



EXECUTIVE ORDER 20-04

Implementation Report

by the

**OREGON
DEPARTMENT OF
ENERGY**

May 2020



OREGON
DEPARTMENT OF
ENERGY

EO 20-04 IMPLEMENTATION PLAN – 2020

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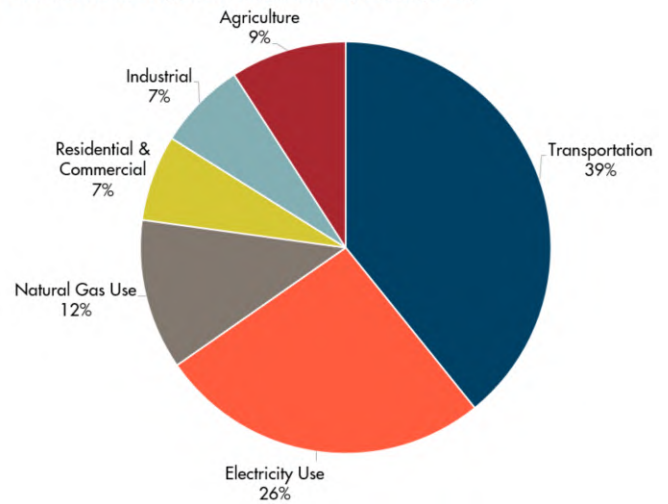
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INTRODUCTION

In response to the directive in [Executive Order 20-04](#), “Directing State Agencies to Take Actions to Reduce and Regulate Greenhouse Gas Emissions,” the Oregon Department of Energy is pleased to submit this report to Governor Brown on proposed actions within our statutory authority to reduce GHG emissions and mitigate climate change.

How energy is generated and used in Oregon has a significant effect on climate change. About 80 percent of GHG emissions in Oregon come from daily energy use – turning on our lights, heating our homes and businesses, and traveling to work, shop, and play. One of the most important challenges confronting Oregon’s energy sector is curtailing the energy-related greenhouse gas emissions that contribute to climate change.

Breakdown of Oregon GHG Emissions By Sector (2016)



2018 Biennial Energy Report

ODOE helps Oregonians make informed decisions about energy and maintain a resilient and affordable energy system. We advance solutions to shape an equitable clean energy transition, protect the environment and public health, and responsibly balance energy needs and impacts for current and future generations. Our work supports transportation electrification, community resilience, and decarbonizing energy systems to help achieve Oregon’s energy and climate change goals.

ODOE has operated programs and activities that reduce GHG emissions since its creation in 1975. Our Planning and Innovation Division houses policy expertise and programs that promote clean energy and enable the transition from fossil fuels to cleaner energy resources, as well as provides staff support for the Oregon Global Warming Commission. ODOE’s Energy Facility Siting Division facilitates the siting of state-jurisdictional renewable energy facilities – 4,766 MW approved to date – and implements the nation’s first law to curb carbon dioxide emissions, the Energy Facility Siting Council CO₂ standard for power plants. Our Nuclear Safety and Emergency Preparedness Division maintains expertise on nuclear power and is responsible for helping the petroleum sector prepare for and respond to both natural and man-made disasters. Our Energy Development Services Division operates the new Oregon Solar + Storage Rebate Program, financing the installation of carbon-free rooftop solar panels and storage that enhance resilience. Finally, our Administrative Division helps ensure that ODOE leads by example by operating an efficient facility. In fact, ODOE earned the first Marion County [EarthWise](#) “Sustainable Organization of the Year” award.

This report will provide an update on the implementation of the specific directives in EO 20-04, including opportunities within all five of ODOE’s program divisions to further advance Oregon’s achievement of the GHG emissions reduction goals set forth in the executive order.

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Fortunately, the actions that ODOE and other state agencies are taking to reduce energy use, decarbonize our energy mix, and support clean transportation not only reduce GHG emissions, they also save money, improve public health, and make Oregon more resilient.

Energy efficiency is the cleanest, least expensive, and second-largest electricity resource in Oregon (behind hydropower), as well as an important tool for GHG emissions reductions in the natural gas sector. Maximizing energy efficiency and smart-grid technologies in our homes, schools, offices, farms, and industries can lower energy use and costs while reducing GHG emissions. Following the directive in the executive order, ODOE will increase energy efficiency in the built environment by establishing and updating energy efficiency standards for appliances, ensuring that our state's standards are at least equivalent to other West Coast jurisdictions.

As Oregon builds a clean energy system that includes distributed energy generation, renewables, microgrids, and storage, we will also be strengthening the system's resilience to the effects of climate change. Actions that make us more resilient to climate-related disasters can also improve our ability to withstand and recover from other threats, like a Cascadia Subduction Zone earthquake.



The transportation sector is the largest and growing source of GHG emissions in Oregon. Increasing the availability of cleaner fuels like electricity, renewable natural gas, and hydrogen, as well as alternative transportation modes like walking, biking, carpool, and public transportation, leads to more choices for consumers. Because Oregon imports nearly all of its liquid transportation fuels, accelerating the adoption of low- or zero-emission vehicles also increases our energy independence by encouraging the use of locally-produced fuel like

electricity generated by renewable resources.

Finally, transitioning to home-grown, locally generated low-carbon resources like wind, solar, hydro, renewable natural gas, and geothermal will diversify our energy mix and reduce our reliance on volatile global energy markets.

As Oregon moves to address GHG emissions, it's important that the state also maintains a strong focus on reliable, affordable energy. In addition to programs and activities that reduce GHG emissions, ODOE works to assist the state's tribes, communities, industries, and households in the transition to a low carbon energy future. We do this by working to keep clean energy affordable and by providing resources to help Oregonians make informed decisions about energy. ODOE's core functions of research, analysis, technical assistance, energy education, program administration, and policy development are central to the state's transition to an energy system and mix of energy resources that can achieve the state's GHG emissions reduction goals affordably and reliably.

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DIRECTIVES TO THE OREGON DEPARTMENT OF ENERGY: APPLIANCE STANDARDS (7A-D)

As stated in the executive order, energy efficiency standards reduce costs for consumers, save energy, and reduce GHG emissions. In the absence of effective federal action on these issues, it is the responsibility of the state to take action to increase the efficiency of appliances sold in Oregon to save consumers money and help the state meet its climate goals.

EO 20-04 directs ODOE to update energy efficiency standards for products at least to levels equivalent to the most stringent standards among West Coast jurisdictions, including grid-connected appliances. ODOE should also periodically evaluate and update those standards, as practicable, to remain at least equivalent. Specific categories of products for which ODOE is to establish or update standards include, but is not limited to:

- | | |
|------------------------------------|-----------------------------------|
| 1) High CRI fluorescent lamps | 6) Commercial dishwashers |
| 2) Computers and computer monitors | 7) Commercial steam cookers |
| 3) Faucets | 8) Residential ventilating fans |
| 4) Shower heads | 9) Electric storage water heaters |
| 5) Commercial fryers | 10) Portable electric spas |

To implement this directive, ODOE will first adopt rules to update and establish new energy efficiency standards per the process outlined in ORS 469.261. This [rulemaking](#) is required to be completed by September 1, 2020. As outlined in statute, the agency rulemaking will be followed by introduction of a bill the next legislative session to conform statute to agency rules.

