

For planning staff:

- Is there a conflict of interest for the Columbia County Board of Commissioners to have voted on the design review and variance in February 2022 instead of a planning commission when members of the County Board of Commissioners have publicly spoken in favor of the project at town halls, city council meetings, etc. leading up to the completed application and vote? It seems to improperly supersede the whole point of a planning commission: To have impartial members of the public review land use requests with no direct stake. Past roadshows of public support by county leaders making this vote places the applicant at a questionably favorable advantage.
- Why hasn't there been a recent FEMA Risk Map assessment to better determine flood risk? 2010 was 13 years ago. Was there discussion on getting an updated flood risk map by FEMA? If not, why? If so, why wasn't it carried out?

For the applicant:

- Will the facility have a reciprocating turbine to offset your electricity load need? If not, how will you get your required load? What is your prospective electricity use (daily, monthly, annually) once in operation?
- LUBA opinion No. 2022-039 notes:
Intervenor may be able to obtain approval if it alters the design and function of the rail facility or seeks an exception to Goal 3. Either approach would require more than insignificant changes to the application, if not a new application.
The application's modification may require a lot of conditions, as noted in the staff report, but you repeatedly said during the June 26th meeting that the modifications are "discrete". The complexity of the original application and how much remains the same from then versus now affirms your statements. How do you reconcile that with LUBA's remarks about your application requiring significant changes or a new application altogether?
- Do you think there are other components of this approved application that petitioners can bring to LUBA since you did not create significant changes or submit a new application?
- I have read in newspapers and attended town hall meetings where both Chris Efirm and Lou Soumas stated that their Odessa location failed due to market conditions. I work in the energy industry. Federal funding for electric vehicles, modular nuclear fission reactors, nuclear fusion research, and renewable battery storage are through the roof. Nationwide efforts for transportation electrification seem to outpace any biodiesel or renewable diesel innovation currently in existence. What will happen to this site if the market shifts away from NEXT Renewable Fuels' favor? Will you lock your doors and lay off your employees? How will you be able to pay your taxes, invoices, and property bills? How are you guaranteeing Odessa won't happen again?

For opponents to the modification:

- According to LUBA opinion No. 2022-039, 1000 Friends, Riverkeeper, and Seely sought to only appeal the rail line portion of the approved application. Why not seek to appeal the whole application/plan/county vote? Why just the rail line if you oppose all of it? Was this strategy? Or did you change your mind about what scope of the project you disagree with? If the latter, why did you change your mind?
- There is no mention in LUBA opinion No. 2022-039 about 1000 Friends, Riverkeeper, and Seely opposing the wetland overlays in the original design review application approved by the Columbia County Board of Commissioners. Why? You spent a great deal of time discussing it during the June 26th planning commission meeting and if it's a priority, why wasn't it included in your petition to appeal? What made it matter less than the rail line?