


Zoom participation tips

Thank you for joining us today!

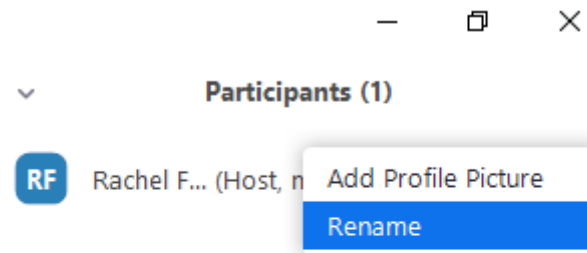
- The meeting is being recorded.
- Please join audio by either phone or computer, not both.
- RAC members have audio and video enabled.
 - Raise hand  or press *9 to speak for discussion or questions.
 - Please stay muted when not speaking.
- Members of the public are in listening mode but will have audio and video enabled while giving public comment.
- For immediate questions or technical support, please email Noise.2024@DEQ.oregon.gov.

How to rename and add affiliation

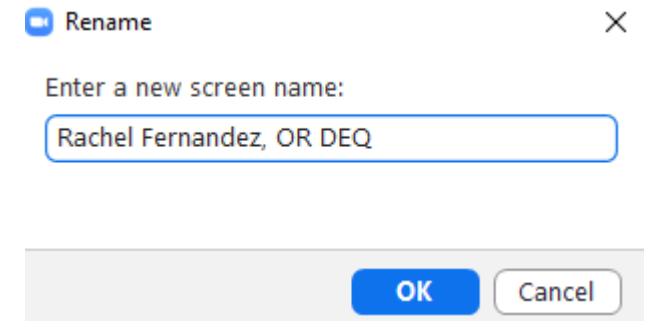
1. Hover on your name in the participation pane.



2. Right click on Rename.



3. Add your name, affiliation, pronouns (if desired)



Solar Noise 2024 Rulemaking Advisory Committee Meeting

DEQ Office of Greenhouse Gas Programs & Oregon Department of Energy

April 11, 2024

1 p.m. – 3 p.m.

Agenda

Time	Topic
1 p.m.	Welcome and staff introductions
1:05 p.m.	Introduction of Advisory Committee members
1:15 p.m.	Review the role of RAC, meeting ground rules, and procedures for public comment
1:20 p.m.	Discuss the purpose and timeline of the proposed rulemaking
1:35 p.m.	Discuss scope of proposed changes to Division 35
1:50 p.m.	Questions/comments from RAC members
2:05 p.m.	15 min Break
2:20 p.m.	Discussion - Fiscal and Racial Equity impact statement
2:35 p.m.	Public comment and general questions
2:55 p.m.	Rulemaking next steps
3 p.m.	Adjourn Meeting