Background

While some appliance efficiency standards are set at the federal level, there are also products that do not yet have a national standard and for which a new state standard could achieve meaningful energy and water savings and GHG reductions. Oregon has periodically enacted appliance efficiency standards as a method of saving consumers money and saving energy. Appliance efficiency standards provide the potential for significant cost savings and GHG reduction (see below for more information).

In 2005, Oregon established its first appliance [energy efficiency standards](#) for 11 product categories. Often, federal standards are later modeled after standards that were first enacted at the state level. Once adopted at the federal level, federal standards preempt state standards. Thirteen of Oregon's current appliance standards have been preempted by the federal government.

California has been the most active state in developing and adopting efficiency standards for appliance categories that are not federally preempted, followed by Washington's establishment of many new standards in 2019. Oregon's standards for appliances have largely been based on similar standards developed for the large west coast market for appliances, but Oregon has not updated its standards or added new categories in over six years. By updating our standards, Oregon would create a clearer set of uniform standards across the western appliance market,

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support energy conservation for Oregon consumers, and provide alignment and harmonization with the Washington and California markets.

In ODOE's November 2018 report on [Improving State Standards for Appliances](#), which was written to comply with Executive Order 17-20, Section 4.f., ODOE leveraged existing resources to identify state-specific opportunities for new appliance standards. In particular, ODOE staff reviewed work of other states, the Appliance Standards Awareness Project, American Council for an Energy-Efficient Economy, the Northwest Energy Efficiency Alliance, and the Pacific Coast Collaborative (which includes California, Oregon, Washington, and British Columbia), to provide a high-level review of the Oregon opportunities. ODOE staff coupled this review with outreach to engage stakeholders and industry representatives in discussions about Oregon's process for adopting and reviewing appliance standards. ODOE also reviewed existing research, information, analysis, and methodology, which was modified where appropriate to consider Oregon-specific variables such as emissions rates.

Appliance standards are an important energy-saving tool as new buildings progressively become more efficient and as an increasing share of energy consumption comes from the products and appliances that are "plugged in" or movable, often called the "plug load." Residential and commercial building energy codes have traditionally regulated space conditioning, water heating, and the building envelope, but not appliances that are part of a building's unregulated load.

Agency Rulemaking

ODOE has already begun implementing this directive by kicking off a formal rulemaking process in May 2020. The agency identified interested stakeholders and [distributed draft rules](#) on May 11. The first stakeholder advisory committee meeting will occur on May 20, and at this meeting ODOE will be seeking feedback on such aspects as the proposed efficiency standards, effective dates, product registration, and labeling requirements, as well as additional standards opportunities. The agency plans to file the draft rules with the Secretary of State by June 26, 2020 and hold a hearing on the rules by July 24, 2020. Final rules will be published by September 1, 2020.

As part of the rulemaking, ODOE staff have analyzed the potential savings associated with these appliance standards. Agency staff built upon its November 2018 report on [Improving State](#)

Initial staff analysis found that updating and establishing efficiency standards for the products identified in the Executive Order could, in the year 2025, result in **annual savings** of 200 GWh of electricity, 502 billion Btu of natural gas, 1,102 million gallons of water, 76,500 metric tons of CO₂, and \$35,200,000 in utility bills.

[Standards for Appliances](#) by starting with data and analysis methodology from the Appliance Awareness Project and adapting it to consider Oregon-specific factors. Initial staff analysis found that updating and establishing efficiency standards for the products identified in the Executive Order could, in the year 2025, result in annual savings of 200 GWh of electricity, 502 billion Btu of natural gas, 1,102 million gallons of water, 76,500 metric tons of CO₂, and

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\$35,200,000 in utility bills. By 2035, the annual GHG reductions associated with updating appliance standards would be 132,500 metric tons, and Oregonians would save \$101,200,000 on their utility bills. Savings in Oregon from state-specific standards depend on the extent that neighboring states' similar standards would otherwise indirectly impact the future Oregon market, which is difficult to determine.

Legislation

Oregon law requires energy efficiency standards to be specified in statute. For this reason, after the agency completes its rulemaking, legislation must be passed in order to conform statute to the new rules. The agency submitted placeholder legislative language to the Department of Administrative Services on April 17, 2020 and plans to submit draft language based on the draft rules by June 5, 2020. Over the next few months, the agency may revise the legislative concept to align with any changes made to the draft rules. We anticipate filing the final legislative concept by December 12, 2020 for consideration in the 2021 Legislative Session.

Continuous Improvement

Subsequent to this rulemaking and legislative concept, ODOE will continue to evaluate Oregon's standards as well as research other potential standards that could be established for Oregon. ODOE will do this through regular communication with other West Coast jurisdictions, participation in national appliance standards working groups, monitoring standards activity at the national level, and collaborating with industry stakeholders on a continual basis. Stakeholder engagement will include both informal discussions as well as formal public comment periods, as applicable, to support agency processes. The agency has not identified timelines for when additional future standards will be available for state adoption, but as new standards they are identified, ODOE will develop a strategy for how they could be pursued in Oregon following the process outlined in ORS 469.261. ODOE will consider the effects and benefits of new standards on impacted communities as an integral part of our standards work.

Third-Party Validation for Cost Savings

Executive Order 20-04 also directed ODOE, in cooperation with BCD, to contract with a third-party consulting firm to assess cost implications, including long-term energy cost savings, of the energy efficiency and building code actions set forth in paragraph 6 A-B. To implement this directive, ODOE and BCD will look first to existing assessments to determine if existing resources can be used to fulfill the intent of this section. For example, the Northwest Energy Efficiency Alliance and the Pacific Northwest National Laboratory assess the energy savings of energy codes, and NEEA is undertaking a study of the 2006 residential baseline, current code, and steps between now and 2030. In addition, ASHRAE assesses the commercial code and determines cost effectiveness as it develops each iteration of Standard 90.1, which is now the basis for Oregon commercial code. If these assessments of the codes are not adequate, BCD and ODOE will develop a scope of work and budget prior to issuing a Request for Proposals.

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DIRECTIVES TO THE OREGON DEPARTMENT OF ENERGY: BUILDING CODES (6A-C)

Energy Efficiency Goals for New Construction

The EO directs ODOE to cooperate with BCD as it adopts building energy efficiency goals for new residential and commercial construction. The goal is at least a 60 percent reduction in new building annual site consumption of energy, excluding electricity used for transportation or appliances.

