dBA
Meteorological Stations		
Quantity	4	each
Met pad dimensions	8 x 8 x 6	W x L x H, feet
Disturbance Area, per Met Station	30 x 30	feet
Height	8.5	feet
O&M Building		
Site size	0.2	acres
Size	6,000 x 9,000	square feet
Height	20	feet
Appurtenances	On-site well, septic system	
Temporary Construction Areas		
Quantity	4	each
Site size (each)	10	acres

Source: WTSAPPDoc2-02 Exhibit B. Project Desc compiled_2024-01-03, Section 3.0, WTSAPPDoc2-03 Exhibit C. Project Location compiled_2024-01-03, Table C-2, WTSAPPDoc2-07 Exhibit G. Materials Analysis_2024-01-03, Section 3.0, WTSAPPDoc2-24 Exhibit X. Retirement compiled_2024-01-03, Attachment X-1. Estimated Retirementand Restoration Cost, and WTSAPPDoc2-25 Exhibit Y. Noise compiled Updated_2024-01-03, Section 5.0.

3.1. Energy Facility

The solar energy facility is comprised of approximately 965,007 solar modules that would use either mono- or poly-crystalline cells contained within antireflective glass panels linked together with wire connectors. The modules are connected in series to form long rows, where rows of modules are then connected via combiners, cables, and switchboards. The configuration of multiple rows (also referred to as an "array") can vary depending on the module technology, spacing, mounting equipment, and other design criteria, which are subject to change during final design. Each row will be spaced approximately 24.67 feet.

Strings of these solar modules would be mounted on single-axis tracker systems that rotate the modules to follow the path of the sun throughout the day. The length of each tracker row may vary by topography and the number of modules that the tracker can hold. Each set of approximately 54 racked modules will be mounted approximately 5 feet off the ground on a single-axis tracker that rotates 60 degrees to the east and west, at its steepest tilt the modules can be 16 feet tall. The tracker system is supported by approximately 213,585 steel posts, which could be round hollow posts or pile-type posts (i.e., H-pile, C-pile, S-pile) or helical, and the applicant assumes that all posts will need concrete foundations.

Low-voltage cabling will connect the solar modules of each tracker string in series and combine two strings to a single combiner box. Cabling from multiple combiner boxes will connect to a single inverter, which will convert the DC to AC and connect to the buried collection system. A larger DC cable will run between each combiner box and then to the module block inverter. This cable will hang underneath the modules. Cabling can be mounted to the tracker system, placed in cable trays, or buried.

The type of post and post depth may vary depending on soil conditions, but the posts would typically be installed 5 to 20 feet below the surface and protrude approximately 5 feet above grade. Posts at the end of tracker rows are usually installed to greater depth to withstand wind uplift. In some soil conditions, concrete backfill would be required for each post, which would be determined by geotechnical investigations conducted prior to construction. The solar array and related or supporting facilities would be within a 6 to 8-foot-tall chain link perimeter fence line.

Approximately 142 inverters serve the function of converting DC power supply to an AC power supply in accordance with electrical regulatory requirements. Low-voltage cabling will link each solar module to inverters to convert panel output from 400-watt DC to 1,500-volt. The AC from the inverters will be routed to approximately 142 transformers (at inverter/transformer stations) that will increase the output voltage from the inverter (1,500 volts) to the desired substation feed voltage (34.5 kV). The transformers will contain up to 244 gallons of oil and may be mounted on concrete pads with secondary spill containment traps designed to minimize the possibility of accidental leakage. From the inverters, the AC electricity is aggregated via approximately 67.9 miles of underground 34.5-kV cables to the collector transmission lines.

3.2. Related or Supporting Facilities

Related or supporting facilities, as further described below, include:

- Battery storage system
- Collector substations
- 230-kV Transmission Line
- SCADA System
- O&M Building
- Meteorological Stations
- Security fencing and gates
- Site access and service roads
- Construction staging areas

3.2.a Battery Storage System

The lithium ion (li-ion) battery energy storage system would be capable of storing and later deploying approximately 500 MW of energy generated by the solar facility. Li-ion battery systems are modular systems in which each module contains multiple smaller battery cells, each measuring up to 3.2 by 7 centimeters. The cells are the primary containment for the gel or liquid electrolyte materials. The module containing the cells is relatively small and serves as leak-proof secondary containment. Modules are placed in anchored racks within the concrete containers; typically, each rack houses 8 to 15 battery modules along with a switchgear assembly depending on the configuration chosen. Cooling units will be placed either on top of the concrete containers or along the side. There are two approved locations for the battery storage units, one of the AC coupled battery storage sites would consist of up to 182 battery storage units located adjacent to the northern substation, occupying approximately 10 acres. The second of the two AC coupled battery storage sites would consist of up to 422 battery storage units and would be collocated with the southern substation, occupying approximately 25 acres. Both sites will be fenced separately from the solar array. The battery storage systems as a whole may use a series of self-contained containers located within a fenced area or would be located within a single warehouse-type enclosure of a similar scale and size. Each battery container would be placed on a concrete foundation (9.5 feet wide, 20 feet long, and 8 feet tall). Each container holds the batteries, a supervisory and power management system, and a fire prevention system.

If selected for construction, the warehouse-type enclosure will be designed generally consistent with the character of similar buildings and painted in a low-reflectivity, neutral color to blend with the surrounding landscape. The enclosure will be constructed in compliance with State of Oregon structural and electrical code requirements, to the extent applicable, and in compliance with applicable site certificate conditions. The DC units would have comparable characteristics to the AC units except that the DC units would be distributed and collocated with the solar array inverters/transformer stations, located within the solar array area fence line.

Li-ion batteries have a typical lifespan of 5 to 10 years and will experience a consistent degradation of performance over that time.

3.2.b Collector Substation

The facility includes up to two collector substations which would combine and step up the voltage of energy generated by the solar facility to the desired transmission voltage to connect to the transmission grid. The southern collector substation would be located on an approximately 5-acre site and the northern (alternate) collector substation would be located on an approximately 11-acre site, enclosed by a locked 6- to 8-foot-tall wire mesh fence; both areas will be fenced separately from the solar array areas. Additional substation equipment may include circuit-breakers and fuses, power transformer(s), bus bar and insulators, disconnect switches, relaying, battery and charger, surge arresters, AC and DC supplies, control systems, metering equipment, grounding, and associated control wiring. Transformers would be non-PCB oil–filled types and would be up to 25 feet tall. Dead end structures at the substation will be a maximum of 65 feet tall.

3.2c 230-kV Transmission Line

To connect the southern solar array areas to the regional grid, the facility will require construction of an associated transmission line. The associated transmission line will be approximately 0.6 miles of 230-kV overhead line, running east along Strawberry East Road to connect the southern collector substation to the existing Blue Ridge Substation. The 230-kV overhead line will be supported either by H-frame structures with two galvanized steel or wood poles, or by galvanized steel or wood monopole structures; a maximum of four poles will be used. The structures would be approximately 70 to 180 feet tall, above grade depending on design and terrain. The transmission line would be within the site boundary but outside the solar array fence line. The northern substation (and in turn the northern solar array areas) would interconnect with the directly adjacent, existing Umatilla Electric Cooperative/Columbia Basin Electric Cooperative 230-kV transmission line adjacent to the facility, running north to south through the northern solar array areas; there will be no interconnection line required for this facility component.

3.2.d SCADA System

SCADA systems provide for remote operation of the facility from the O&M building. The SCADA system is installed to collect operating and performance data from the solar array, batteries and associated electrical equipment. Fiber optic cables for the SCADA system will be installed with the collection system. In areas where the collection system is buried, the fiber cables will be installed in the same trench. Where the collection system is above ground, the fiber cables will be mounted on overhead poles along with conductors.

