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## **CREA Monthly Report - 3/11/22**

**Mike McArthur - Executive Director**

**Finance** - *As of this writing we don't have monthly statement from MCEDD as they haven't received bank statements. We do have a report on memberships received and thanks to all who have contributed. You can see those payments in this report link and we will show on Zoom. Our legal bills are a bit less this month. I am trying to cover some of the routine proceedings to alleviate Greg and Pete from those hours.*

[https://docs.google.com/spreadsheets/d/1\\_wFvx0UGAUIGzoAEjjqVojXm\\_kox9vq-FJ9OgVFvrjXk/edit?usp=sharing](https://docs.google.com/spreadsheets/d/1_wFvx0UGAUIGzoAEjjqVojXm_kox9vq-FJ9OgVFvrjXk/edit?usp=sharing)

**ODOE** - *I met with Christy Splitt, Ruchi Sadhir and John Cornwell to review legislative session and discuss future activities. Below is an excerpt from Ruchi's summary. Note that they would like feedback on the content of the next Biennial Energy Report by March 31.*

“We also appreciated the discussion on input for the 2022 Biennial Energy Report and your idea of bringing our feedback questions to the CREA executive committee. As we mentioned, it would be great to get your input by March 31, and we've noted that there might be more coming on a few of the topics in the input handout that we talked about such as hydrogen, PURPA 101, policy briefs, and what CREA looks to for indicators/trends on Oregon meeting its energy goals – but looking forward to what else you hear from the CREA executive committee! Here are a few links to the Biennial Energy Report that might be helpful as you pull together CREA comments:

- **PDF of Input Guidance** that we walked through during the call – <https://www.oregon.gov/energy/Data-and-Reports/Documents/2022-BER-Input-Handout.pdf>
- **Comment Portal** where you can submit comments on our questions or other thoughts about the 2022 Report - <https://odoe.powersappsportals.us/en-US/ber-comment/> "

## **Community Renewable Energy Grant Program**

*The rules for this grant program have been established and applications are being received for the first \$12M in funding available. Bridgett Callahan from Sustainable NorthWest will be speaking to us about projects SNW is working to facilitate.*

## **Community Renewable Energy Program Webinar**

The Oregon Department of Energy is pleased to join the Special Districts Association of Oregon and the Oregon Alliance of Clean Water Agencies to present a webinar on the Community Renewable Energy Program on Wednesday, March 30<sup>th</sup> from 12-1pm. Join Oregon Energy staff as they share how to apply for grants that can help support construction of energy resilience projects and renewable energy projects for your special district or agency. There are also planning grants available. For more information on the Community Renewable Energy Program, visit the Oregon Department of Energy [website](#). Registration link: <https://odoe.webex.com/odoe/j.php?RGID=rbe31a33514a54df0ed90c30b0c619084>. Questions? Email Christy Splitt at [christy.splitt@energy.oregon.gov](mailto:christy.splitt@energy.oregon.gov)

## **SEIA v. FERC**

*The 9th circuit held a hearing on the question of FERC's action in order #872 which significantly altered the rules for avoided costs that guide state PUCs. In Idaho, who adopted the new rule QFs applications have disappeared as a result. Here is Greg Adam's take on the hearing:*

"I finally had time to watch the whole argument. Candidly, I was not that optimistic going in because we did not get a panel of judges that on pa-

per would be expected to be the most sympathetic panel to our arguments. And it's always hazardous to read the tea leaves from an oral argument. But that argument went very well for us on the NEPA argument. All three of the judges are obviously really seriously considering going with our arguments on the merits on NEPA, and my personal opinion is we are clearly correct on those arguments (of course, I am biased since I took a lead on the reply brief on the NEPA issue). The normal rule in any agency appeal is to affirm the agency, so it's very rare that the oral argument becomes centered around whether the remedy is just a remand to complete the environmental assessment while leaving the rule in effect or to vacate the rule entirely, but that's what they spent a lot of air time on today. There were some standing questions, so that remains a concern. But just from one of the three judges, and I think we are very strong there, thanks largely to CREA's participation and declarations, especially Les's."

*It was Greg's work on NEPA that seemed to have gotten the most traction with the panel of judges. We'll have to wait and see what happens. It will likely be several months or even more than a year before we see an opinion.*

## **Snake Dams**

*We will hear from Fred Heurtte, 40 year renewable energy advocate and one of the most knowledgeable activists that I have encountered. Fred is Oregon Policy Advisor for NorthWest Energy Coalition. NWECC has a plan to replace power lost if Snake Dams are breached.*

"Parties in a legal battle over the operation of federal dams in the Columbia Basin are proposing to put the litigation on hold for nine months, agreeing to a short-term operational plan for 2022 while they try to work out a long-term solution to the problem of diminishing salmon returns.

