

# PUBLIC NOTICE

## Wagon Trail Solar Project

### Public Hearing and Request for Comments on the Draft Proposed Order

**Summary:**

Notice Date: May 7, 2024

Proposal: Up to 500 megawatt (MW) photovoltaic (PV) solar energy generation facility and related and supporting facilities that would permanently occupy 3,641 acres (5.69 square miles).

Proposed Facility Location: Morrow County, approximately 14 miles south of the City of Boardman.

Draft Proposed Order: The Draft Proposed Order (DPO), in which Oregon Department of Energy Staff (ODOE) recommends the Application for Site Certificate (ASC) meets all required standards and should be approved by the Energy Facility Siting Council (EFSC or Council), was issued on May 7, 2024.

**Public Comment Period:** A 31-day comment period from May 7, 2024 through June 7, 2024 at 5:00 p.m. Pacific Time (PT) is open. The public may comment on the ASC, DPO, and DPO Attachments including the proposed site certificate conditions in the draft site certificate.

**In Person & Remote Public Hearing Information:**

Date: Thursday, May 30, 2024  
Start Time: 6:15 p.m. Pacific Time  
Location: Port of Morrow Riverfront  
Center/Riverfront Room 2  
Marine Dr NE, Boardman, OR 97818

You may also participate in the public hearing via Webinar or Teleconference Information:

Webinar Link:

<https://odoe.webex.com/odoe/j.php?MTID=mb8602b18617f34376e0f8603b862a8db>

Webinar Event Number: 2330 219 1379

Webinar Event Password: EFSC (3372 from phones and video systems)

Teleconference #: 408-418-9388

Teleconference Access Code: 2330 219 1379

*If using Webex, please use your full name to sign in to help staff manage public comments. Additional information will be provided at the hearing about how to provide an oral comment using Webex features.*

**Description of Proposed Facility:**

The Wagon Trail Solar Project (proposed facility), is proposed by Wheatridge East Wind, LLC (applicant), a wholly owned subsidiary of NextEra Energy Resources, LLC. While the proposed site boundary is 7,450 acres (11.64 sq miles), the facility would permanently occupy 3,641 acres (5.69 square miles).

Main Components:

- 965,007 solar panels
- 35,741 solar tracker systems – 16 feet tall
- 213,585 posts
- 17,879 combiner boxes
- 142 inverters
- 142 transformers
- 34.5 kV collector system with 68 miles of underground cables
- 6 to 8 foot tall perimeter fence

Related or Supporting Facilities:

- Battery energy storage system
  - Northern – 182 units on 10 acres
  - Southern – 422 units on 25 acres
- Collector Substations
  - Northern – 11.2 acres
  - Southern – 5 acres
- 230 kV Transmission line - .6 miles with towers up to 180 feet tall
- 6 – 9 thousand sq. ft. operation and maintenance building
- 47 miles of access roads

*More detailed information about the proposed energy facility and the related or supporting facilities is available in ASC Exhibit B and the DPO Project Description.*

**Location of Proposed Facility:**

The proposed facility would be located on privately owned land zoned for Exclusive Farm Use starting

just south of the southeast corner of the Boardman Bombing Range.

Maps of the proposed facility and site boundary and proposed layout are included at the end of this notice. Specific locational maps can be found in ASC Exhibit C at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx> and on ODOE's online mapping tool at:

[https://tools.oregonexplorer.info/OE\\_HtmlViewer/index.html?viewer=renewable&efsc=Wagon%20Trail%20Solar%20Project](https://tools.oregonexplorer.info/OE_HtmlViewer/index.html?viewer=renewable&efsc=Wagon%20Trail%20Solar%20Project)

#### **EFSC Review Process Overview:**

The site certificate process is a consolidated, comprehensive siting process. The applicant must demonstrate that the proposed facility meets EFSC standards established under Oregon Revised Statute (ORS) 469.501 and set forth in Oregon Administrative Rule (OAR) Chapters 345, Divisions 22 and 24, as well as all other applicable Oregon statutes, rules and standards. ODOE serves as staff to EFSC and conducts the application review process.