3.2.e O&M Building

The O&M building may be shared with the Wheatridge Wind Energy Facility II, however, if not, an approved operation and maintenance (O&M) building would be located within an approximately 0.2 acre fenced area outside the fence line of the solar facility and near the norther substation. The O&M building would be one-story, prefabricated, and approximately

6,000 to 9,000 square feet in size, and include an office, break room, kitchen, lavatory with shower, utility room, covered vehicle parking, storage for maintenance supplies and equipment, and SCADA system. A permanent, fenced, graveled parking and storage area for employees, visitors, and equipment will be located adjacent to the O&M building. The building will be served by an exempt, on-site groundwater well or wells, which allows the use of up to 5,000 gallons per day of groundwater for industrial and commercial applications, and septic system and power would be supplied by a local service provider using overhead and/or underground lines.

3.2.f Meteorological Stations

The facility includes four permanent met stations. Each permanent met station would have a met sensor support tower, support enclosure, datalogger enclosure (mounts above support enclosure), AC/ethernet pull box, soiling station, and met station pull box, and would be installed on a met station pad, approximately 8 by 8 feet and will have a minimum thickness of 6 inches. The height of each permanent met station will be approximately 8.5 feet at the tallest point (met sensor support tower). The met stations will each require a 30- by 30-foot temporary disturbance area. All permanent met stations will be within the solar array fence line.

3.2.g Access Roads, Security Fencing and Gates

Approximately 47 miles of new roads are approved for access to facility infrastructure in areas not previously approved through the Council for other energy facilities. These roads include access roads to the site, access roads within the solar micrositing areas, as well as roads outside the solar areas that would connect facility components such as the substations. All newly constructed roads would be graded and graveled to meet load requirements for all equipment. Service roads, approximately 12 feet wide, would be constructed within the solar array fence line, to facilitate access for construction and maintenance purposes. Approximately 20-footwide service roads would be constructed outside the solar array fence line to reach the separately fenced substations. Service roads will be all-weather, compacted soil or gravel, with an internal turning radius of 28 feet. Vegetation will be cleared and maintained along service roads to provide a vegetation clearance area for fire safety. Use of the roads may continue after construction, or new roads may be removed and the land reclaimed to pre-construction conditions. The locations of specific access points and gates will depend on the final configuration of the solar array and related infrastructure. Chain-link perimeter fencing, 6 to 8 feet in height, will enclose the solar arrays, O&M building, and the battery storage system; the substations will be enclosed by a 6- to 8-foot-high wire mesh fence. The perimeter fencing will have lockable vehicle and pedestrian access gates.

3.2.h Construction Staging Areas

Up to four temporary construction areas (laydown areas) are approved to support construction, store supplies and equipment, and facilitate the delivery and assembly of materials and equipment. Temporary construction areas would be up to 10 acres each and will consist of crushed gravel surface that will be removed following construction. These construction areas

may contain temporary storage of diesel and gasoline fuels, located in an aboveground 1,000-gallon diesel and 500-gallon gasoline tanks, within designated secondary containment areas.

4.0 Facility Development

4.1 Construction

Construction of the facility is anticipated to take 12 months and shall commence on or before [DATE]. Construction shall be completed within three years after construction commencement.

Construction Assumptions:

- Facility construction of any phase is assumed to take approximately 12 months from the time of permit approval to commercial operation.
- Average number of construction workers would be 150 people, while the maximum number of workers during peak construction months would not be more than 200 people.

Construction Worker Assumptions:

- Approximately 30 percent of the construction workers are expected to be local residents (from Morrow, Umatilla, Gilliam, Klickitat, and Benton counties).
- The remaining 70 percent of workers would be in-migrants and would require temporary housing in the analysis area. Short-term housing may include hotels, motels, recreational vehicles parks, and houses located within the commutable distance from the facility (30 miles).
- An average of 100 truck trips per day (including all estimated delivery trips; 50 roundtrips, i.e., including return trips), with a peak of 134 trips per day (67 roundtrips), will be needed over approximately 250 construction workdays (about 12 months).

If the facility is constructed in phases, in accordance with ORS 469.300(6), preconstruction conditions, if specified, may be satisfied for the applicable phase, facility component or for the facility, as applicable, based on final design and configuration.

4.2 Operations and Maintenance

The estimated life of the facility is 50 years. The facility would be remotely operated except for routine maintenance and facility repair activities. Repair activities would require approximately 3 workers to be deployed to the facility site. O&M activities would include routine inspections of the battery storage, transformers, and other electrical equipment, vegetation management, solar panel washing, and changing the lithium-ion batteries and solar panels. Operational water may be trucked in and stored in a water tank or trucked in for specific uses.

Inspections of the inverters, transformers, and battery system would be conducted according to the manufacturer's recommendations, which are assumed to be monthly inspections.

Vegetation and weed management in areas not graveled, including under the solar arrays, would be implemented through manual, mechanical or chemical (i.e., herbicide) control measures. The solar panels may need to be washed up to twice per year and wash water would be applied via tanker truck without any cleaning solvents added to the water so it may be absorbed into the ground after application. The lithium-ion batteries would need to be changed approximately every 10 years or two to three times throughout the life of the facility. The following procedures would be implemented for the battery replacement:

- Facility operator would disconnect and de-energy battery systems prior to removal from the installed racks and package the batteries for transport to a licensed recycling facility.
- At the recycling facility, the qualified contractor would dismantle the battery modules and prepare individual cells for metals recovery.
- Individual cells would be processed in a furnace to recover metals. Recovered metals may include aluminum, calcium, lithium, and a metal alloy comprising cobalt, copper, nickel, and iron.
- Recovered metals would be recycled or separated to recover individual metals where economically viable.

Solar modules and electrical equipment would need to be repaired or replaced over the lifetime of the facility. Solar panels that are nonfunctional or are retired would be recycled to the maximum extent feasible.

4.3 Retirement

Retirement of the facility must adhere to the requirement under OAR 345-027-0110 and OAR 345-025-0006(9). The description provided below is intended to address OAR 345-025-0006(3)(a) but is not intended to conflict with the previously mentioned rule requirements.

Retirement and decommissioning activities of the facility and site begins with disconnecting all electrical equipment disassembling equipment and components such as the battery storage units, solar panels and transformers. Larger containers and equipment would be removed, trucked off-site and recycled and disposed of. None of these materials are considered hazardous. Solar panels would be disconnected, and piles would be removed including the excavation of any concrete foundations. Gravel and foundations from the inverters and transformers, O&M structure, substations, and switching station would be removed by trenching and excavation a minimum depth of 3 to 4 feet below grade, depending on the type of facility component. The facility site would then be restored through minimal grading and revegetation with plants or seed mix consistent with the Draft Noxious Weed Plan (Attachment P-5 of the Final Order) or landowner interests.

Any hazardous material would be handled by a qualified contractor and adhere to applicable regulations for transport and disposal, including but not limited to 49 Code of Federal Regulations 173.159. The decommissioning of the ESS, if used, would involve disposing of

battery components at an off-site facility approved for disposal or recycling of batteries, following the same process as replaced batteries during operations.

Solar panels would be recycled to the greatest extent feasible at the time of facility retirement and solar panels not recycled would be disposed of at a certified disposal site or program for solar panels.