"The Agreement provides an interim compromise while the Parties work together to develop and begin implementing a long-term comprehensive solution that, if successful, may resolve all claims in this litigation," the motion to stay litigation states.

Secretaries for the federal Interior, Energy and Commerce departments touted the agreement as an opportunity to work together. Oregon Gov. Kate Brown suggested an immediate start to finding shared goals. Nez Perce Tribal Executive Committee Vice-Chairman Shannon Wheeler vowed to continue to speak the truth about what salmon need. Earthjustice attorney Todd True said the agreement will not be enough for fish and a long-term solution needs to restore the lower Snake River—including breaching the four federal dams and replacing the power and economic benefits they provide.

"While we respect that the plaintiffs in this case are doing what they think is in the best interest of salmon, recent peer-reviewed scientific studies call into question the benefit of placing additional limitations on the hydropower system. More scientists are noting the coastwide decline in Chinook salmon populations and are taking heed of the U.N.'s warnings that declining marine populations can be directly tied to warming, acidifying oceans due to climate change over the past 50 years."

Curt Miller said that the Northwest is made better by hydropower, which provides the region with the lowest carbon footprint and most affordable clean energy of any electric grid in the nation. "We are optimistic that as the region coalesces around the importance of decarbonizing our grid, transportation, and buildings, more policymakers will step up in support of hydropower," he wrote."

## Energy Security

*The invasion of Ukraine and related petroleum and natural gas price increases have rekindled concern about our need for energy security and renewables. There is a problem with how we might manage a proliferation of electric vehicles and charging infrastructure. Here is a map of the current situation in Oregon.*

<https://www.oregon.gov/energy/energy-oregon/Pages/COU-EV-Mapping.aspx>

## Hydrogen Hub Project

*I am participating on the Hydrogen Hub Steering Committee convened by Obsidian Renewables. David Brown and team have assembled an impressive group of experts and partners to advise, educate and help move this project ahead. The technology and cost effectiveness of using electrolyzes to create hydrogen for multiple uses is advancing at a rapid pace seemingly under the radar of the average citizen. David sees partnering with local governments as a crucial component of the project. See more here:*

[www.pnwhydrogenhub.com](http://www.pnwhydrogenhub.com)

## Wasco Rural Electric Coop Board visits Patu'

Judge Dabulskis and I joined Ormand Hilderbrand who hosted a tour of Patu', a 9 MW Qualifying Facility under PURPA at Klondike, Sherman County. Ned Ratterman the new general manager of WREC brought the board of directors and staff to tour the wind farm and new sub-stations serving Patu' and WREC. Ormand described the history and process he went through to build the project including the multiple sources of financing required. We also talked about the importance of PURPA and avoided cost schedules.

## UM 2111

The OPUC has begun, after some delay, an investigation into the interconnection process. A workshop was held by staff to take feedback on how the investigation should proceed, what issues to take first, second etc. CREA joined with NIPPC and REC to file joint comments crafted by Irion Sanger. These are the priority issues Irion identified as important first steps:

- **An interconnection customer's option to build (or hire third parties to build) interconnection facilities and network upgrades;**
- **An interconnection customer's opportunities to hire third parties to perform meaningful interconnection studies; and**
- **A process through which an interconnection customer may challenge utility cost estimates and propose alternatives.**

Currently none of those issues were selected by staff as tier I or II items which means they might not be addressed for a year or more. The next steps for OPUC staff is to digest all the comments and then recommend a process to the commission. Also in question is whether 10 MW-20 MW projects need their own set of rules or should they be covered by large generator interconnection rules or small generator connection rules. We advocated that <20 MW should be treated as small generators.

### **Environmental Justice and Siting of Renewable Projects**

So far we have have been unsuccessful in finding a spokesperson from any of the tribes: Yakima, Warm Springs or Umatilla to talk to us about their concerns about siting in general and Goldendale Pumped Storage in particular. A prime candidate would be Louie Pitt, recently appointed Northwest Power and Planning Conservation Councilor. I understand Louie is of both Wasco and Yakima heritage. We will hear from CREA intern Devon Guyer about legal aspects of environmental justice.

## **Next Meeting**

We should discuss the format and location for our next executive Committee meeting. We had planned to go to Boardman when we felt it was safer. We may need to continue to offer a hybrid option. If so, improving our technical capability may be necessary.