ODOE and BCD have long cooperated on [building code development](#). ODOE serves as a member of the Construction Industry Energy Board and advises both commercial and residential code updates. We also work closely with BCD to develop energy models for baseline and target energy performance, most recently co-creating the Zero Energy Ready Home baseline from which BCD built the various paths to equivalent performance. We support the building and design community with training on code changes that affect their compliance, maintain a hotline for energy code questions, and co-present with BCD and industry partners throughout the state. In implementing this EO, ODOE will continue to support code development in this way. ODOE staff have identified the importance of stakeholder engagement to the implementation of this section of the EO, in order to support a transparent process. In further support of the EO, ODOE will convene periodic stakeholder meetings throughout the process of advancing the codes. This engagement will support and not supplant the BCD rulemaking process through its Boards. Deliberate, inclusive stakeholder engagement can help identify conflicts and keep agencies and stakeholders focused on the goal.



Code Progress and Updates

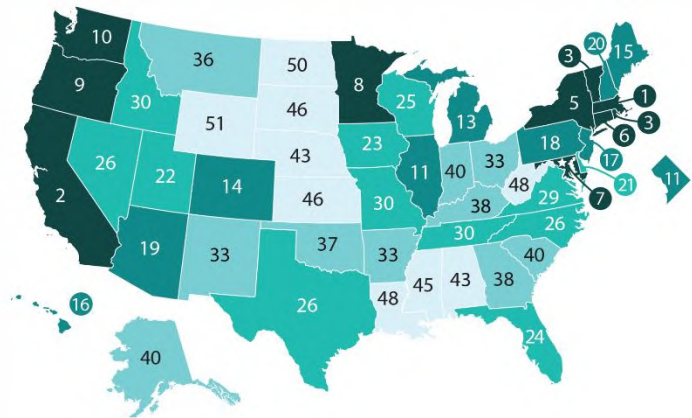
As part of the agency's support for BCD's building code improvements, ODOE will cooperate with BCD in evaluating and reporting on Oregon's current progress towards achieving the goals in the EO, with a report due on September 15, 2020. The agencies will release reports every three years, including options for achieving progress that include proposed code components and their related efficiency impacts.

In addition, several communities are implementing climate actions plans and are looking to put above-code ordinances in place to accelerate efficiency and GHG reduction. ODOE will advise these communities and other implementers that pursue local adoption of the updated Reach code.

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Baseline Metrics and Reductions

Section 6C of the EO directs ODOE to work with BCD to come to agreement on metrics, based on best practice and academic research, to inform the baseline and reductions associated with code updates. In order to implement this section, ODOE and BCD have already begun engaging with stakeholders to establish a common understanding of the baseline and the efficiency trajectory of the current codes. The baseline established under this section will include representative energy use matrices for a sample variety of commercial and residential building types.



Oregon ranked among the top ten most energy efficient states in 2019, according to the American Council for an Energy-Efficient Economy.

Baseline development will be a topic for discussion with stakeholders. A clear understanding of the components and energy use for baseline models provides a foundation for setting incremental steps over the next three code cycles toward the overall 60 percent reduction target.

ODOE staff propose that baseline data for commercial buildings be derived from the code minimums in 2006, ODOE analysis of the code at the time, and PNNL compliance assessments of the ASHRAE and Oregon code to create a table of Energy Use Intensity values for building types and fuels weighted by weather zone. Baseline data for residential buildings should be derived from REM/Rate models of prototype homes weighted by weather zone and fuel type.

After there is stakeholder accord on the baseline, ODOE and BCD will work with stakeholders to map the approximate steps to the 60 percent reduction target. Rather than setting “percentage” targets, we will develop example code components for prototypes that reflect increases in efficiency. Continued use of prototypes and agreed-upon modeling methodology will support transparency and help stakeholders gain confidence in actual measures being considered for code.

Stakeholder Meetings

ODOE will convene monthly meetings of interested parties to discuss code development and baseline calculations. The proposed meeting topics for each month are:

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June 2020	The 2006 baseline and the progress towards goals for residential and commercial buildings.
July 2020	The residential baseline and prototype energy models that result in 60 percent energy reduction.
August 2020	Interim models for 2023 and 2026 code cycles, preview the draft report due on September 15, seek ideas for integration into future codes.
September 2020	Code progress and report.
October 2020	Commercial assessment of ASHRAE 90.1-2019.
November 2020	Commercial Interim models or performance expectations for 2023 and 2026 code cycles.

DIRECTIVES TO THE DEPARTMENT OF ENERGY: STATEWIDE TRANSPORTATION STRATEGY (9A) AND TRANSPORTATION ELECTRIFICATION (10A)

Governor Brown, in a [September 23, 2019 letter](#), directed four state agencies – the Oregon Department of Transportation, Department of Environmental Quality, Oregon Department of Energy, and Department of Land Conservation and Development – to prioritize implementation of the [Statewide Transportation Strategy](#), a state-level scenario planning effort that looks at all aspects of the transportation sector and identifies strategies to reduce GHG emissions. The EO further directs the agencies to include specific elements in their implementation of the STS.

The agencies have been collaborating since the spring of 2019 on this work. Under the added direction of the Governor’s Climate Executive Order 20-04, the agencies will deliver a two-year work plan to the Governor no later than June 30, 2020. This draft workplan will be submitted on May 15 and the agencies will provide an opportunity for public comment on the draft. ODOE’s role focuses on providing expertise, data, and analysis on fuels and vehicles, including its expertise in electric vehicles, electricity as a fuel, alternative fuels, and transportation energy efficiency technologies.

ODOE is also collaborating with ODOT on the development of the transportation electrification infrastructure needs analysis described in the executive order. Building on the efforts of the [Zero Emission Vehicle Interagency Working Group](#) to identify barriers and opportunities to ZEV adoption, ODOE will assist ODOT in developing a Request for Proposal for a contractor to conduct this analysis. ODOE will work with ODOT to identify data on ZEV adoption patterns, road usage and traffic patterns, and electric vehicle technology data as inputs to model charging needs for the light-duty sector and to the extent possible identify opportunities for medium- and heavy-duty electrification.



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DIRECTIVES TO OTHER AGENCIES: ODOE ASSISTANCE

The Oregon Department of Energy’s statutory responsibilities in ORS 469.030 and energy policies in ORS 469.010 include being a resource on energy research, data, and information. In support of achieving the goals of the EO, ODOE will look for opportunities to provide technical expertise, data, tools, and capacity for other agencies in their work to implement the executive order. ODOE staff will track other agencies’ dockets and rulemakings and, where appropriate, weigh in with energy sector expertise and information.

ODOE also provides staffing capacity to the [Oregon Global Warming Commission](#), which is directed in the executive order to submit a proposal to the Governor for consideration of adoption of state goals for carbon sequestration and storage by Oregon’s natural and working landscapes. In its biennial reporting requirements, the Commission is also directed to include reporting on progress toward the GHG reduction goals set forth in this EO and in SB 1044. ODOE staff will continue to provide technical, communications, and administrative support to the Commission.



GENERAL DIRECTIVES TO STATE AGENCIES: EXPEDITED AGENCY PROCESSES

In addition to the specific directives above, the EO directs several agencies, including ODOE, to prioritize and expedite any processes and procedures that could accelerate reductions in GHG emissions. As described above, the agency will move forward with a rulemaking process to establish and update appliance efficiency standards during the Spring and Summer of 2020 in order to meet the EO deadline of completing rulemaking by September 1, 2020.