5.0 Site Certificate Conditions

5.1 Condition Format

The conditions in Sections 5.2 through 5.7 of this Site Certificate are organized and coded to indicate the phase of implementation, the standard the condition is required to satisfy, and an identification number (1, 2, 3, etc.).[3] The table below presents a "key" for phase of implementation:

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

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

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

Condition Number	General (GEN) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
GEN-GS-01	The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate. a. Construction of the facility or facility component(s) shall commence within three years after the date of Council action [September 20, 2027]. Within 7 days of construction commencement, the certificate holder shall provide the Department written verification that it has met the construction commencement deadline by satisfying applicable preconstruction conditions and completing at least $250,000 work at the site. b. Construction of the facility shall be completed within three years after the construction commencement date. Within 7 days of construction completion, the certificate holder shall provide the Department written verification that it has met the construction completion deadline. [General Standard Condition 1; Mandatory Condition OAR 345-025-0006(4)]
GEN-GS-02	The certificate holder shall submit a legal description of the site to the Oregon Department of Energy within 90 days after beginning operation of the facility or any phase of the facility. The legal description required by this rule means a description of metes and bounds or a description of the site by reference to a map and geographic data that clearly and specifically identify the outer boundaries that contain all parts of the facility. [General Standard Condition 2; Mandatory Condition OAR 345-025-0006(2)]
GEN-GS-03	The certificate holder shall design, construct, operate and retire the facility substantially as described in the site certificate: a. Use or occupation of land by solar photovoltaic energy generation components, as described in the site certificate, not to exceed 3,641 permanent acres; b. In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the site certificate is issued; c. In compliance with all applicable permit requirements of other state agencies; and, d. In compliance with all applicable lawful rules and requirements of federal agencies. [General Standard Condition 3; Mandatory Condition OAR 345-025-0006(3); OAR 345-026-0015(3)]
GEN-GS-04	If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility or any phase of the facility, the certificate holder shall, as soon as possible, submit a written report to the Department describing the impact on the facility and any affected site certificate conditions. [General Standard Condition 5; Mandatory Condition OAR 345-025-0006(6)]

Condition Number	General (GEN) Conditions
GEN-GS-05	Before any transfer of ownership of the facility, any phase of the facility, or ownership of the site certificate holder, the certificate holder shall inform the Department of the proposed new owners. The requirements of OAR 345-027-0400 apply to any transfer of ownership that requires a transfer of the site certificate. [General Standard Condition 7; Mandatory Condition OAR 345-025-0006(15)]
GEN-GS-06	The certificate holder shall: a. Design, construct and operate the transmission line in accordance with the requirements of the National Electrical Safety Code as approved by the American National Standards Institute; and b. The certificate holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line. c. Design the battery storage system in accordance with the requirements of the National Fire Protection Association's (NFPA) 855: Standard for the Installation of Stationary Energy Storage Systems (NFPA, 2020) or most current version. [General Standard Condition 8; Site Specific Condition OAR 345-025-0010(4)]
GEN-GS-07	The certificate holder is authorized to construct a 230 kV transmission line anywhere within the approved corridor, subject to the conditions of the site certificate. The approved corridor extends approximately 200 feet in length between the facility substation and the Point of Interconnect, and 0.5-of-a-mile in width. [General Standard Condition 9; Site Specific Condition OAR 345-025-0010(5)]
GEN-GS-08	The certificate holder shall: a. Within six months after beginning construction, and every six months thereafter during construction, submit a semiannual construction progress report to the Department. In each construction progress report, the certificate holder shall describe any significant changes to major milestones for construction. The certificate holder shall report on the progress of construction and shall address the subjects listed in (b). When the reporting date coincides, the certificate holder may include the construction progress report within the annual report described in this rule. b. After January 1 but no later than April 30 of each year after beginning operation of the facility, the certificate holder shall submit an annual report to the Department addressing the following for the calendar year preceding the date of the report: i. Facility Status: An overview of site conditions, the status of facilities under construction and a summary of the operating experience of facilities that are in operation. The certificate holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility.

Condition Number	General (GEN) Conditions
	ii. Reliability and Efficiency of Power Production: For electric power plants, the plant availability and capacity factors for the reporting year. The certificate holder shall describe any equipment failures or plant breakdowns that had a significant impact on those factors and shall describe any actions taken to prevent the recurrence of such problems. iii. Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period. iv. Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the previous year in accordance with site certificate terms and conditions, a summary of the results of those activities and a discussion of any significant changes to any monitoring or mitigation program, including the reason for any such changes. v. Compliance Report: A report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate. vi. Facility Modification Report: A summary of changes to the facility that the certificate holder has made during the reporting period without an amendment of the site certificate in accordance with OAR 345-027-0350. [General Standard Condition 11; OAR 345-026-0080]
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
GEN-OE-01	a. The certificate holder must notify the Department within 72 hours of any occurrence of the following: i. There is an attempt by anyone to interfere with the facility's safe operation. ii. There is a natural event such as a fire, earthquake, flood, or tornado, or a human-caused event such as a fire, explosion or change in market conditions that affects or could affect the certificate holder's ability to construct, operate or retire the facility in compliance with site certificate conditions and in a manner that protects public health and safety. iii. There is any fatal injury at the facility. b. If the Department or Council learn of an incident, either through the notification described in paragraph a. of this condition or in another manner, that the Department or Council determines impacts the adequacy of the facility decommissioning cost estimate / financial assurance amount, the Department or Council may adjust the contingencies identified in Final Order on ASC Retirement and Financial Assurance Section Table 8 and shall request and receive an updated bond or letter of credit from certificate holder in the adjusted amount. [Organizational Expertise Condition 1]

Condition Number	General (GEN) Conditions
GEN-OE-02	The certificate holder shall, as soon as reasonably possible: a. Report incidents or circumstances that violate the terms or conditions of the site certificate, terms or conditions of any order of the Council, or the terms or conditions of any order issued under OAR 345-027-0230, to the Department. In the report to the Department, the certificate holder shall provide all pertinent facts including an estimate of how long the conditions or circumstances existed, how long they are expected to continue before they can be corrected, and whether the conditions or circumstances were discovered as a result of a regularly scheduled compliance audit; b. Initiate and complete appropriate action to correct the conditions or circumstances and to minimize the possibility of recurrence; c. Submit a written report within 30 days of discovery to the Department. The report must refer to the language in (d) of the condition and contain: i. A discussion of the cause of the reported conditions or circumstances; ii. The date of discovery of the conditions or circumstances by the responsible party; iii. A description of immediate actions taken to correct the reported conditions or circumstances; iv. A description of actions taken or planned to minimize the possibility of recurrence; and v. For conditions or circumstances that may violate the terms or conditions of a site certificate, an assessment of the impact on the resources considered under the standards of OAR Chapter 345 Divisions 22 and 24 as a result of the reported conditions or circumstances. d. Upon receipt of the written report in sub(c) of this condition, the Department may review the facility record for incidents or circumstances reported or reportable under sub(a) related to public health and safety, the environment, or other resources protected under Council standards. If these incidences are determined by the Department or Council to impact the adequacy of the facility decommissioning cost, the Department or Council may adjust the contingencies identified in Final Order on ASC Retirement and Financial Assurance Section Table 8 and shall request and receive an updated bond or letter of credit from certificate holder in the adjusted amount. [Organizational Expertise Condition 2]
GEN-OE-03	The certificate holder shall contractually require its third-party contractor used to transport and dispose battery and battery waste to comply with all applicable federal regulations and manufacturer recommendations related to the transport and handling of battery related waste. [Organizational Expertise Condition 8]
STANDARD: Structural Standard (SS) [OAR 345-022-0020]	

Condition Number	General (GEN) Conditions
GEN-SS-01	The certificate holder must design, engineer and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this rule "seismic hazard" includes ground shaking, ground failure, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction. [Structural Standard Condition 2; Mandatory Condition OAR 345-025-0006(12)]
GEN-SS-02	The certificate holder must notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the Department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Structural Standard Condition 3; Mandatory Condition OAR 345-025-0006(13)]
GEN-SS-03	The certificate holder must notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site. After the Department receives notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division to propose and implement corrective or mitigation actions. [Structural Standard Condition 4; Mandatory Condition OAR 345-025-0006(14)]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
GEN-LU-01	Prior to construction, the certificate holder shall provide final facility design/layout maps to the Department and Morrow County Planning Department that demonstrate facility components, not including the perimeter fence, comply with the following yard setback requirements: a. Facility components shall be setback a minimum of 20 feet from any property line fronting Baseline Road or any other minor collector or marginal access street right of way; b. Facility components shall be setback a minimum of 30 feet from any property line fronting Bombing Range Road or any other major collector right of way; and c. Facility components shall be setback a minimum of 80 feet from any property line fronting Highway 207, or any other arterial right of way. [Land Use Condition 5]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
GEN-RF-01	The certificate holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder.

