

Agenda Item G: Sunstone Solar Project DPO Review
Attachment 2: Public Comments and Applicant Response

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August 15, 2024

Kent Howe
Chair
Oregon Energy Facility Siting Council
Salem, OR 97301
Phone: (503) 378-4040
Fax: 800-221-8035

Re: Sunstone Solar Project - Applicant's Comments on Draft Proposed Order

Dear Chairman Howe,

Applicant Sunstone Solar, LLC and its parent, Pine Gate Renewables, LLC (collectively, Sunstone Solar) are pleased to submit these comments in support of the Sunstone Solar Project (Project) in Morrow County, OR. Sunstone Solar appreciates the Energy Facility Siting Council's (Council or EFSC) consideration of the Project and Application for Site Certificate (ASC), and the Oregon Department of Energy's (Department) issuance of the Draft Proposed Order on the ASC (DPO).

Sunstone Solar strongly supports the Department's overall conclusions in the DPO, which has been thoroughly and thoughtfully prepared. Specifically, Sunstone Solar agrees with the Department's recommendation that the Project complies with all requirements for issuance of a site certificate, including the Oregon Energy Facility Siting Statutes, standards adopted by the Council under ORS 469.501, and all other Oregon statutes and administrative rules identified in the DPO.

Sunstone Solar also supports the Department's specific recommendation that the Project meets applicable land use standards and should be granted an exception from Statewide Planning Goal 3. However, Sunstone Solar wishes to clarify aspects of the Project's economic benefits and Agricultural Mitigation Plan that may have been overlooked in the Department's initial analysis, to highlight the plan's consistency with Department policy and past Council precedent, and to request that the Council recognize Sunstone's economic benefits and its Agricultural Mitigation Plan as an additional reason to justify an exception from Statewide Planning Goal 3.

I. The Project will result in a net economic benefit, including a benefit to the local agricultural economy.

Sunstone Solar recognizes that the preservation of Oregon's agricultural lands and agricultural economy, pursuant to Statewide Planning Goal 3, is a key issue for the Council in considering the ASC. As the Department is aware, the Council may take an exception to a

statewide planning goal when certain criteria are met including, as relevant here, that: (A) reasons justify why the state policy embodied in the goal should not apply and that (B) the project's anticipated significant environmental, economic, social and energy (EESA) consequences have been identified and adverse impacts will be appropriately mitigated. OAR 345-022-0030(4)(c).

Here, the Department recommends the Council find that three specific reasons justify taking an exception from Goal 3:

- 1) The site is locationally dependent on existing transmission and transportation infrastructure and is co-located with other nearby energy facilities, allowing for efficient use of existing infrastructure;
- 2) The site is water-challenged and would not impact irrigated crops; and
- 3) Use of the site would result in minimal impacts to other resources protected by Council standards (including soils, wildlife habitat, recreational opportunities and other protected areas, scenic resources, or unmitigated cultural resources), and the lack of sensitive resources within the proposed footprint is unique for a site of this size. See DPO p. 119-120.

The Department in the DPO also discusses the significant economic benefit from the Project, including specifically the benefit to the agricultural economy. See DPO p. 113-118. The Department notes the economic benefit from the construction and operational phases of the Project, the net increase in tax revenue of \$590 million over the life of the Project, and the positive effect of those investments. However, the Department concludes that the Project's economic benefits are not sufficient to justify an exception to Statewide Planning Goal 3 based on economic benefits and instead states that Sunstone Solar has not provided sufficient evidence demonstrating how the local agricultural economy will benefit as a result of the proposed Project.

Sunstone Solar is appreciative of the Department's recognition that the Agricultural Mitigation Plan addresses the impacts the Project may have on the local agricultural economy. There are several crucial points that support the finding of an additional reason justifying an exception to Statewide Planning Goal 3 based on the economics benefits of the Project.

A. Job Creation in Morrow County

The construction and operation of the Project will generate direct economic benefits by creating permanent full-time operational jobs and direct, indirect and induced economic benefits through construction and operational spending.¹ Construction related spending will support up to 473 full time employees (FTE) (e.g. 2,080 hours of employment, or 40 hours of employment per week for 12 months) in Morrow County, and that the induced and indirect impacts of those jobs would support an additional 69 FTE over the five-year construction period.² In total, Sunstone Solar estimates the construction of the Project will support up to 541 FTE in Morrow County and approximately \$28.8 million in labor income with a total economic output of approximately \$86.9 million. See DPO p. 114. The PV and BESS facilities combined would employ an estimated 173

¹ SSPAPPDoc25-11 ASC Exhibit K Land Use 2024-05-15, Attachment K-2, Section 2.