ODOE has also identified three rulemaking projects and one process evaluation project within the Siting Division that could accelerate GHG reductions. EFSC has authority to adopt rules related to the Energy Facility Siting program and Nuclear Safety program under OAR chapter 345. On an annual basis, EFSC reviews and prioritizes rulemaking projects over a two- to three-year planning horizon. In November 2019, EFSC completed this prioritization and established that it would move forward with a number of rulemaking projects in the 2020-2022 planning horizon. ODOE staff plan to recommend the Council prioritize the three rulemaking projects that would have a direct or indirect benefit for EO 20-04.

1. [EFSC Carbon Standard Rulemaking](#)

To issue a site certificate for an energy facility that emits carbon dioxide, the Council must determine that the proposed energy facility complies with any applicable carbon dioxide emissions standard adopted by Council or enacted by statute. To comply with the standard,

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To date, this standard has resulted in over **\$24 million in GHG offset purchase funds** with approximately 2.75 million metric tons of retired GHG emissions related to over 100 emission reduction projects.

most proposed facilities must avoid, displace, or sequester a portion of the carbon dioxide emissions the facility will produce over an assumed 30-year life span. All applicants have met the standard through the “monetary pathway” by providing offset funds to [The Climate Trust](#). To date, this standard has resulted in over \$24 million in GHG offset purchase funds with approximately 2.75 million metric tons of retired GHG emissions related to over 100 emission reduction projects. Just over one metric ton of

retired GHG emissions were associated with Oregon projects. The monetary pathway uses an assumed rate to determine the amount of funds sufficient to produce the equivalent of a one-ton reduction in CO₂. When the legislature enacted the CO₂ standard in 1997, it set the rate at 57 cents per ton of CO₂ and authorized the Council to increase or decrease the rate by up to 50 percent in any two-year period. The Council established the current rate of \$1.90 per ton of CO₂ in 2017.

In response to this EO, the Siting Division has already taken steps to expedite the rulemaking process to increase the monetary pathway rate. Upon staff’s recommendation, EFSC initiated rulemaking proceedings to update the cost rate at its April 2020 meeting. Because the current rate is approximately one third of the \$6.00 average cost per ton of CO₂ equivalent in offset contracts secured by The Climate Trust, staff has recommended that Council increase the amount by the full 50 percent authorized by statute to \$2.85 per ton of CO₂e.

Increasing the rate will result in a greater cost of compliance for a future proposed fossil-fueled power plant or CO₂ emitting non-generating facility, but it will also result in a greater proportion of the excess carbon dioxide emissions of the facility being offset. The Council appointed an advisory committee to discuss these impacts and provide input on the fiscal impact statement and statement of economic achievability needed for this rulemaking. In addition, the Council intends to file proposed rules in May 2020, and will allow an opportunity for written comment and hold a hearing for oral testimony at its June 2020 meeting. To expedite the rulemaking project, the Council will also provide advance notice of the proposed increase to the members of the legislature identified in ORS 183.333. Council could approve the increased cost rate as soon as its June 2020 meeting.

2. Rule Alignment

To issue a site certificate, the Council must find the facility complies with the applicable standards adopted by the Council or that the overall public benefits of the facility outweigh any adverse effects on a resource or interest protected by the applicable standards the facility does not meet. Except for the CO₂ Standard, which is established by statute, the Council has the authority to adopt standards and procedural rules specifying what information must be provided to demonstrate compliance.

The Council has adopted 14 General Standards that are applicable to all proposed facilities as well as additional standards applicable to specific type of energy facilities. The Council’s rules also describe all the information that must be provided as part of a Notice of Intent,

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Application for Site Certificate, or Request for Site Certificate Amendment in order to demonstrate compliance with the standard. Over time, the Council has separately amended standards and application requirements and, in some cases, the relationship between the application requirements and applicable standard is not clear.

The Council has approved moving forward with a project to better align standards and application requirements. The project is currently scheduled to move forward in 2022, but staff will recommend beginning these rulemakings in 2021. The objective of these rulemakings would be to conduct a comprehensive review of the standards and application requirements to:

- Create clear separation of procedural and substantive provisions in rules and simplify procedures for review where practicable;
- Review application requirements to clarify the specific information needed to demonstrate compliance with each standard; and
- Evaluate standards and application requirements to determine if requirements should be adjusted for different types of energy facilities, including facilities which generate energy from renewable resources.

These rulemakings are intended to create efficiencies and reduce the time and costs associated with state jurisdictional reviews while having no negative effect on public participation. In particular, these rulemakings would clarify and simplify application requirements to reduce the need for requests for additional information during the application review process, improve consistency and standardization in the review process, and make the process clearer and more understandable for applicants, reviewing agencies, and interested members of the public. As most of the projects coming before EFSC are solar and wind, these process improvements could facilitate GHG reductions by resulting in siting these low carbon projects in a more efficient and timely way. These rulemaking projects would have a rulemaking advisory committee with a variety of stakeholders to provide input to ODOE and EFSC.

3. Noise Standard Rulemaking

The Oregon Department of Environmental Quality has adopted noise control regulations from industrial and commercial sources, including energy facilities, under OAR 340-035-0035. In 1991, DEQ suspended the processing of requests for exceptions and variances, reviewing plans, issuing certifications, forming advisory committees, and responding to complaints.

Although DEQ no longer administers the program, the noise control regulations continue to apply to EFSC-jurisdictional energy facilities. Under OAR 345-021-0010(1)(x), an applicant must provide information about noise generated by construction and operation of the proposed facility, providing evidence to support a finding by the Council that the



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proposed facility complies with the noise control standards promulgated by DEQ under OAR 340-035-0035.

The proposed rulemaking project would review how DEQ noise control standards apply to energy facilities and evaluate if Council should consider adoption of its own specific noise standard in addition to, or in lieu of, OAR 340-035-0035. The rulemaking project would have a rulemaking advisory committee with a variety of stakeholders to provide input to the Department and EFSC. While this rulemaking project is unlikely to directly result in decreased GHG emissions, it is intended to make the siting review process more efficient, modern, and responsive to the current landscape of energy facilities and projects, and would result in clearer rules with more compliance options for all energy facilities.

This rulemaking is currently scheduled to move forward in late 2020.

4. EFSC Program Review

ODOE is conducting an ongoing [strategic planning effort](#). One of the strategic imperatives developed as part of the planning effort, which is described in more detail at the end of this report, is to assess existing programs and activities. As applied to the EFSC process, by December 2020, ODOE will prepare a request for proposals to hire an outside consulting firm to conduct a comprehensive review of the EFSC program, including outreach to the public and stakeholders, and prepare a report with recommendations for making the process more efficient, timely, and responsive to stakeholder and public issues or concerns. ODOE expects the report to include some combination of recommendations including, but not limited to, opportunities for Siting Division process improvements, EFSC rulemakings, and legislative statutory changes. As with the rule alignment rulemakings, this effort will support GHG reductions by potentially making the siting of low carbon energy facilities more efficient and timely.