Condition Number	General (GEN) Conditions
	[Retirement and Financial Assurance Condition 1; Mandatory Condition OAR 345-025-0006(7)]
GEN-RF-02	The certificate holder may utilize the O&M Building constructed and operated under the site certificate for Wheatridge Renewable Energy Facility I, II, III, and East, subject to the following: a. Within 30 days of use by both certificate holders of the shared facilities, the certificate holder must provide evidence to the Department that the certificate holders of the shared facilities have an executed agreement for shared use of any constructed shared facilities. b. If certificate holder proposes to substantially modify any of the shared facilities listed in this condition, each certificate holder shall submit an amendment determination request or request for site certificate amendment to obtain a determination from the Department on whether a site certificate amendment is required or to process an amendment for both site certificates in order to accurately account for any significant change in the decommissioning amount required under Retirement and Financial Assurance Condition 5. c. Prior to facility decommissioning or if facility operations cease, each certificate holder shall submit an amendment determination request or request for site certificate amendment to document continued ownership and full responsibility, including coverage of full decommissioning amount of the shared facilities in the bond or letter of credit pursuant to Retirement and Financial Assurance Condition 5, for the operational facility, if facilities are decommissioned at different times. [Retirement and Financial Assurance Condition 4]
STANDARD: Threatened and Endangered Species (TE) [OAR 345-022-0070]	
GEN-TE-01	Certificate holder shall maintain a map of previously identified Laurence's milkvetch populations within the micrositing area. The map shall be used to inform flagging or other avoidance mechanism to ensure avoidance of ground disturbance within 20-feet of the populations. The avoidance flagging areas may be updated at any time based on more current survey results, if completed. [Threatened and Endangered Species Condition 5]

5.3 Pre-Construction (PRE) Conditions

Condition Number	Preconstruction (PRE) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
PRE-GS-01	Except as necessary for the initial survey or as otherwise allowed for wind energy facilities, transmission lines or pipelines under this section, the certificate holder shall not begin construction, as defined in OAR 345-001-0010, or create a clearing on any part of the site until the certificate holder has construction rights on all parts of the

Condition Number	Preconstruction (PRE) Conditions
	site. For the purpose of this rule, "construction rights" means the legal right to engage in construction activities. For the transmission line associated with the energy facility if the certificate holder does not have construction rights on all parts of the site, the certificate holder may nevertheless begin construction, as defined in OAR 345-001-0010, or create a clearing on a part of the site if the certificate holder has construction rights on that part of the site and the certificate holder would construct and operate part of the facility on that part of the site even if a change in the planned route of a transmission line occurs during the certificate holder's negotiations to acquire construction rights on another part of the site. [General Standard Condition 4; Mandatory Condition OAR 345-025-0006(5)]
PRE-GS-02	At least 90 days prior to beginning construction, (unless otherwise agreed to by the Department), the certificate holder shall submit to the Department a compliance plan documenting and demonstrating actions completed or to be completed to satisfy the requirements of all site certificate terms and conditions and applicable statutes and rules. The plan shall be provided to the Department for review and compliance determination for each requirement. The Department may request additional information or evaluation deemed necessary to demonstrate compliance. [General Standard Condition 10; OAR 345-026-0048]
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
PRE-OE-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall select construction contractors with a low rate of past environmental and safety compliance incidents and citations. Certificate holder shall provide the following documentation to the Department: a. Qualifications and contact information of the major design, engineering and construction contractor(s) and subcontractors, as applicable, including but not limited to the contractor(s) hired to serve as the construction manager. b. Construction contractor compliance history. c. Copy of signature page(s) and excerpt from each contract with the aforementioned contractors affirming that the contractor is required to comply with the terms and conditions of the site certificate, including selecting design layout and construction materials that minimize impacts to resources protected under Council standards. [Organizational Expertise Condition 3]
PRE-OE-02	Prior to construction, the certificate holder shall: a. Provide the Department a list of federal, state and local permits, including any third-party permits related to facility siting; and a schedule for obtaining identified permits. b. Once obtained, provide copies of all permits, including third-party permits, required for facility siting to the Department. [Organizational Expertise Condition 9]
STANDARD: Structural Standard (SS) [OAR 345-022-0020]	

Condition Number	Preconstruction (PRE) Conditions
PRE-SS-01	Before beginning construction, the certificate holder shall submit a site-specific geotechnical investigation report, consistent with the Oregon State Board of Geologist Examiners Guideline for Preparing Engineering Geologic Reports, or newer guidelines if available to the Department, for review in consultation with its third-party consultant. [Structural Standard Condition 1]
STANDARD: Soil Protection (SP) [OAR 345-022-0022]	
PRE-SP-01	Prior to construction of the facility, facility component or phase, the certificate holder shall: a. Consult with the Morrow Soil and Water Conservation District, Morrow County Planning Department and Department on layout and design methods that would minimize impacts to agricultural lands. b. Consult with the Department and Oregon Department of Environmental Quality on the Erosion and Sediment Control Plans (ESCP) to be included in the application for the National Pollutant Discharge Elimination System Construction Stormwater Discharge (NPDES) General Permit 1200-C. Consultation shall address erosion control measures and identify Best Management Practices (BMPs) such as mulch, soil tackier, erosion control blankets, gravel, and swales and check dam installation based on site-specific information obtained during the preconstruction, geotechnical investigation, final facility design limits of disturbance, phased grading plan and seasonal conditions at the time of disturbance. c. Obtain all foreseeable equipment and materials necessary to install and maintain BMPs. [Soil Protection Condition 1]
PRE-SP-02	Prior to construction, the certificate holder shall prepare and submit to the Department a Construction Spill Prevention Control and Countermeasure Plan (SPCC). [Soil Protection Condition 4]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
PRE-LU-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder must remit requisite fee and completed forms to Morrow County for Zoning Permits per affected tax lot and Conditional Use Permit. [Land Use Condition 1]
PRE-LU-02	Prior to construction of the 230 kV transmission line, the certificate holder shall demonstrate to the Department that the transmission line will be sited within the exiting right-of-way of Strawberry East Road, unless Morrow County Public Works Department confirms that use of the existing county road right-of-way is not feasible. [Land Use Condition 2]
PRE-LU-03	Prior to construction, the certificate holder shall provide final facility design/layout maps to the Department and Morrow County Planning Department that demonstrate facility components, not including the perimeter fence, comply with the following yard setback requirements:

Condition Number	Preconstruction (PRE) Conditions
	a. Facility components shall be setback a minimum of 20 feet from any property line fronting Baseline Road or any other minor collector or marginal access street right of way; b. Facility components shall be setback a minimum of 30 feet from any property line fronting Bombing Range Road or any other major collector right of way; and c. Facility components shall be setback a minimum of 80 feet from any property line fronting Highway 207, or any other arterial right of way. [Land Use Condition 3]
PRE-LU-04	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder must submit a final site plan that includes all information required by MCZO 4.165.E to the County and the Department. The final site plan must demonstrate compliance with all applicable site certificate conditions, and the criteria listed in MCZO 4.165.D, including but not limited to, the following: 1. The setback requirements established in Land Use Condition 3 (MCZO 3.010.M) 2. The emergency vehicle access standards established in MCZO 4.010.C. The final site plan must also be provided to the Fire Chief of the Ione Rural Fire District for comment on whether the facility provides appropriate access and turnaround facilities for emergency vehicles. 3. The access spacing standards and permitting requirements established in MCZO 4.010.E and H. The final site plan must also be provided to the Oregon Department of Transportation to ensure compliance with OAR 734-051-0135. 4. The sight distance requirements established in MCZO 4.020. 5. The off-street vehicle parking requirements established in MCZO 4.040. The certificate holder must provide at least 3 parking spaces at the site. Site access roads not used for emergency access may be used for parking. 6. The sign limitations and regulations established in MCZO 4.070. 7. The requirement for all outdoor lighting to be directed downward and sited, hooded and shielded in a manner that prevents the lighting from projecting on to adjacent properties under MCCEO 5.400.E. 8. The requirement to determine if all previous code enforcement violations have been cleared established under MCZO 4.165.D.11. [Land Use Condition 4]
PRE-LU-05	Prior to construction, the certificate holder shall submit a final Noxious Weed Plan, based on the draft plan provided in Attachment P-5 of the Final Order on the ASC to the Department for review and approval. [Land Use Condition 5]
PRE-LU-06	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall submit to the Department: a. Evidence of consultation with landowners of farmland within and adjacent to the perimeter fenceline regarding the design of the facility, and what steps it has taken

Condition Number	Preconstruction (PRE) Conditions
	in facility layout/design to minimize any obstacles to farming practices on those lands. b. Final facility layout maps demonstrating that the perimeter fenceline is placed at the edge of existing agricultural fields or along property lines and is designed to minimize impacts to agricultural practices and based on landowner consultation; and, that any other facility components outside of the perimeter fenceline have been designed in a manner that minimizes unnecessary agricultural impacts (e.g. isolation of property or access impacts). [Land Use Condition 8]
PRE-LU-07	Prior to construction, the certificate holder shall record in the real property records of Morrow County a Covenant Not to Sue with regard to generally accepted farming practices on adjacent farmland. [Land Use Condition 11]
PRE-LU-08	Prior to construction, the certificate holder shall: a. Submit to the Department for review and approval a proposed adjusted agricultural mitigation funding amount to be provided to the Oregon State Agricultural Research Program, Morrow County Extension Office (the amount of $170,500 in 2023 dollars, adjusted to present value); and, b. Remit funding to the Oregon State Agricultural Research Program, Morrow County Extension Office, based on the amount approved by the Department per (a). c. Demonstrate that the funds were used to purchase equipment needed to fund research on dryland winter wheat farming methods– a Plot Drill, Stationary Thresher and Small (60 hip) Case-IH Tractor. [Land Use Condition 14]
PRE-LU-109	Prior to construction, the certificate holder shall: a. Submit to the Department for review and approval a proposed adjusted agricultural mitigation funding amount to be provided to the Morrow County Grain Growers (the amount of $330,000 in 2023 dollars, adjusted to present value); b. Remit funding to the Morrow County Grain Growers, based on the adjusted amount approved by the Department per (a). c. Demonstrate that the funds were used for improvements to the North Lexington Grain Elevator. [Land Use Condition 15]
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
PRE-RF-01	Before beginning construction of the facility or a facility component, 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 total bond or letter of credit amount for the facility is $30.3 million dollars

Condition Number	Preconstruction (PRE) Conditions
	(Q2 2024 dollars), to be adjusted to the effective date, and adjusted on an annual basis thereafter, as described in sub-paragraph (b) of this condition: a. The certificate holder may adjust the amount of the bond or letter of credit based on the design configuration of the facility, or any phase of the facility, by applying the unit costs presented in Table 8 of the Final Order on the ASC, and the contingencies illustrated in Table 8 of the Final Order on the ASC and may further make adjustments based on unit costs for task and actions presented in Attachment X-1 of the Final Order on ASC. Any revision to the restoration costs should be adjusted to the effective date as described in (b). Any modification to the unit costs presented in Table 8 of the Final Order on the ASC are subject to review and approval by the Council. The Department and Council reserve the right to adjust the contingencies, as appropriate and necessary to ensure that costs to restore the site are adequate to maintain health and safety of the public and environment. b. The certificate holder shall adjust the amount of the bond or letter of credit using the following calculation: i. Adjust the amount of the bond or letter of credit (expressed in Q2 2024 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 second quarter 2024 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 second quarter 2024 dollars to present value. ii. Round the result total to the nearest $1,000 to determine the financial assurance amount. c. The financial institution issuing of the bond or letter of credit must be on the Council's pre-approved financial institution list. The bond or letter of credit shall be in a form approved by the Council. [Retirement and Financial Assurance Condition 5; Mandatory Condition OAR 345-025-0006(8)]
STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]	
PRE-FW-01	Prior to construction of the facility, facility component or phase as applicable, the certificate holder shall finalize the Reclamation and Revegetation Plan, based on Attachment P-4 of the Final Order on the ASC, and submit to the Department for review and approval. [Fish and Wildlife Habitat Condition 1]
PRE-FW-02	Prior to construction of the facility, or any phase of the facility, the certificate holder shall submit a final Habitat Mitigation Plan to the Department for review and approval,

Condition Number	Preconstruction (PRE) Conditions
	in consultation with ODFW. The final plan shall be substantially similar to the draft plan provided in Attachment P-3 of the Final Order on the ASC. [Fish and Wildlife Habitat Condition 4]
PRE-FW-03	Prior to construction, the certificate holder shall develop a construction plan that demonstrates construction activities will not occur within the buffer zones (Fish and Wildlife Habitat Condition 7) established for previously identified active nest sites during the sensitive nesting and breeding season. [Fish and Wildlife Habitat Condition 6]
STANDARD: Threatened and Endangered Species (TE) [OAR 345-022-0070]	
PRE-TE-01	Prior to construction of facility components, the certificate holder shall: a. Submit a protocol-level survey plan for surveys to be conducted within suitable habitat for Washington ground squirrel (WGS), for review and approval by the Department in consultation with ODFW. At a minimum, the survey plan shall specify the survey area (all areas of suitable habitat within 1,000 feet of ground disturbing activities except where there is a habitat barrier (e.g., a paved road)); survey timing (February 15 to May 31, unless otherwise approved by ODFW); and, land access restrictions and any justification for modified survey methods. b. Complete protocol-level WGS surveys based on the protocol approved per (a). c. Submit survey reports to the Department and ODFW. The certificate holder shall not begin construction within 1,000 feet of Category 1 or Category 2 WGS habitat until the identified boundaries of Category 1 WGS habitat have been approved by the Department, in consultation with ODFW. Category 1 habitat includes a 785-foot buffer from an identified active burrow, and also the area within the perimeter of multiple active burrows. Category 2 WGS habitat consists of a 4,136 foot buffer from the exterior boundary of all Category 1 WGS habitat. The survey results are valid for 3-years. d. Develop maps and worker training materials to inform of sensitive Category 1 and Category 2 habitat. Submit to the Department final facility design maps demonstrating that Category 1 habitat, including 785-buffer from any colonies identified per (b), is avoided. e. Install flagging or other demarcation, as appropriate, to inform workers of sensitive WGS habitat and of avoidance requirement. [Threatened and Endangered Species Condition 1]
PRE-TE-02	Prior to construction of the facility, the certificate holder shall: a. Submit a botanical survey protocol to the Department for review in consultation with the Oregon Department of Agriculture. The protocol shall apply to areas of suitable habitat for Laurence's milkvetch using current habitat classification data and areas of ground disturbance. Previous survey results may be relied upon if determined appropriate during review and approval of the protocol. b. Conduct botanical surveys to confirm the presence or absence of Laurence's milkvetch, within suitable habitat in areas of permanent or temporary disturbance.