² SSPAPPDoc25-11 ASC Exhibit K Land Use 2024-05-15, Attachment K-2, Section 2. As used in the Economic Impact Analysis, an FTE is equivalent to 2,080 hours of employment (e.g. full time employment for 12 months).

workers on site during operation with the addition of 132 battery technicians to maintain the BESS facility. See DPO p. 114. Operation of all six phases of the PV and BESS facilities is estimated to support approximately 220 total (direct, indirect, and induced) jobs in Morrow County and approximately \$21.5 million in labor income, with total economic output of approximately \$129 million per year. See DPO p. 113-114.

B. Tax Revenue to Morrow County

In addition to supporting job creation, the construction and operation of the Project will generate economic benefits by generating tax revenues and community service fees for Morrow County and other local taxing districts, including school districts and Rural Fire Protection Districts (RFPD). Sunstone Solar has entered into a long-term Payment in-lieu of Taxes (PILOT) agreement with Morrow County. The agreement provides that Sunstone Solar will pay Morrow County a flat fee of \$7,000 per MW of installed nameplate generating capacity at the site each year for 17 years. In 2022, the total property tax due for the tax lots that make up the site was \$40,128. Assuming that assessed values will increase at a rate of three percent per year, the ECONorthwest Economic Impact Analysis provided in Exhibit K, Attachment K-2, estimates that if the Project was not built, the tax lots would generate approximately \$3.3 million over the 40-year estimated life of the facility. The analysis estimates that if the Project is approved and constructed, the tax lots would generate approximately \$593.3 million over the same period, resulting in a net increase of approximately \$590 million in property taxes to Morrow County. See DPO p. 114. Activities that are financed by tax revenues in Morrow County include roads, law enforcement, public health, public works, land use planning, assessment and taxation, district attorney, juvenile services, and general administration, many of these services benefit the agricultural community. For example, the Ione RFPD is one of the receiving tax districts and provides wildland and structural firefighting services, and also responds to medical emergencies, motor vehicle accidents, rescue calls, and hazardous materials incidents within its jurisdiction. Increased funding for the Ione RFPD could indirectly benefit agricultural activities through the provision of additional funds for wildland firefighting and emergency medical response.

C. Lease Payments to Landowners for Agricultural Purposes

Sunstone Solar will also be making lease payments to participating landowners, which will help stabilize often fluctuating agricultural income and will make their continued farming on adjacent lands more viable. The Council has accepted lease payments made to landowners as an economic benefits reason justifying a Goal 3 exception when the applicant provides evidence of a direct connection between lease payments and specific benefits to significant agricultural operations.³ Sunstone Solar's lease payments to landowners will help keep farmland in the landowner's family and provide money to invest in agricultural equipment for other farming operations.⁴

³ See, e.g., Nolin Hills Wind Energy Facility – Final Order on Application for Site Certificate, NHWAPPDoc1 Final Order (clean) 2023-08-30 signed; and ASC Exhibit K, Attachment K-1, letter from landowner stating the lease payments will be used to invest in ongoing agricultural activities on over 73,000 acres of land, specifically, to improve housing for sheep herders and farm employees and possible acquisition and refurbishment of a contiguous agriculture-related business.

⁴ SSPAPPDoc25-11 ASC Exhibit K Land Use 2024-05-15; Attachment K-1, see Brian Doherty response to Landowner Survey question no. 6 and Shane Matheny response to Landowner Survey question no. 4, respectively; of 1,620 acres Matheny currently farms, 1,280 acres will be part of the proposed solar project, Matheny indicated he will continue to farm 340 acres directly adjacent to the Project.

D. The Agricultural Mitigation Plan and its benefits for the agricultural economy.

In the DPO, the Department concludes that the Agricultural Mitigation Plan should support an exception to Statewide Planning Goal 3 “not as an economic benefit reason but as appropriate mitigation for an anticipated significant adverse effect on the local agricultural economy.” See DPO p. 117. The Department states that compensatory mitigation schemes are not sufficient to justify an economics benefit “reason” but makes specific reference to mitigation under the EESE consequences: “[b]ecause the applicant has used reasonable methods to estimate the potential adverse economic impacts on local dryland wheat producers that could potentially occur from the conversion of up to 9,442 acres of cultivated dryland wheat fields to an energy use, and because the applicant has proposed funding equivalent to mitigate those potential adverse impacts, the Department recommends the Council find that the applicant’s Agricultural Mitigation Plan is appropriate mitigation for an anticipated significant adverse effect on the local agricultural economy and justifies a goal exception...” See DPO p. 118.

