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Executive Director Report

12/10/21

Mike McArthur

Agenda Comments: The December meeting will begin with a presentation from Jon Jinnings, DLCD Field Representative. This topic has to do with a provision in LCDC's solar rules that allow counties to adopt "dual-use" provisions that would allow developers with a larger project size on high value farm land through the CUP process (20 acres v the usual 12 acres) ORS 195.300(10). This provision sunsets on Jan. 1, 2022. No county has adopted this provision yet.

Possible Action: CREA support of an extension

ODFW v. Crook County Court of Appeals Decision: The Court affirmed the petitioners position that the county is the decision maker.

"With that said, we return to the meaning of "consistent with." A mitigation plan prepared for ORS 215.446 approval must be concordant with the Mitigation Policy and not show any substantive conflicting elements. Although a mitigation plan need not follow the submittal requirements set out in OAR 635-415-0020(8), there are other requirements of the Mitigation Policy that a mitigation plan must satisfy, including the ones that we have highlighted above. On remand, LUBA will consider those in the first instance. Reversed and remanded."

It is unknown what LUBA will do on remand but Crook County Community

Development Director, Will Van Vactor told me that he would advocate for a “voluntary” remand to the county to address any inconsistencies in the mitigation plan. This was a significant victory for county authority and upholds the intent of HB 2329 ('19).

Consent Agenda: Based on the discretion provided the executive director by the committee I withdrew the request for a legislative fix for which Senator Hansell had offered one this priority bills given that there was time for him to substitute another priority. **Request concurrence of the committee.**

Finance: Revenue - We hope to begin to receive SIP payments in near future as tax season has commenced. I would like some direction from SIP counties on how best to invoice. I would like to have a discussion about dues structure of other members that may take another meeting (related to by-laws discussion).

Expenses: Most expenses are in line with budget with the exception of OPUC activities where we are near the total for the year. So we will have Greg Adams present to review those proceedings in Executive Session to consider our legal strategies. The mission and focus of CREA has been to work to support our interpretation of PURPA as implemented in Oregon and ensure that small scale projects can be developed under reasonable terms.

Prineville Biomass - Steve Uffelman has arranged for us to hear an update on the status of the Modern Wood Energy project.

Related note: **Arlington** has been designated as a **Bioenergy Development Zone.**

By-Law Review - I would like to begin a review of the By-laws focused on membership types of voting privileges. That in turn should lead to a review of dues structure. Membership categories edited for brevity.

Regular Members - Local governments who have adopted the resolution to approve the intergovernmental agreement. (ORS 190).

Ex-Officio Members - NGOs and private businesses as approved by board. “Such entities would not have a vote as board members” but three ex-officio members may be elected to the Executive Committee and vote.

Sponsorship Members - may be created by Executive Board and serve on CREA Board of Directors.

Resource Members - Local governments and ex-officio members who support goals of CREA but are not able to support intervention at PUC or lobbying.

Board of Directors -1 member from each of the *Regular Members*.

Executive Board - Elected from the Board of Directors

CREA dues adopted for '19-'20 categories list:

Individual /Personal	\$100
Cities +/- 50K	\$250/500
Counties and Irrigation Districts W/O GEN	\$250
< 10MW	\$1,500
10-50 MW	\$2,500
50-100 MW.	\$3,500
SIP Counties - Based on agreement	
Schools/NFP/reciprocal	\$100
Private < \$1M revenue	\$1,500
Private > \$1M revenue	\$2,500
Private > \$5M revenue	\$5,000
IOUs	\$15,000

Executive Session - Greg Adams will discuss the status of the various proceedings before the OPUC and FERC, the legal strategies and partnerships with other organizations sharing costs.

Other - Participating in the ODOE **Small Scale Renewables Advisory Committee**. This is on a timeline to deliver a report at the end of 2022. We are advocating that

net metered projects be excluded from the calculations

Monitoring the **Community Renewable Energy Grant Program** rule making which should be complete early next year for grant applications in March (\$1M/project including planning). Focused on resiliency.

I was an invited panelist for the **Oregon/China Sister States Climate Change Forum** that included Senators Dembrow and Frederick and Representative Brock-Smith and former Senator Roblan. The Zoom call had participants from China, Fujian province and Tienjen Port as well as other government officials from China including the Counsel General for the west coast and renewable energy businesses. There was remarkable unity in the urgency to move quickly to renewables and to cooperate on technologies. This group of Chinese diplomats and businesses clearly appreciate cooperation with Oregon. Here is the link to the recording:

https://us06web.zoom.us/rec/share/qvTCG8eatXJGPFFIJGOLd5lbiGb_oHtEd0rIhTc7XHJCUChmTi6w1kKI12GC9SXg.Oax1LXDd3vuXc4L3