Condition Number	Preconstruction (PRE) Conditions
	c. Survey results must be submitted to the Department and Oregon Department of Agriculture's Native Plant Conservation Division. If the pre-construction surveys identify these or any other state threatened or endangered plant species, the certificate holder shall complete an impact assessment to determine whether temporary or permanent impacts would significantly reduce the likelihood of survivability or recovery of the impacted species, and shall propose mitigation, as determined appropriate by the Department, in consultation with the Oregon Department of Agriculture or its third-party consultant, as necessary. These measures may include avoidance, or if avoidance is not possible, other measures such as seed collection may be considered. If rare plants are identified within a public right-of-way and cannot be avoided by construction, then in accordance with ORS 564, written permission from the landowner or lease holder must be obtained. If seed collection is determined to be feasible and warranted, a permit from the Oregon Department of Agriculture must be obtained in accordance with OAR 603-073-0100 (3). [Threatened and Endangered Species Condition 3]
STANDARD: Historic, Cultural and Archeological Resources (HC) [OAR 345-022-0090]	
PRE-HC-01	Prior to construction, the certificate holder shall finalize the Draft Historic and Archaeological Resources Mitigation and Monitoring Plan, Attachment D to the Final Order on ASC. [Historic, Cultural and Archeological Resources Condition 1]
PRE-HC-02	Prior to construction, the certificate holder shall update the contact information provided in the Final Order on ASC Attachment E, Inadvertent Discovery Plan. [Historic, Cultural and Archeological Resources Condition 2]
STANDARD: Public Services (PS) [OAR 345-022-0100]	
PRE-PS-01	Prior to construction of the facility, or facility component, as applicable, the certificate holder shall: a. Submit to the Department executed road use agreements between Morrow County and the certificate holder or its contractor. Any Final Traffic Management Plan that is part of the road use agreements shall include, at a minimum, the provisions designated in ASC Exhibit U. b. If a Final Traffic Management Plan designated in sub (a) is not included in road use agreements executed with Morrow County, then submit a Final Traffic Management Plan. A copy of the Final Traffic Management Plan shall be provided to the Department and Morrow County Public Works Department. The Construction Traffic Management Plan shall, at a minimum, include the provisions in ASC Exhibit U. [Public Services Condition 1]
PRE-PS-02	If prior to construction, the Oregon Department of Aviation's (ODA) Determinations for the facility expire and are necessary, the certificate holder shall:

Condition Number	Preconstruction (PRE) Conditions
	a. First, submit to and receive responses from the ODA of 7460-1 Notice of Proposed Construction or Alteration Forms for all aboveground facility components. The certificate holder shall provide copies of ODA's responses, which must be consistent with ORS 836.535(2), to the Department. Certificate holder shall respond to ODA recommendations, if applicable. b. Second, once ODA responses on the 7460-1 forms are received and if the FAA determinations have expired, submit to and receive determinations from the Federal Aviation Administration (FAA) for all aboveground facility components. The certificate holder shall provide copies of FAA determinations to the Department. c. Within 5-days of construction, certificate holder shall submit 7460-2 forms to FAA and ODA and shall report both timing of submission and any results to the Department. [Public Services Condition 3]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
PRE-WF-01	Prior to construction of the facility, the certificate holder shall finalize the Construction Wildfire Mitigation Plan, as provided in Attachment F-1 to the Final Order on ASC. [Wildfire Prevention and Risk Mitigation Condition 1]
APPLICABLE REGULATION: Noise Control Regulations (NC) [OAR 340-035-0035]	
PRE-NC-01	Prior to construction of the facility, facility component or phase, the certificate holder shall provide the Department the following: a. Information that identifies the final design locations of all facility components to be built at the phase of development b. The maximum sound power level data for the facility components based on manufacturers' warranties or confirmed by other means accept; and 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). 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. [Noise Control Regulations Condition 1]
STANDARD: Water Rights (WR) [ORS 537, 540 and 690]	
PRE-WR-01	Prior to construction of the facility, facility component or phase, as applicable, the certificate holder shall: a. Identify all water-related needs and estimate daily and annual water demand for each construction phase, as applicable. b. Provide excerpts of agreements or other similar conveyance from the water providing entity to the Department demonstrating that construction activities will be adequately and legally served by service providers or third-party permits.

Condition Number	Preconstruction (PRE) Conditions
	[Water Rights Condition 1]

5.4 Construction (CON) Conditions

Condition Number	Construction (CON) Conditions
STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]	
CON-OE-01	During construction, the certificate holder shall: a. Maintain an onsite construction manager. b. Require that the construction manager implement and monitor all applicable construction related site certificate conditions. c. Within six months after beginning construction, and every six months thereafter during construction, submit a semiannual construction progress report to the Department. In each construction progress report, the certificate holder shall describe any changes to major milestones for construction. The certificate holder shall report on the progress of construction and shall address the following: i. Facility Status: An overview of site conditions, the status of components under construction and a summary of the operating experience of components that are in operation. The certificate holder shall describe any events, such as earthquakes, windstorms, major accidents or the like that occurred during the year and that had an adverse impact on the facility. ii. Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period. iii. Compliance Report: A report describing the certificate holder's compliance with all site certificate conditions that are applicable during the reporting period. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate. iv. Facility Modification Report: A summary of any changes to the facility that the certificate holder has made during the reporting period without an amendment of the site certificate in accordance with OAR 345-027-0350. [Organizational Expertise Condition 4]
STANDARD: Soil Protection (SP) [OAR 345-022-0022]	
CON-SP-01	During construction, the certificate holder shall: a. Conduct all work in compliance with the NPDES 1200-C General Construction Permit, ESCP or revised ESCP if applicable. The ESCP shall be revised if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department. Any Department-required ESCP revisions shall be implemented

<table>
<tr><th>Condition Number</th><th>Construction (CON) Conditions</th></tr>
<tr><td></td><td>within 14-days, unless otherwise agreed to by the Department based on a good faith effort to address erosion issues.
b. Following completion of construction, provide evidence to the Department that the NPDES General Permit 1200-C permit was terminated by DEQ.
[Soil Protection Condition 2]</td></tr>
<tr><td>CON-SP-02</td><td>During construction, the certificate holder shall conduct all work in compliance with the Construction SPCC Plan. SPCC updates shall be provided to the Department. Certificate holder shall report spill and cleanup activities to the Department within 72 hours and shall make inspection records available to the Department upon request.
[Soil Protection Condition 5]</td></tr>
<tr><td colspan="2">STANDARD: Land Use (LU) [OAR 345-022-0030]</td></tr>
<tr><td>CON-LU-01</td><td>During construction, the certificate holder shall implement and adhere to the requirements of the Final Noxious Weed Plan or Amended Noxious Weed Plan, as applicable.
[Land Use Condition 6]</td></tr>
<tr><td>CON-LU-02</td><td>During construction, the certificate holder shall provide evidence to the Department that it has consulted with each of the owners of farmland that is within and adjacent to the site boundary regarding landowner farm practices on each of those tracts (including the types of crops and typical timing of crop rotation); and, shall demonstrate that the construction schedule and offsite dust and erosion impacts are being minimized to the greatest extent practicable.
[Land Use Condition 9]</td></tr>
<tr><td colspan="2">STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]</td></tr>
<tr><td>CON-FW-01</td><td>During construction, the certificate holder shall implement and adhere to the Reclamation and Revegetation Plan, as applicable.
[Fish and Wildlife Habitat Condition 2]</td></tr>
<tr><td>CON-FW-02</td><td>During construction within the time periods listed below, the certificate holder shall implement buffer zones around active or previously identified active nest sites. No ground-disturbing activities within the buffer zone of active or previously identified active nest sites shall occur during the seasonal restrictions unless a qualified biologist determines the nest site is unoccupied for the season on or after May 31.
<table>
<tr><th>Sensitive Status Species</th><th>Buffer Size (Radius Around Nest Site):</th><th>Sensitive Nesting and Breeding Season:</th></tr>
<tr><td>Western burrowing owl</td><td>0.25 mile</td><td>April 1 to August 15</td></tr>
<tr><td>Ferruginous hawk</td><td>0.50 mile</td><td>March 15 to August 15</td></tr>
<tr><td>Swainson’s hawk</td><td>0.25 mile</td><td>April 1 to August 15</td></tr>
</table>
If avoidance within the buffer restrictions cannot be maintained, the certificate holder may request approval from the Department, in consultation with ODFW, on a mitigation and conservation strategy for condition compliance.</td></tr>
</table>