First, only recognizing the Agricultural Mitigation Plan as a mitigation for EESE consequences overlooks the significant net economic benefits provided by the Plan. Based on the economic analysis of the indirect impacts of the Project, the Agricultural Mitigation Plan proposes to make a \$1,179 per acre payment into a fund. That fund will not only fully mitigate both direct and indirect anticipated impacts, it will also facilitate projects and programs with operations that will improve the long-term viability and resilience of Morrow County’s wheat farms and supporting organizations. In a memo included in attachment K-3 of the ASC Exhibit K, ECONorthwest modeled the potential impacts of three potential agricultural mitigation projects totaling \$9.6 million in investment through the fund. The conservative estimate of the analysis identified a likely impact of \$11.118 million dollars in economic benefits to the agricultural sector. Thus, the actual results of the proposed investment in these projects will generate a *net positive* impact to the agricultural sector.⁵

What’s more, the projects funded by the Agricultural Mitigation Plan will provide additional substantive benefits to Morrow County’s agriculture economy, as well as the surrounding region. For example, under the Agricultural Mitigation Plan as currently conceived, producers could receive assistance in purchasing precision weed management equipment, which will benefit farmers by reducing costs/labor on chemical spraying and reduce the impact of weed management on the ground itself, those handling the chemicals, and the larger environment. The Agricultural Mitigation Plan also contemplates funding upgrades to the current North Lex grain facility, which would save producers time, potentially increase storage capacity, and maintain the local wheat industry’s stability by funding essential infrastructure repairs. In addition, the Agricultural Mitigation Plan seeks to fund the construction of a new grain storage facility at North Lexington, which will increase capacity, lower the need to store grain outside, and lower insurance risk that producers currently bear with the current outdated facility. These potential projects will do far more than merely compensate for the indirect impacts to the Morrow County agricultural economy.

⁵ If the Project is fully built out, the fund would receive an investment of the full \$11.08 million (\$1.4 million more than the economic investment of \$9.6 million modeled by ECONorthwest), potentially increasing the net benefits well beyond the initial projected windfall.

II. The Project's economic benefits are consistent with Department policy and past Council decisions to grant a reason to justify an exception to Statewide Planning Goal 3.

The conclusion that economic benefits in general or even those supporting the agricultural economy do not justify a “reason” for a Goal 3 exception is inconsistent with ODOE policy and past Council precedent on this subject. As noted in the Department’s 2021 memo on Statewide Planning Goal 3 Exception Reasons, for local economic benefit to constitute a reason justifying an exception, applicants are encouraged to analyze potential economic impacts that could result and show “the proposed facility would create a net economic benefit.” See ODOE 2021 Memo at 5-6 (recommending applicants show “net economic benefit to the resource protected by the goal”).

Since that memo was issued, at least two project approvals have expressly credited economic benefit as a “reason” to justify a Goal 3 exception and make clear that even an indirect connection to the agricultural economy is sufficient to support such a reason. In the Nolin Hills proceeding, the Council concluded that economic benefit was a reason supporting the applicant’s Goal 3 exception because at least some of the lease payments would be used to improve agricultural practices, additional property tax revenue, and execution of a Strategic Investment Program (SIP) (despite that there was no requirement that the SIP spending go to agricultural beneficiaries). See Final Order on the ASC for the Nolin Hills Wind Power Project, at 131 (July 19, 2023). Similarly, in the Obsidian Solar proceeding, the Council credited local economic benefit as a “reason” based on “lease payments to underlying landowners, creation of up to 150 construction jobs,” and a SIP agreement with the county, again, with no earmarking of SIP payments for agricultural benefit. See Final Order on ASC for Obsidian Solar Center at 86-87 (February 2022). In contrast, here, Sunstone Solar is estimated to employ up to 440 workers during peak construction, but even if it is assumed all construction workers are sourced from outside the county due to limited local workforce availability, the Project’s construction spending is estimated to create up to 541 full time jobs in Morrow County. Furthermore, Sunstone Solar is providing additional property tax revenue to Morrow County (up to \$590 million for Morrow County taxing districts), making lease payments to landowners, and significantly has also agreed to an Agricultural Mitigation Plan with Morrow County that requires all investments funded by the plan benefit the local agriculture economy.