Solar Noise 2024 Rulemaking staff

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Oregon Department of Energy
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Department of Environment Quality
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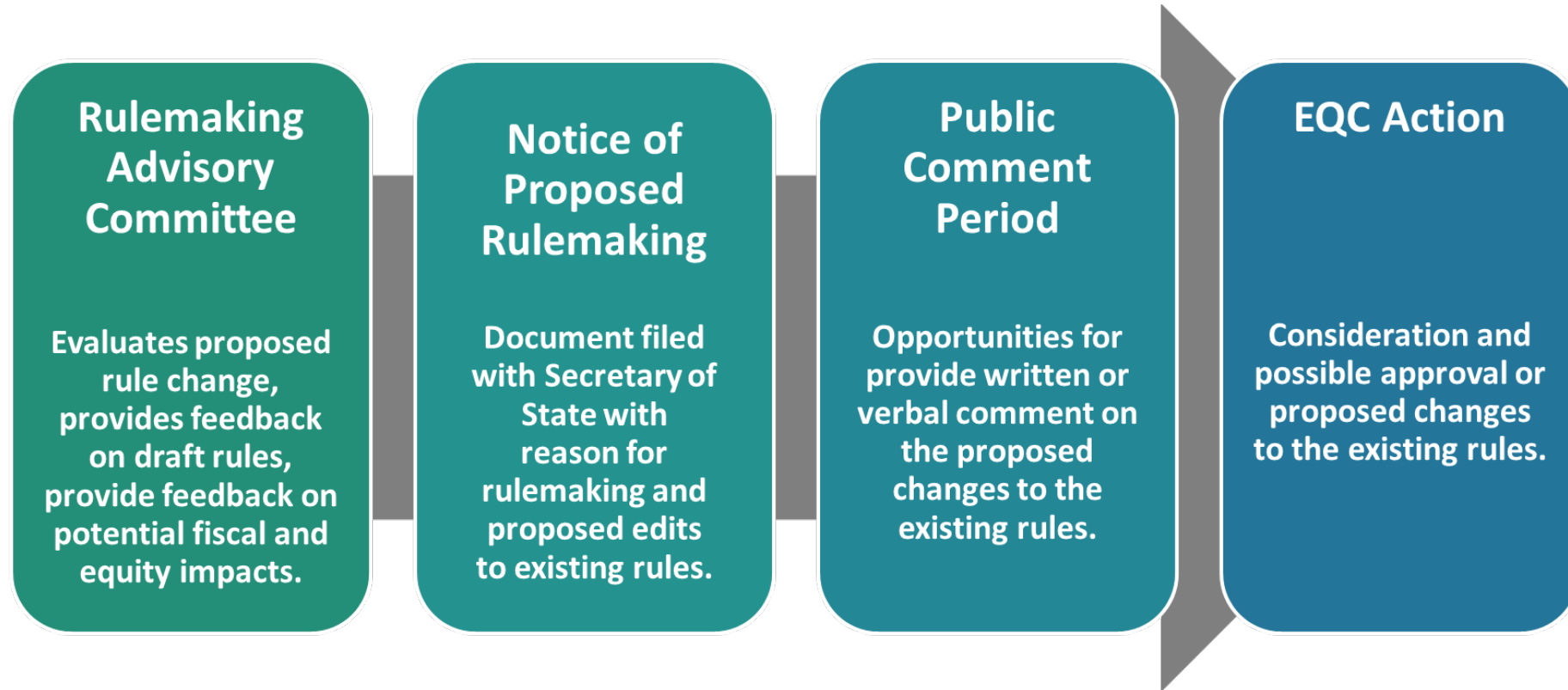
Solar Noise 2024 Advisory Committee

- Association of Oregon Counties
- Next Era Energy
- Renewables Northwest
- Oregon Solar & Storage Industries Association (OSSIA)
- Community stakeholders (residential)

Committee Discussion Guidelines

- Honor the agenda and strive to stay on topic
- Bring ideas and any concerns up for discussion at the earliest point in the process
- Seek to learn and understand everyone's perspective
- Listen and speak with respect

DEQ rulemaking process



Solar Noise 2024 Rulemaking Timeline

April 11, 2024
RAC Meeting



End of April 2024
DEQ publishes Notice of Proposed Rulemaking



Mid-May 2024
Public hearing



May-June 2024
DEQ revises proposed rules



April

May

June

April-May 2024
21-day Public comment period



Mid-June 2024
EQC delegates authority to Director to adopt proposed rules



Background

In 2004, DEQ, in partnership with ODOE amended OAR 340-035-0035 for wind electrical generation facilities.

Why does ODOE and DEQ propose another rulemaking in 2024?



Background

- In 2004, due to an increasing number of wind projects planned for construction in Oregon, DEQ noise rules were amended to increase the efficiency (and feasibility in some cases) of siting wind projects.
- These rule changes have existed without issue for the last 20 years.

Background

- Today, an increasing number of solar projects are planned for Oregon.
- Of the eight solar specific applications received to prior to 2023, 17 modeled locations (out of 81) exceeded the ambient noise degradation standard (>10dBA increase).
- There is currently no recourse outside of mitigation for solar projects that exceed the noise degradation standard.

Purpose of Solar Noise 2024 Rulemaking

- Increase efficiency of Oregon's siting process for solar projects while:
 - Protecting the health and safety of Oregonians
 - Safeguarding our states' resources

Discuss scope of proposed changes to Div 35

Allow solar energy generation facilities to demonstrate compliance with noise regulations in the **same manner as allowed for wind electrical generation facilities.**

Understanding Noise Rules for Solar Facilities



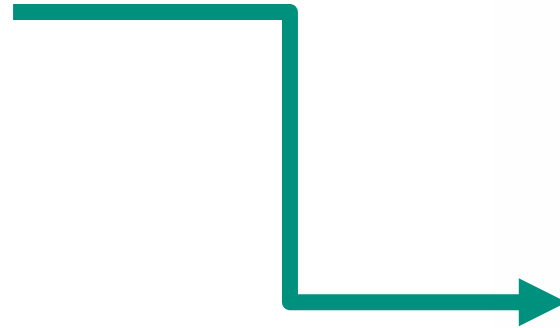
Impact of Proposed Rules – Presumed Noise