Condition Number	Construction (CON) Conditions
	[Fish and Wildlife Habitat Condition 7]
CON-FW-03	During construction, the certificate holder shall develop and implement a facility-specific worker environmental training program. All employees and contractors working in the field will be required to attend the environmental training session prior to working on-site. Training will include information on sensitive species potentially present onsite, precautions to avoid injuring or destroying wildlife or sensitive wildlife habitat, exclusion areas, permit requirements and other environmental issues. [Fish and Wildlife Habitat Condition 8]
CON-FW-04	The certificate holder shall require onsite vehicular traffic to be limited to a 20 mile per hour speed limit. [Fish and Wildlife Habitat Condition 9]
STANDARD: Threatened and Endangered Species (TE) [OAR 345-022-0070]	
CON-TE-01	In years 1, 2 or 3 following the preconstruction protocol-level WGS surveys, in areas of ground disturbance within 1,000-feet of previously identified WGS colonies, the certificate holder shall: a. Install and monitor flagging/temporary fencing to ensure avoidance of sensitive WGS habitat. b. Perform WGS surveys (non-protocol, spot check) and update maps and flagging. Provide updated maps to the Department and ODFW and identify any significant change in previously identified WGS habitat. [Threatened and Endangered Species Condition 2]
STANDARD: Historic, Cultural and Archeological Resources (HC) [OAR 345-022-0090]	
CON-HC-01	During construction, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan, as submitted to the Department under Historic, Cultural and Archeological Condition 2. [Historic, Cultural and Archeological Resources Condition 3]
STANDARD: Public Services (PS) [OAR 345-022-0100]	
CON-PS-01	During construction of the facility, or facility component, the certificate holder shall ensure that construction contractors adhere to the requirements of any Road Use Agreement and Traffic Management Plans. [Public Services Condition 2]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
CON-WF-01	During construction of the facility, the certificate holder shall implement and require all onsite contractors and employees to adhere to, the Construction Wildfire Mitigation Plan finalized as part of Wildfire Prevention and Risk Mitigation Condition 1. Updates to the Wildfire Mitigation Plan may be required if determined necessary by the certificate holder, certificate holder's contractor(s) or the Department to address wildfire hazard to public health and safety. Any Department required updates shall be implemented within 14 days, unless otherwise agreed to by the Department based on a good faith effort to address wildfire hazard.

Condition Number	Construction (CON) Conditions
	[Wildfire Prevention and Risk Mitigation Condition 2]
STANDARD: Water Rights (WR) [ORS 537, 540 and 690]	
CON-WR-01	During construction of the facility, facility component or phase, as applicable, if a water right, limited water use license or water rights transfer is needed and would not be obtained by a third-party, submit and obtain approval of the applicable water permit through the site certificate amendment process. [Water Rights Condition 2]

5.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Operational (PRO) Conditions
STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]	
PRO-GS-01	Upon completion of construction, the certificate holder shall restore vegetation to the extent practicable and shall landscape all areas disturbed by construction in a manner compatible with the surroundings and proposed use. Upon completion of construction, the certificate holder shall remove all temporary structures not required for facility operation and dispose of all timber, brush, refuse and flammable or combustible material resulting from clearing of land and construction of the facility. [General Standard Condition 6; Mandatory Condition OAR 345-025-0006(11)]
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
PRO-OE-01	Before operation, the certificate holder shall provide the Department the identity, telephone number, e-mail address and qualifications of the individuals responsible for managing facility operations, including individuals or any third-party entity responsible for onsite maintenance. Qualifications shall demonstrate experience in managing operation of a utility-scale energy facility, including complying with permit and regulatory requirements. [Organizational Expertise Condition 5]
STANDARD: Soil Protection (SP) [OAR 345-022-0022]	
PRO-SP-01	Prior to operation, the certificate holder shall submit to the Department an Operational Spill Prevention Control and Countermeasures Plan. [Soil Protection Condition 7]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
PRO-LU-01	Prior to operation, the certificate holder shall provide to the Department an executed interconnection agreement with Umatilla Electric Cooperative (UEC), authorizing interconnection of the facility to the existing UEC transmission line that runs from the UEC Highway 730 Substation to the Blue Ridge Substation. [Land Use Condition 13]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	

Condition Number	Pre-Operational (PRO) Conditions
PRO-WF-01	Prior to operation, the certificate holder shall finalize the operational Wildfire Mitigation Plan (WMP), included as Attachment F-2 to the Final Order on ASC. [Wildfire Prevention and Risk Mitigation Condition 3]
STANDARD: Waste Minimization (WM) [OAR 345-022-0120]	
PRO-WM-01	Prior to facility operation, the certificate holder shall submit to the Department, for review and approval, an Operational Waste Management Plan. The Operational Waste Management Plan shall at a minimum include the following: a. All sources and quantities of operational waste and wastewater, including damaged or dysfunctional energy facility components, and where feasible, estimated quantities that can be recycled. b. A description of the battery replacement procedures. c. Identification of the availability of programs or licensed facilities that recycle solar panels and lithium-ion batteries and their capacity to accept materials. d. Identification of final recycling destination facility or program for recycling solar panels and lithium-ion batteries. e. If recycling programs or facilities are not available, the identification of final disposal destination facility or program for disposed solar panels and lithium-ion batteries and their capacity to accept waste. [Waste Minimization Condition 1]
STANDARD: Siting Standard for Transmission Lines (TL) [OAR 345-024-0090]	
PRO-TL-01	Prior to operation of the facility, the certificate holder shall provide landowners within 500 feet of the site boundary a map of the 230-kV transmission line and inform landowners of possible health and safety risks from induced currents caused by electric and magnetic fields. [Siting Standard for Transmission Lines Condition 1]

5.6 Operational (OPR) Conditions

Condition Number	Operational (OPR) Conditions
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
OPR-OE-01	During operation, the certificate holder shall ensure that the Department has the contact information and qualifications of the facility manager. The facility manager must be responsible for site certificate requirements. [Organizational Expertise Condition 6]
OPR-OE-02	During operation, the certificate holder shall maintain records of equipment malfunction and significant repairs and make them available for Department review upon request. [Organizational Expertise Condition 7]