With respect to agricultural mitigation and its ability to support an economic “reason,” in the recent Wagon Trail Solar proceeding, the Department recommended in the Proposed Order that the “Council find that the representations and evidence provided related to the economic benefits from the agricultural mitigation fund are a reason justifying a Goal 3 exception.” In the Wagon Trail Solar case, the agricultural mitigation fund proposed a one-time investment of \$170,500 to Oregon State’s Agricultural Research Program and a \$330,000 investment with the Morrow County Grain Growers. That equates to a \$136 per acre investment in the local agricultural economy⁶ as compared to Sunstone’s \$1,179 per acre investment.⁷ Wagon Trail Solar and Sunstone Solar also have similar value for annual indirect impact of disturbed lands: \$56 per acre

⁶ A total investment of \$500,500 divided by 3,685 acres of permanently occupied land equates to about \$136 per acre.

⁷ See attachment K-3 of the ASC Exhibit; see also DPO p. 117.

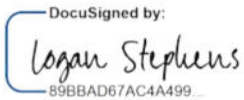
for Wagon Trail Solar and \$51 per acre for Sunstone Solar.⁸ In light of the Council's precedents on this issue, Sunstone Solar asks that the Council recognize the Project's net benefit to the agricultural economy as an additional reason to justify an exception to Statewide Planning Goal 3.

CONCLUSION

Sunstone Solar has worked hard to responsibly site and develop the Sunstone Solar Project consistent with its commitment to stewardship of the land and local community. Through engagement with state agencies, Morrow County, affected Tribes, participating landowners, and other local and regional stakeholders, we believe this Project not only meets Council requirements but also sets a new standard for renewable energy developers in the state.

Sunstone Solar thanks the Department and Council for their consideration of the Project, ASC and the DPO. We appreciate the opportunity to submit these comments and, respectfully, urge the Council to approve the Department's recommendations in the DPO.

Sincerely,

DocuSigned by:

89BBAD67AC4A499...

Logan Stephens
Vice President, Project Development

⁸ For Wagon Trail, the annual indirect output impact is \$205,693 divided by 3,685 acres which equates to about \$56 per acre. For Sunstone, the annual indirect output impact is \$478,566 divided by 9,400 acres which equates to about \$51 per acre.

July 17, 2024

Oregon Department of Energy

550 Capitol St. NE, 1st Floor

Salem, OR 97301

Subject: Public comment on Sunstone Solar Project (FKA Echo Solar project)

To Whom It May Concern:

I am writing today as Butter Creek Spraying to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a Commercial Applicator committed to decarbonization of our electricity grid, investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable, tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,



Mike Brosnan

Butter Creek Spraying

July 17, 2024

Oregon Department of Energy
The Energy Facility Siting Council
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Support for Permitting the Sunstone Solar Project (FKA Echo Solar Project)

Dear Energy Facility Siting Council:

I am writing as a life-long wheat farmer and former CEO of the Oregon Wheat Commission to express my support for permitting the proposed Sunstone Solar Project developed by Pine Gate Renewables, as well as the work they have done to mitigate the effect on the local economy of converting dry-land wheat land to the Project.

As a farmer in neighboring Umatilla County, I have seen the growth of solar and wind energy projects in North Central Oregon over the years and appreciate the need for the state to have these projects built. The negative effects of climate change are real on Oregonians and we must move as quickly as possible to get renewable projects like this built. The Sunstone Project has been particularly well planned and sensitive to the needs of the local communities.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on nearby irrigated crops.

As a member of the agricultural community, I am also sensitive to the impact that a large-scale project like this could have on the local wheat economy. However, I believe Pine Gate has come up with an innovative solution to mitigate that impact. They have established a first-of-its-kind large agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture. The company plans to mitigate these impacts by making substantial investments in the local wheat economy through a new agricultural mitigation fund that was developed with the input of local agricultural organizations and approved by the Morrow County Board of Commissioners. The goals of the fund are to improve the long-term viability and resilience of Morrow County's wheat farms and supporting organizations, and to minimize the economic impact of lost agricultural land resource productivity due to the construction and operation of the proposed Project.

In conclusion, I support the Sunstone Solar Project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals and urge your approval for permitting it.