Ambient
Noise
Level

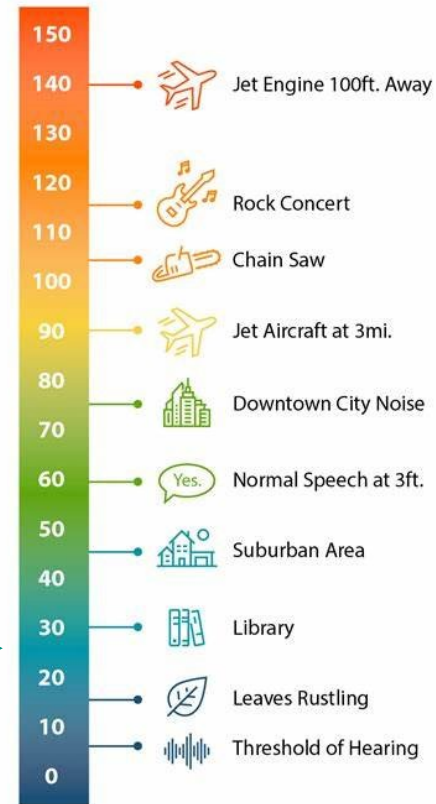
Allow developers to continue to measure the “actual ambient noise” level **or to use a presumed level of 26dBA, unless available data shows value is higher.**

Presumed Value is Conservative

26dBA



Sound Level Comparisons (dBA)



Impact of Proposed Rules - Waivers

>10dBA


Where proposed increase in sound levels exceed 10dBA, **allow waivers by affected homeowners.**

Impact of Proposed Rules - Waivers

>10dBA

Waivers to be recorded with the county to accompany the legal title to the property.

Table 8 Limits Cannot Be Exceeded Via Waiver

 OAR 340-035-0035 Table 8 New Industrial and Commercial Noise Source Standards Allowable Statistical Noise Levels in Any One Hour	
7:00 a.m. – 10:00 p.m.	10:00 p.m. – 7:00 a.m.
$L_{50} - 55$ dBA	$L_{50} - 50$ dBA
$L_{10} - 60$ dBA	$L_{10} - 55$ dBA
$L_1 - 75$ dBA	$L_1 - 60$ dBA

Impact of Proposed Rules – Calculation of GN



Impact of Proposed Rules – Calculation of Floor



Noise Floor

Making it clear in the rules that the ambient noise calculation **cannot** include surrounding projects.

Questions/comments

15-minute break


Discuss Fiscal and Racial Equity Impact Statement

- **State agencies (ODOE)**
 - Enables agency staff to conserve resources, as staff for EFSC will no longer be required to review data related to initial noise level surveys.
- **Local government**
 - No impacts are anticipated for local jurisdictions.
- **Impacts to businesses**
 - Approximately 12-15 businesses may be directly impacted by the proposed rule amendments though hard to quantify impacts.
 - Equipment, supplies, labor, or administration costs are not expected to increase.
- **Public**
 - Residential, commercial, and industrial spaces are not directly impacted by changes to the ambient noise standards.
 - Positive impacts are anticipated for frontline workers who bear disproportionate exposure to the negative impacts of climate change and worsening air quality.

Questions/comments

Public Comment

We are taking public comments at this time.

Raise your hand  or press *9 on your phone to be called to give oral comment.

Please say your name and affiliation before speaking and respect any time limits and ground rules.

You may also send written comment on today's RAC discussion topics by **April 19, 2024**, to Noise.2024@DEQ.oregon.gov

Rulemaking next steps

- This presentation is available on rulemaking website.
- Special thanks to our Rulemaking Advisory Committee.
- DEQ is accepting written comment on discussion items.
 - Please submit comments by **Friday, April 19, 2024**, to Noise.2024@DEQ.oregon.gov.
- Notice of Proposed Rulemaking scheduled for end of April 2024
 - DEQ opens 21-day comment period through mid-May 2024

Rulemaking resources

Solar Noise 2024 Rulemaking webpage:

<https://www.oregon.gov/deq/rulemaking/Pages/noise2024.aspx>

Contact: Tom Jackman at Noise.2024@deq.oregon.gov

Notifications: Subscribe to DEQ

https://public.govdelivery.com/accounts/ORDEQ/subscriber/new?topic_id=ORDEQ_655

Thank You

Title VI and alternative formats

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