GENERAL DIRECTIVES TO STATE AGENCIES: GHG REDUCTION GOALS AND AGENCY DECISIONS

ODOE is subject to general direction in the EO to exercise any and all authority and discretion to help facilitate Oregon's achievement of the GHG emissions reduction goals set forth in the EO. We are also directed to consider and integrate climate change, climate change impacts, and the state's GHG emissions reduction goals into our planning, budgets, investments, and policy making decisions.

As described in the introduction to this report, many of ODOE's programs and activities reduce GHGs by facilitating the development of clean energy, increasing energy efficiency, and supporting low-carbon transportation options.

[ODOE's mission](#) supports the reduction in GHGs by helping to keep Oregon's energy sector resilient and affordable while the state transitions to a low carbon future. In helping Oregonians make informed decisions about energy, ODOE also facilitates the adoption of technologies that reduce GHG emissions. In order to achieve our mission, the agency provides services to

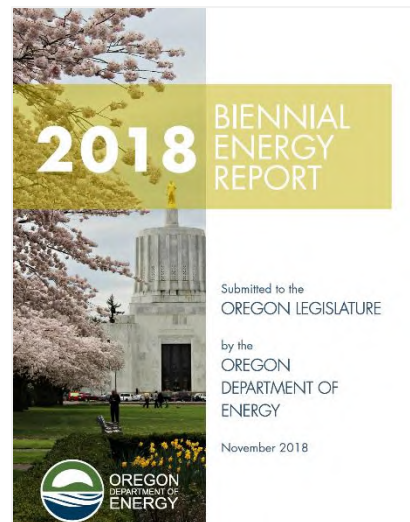
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Oregonians and energy stakeholders. We have articulated these services into a position statement, and will use this lens to describe some of the ways in which the agency currently supports the goals outlined in the EO as well as how we plan to enhance these efforts to facilitate further GHG reductions. Some of these programs have been authorized by specific legislation; others stem from ODOE's implementation of the state's energy policy (ORS 469.010).

A Central Repository of Energy Data, Information, and Analysis

We research, collect, and analyze energy data and information to inform state energy planning, regulation, program administration, and policy development. There are several ways in which this information supports the goals of the EO:

- [Biennial Energy Report](#) (ORS 469.059) – Every two years, ODOE releases the BER, which was authorized by the legislature in 2017 as a comprehensive report on energy resources, policies, trend and forecasts in Oregon. The statutory purposes of the report are to inform local, state, regional, and federal energy policy development, energy planning and investments, and to identify opportunities to further the state's energy policies. The 2018 BER included a comprehensive chapter on climate change, including an assessment of the state's GHG reduction goals and commitments, risks and impacts of climate change, and deep decarbonization pathways. ODOE recently completed the scoping phase for the next report, collecting feedback and ideas from the public and energy stakeholders on what topics to cover in the 2020 version of the report. The next report, which will be released by November 1, 2020, will include information on climate change that will help inform the state's GHG reduction efforts. Stakeholder feedback has indicated strong support for data and analyses that inform discussions on energy use and climate goals, including providing insight into policy options that will support transitioning energy sectors in ways that provide economic, environmental, and social benefits to all Oregonians.
- Report on Adoption of Zero Emission Vehicles in Oregon – In 2019, the legislature passed SB 1044 which required, among other things, that ODOE draft a report on adoption of zero emission vehicles in Oregon and the progress the state is making to achieve reductions in GHG emissions in the transportation sector (ORS 283.327, 283.337, 283.343 and 757.612). ODOE conducted outreach with stakeholders in the first quarter of 2020 to provide information about the report development, identify data resources, and build partnerships. Over the rest of the year, ODOE will be collecting data and information to inform the report, which will include information such as ZEV adoption rates for different demographics, the availability and reliability of electric vehicle charging infrastructure, and how utilities are managing more EVs charging on their systems.



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- While many of ODOE’s activities and programs contribute to GHG reductions, ODOE does not currently have a standard methodology for measuring the GHG impacts of its work. As part of its work to implement this directive of the EO, ODOE will work with DEQ and ODOT to establish a methodology through which it can measure GHG reductions in a consistent and transparent manner.

A Venue for Problem-Solving Oregon’s Energy Challenges

We convene constructive conversations about Oregon’s energy challenges and opportunities that consider a diverse range of perspectives, foster collaboration and innovative solutions, and facilitate the sharing of best practices with consumers and stakeholders. Below are examples where ODOE is leading conversations that can help the state meet its climate goals. We will look for opportunities to convene additional conversations to inform and advance solutions.

- [Zero-Emission Vehicle Interagency Working Group](#) – The ZEVIWG was established to facilitate the implementation of EO 17-21, “Accelerating Zero Emission Vehicle Adoption in Oregon to Reduce Greenhouse Gas Emissions and Address Climate Change.” Facilitated by ODOE, this group of state agencies, including DAS, PUC, DEQ, and ODOT, collaborate to accelerate transportation electrification in Oregon. The group also provides information to and seeks input from stakeholders and the public on ways the state can tackle cost, infrastructure, and information gaps on EVs. An outcome of this effort will be an interagency Zero Emission Vehicle Action Plan that will create a roadmap for efforts to increase Oregonians’ awareness of and access to ZEVs, increase access to charging infrastructure, and increase the use of ZEVs by state agencies. ODOE will support ODOT in the implementation of this plan and the transportation electrification elements of this EO.
- [Built Environment Efficiency Working Group](#) – The BEEWG was established to support the implementation of EO 17-20, “Accelerating Efficiency in Oregon’s Built Environment to Reduce Greenhouse Gas Emissions and Address Climate Change.” ODOE convenes the BEEWG, which also includes DAS, BCD, PUC, and OHCS, and hosts periodic public meetings to seek input from stakeholders. These agencies work together to improve efficiency in residential, commercial, and public buildings across the state. While most of the specific directives of EO 17-20 have been completed, the BEEWG remains an important venue for collaboration amongst these agencies. The BEEWG agencies will continue to work together to reduce GHG emissions from the built environment.
- [RNG Advisory Committee](#) – To support the drafting of its 2018 Renewable Natural Gas Inventory and associated recommendations, ODOE convened an advisory committee that included more than 40 individuals representing a broad range of stakeholder interests. Active members included representatives from three natural gas companies, interstate natural gas pipeline companies, private developers, agriculture and forests

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interests, academia, state, regional, and local government, wastewater treatment plants, landfills, waste food management, and transportation. In addition to assisting in the development of the inventory and identification of barriers and recommendations, members attended monthly meetings, hosted facility tours, and lent their technical expertise in determining the potential production quantities of biogas and RNG. Some of the recommendations of this committee were enacted into law as part of SB 98 in 2019. The stakeholders convened as part of this effort are still engaging together to advance RNG in the state. Over the next biennium, ODOE will convene similar stakeholder conversations to advance decarbonization strategies, including renewable hydrogen.