Sincerely,

A handwritten signature in blue ink that reads "Tom Winn". The signature is fluid and cursive, with the first name "Tom" and last name "Winn" clearly distinguishable.

Tom Winn
Owner, Winn Farming LLC
Helix, Oregon



July 17, 2024

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Kristina Olivas

Mike Short

Mitch Southwick

Cindy Timmons

Julie Thompson

Executive Director

Ken Daniel

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as a stakeholder to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a stakeholder committed to decarbonizing our electricity grid, investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. This project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, located within a state-designated Critical Groundwater Area, does not have a significant conflict with habitat or cultural resources, and does not directly impact irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Daniel".

Ken Daniel
Executive Director
Blue Mountain Community College Foundation

July 18th, 2024

Oregon Department of Energy

550 Capitol St. NE, 1st Floor

Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as a business owner in Lexington to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a business committed to the decarbonization of our electricity grid, investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely, Carol Dougherty

Broken Spoke Restaurant & Saloon

July 22, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as the City Manager for the City of Heppner to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a City Manager committed to fostering economic growth in our local geographic area, investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,



John Doherty
City Manager

CLIFF BENTZ

SECOND DISTRICT, OREGON

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

HOUSE NATURAL RESOURCES COMMITTEE

CHAIRMAN
SUBCOMMITTEE ON WATER, WILDLIFE,
AND FISHERIES

SUBCOMMITTEE ON FEDERAL LANDS

HOUSE JUDICIARY COMMITTEE

SUBCOMMITTEE ON THE ADMINISTRATIVE STATE,
REGULATORY REFORM, AND ANTITRUST

SUBCOMMITTEE ON COURTS,
INTELLECTUAL PROPERTY,
AND THE INTERNET

July 30, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as Representative of the Second District of Oregon to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As the Representative of Eastern Oregon, I am committed to fostering economic growth in my district. Investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals. If you require any additional information about this critical project, please do not hesitate to contact me in my Washington, D.C. office.

Sincerely,

Cliff Bentz
Member of Congress

August 1, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as the Director of the Heppner Chamber of Commerce to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a Chamber Executive, committed to fostering economic growth in my district, investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

A handwritten signature in black ink that reads "Madison Rosenbalm". The signature is written in a cursive, flowing style.

Madison Rosenbalm, Executive Director Heppner Chamber of Commerce

August 6, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

The City of Boardman, Oregon wishes to express our support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As City officials in one of the fastest growing communities in Oregon, we know the importance of investing in clean energy initiatives like this solar project for the economic and environmental prosperity of our region and state. Boardman and Eastern Oregon are becoming a hub for these innovative energy projects as we continue to attract economic investment from businesses that demand access to clean energy.

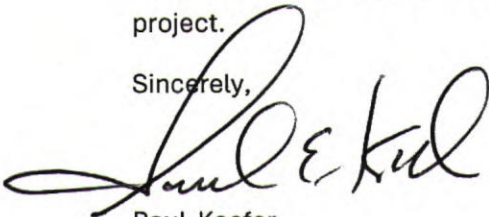
The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure and is located within a state-designated Critical Groundwater Area.

The Pine Gate Renewables team developing the Sunstone Solar team has already been a thoughtful partner in Boardman's civic groups and initiatives, especially those initiatives focused on finding solutions to providing for both long and short-term housing. We are confident Pine Gate Renewables will continue to play an important and constructive role in our community for many years to come.

Thank you for the opportunity to comment on and express our support for the Sunstone Solar project.

Sincerely,



Paul Keefer
Mayor, City of Boardman

August 7, 2024

Oregon Department of Energy

550 Capitol St. NE 1st floor

Salem, Or 97301

Subject: Public Comment on Sunstone Solar Project (Echo Solar Project)

To Whom it May Concern:

I am writing to express support for the Sunstone Solar Project being developed by Pine Gate Renewable.

I am a retired Sherman County dryland wheat farmer who has been active in renewable energy for nearly 25 years. I worked for an international renewable energy development company as a land acquisition agent. I spent several years attempting to develop QF wind farms in Sherman Co. and served on the board of Community Renewable Energy Association for more than 10 years. I support Oregon's RPS and recognize the importance of reaching those goals. Climate change is not going away without a big shift that involves much more carbon free energy.

The Sunstone project is huge. It is needed and more like it. The financial impact to the local economy will be of substance and the developers are making a legitimate and I believe generous offer to minimize the potential financial negatives resulting from diminished grain production through their agricultural mitigation plan.