Condition Number	Operational (OPR) Conditions
STANDARD: Soil Protection (SP) [OAR 345-022-0022]	
OPR-SP-01	During operation, the certificate holder shall monitor and implement necessary controls for any onsite wind or water related erosion issues. [Soil Protection Condition 5]
OPR-SP-02	During facility operation, if solar panel washing is planned to occur, the use of chemicals, soaps, detergents and heated water is prohibited, unless Chemical Safety Data Sheets for low volatile organic compound/biodegradable cleaning chemicals and solvents are submitted to the Department for review and approval. Pressure washing is allowed, so long as it does not remove paint or other finishes. [Soil Protection Condition 6]
OPR-SP-03	During operations, the certificate holder shall adhere to the requirements of the Operational Spill Prevention Control and Countermeasures Plan. Any SPCC updates shall be described and included in the Annual Report to the Department. Certificate holder shall report spill and cleanup activities to the Department within 72 hours and shall make inspection records available to the Department upon request. [Soil Protection Condition 8]
STANDARD: Land Use (LU) [OAR 345-022-0030]	
OPR-LU-01	During operation, the certificate holder shall implement and adhere to the applicable requirements of the Final Noxious Weed Plan or Amended Noxious Weed Plan, as applicable. [Land Use Condition 7]
OPR-LU-02	During operational ground disturbing activities, the certificate holder shall provide evidence to the Department that it has consulted with each of the owners of farmland that is within and adjacent to the site boundary regarding landowner farm practices on each of those tracts (including the types of crops and typical timing of crop rotation); and, shall demonstrate that the maintenance schedule and any related offsite dust and erosion impacts are being minimized to the greatest extent practicable. [Land Use Condition 10]
STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]	
OPR-FW-01	During operation, the certificate holder shall implement and adhere to the Reclamation and Revegetation Plan, as applicable. [Fish and Wildlife Habitat Condition 3]
OPR-FW-02	During operation, the certificate holder shall implement and adhere to the requirements of the Habitat Mitigation Plan. [Fish and Wildlife Habitat Condition 5]
OPR-FW-02	During operation, the certificate holder shall adhere to the requirements of the Wildlife Monitoring and Mitigation Plan, as provided in Attachment P-2 of the Final Order on the ASC. [Fish and Wildlife Habitat Condition 10]
STANDARD: Historic, Cultural and Archeological Resources (HC) [OAR 345-022-0090]	

Condition Number	Operational (OPR) Conditions
OPR-HC-01	During operations, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan (IDP), as provided for Historic, Cultural and Archeological Condition 2. The IDP shall be reviewed and updated annually for current contact information. [Historic, Cultural and Archeological Resources Condition 4]
STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]	
OPR-WF-01	During operation, the certificate holder shall: a. Implement the Operational Wildfire Mitigation Plan (Attachment F-2 to the Final Order on ASC), finalized under Wildfire Prevention and Risk Mitigation Condition 3. b. Every 5 years after the first operational year, review and update the evaluation of wildfire risk under OAR 345-022-0115(1)(b) and submit the results in the annual report required under General Standard of Review Condition 11 for that year. c. Submit an updated Operational Wildfire Mitigation Plan to the Department if substantive changes are made to the plan because of the review under sub (b) of this condition, or at any other time substantiative revisions are made to Attachment F-2 to the Final Order on ASC. [Wildfire Prevention and Risk Mitigation Condition 4]

5.7 Retirement (RET) Conditions

Condition Number	Retirement (RET) Conditions
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
RET-RF-01	The certificate holder shall retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110. The certificate holder shall pay the actual cost to restore the site to a useful, nonhazardous condition at the time of retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site. [Retirement and Financial Assurance Condition 2; Mandatory Condition OAR 345-025-0006(9)]
RET-RF-02	If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Department within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the Department to prepare a proposed final retirement plan for the Council's approval.

Condition Number	Retirement (RET) Conditions
STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]	
	Upon the Council's approval of the final retirement plan, the Council may draw on the bond or letter of credit described in OAR 345-025-0006(8) to restore the site to a useful, nonhazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any additional cost necessary to restore the site to a useful, nonhazardous condition. After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan. [Retirement and Financial Assurance Condition 3; Mandatory Condition OAR 345-025-0006(16)]

6.0 Successors and Assigns

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

7.0 Severability and Construction

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

8.0 Execution

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

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

ENERGY FACILITY SITING COUNCIL

By: Kent Howe (Sep 26, 2024 16:08 PDT)

Kent Howe, Chair

Date: 26-Sep-2024

Wagon Trail Solar, LLC

Anthony Pedroni

Anthony Pedroni (Sep 26, 2024 18:54 EDT)

By: Vice president

Authorized Representative

Date: 26-Sep-2024

ATTACHMENT 1: Facility Location Maps

Figure 1: Facility Regional Location

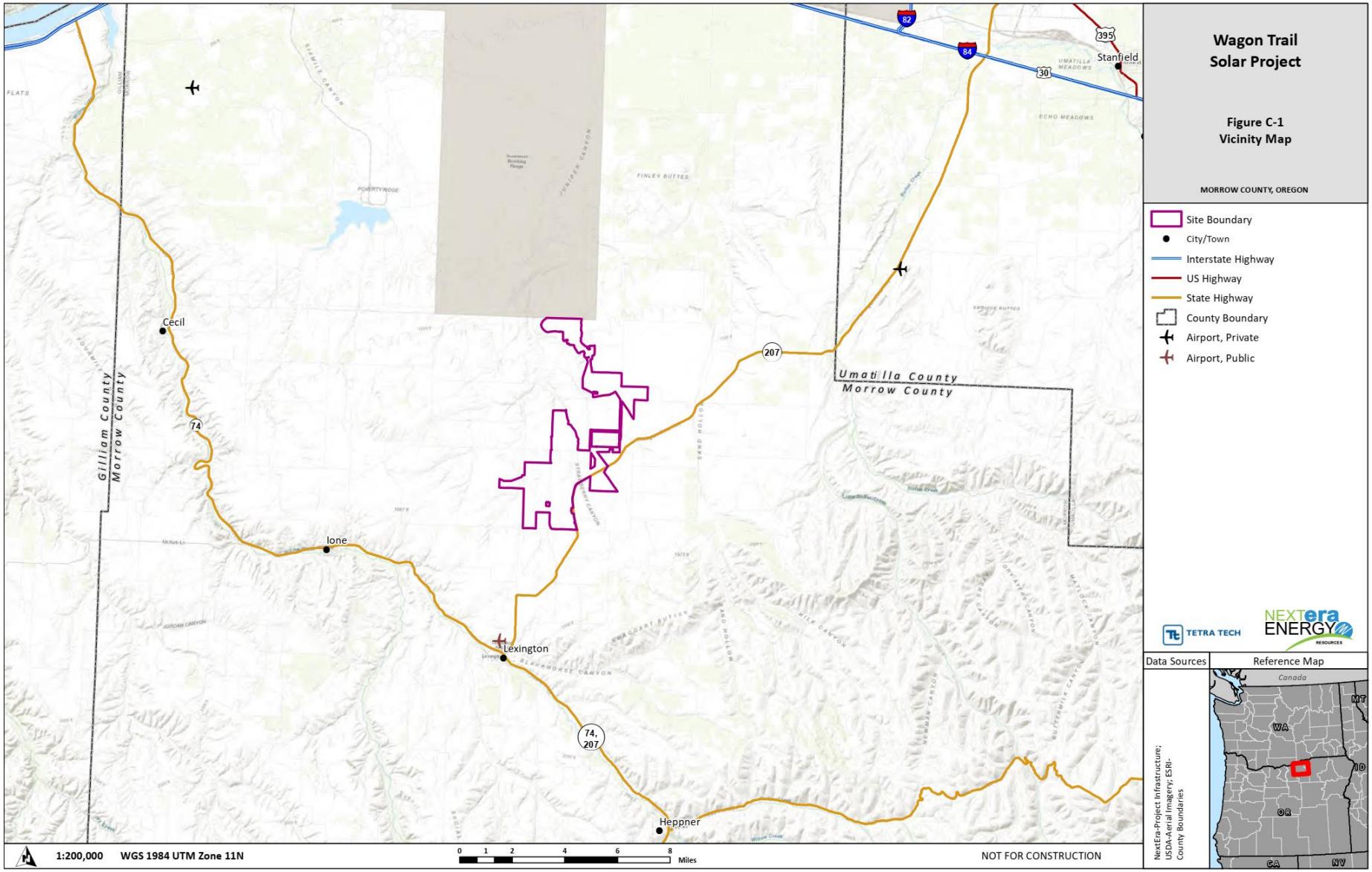

Figure 2: Proposed Facility Layout