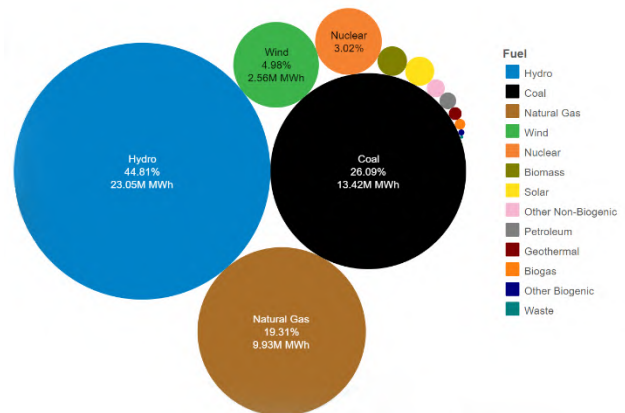
Landfill gas capture at Rogue Disposal and Recycling in Medford.

- [Thermal Renewable Energy Certifications Rulemaking Stakeholder Group](#) – in 2016 the Oregon Legislature passed SB 1547, which directed ODOE to add thermal renewable energy as eligible to generate renewable energy certificates for compliance with the state's Renewable Portfolio Standard. Thermal renewable energy is excess process heat from the generation of electricity and can be used for a number of eligible secondary purposes, such as district heating and drying of products like dimensional lumber, etc. Thermal energy production is very different from traditional RPS-eligible resources. ODOE convened a stakeholder panel of experts in facility engineering, renewable energy, and policy to inform the development of the new rules. T-RECs continue to be a unique vehicle for additional reductions GHGs by industries in Oregon.

Energy Education and Technical Assistance

We provide technical assistance, educational resources, and advice to support policy makers, local governments, industry, energy stakeholders, and the general public in solving energy challenges and meeting Oregon's energy, economic, and climate goals. In implementing this executive order, ODOE will look for opportunities to provide information to the legislature, the public, and stakeholders on low carbon energy resources and ways to reduce GHG emissions.

- [Electricity Resource Mix](#) – ODOE produces, and updates on an annual basis, an Electricity Resource Mix for the state. The

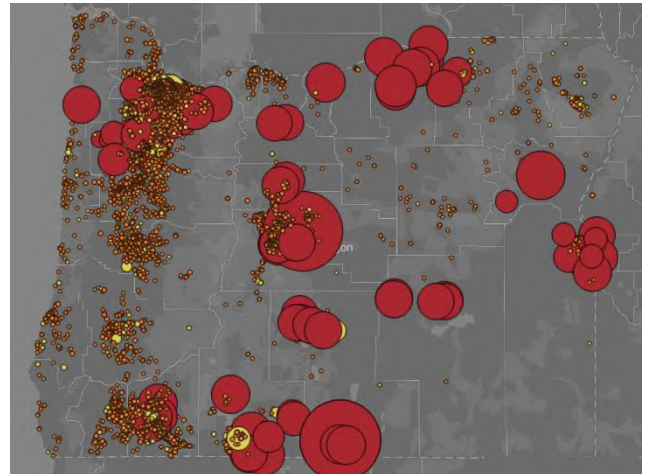


Oregon's 2017 Electricity Resource Mix

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purpose of the ERM is to provide information for utilities, stakeholders, and the general public about where and how Oregon’s electricity was generated for a particular year. OAR 860-038-005 (72) identifies ODOE as the entity responsible for determining the resource mix attributable to unspecified purchases. For this project, ODOE partners with Oregon DEQ’s Greenhouse Gas Reporting Program to collect data on electricity generation, contracted sales, and unspecified market purchase sales that supply electricity for Oregon’s use. The information displayed as part of the ERM includes pounds of CO₂ equivalent per kilowatt hour sold by each utility, using information based on DEQ data. This enables energy consumers to see not only where their electricity came from in a given year, but also the GHG emissions associated with it.

- [Solar Dashboard](#) – ODOE developed the solar dashboard in partnership with regional utility, solar industry, and community partners. The work was made possible in part through a federal grant from the U.S. Department of Energy. It shows where solar facilities are located in the state, how the number of facilities has grown over time, the declining costs of solar projects over time, and other data. ODOE staff presented this dashboard to the Oregon House Energy and Environment Committee in 2019. In 2020 and 2021, ODOE plans to develop additional renewable energy dashboards to help tell the story of low carbon energy development in the state.



Oregon Solar Dashboard (2019 Shown)

- [State Energy Efficient Design Program](#) – The SEED program, established in 1991, requires state agencies, when they build new or renovate existing buildings, to use energy efficient design methods (ORS 276.900-276.915). As part of this program, state agencies report to ODOE on the energy use of their buildings. Between 2015 and 2018, the program saved the state over \$350,000 each year in energy costs from the nine buildings built during that period. In furtherance of this EO, and to support the state government in leading by example, ODOE will use the data reported by state agencies about their facilities to assess how they might further accelerate GHG reductions. For example, ODOE can provide technical assistance and suggest energy efficiency upgrades for state facilities. Agencies that use process heat could be potential candidates for combined heat and power systems, which can be a way for facilities with simultaneous electricity and heating needs to meet those needs more efficiently and with a smaller GHG footprint. Other agencies may wish to take advantage of energy savings performance contracting, in which investments by third party contractors in energy efficiency measures are paid back from the savings created by those measures. Still other agency facilities could be strong candidates for onsite solar. ODOE has already been working with the Oregon Department of Corrections to assist in their effort to install solar PV at the Warner Creek Corrections facility near Lakeview. Using SEED as

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both a source of information and a venue for collaboration, ODOE will provide assistance to other agencies to reduce their GHG emissions.

- [Siting expertise](#) – The Siting Division staff are an important resource to developers, counties, the public, and others involved in the siting of energy facilities in the state. In particular, staff are available to assist counties that seek information and advice when considering new renewable energy land use ordinances or energy facilities. HB 2329, passed in 2019, requires ODOE, in cooperation with other state agencies, to provide technical assistance and information about the siting process to local governments that request such assistance or that anticipate having a facility proposed in their jurisdiction (ORS 469.504(9)).
- Resilience Guidebook and Vulnerability Assessment – In June 2019, ODOE developed the [Oregon Guidebook for Local Energy Resilience](#) as a resource for Oregon’s consumer-owned utilities. It is intended to help COU staff identify incremental actions they can take to improve business continuity planning, develop a framework to prioritize investments in distributed energy resources, and better understand the role of local utilities within the context of federal, state, and local emergency management planning. The guidebook acknowledges that climate change will affect the frequency and intensity of short-term extreme events like wildfires, heavy snowfall, floods, and storm surges, and it helps utilities improve their resilience to these events. To help the state better understand the impacts of climate change on the energy sector, in 2020, ODOE staff will



Central Lincoln People's Utility District in Newport built a seismically-sound operations center out of the tsunami zone.