While I believe there are irrational fears about solar covering a significant portion of our country's productive farm land, having developers cushion the changes associated with Solar vs Ag uses is prudent. My only fear with this mitigation

plan is that this plan may be more generous than some projects can afford, so I hope precedence won't be set that minimizes future project success.

In conclusion, I support the Sunstone Solar project and believe it will provide a more sustainable energy future that balances Oregon's energy needs with land use planning goals.

Sincerely,

A handwritten signature in black ink that reads "Don Coats". The signature is written in a cursive style with a large, stylized "D" and "C".

Don Coats

2918 NW Century Dr

Prineville, Or. 97754



Our Mission: *To conserve, protect, and develop soil, water and other natural resources for the economic and environmental benefit of the residents of Morrow County*

www.morrowswcd.org

430 W. Linden Way, PO Box 127, Heppner, OR 97836-0127

Phone (541)676-5452 Fax (541)676-9624

August 12, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

The Morrow Soil and Water Conservation District has appreciated the opportunity to work with Morrow County and Pine Gate Renewables on their agricultural mitigation program for the Sunstone Solar Project. The Sunstone Solar team contacted the SWCD early in the development of their project to seek our input for potential programs to mitigate their impacts on Morrow County's agricultural community. We offered ideas for projects that we believe could have a meaningful impact in supporting Morrow County's agricultural community. The SWCD is particularly excited about the possibility of using proposed Sunstone agricultural mitigation funds to subsidize the adoption of precision weed implements by Morrow County producers. Precision weed technologies have the potential benefits of reducing farmer's costs on crop inputs (fuel, chemical and labor), increase crop yields, and reduce countywide weed control efforts.

Ultimately any distribution of funds from the Sunstone agricultural mitigation fund will need to be approved by the Morrow County Special Advisory Council. We believe this oversight, as described in the County Memorandum of Agreement with Sunstone Solar, is workable and appropriate.

The Sunstone Solar team has taken meaningful steps in the hopes of mitigating any adverse effects their project has on Morrow County's agricultural community. We appreciate their forward thinking and commitment to that goal. We look forward to working with the Morrow County Special Advisory Council to ensure a thriving, sustainable agricultural economy in Morrow County.

Sincerely,

Kevin Payne
District Manager
Morrow Soil and Water Conservation District

August 13, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as an employee of SOLV Energy based in our Bend, OR office which has over 40 employees and is about to double our space in Bend later this year. I have also taught energy classes at the OSU Cascades Campus in Bend and had the pleasure of hiring several graduates of the Energy Systems Engineering program to work in technical roles at SOLV Energy.

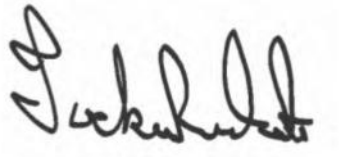
I want to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a clean energy professional committed to the decarbonization of our electricity grid, I believe that investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Tucker Ruberti". The signature is stylized with large, flowing letters and a prominent initial "T".

Tucker Ruberti, SOLV Energy

From: [CLARK Christopher * ODOE](#)
Sent: Thursday, August 15, 2024 11:51 AM
To: [CLARK Christopher * ODOE](#)
Subject: FW: Sunstone Solar Project (FKA Echo Solar Project) - TCE Energy Review - GTN Pipeline - Ken Flint Land Representative - More information required - Plan and Profile drawing with respect to TC Energy ROW

Importance: High

From: Ken Flint <ken_flint@tcenergy.com>
Sent: Thursday, August 15, 2024 8:55 AM
To: Energy Siting * ODOE <energy.siting@energy.oregon.gov>
Subject: Sunstone Solar Project (FKA Echo Solar Project) - TCE Energy Review - GTN Pipeline - Ken Flint Land Representative - More information required - Plan and Profile drawing with respect to TC Energy ROW
Importance: High

You don't often get email from ken_flint@tcenergy.com. [Learn why this is important](#)
Good morning,

My name is Ken Flint, and I am the Land Representative for TC Energy. We own, operate, and maintain the GTN Pipeline system that goes through land where the Sunstone Solar Project is being proposed.

Upon initial review of this project, our Engineering has determined that our GTN Pipeline will be impacted. Work scope and plan and profile drawings showing solar projects in relation to TC Energy pipeline and ROW should be submitted for review.