The proposed facility would have solar photovoltaic energy generation components located on more than 1,280 acres of land that is predominately cultivated, and therefore is an energy facility subject to EFSC jurisdiction under the definition in ORS 469.300(11)(a)(D). As such, the proposed facility must receive approval from EFSC for a site certificate prior to construction.

#### **Wagon Trail Solar Energy Facility Process Overview:**

Application for Site Certificate: The applicant filed a complete ASC on January 3, 2024. Under OAR 345-015-0190(5), an ASC is complete when the Department finds that an applicant has submitted information adequate for the Council to make findings or impose conditions on all applicable Council standards. The Department held a virtual Public Informational Meeting on the proposed facility on January 17, 2024. The ASC and the Public Information Meeting presentation and recording are located on the project page as described in the Additional Information section below and are available for review.

Draft Proposed Order Issuance: On May 7, 2024, ODOE issued a DPO on the ASC. The DPO, ODOE's first evaluation of the proposed facility which includes findings of facts, conclusions of law and

conditions, recommends EFSC approve the ASC and issue a site certificate. The DPO is not a Final Order. The purpose of this DPO notice is to inform the public of an open comment period and a public hearing, with opportunities for in-person and remote participation.

Public Hearing: EFSC will hold a public hearing on the DPO on May 30, 2024 which will provide opportunities for in person and remote participation. See in person meeting details and Webex login information on Page 1 of this notice for more details. The hearings will be conducted by EFSC.

During the hearing there will first be a brief overview by ODOE on the siting process and proposed facility, followed by an overview of the hearing format provided by the presiding officer and followed by an opportunity to provide oral comments on the ASC and the DPO.

To raise an issue on the record of the DPO public hearing, a person must raise an issue either in person at the public hearing, or in a written comment submitted after the date of this notice and received by ODOE before the record closes on June 7, 2024 at 5:00 p.m. Pacific, unless extended by Council.

A person's failure to raise an issue in person or in writing prior to the close of the record, with sufficient specificity to afford the decision maker an opportunity to respond to the issue, will preclude consideration of the issue, by the Council or by a court on judicial review of the Council's decision.

Failure to raise an issue in person or in writing prior to the close of the record of the public hearing with sufficient specificity to afford the decision maker (Council), the Department and the certificate holder an opportunity to respond to the issue precludes the Council from considering whether that issue justifies a contested case proceeding. To raise an issue with sufficient specificity, a person must present facts that support the person's position on the issue.

Written or oral comments may be hand-delivered, submitted verbally via Webinar/teleconference or in-person at the public hearing, or via electronic methods previously described.

In order to be included on the record of the public hearing written comments **must be received by the comment deadline of 5:00 p.m. PT on June 7, 2024,**

unless otherwise extended by Council, submitted at the hearing, through the public comment portal described below or by mail, email or fax to the presiding officer/hearing officer, in care of:

Chase McVeigh-Walker, Senior Siting Analyst  
Oregon Department of Energy  
550 Capital Street NE  
Salem, OR 97301  
Phone: 971-600-5323  
Fax: 503-373-7806  
Email: [Chase.MCVEIGH-WALKER@energy.oregon.gov](mailto:Chase.MCVEIGH-WALKER@energy.oregon.gov)

EFSC will not accept or consider any further public comments on the ASC or on the DPO after June 7, 2024, which represents the close of the record on the DPO for the proposed facility, unless the comment deadline is extended.

#### Online Comment Portal

ODOE has an online portal for submitting comments on projects during an active comment period. The goal of the online comment portal is to provide members of the public with a convenient option to submit input on projects, and to provide additional resources that will enable meaningful participation in the Site Certificate Application process. The portal can be accessed via the link below:

<https://odoe.powerappsportals.us/SitingPublicComment/>

To get started, choose the Wagon Trail Solar 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 docket system available which displays comments that have been submitted. Comments for this project will be posted to the docket and will normally be available to view within 3 business days of receipt. The docket can be accessed via the following link:

<https://odoe.powerappsportals.us/en-US/sitingdocket/>

#### **Please note:**

All comments submitted to ODOE may be disclosed to the public, subject to Oregon Public Records Laws (ORS Chapter 192). Public comments may be available on the ODOE webpage for the Wagon Trail Solar Project as an attachment to the Proposed Order, to be issued at a later date.