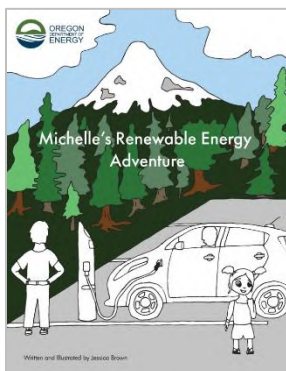
conduct a vulnerability assessment. The project will include an identification of the key climate change related hazards and energy sector components at risk, with particular emphasis on those relating to energy generation, transmission, and distribution. This project will also identify adaptation options for managing risks and guidance on how to prioritize them through analysis of costs and co-benefits.

- Least Cost Plan for Climate Change Mitigation Measures in the Energy Sector – in 2020, ODOE staff will conduct an analysis of the least cost decarbonization actions and pathway options to achieve existing reduction targets of 45 percent reduction in GHG emission below 1990 levels by 2035, and 80 percent by 2050. The scope of the analysis will include decarbonization actions in the energy sector, and will be based in part on previous Oregon and regional studies. The goal of the project is to provide a suite of least-cost “biggest bang for the buck” decarbonization actions and combinations of actions (pathways) that will achieve both the mid-term and mid-century targets. ODOE may need additional funding to complete this effort.
- [Oregon Global Warming Commission](#) – ODOE staff provide technical, administrative, and communications support for the Commission (ORS 468.221). In this capacity, ODOE

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staff assist the Commission in drafting a biennial report to the Legislature that describes Oregon's progress toward achievement of the GHG reduction goals established by ORS 468A.205. The report may include relevant issues and trends of significance, including trends of GHG emissions, emerging public policy, and technological advances. The report also discusses measures the state may adopt to mitigate the impacts of climate change on the environment, the economy, and the residents of Oregon and to prepare for those impacts.

- [Construction Industry Energy Board](#) – By statute (ORS 455.492), an employee or officer of ODOE serves as a member of the CIEB, which is an advisory board to the Department of Consumer and Business Services to help facilitate and expedite state building code compliance related to energy efficiency and conservation. The Board may evaluate and approve or disapprove proposed state building code standards related to energy use and energy efficiency aspects of the electrical, structural, prefabricated structure, and low-rise residential specialty codes. As a member of this board, ODOE adds value by bringing energy efficiency-specific technical expertise and analytical breadth. ODOE will continue working through the CIEB to promote energy efficiency and energy conservation, which will reduce GHG emissions.
- [Go Electric Oregon Website](#) – As part of EO 17-21 ODOE, in collaboration with the members of the ZEVIWG, developed the goelectric.oregon.gov website. Because the passenger vehicle sector accounts for 25 percent of overall GHG emissions in the state, Go Electric Oregon provides Oregonians with information on the benefits to driving an electric vehicle, including the GHG reductions and air quality improvements. The information presented includes EV incentives, links to tools that help EV drivers find chargers, the latest EV news, and provides updates on Oregon's goal to have at least 50,000 registered EVs on Oregon roads by the end of 2020. This information is a resource to assist Oregonians who wish to purchase zero-emission vehicles.
- Educational Resources on the Web – One of ODOE's primary statutory responsibilities is to inform and educate the public about energy problems and ways in which the public can conserve energy resources (ORS 469.030). ODOE's website is organized to help Oregonians learn about energy in Oregon, including the resources that make up Oregon's electricity mix; Oregon's energy facilities and the process for siting facilities in



the state; saving energy; and energy safety and resilience. The agency also developed [resources for youth](#), including instructions for several hands-on energy activities, as well as a custom coloring and activity book in English and Spanish. The *2018 Biennial Energy Report* also serves as an important education resource, including an [online version](#) with downloadable graphics for others to reference. ODOE also sent free printed copies of the BER to 21 out of 36 county libraries. The agency also uses social media channels, including a podcast, to educate interested stakeholders and the public about energy in Oregon.

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Regulation and Oversight

We manage the responsible siting of energy facilities in the state, regulate the transport and disposal of radioactive materials, and represent Oregon’s interests at the Hanford Nuclear Site. Most of the projects currently and recently under review by the Siting Division are low-carbon renewable resources.

- [Energy Facility Siting](#) – As mentioned above, ODOE’s Siting Division staffs the Energy Facility Siting Council, which is responsible for overseeing the development of large electrical generating facilities, high voltage transmission lines, gas pipelines, radioactive waste disposal sites, and other projects (ORS 469.300-469.520). State-level oversight of energy facilities helps ensure that Oregon has an adequate supply of energy while protecting Oregon’s environment and public safety. Before a large energy facility is built in Oregon, a developer must receive a site certificate from EFSC. To date, EFSC has reviewed 29 renewable energy projects totaling 8,214 MW in 10 of Oregon’s 36 counties. The 214 MW Stateline Wind Project in Umatilla County was approved in 2001 and was the first state-jurisdictional renewable energy project that was both approved and constructed. EFSC began reviewing solar PV projects in 2016 with the 75 MW Boardman Solar Energy Facility on approximately 800 acres in northern Morrow County. This project was approved by EFSC in February 2018. At its April 24 meeting, EFSC officially approved the Bakeoven Solar Project, which, at 300 MW, is the largest approved solar PV project in the Pacific Northwest. As of May 2020, EFSC has approved over 4,766 MW of renewable energy projects in the state, 2,220 MW of which are currently in operation. ODOE is currently working on a methodology to determine the GHG reductions associated with the development of these projects. ODOE staff will continue to support EFSC in its work to site low carbon energy facilities in the state and pursuing the process improvements discussed above.

To date, EFSC has reviewed **29 renewable energy projects** totaling **8,214 MW** in 10 of Oregon's 36 counties.

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Energy Programs and Activities

We manage and administer statutorily authorized energy programs to save energy, support the state’s decarbonization efforts, make communities more resilient, and position Oregon to lead by example. As referenced earlier, while many of the ODOE’s energy programs do not have GHG reductions as a primary purpose, GHGs are reduced as an outcome of energy efficiency and conservation, renewable energy, or energy efficient modes of transportation. Examples of ODOE programs that reduce GHG emissions and which could be adjusted to further accelerate GHG reductions include:

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- [Solar + Storage Rebate Program](#) – This program, which was authorized by the legislature in 2019 in HB 2618, is a \$2 million pilot program that provides rebates for solar electric systems and paired solar and storage systems installed for residential customers and low-income service providers in Oregon. At least 25 percent of the rebate budget is reserved for low- and moderate-income households and low-income service providers. As of May 2020, over \$1.5 million in rebate dollars have been requested, reserved, or

Initial estimates show that the 77 approved projects will **displace 476.28 metric tons of CO₂e emissions** in the first year of operation.

distributed since the program launched in January. The program, which is already oversubscribed, has approved 77 rebate requests so far totaling over \$206,000 and 959,638 kilowatts in the first year of production. ODOE is required to report on the program to the Legislature no later than

September 15, 2020. One of the items that must be reported on is the estimated amount of GHG emissions reduced or avoided due to the installation of systems for which rebates were claimed. ODOE staff are still finalizing the methodology for measuring GHG emissions impacts of these projects, but initial estimates show that the 77 approved projects will displace 476.28 metric tons of CO₂e emissions in the first year of operation.¹ ODOE will continue to work with regional stakeholders and other renewable energy programs with the goal of aligning carbon emission reduction estimates within the agency and externally. While the funding for this program has run out, the state could achieve additional GHG reductions while making rooftop solar and storage accessible for Oregonians of all income levels by appropriating additional funding.

- [Renewable Energy Development Grants](#) – ODOE’s RED Grants support individuals and organizations that are investing in renewable energy systems (ORS 469B). Between 2012-2019, ODOE awarded over \$9 million for 92 renewable energy projects statewide, including solar, hydropower, biogas, biomass, and geothermal installations. As of 2019, RED grant funding has expired. The state could support additional renewable energy projects by providing additional funding for this program.
- Community Energy Resilience Grants – If a source of funding can be identified, ODOE



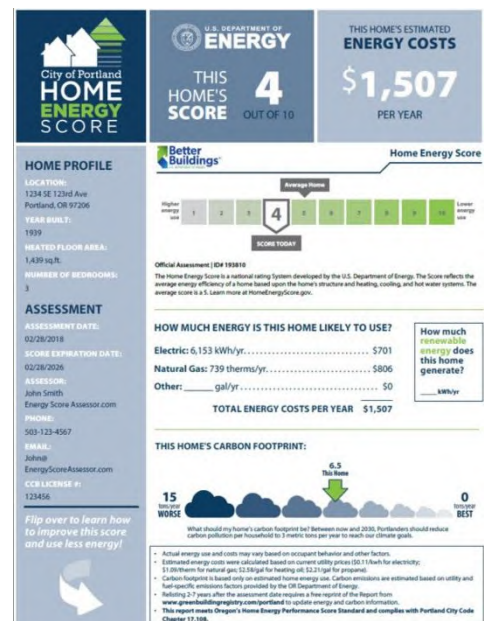
The Habitat for Humanity ReStore in Bend received a \$36,000 RED Grant.

¹ Calculation: ODOE estimates and publishes the carbon intensity associated with conventional electricity in each utility service territory on the [Electricity Mix in Oregon dashboard](#). The carbon emission reductions associated with the 77 PV System projects that received rebates is calculated by multiplying the project’s estimated annual production in kilowatts hours (9,596,380) by the carbon intensity multiplier for the utility serving that project’s location. The calculation demonstrates carbon emission reduction of 1,050,025 pounds, or 476.28 metric tons per year.

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has proposed the creation of a state grant program for the purpose of improving community energy resilience. This program would be similar to the RED Grant program, with the addition of a resilience component. Grant funds would be used for the capital cost of solar, battery storage, and microgrid controllers. They would be awarded to facilities that deliver critical lifeline services for the purpose of increasing the local energy resilience of these facilities to enable them to continue to provide services following a major disruption to the grid. Solar and storage projects would deliver cleaner and longer-lasting on-site power generation than traditional fuel-limited diesel or propane generators that may be challenging to re-supply with liquid fuel after a disaster. Additionally, these facilities could contribute to a reduction in GHG emissions during a non-emergency operation and could serve as public examples of leadership across the state.

- [Small-Scale Energy Loan Program](#) – SELP (ORS 470.060-470.310) has made more than 900 loans since it began lending in 1980. The loans, which provided capital for energy projects that invest in energy conservation, renewable energy, and alternative fuels have gone to tribes, businesses, local governments, state agencies, nonprofits, schools, and farms. Projects financed by SELP have, together, saved enough electricity, natural gas, and oil to heat more than 150,000 Oregon homes each year. ODOE has not calculated the GHG reductions associated with this program but could, pending the development of a consistent methodology. While the SELP program remains in statute, it has not been provided bonding authority over the last three biennia. The state could use this program as a tool to encourage clean energy projects. However, the most significant barrier to restarting the program is the competitive loan market. SELP is unlikely to be able to loan money to qualified low-risk borrowers at lower rates than the private market.
- [Home Energy Scoring](#) – ODOE has developed a standard home energy scoring system to illustrate a home's energy costs, efficiency, and use (ORS 469.703), and partners with Earth Advantage to implement the statewide program. As part of this process, ODOE worked with a panel of stakeholders to develop a sample scorecard, which also includes the carbon footprint associated with onsite energy use. The City of Portland used this example rule and enacted mandatory residential scoring in 2018, requiring a home energy score at the time of a real estate listing, and was recognized in 2020 as the best program in the nation by the U.S. Department of Energy. In addition to running this statewide program, ODOE works with other cities in the state considering a HES program. As more homes receive energy scores, more homeowners and potential homeowners will be aware of their energy use and carbon footprint.



Sample Home Energy Score from the City of Portland.

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- [Energy Efficient Schools](#) – ODOE staff supports public schools throughout the state in implementing cost-effective energy efficiency projects that also reduce GHG emissions. ODOE helps assess building needs, prioritize and plan projects, and works with school leadership to access resources. In implementing the Public Purpose Charge Schools program, ODOE maintains a list of qualified energy audit firms, administers guidelines, and assists districts in determining and processing reimbursements from their dedicated PPC accounts. For the 2015-2017 biennium, ODOE facilitated 72 audits across 15 school districts, as well as 125 energy efficiency measures that saved 2.8 million kwh of electricity and nearly 250,000 therms of natural gas per year. This saves the schools more than \$487,000 per year and reduces GHG emissions.

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- [Renewable Portfolio Standard](#) – ODOE certifies generating units as eligible to generate electricity to be used for compliance with the state’s RPS (ORS 469A.005 to 469A.210). As of May 2020, ODOE has certified over 575 generating units as eligible. ODOE will continue to support implementation of the RPS in this way.

As part of ODOE’s ongoing [strategic planning effort](#), the agency has drafted several imperatives on which it hopes to make progress over the next two biennia. One of the imperatives under consideration is to clarify ODOE’s role and assess existing programs. In this strategic imperative, ODOE will work with stakeholders to develop a clear understanding of whether older programs continue to meet their intended purposes and whether there are different or updated policies or programs that could better meet Oregon’s goals and needs. ODOE will analyze its programs and activities as compared to other energy programs and activities in the state, along with identifying gaps and options to fill unmet energy policy needs in Oregon.

In compliance with this EO, where appropriate, ODOE will apply a GHG lens when doing this review and analyze each program for its impact on GHG emissions and its ability to help the state achieve our GHG goals. ODOE will further outline a process for this assessment, as well as how the public and energy stakeholders can expect to engage, as we finalize our strategic plan in the summer and fall of 2020.

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CONCLUSION

The Oregon Department of Energy is excited to do its part to implement the directives of Executive Order 20-04 to reduce GHG emissions and fight climate change in our state. These efforts build on work ODOE is already doing around energy efficiency, renewable energy, education, and more.

Taking action in the energy sector isn't just about fighting climate change. It also means cleaner air, increased energy independence, new energy-related jobs, and more transportation choices. We look forward to working with our fellow state agencies and community partners to achieve Oregon's short- and long-term climate change goals.

Learn more about the Oregon Department of Energy's work on our website:

www.oregon.gov/energy



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