Comment submission does not register your contact information to receive future electronic notices. If you would like to receive notices for this proposed facility or any other EFSC facility, and have not already done so, please follow the information in this notice to subscribe to the ClickDimensions email notification list as described below.

#### Council Review of the Draft Proposed Order:

Following the close of the record of the public hearing on the DPO, and during a Council meeting, EFSC will review the DPO, comments received on the record of the DPO and provide any comments they have to ODOE.

Proposed Order: ODOE will evaluate the comments received on the record of the DPO as well as those by EFSC, and make any necessary changes to findings of fact, conclusions of law and conditions. These will be reflected in the Proposed Order, ODOE’s second evaluation of the proposed facility.

Contested Case: Along with the issuance of the Proposed Order, ODOE will issue a notice of Contested Case. To be eligible to participate in a Contested Case proceeding, a person must raise an issue either in person at the public hearing or in a written comment submitted between May 7, 2024 and June 7, 2024 the date the record closes, unless extended. Even if a person commented before May 7, 2024, that person must raise an issue(s), either via oral comment at the public hearing or in writing during the comment period to be eligible to participate in the Contested Case.

Failure to raise an issue in person or in writing prior to the close of the record of the public hearing with sufficient specificity to afford the decision maker (EFSC), an opportunity to respond to the issue precludes consideration of the issue in a contested case. To raise an issue with sufficient specificity, a person must present facts that support the person’s position on the issue. See OAR 345-015-0016(3).

The Siting Division Public Guide contains information on the EFSC process, including the contested case process.

To view this information on ODOE’s website, please use the following link:

<https://www.oregon.gov/energy/facilities-safety/facilities/Documents/Fact-Sheets/EFSC-Public-Guide.pdf>

For more information relating to EFSC standards, please visit:

<http://www.oregon.gov/energy/facilities-safety/facilities/Pages/Siting-Standards.aspx>

**Final Order:** Following the Contested Case proceeding, EFSC will issue a Final Order either approving or rejecting the ASC. If approved, a Site Certificate will also be issued.

**Receipt of this Notice:**

Please note that you may be receiving this notice for multiple reasons:

1. You own property within or adjacent to (within 500 feet) the property boundary on which the proposed facility would be located. You will automatically receive all future EFSC notices for this proposed facility.
2. You have previously signed up via ClickDimensions to receive email notices related to the Wagon Trail Solar Project or all EFSC project-related notices. You will automatically receive all future email notices per your request, unless you unsubscribe via ClickDimensions or by contacting ODOE.

**Additional Information:**

Additional information about the proposed facility and updates on the review process is available using any of the following options.

**1) Oregon Department of Energy's webpage:**

The ASC, DPO and additional details regarding the proposed facility may be found at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WTS.aspx> to review and access free of charge.

Additional resources to help you participate in the state siting process can be found at:

<http://www.oregon.gov/energy/facilities-safety/facilities/pages/default.aspx>

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Fact-Sheets.aspx>

**2) Updates by email/mail:**

Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and updates on the Wagon Trail Solar Project as well as any or all other energy facilities and events under EFSC jurisdiction. For more information, please visit: <https://tinyurl.com/ODOE-EFSC>.

To receive notices by U.S. Mail, please contact Chase McVeigh-Walker (see contact information provided above).

**3) In hardcopy:**

Hard copies of the ASC and DPO are available for public inspection at the following locations at no cost:

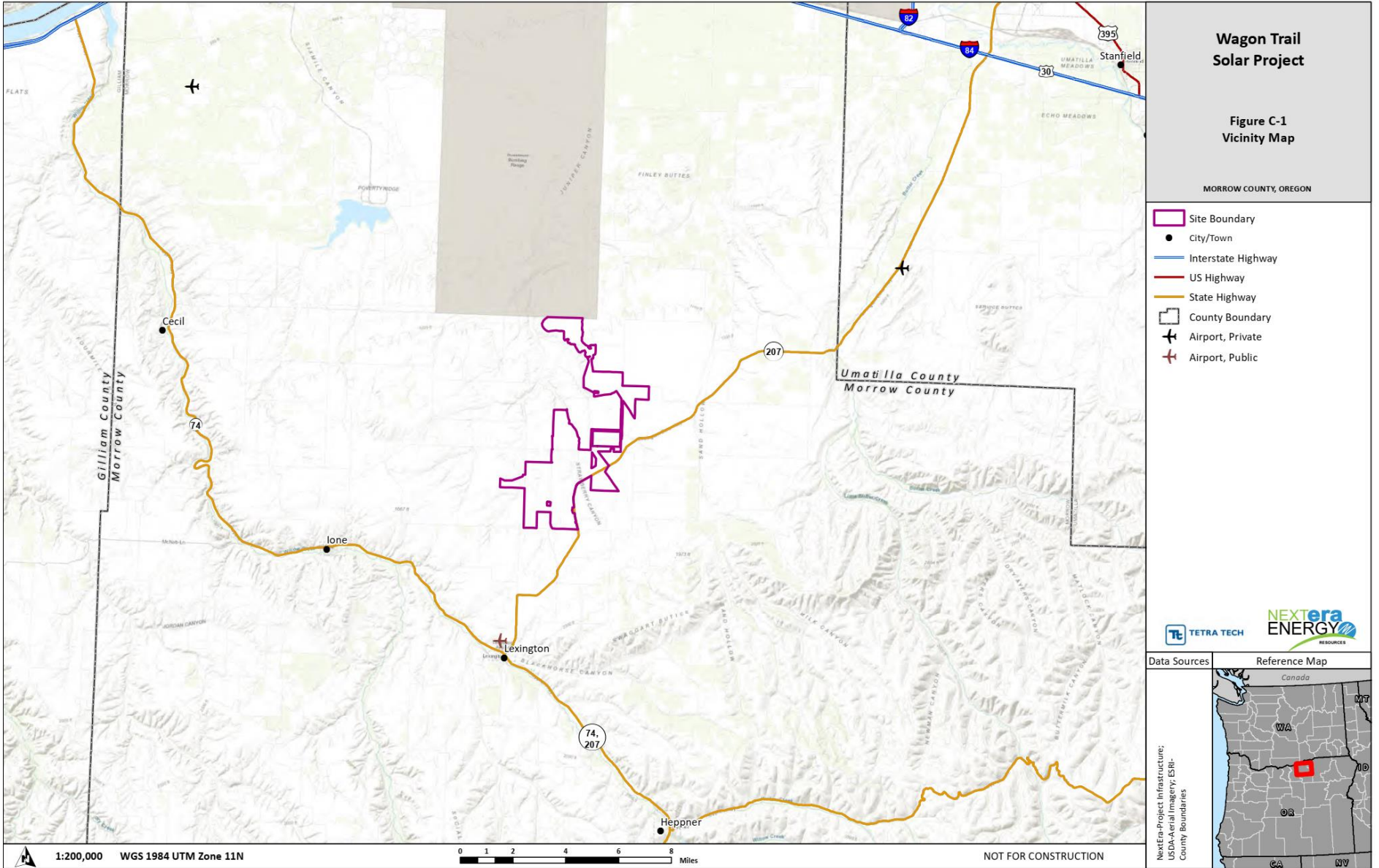
Oregon Department of Energy  
550 Capitol Street NE  
Salem, OR 97301

Please contact Chase McVeigh-Walker to arrange viewing of hard copies of the ASC and DPO; hard copies will be provided at reasonable cost upon request to ODOE.

**Accessibility information:**

ODOE is committed to accommodating people with disabilities. For the review of the ASC or attendance at the information meeting, if you require any special physical or language accommodations, or need information in an alternate format, please contact Nancy Hatch at 503-428-7905, toll-free in Oregon at 800-221-8035, or email to [nancy.hatch@energy.oregon.gov](mailto:nancy.hatch@energy.oregon.gov). For any other accommodation needed to attend the public hearing, please contact ODOE as soon as possible so we may provide the accommodation.

**Figure 1: Facility Location and Proposed Site Boundary**



**Figure 2: Overview of Proposed Facility**