Solar arrays are not permitted to be situated within TCE ROW.

An AC interference study will be required based on preliminary overview of information provided. Per our requirement, any expense on study or remediation is at the expense of applicant/permittee.

Any AC/DC interference study or mitigation will be at the expense of the permittee.

Please confirm receipt of this email, and I look forward to working with you in the near future.

Regards,

Ken Flint
Land Representative, USNG Land Services
ken_flint@tcenergy.com
mobile: 509-991-0804 desk: 509-533-2836



201 West North River Dr Suite 505
Spokane, WA 99201
TCEnergy.com

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August 19, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

Our names are Tony and Gerald Ashbeck. We are brothers and co-owners in the Ashbeck property that is part of the Sunstone Solar Project.

This farm has been in our family since the 1940s. Our farm is a dryland wheat farm with no possibility of establishing a groundwater right due to our location in the Butter Creek Critical Groundwater Area.

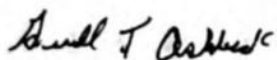
We also own and operate an irrigated farm in Umatilla County, though we recently put that farm up for sale due to a variety of reasons, including our age. Though we do have children we don't have someone to pass our irrigated farm off to that is currently capable of operating it or that currently wants to operate it. Through a long-term lease, the Sunstone Solar Project gives us an opportunity to keep our family farm in our family.

Frankly, at least one of us looks forward to retirement. The other one of us might still look for opportunities to be engaged with agriculture for at least a few more years, the only way of life either of us has ever known. The Sunstone Solar Project will help us both achieve our goals.

We hope you will approve of the project's application.

Sincerely,

Gerald Ashbeck



Tony Ashbeck



Aug. 19, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

Thank you for the opportunity to comment on the Sunstone Solar Project. I am the Assistant Business Manager and Chair of the JATC for the International Union of Operating Engineers Local 701. Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — over 150 of which live in Morrow and the surrounding area and would likely secure work on the Sunstone Solar Project.

I am writing today to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables.

As an operator, graduate of 701's apprenticeship, and the head of our apprenticeship JATC, I know the value of a project like Sunstone Solar for the local workforce. The construction and operation of this solar project will require a momentous undertaking for Oregon labor, especially for our operating engineers, who will prepare, build, and maintain this solar farm. IUOE 701 hopes to be a partner on this project as a key shareholder, and as an organization with the apprenticeship program and skilled dispatch roster to ensure the Sunstone Solar Project is completed safely and skillfully.

Sunstone Solar will provide opportunities for local labor in the short-term, as the project is constructed, but also in the long-term because of its maintenance needs. The reality is that Oregon *is* facing an aging construction workforce. Projects like Sunstone Solar are crucial in addressing our state's need to increase new labor in the industry. There is no shortage of workers looking to train to become operating engineers, but we can't train candidates without projects that offer significant job potential. The Sunstone Solar project offers incredible opportunities for apprentices to gain these necessary hours.

Oregon is also facing serious environmental and energy challenges that we must address now to meet essential goal metrics. Sunstone Solar plans to use already existing transmission infrastructure in a state-designated Critical Groundwater Area and will not have discernable impacts on local habitats. Sunstone is also introducing a novel agricultural mitigation program to offset any potential impacts to local agriculture.



I feel confident supporting this project not only because of its benefits for operating engineers but also because it will aid our state in meeting our environmental goals, making Oregon a cleaner, safer state for all. I strongly urge the Department of Energy to permit the Sunstone Solar project to move forward.

Respectfully,

Nate Stokes

Assistant Business Manager and Chair of JATC

IUOE Local 701

Aug. 19, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

Thank you for the opportunity to comment on the Sunstone Solar Project. I am the Eastern Oregon business representative for the International Union of Operating Engineers Local 701. Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — over 150 of which live in Morrow and the surrounding area and would likely secure work on the Sunstone Solar Project.

I am writing today as 701 representative and Morrow County citizen to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables.

The construction and operation of this solar project will require an abundance of skilled labor, particularly from operating engineers, who will prepare, construct, and maintain the solar farm. IUOE 701 hopes to be a partner on this project as a key shareholder and an organization with the apprenticeship program and skilled dispatch roster to ensure the Sunstone Solar Project is supervised and built by highly trained, safe professionals.

As a multiyear project with long-term maintenance needs, the Sunstone Solar Project has the potential to not only generate safer, cleaner energy but also jobs for local operating engineers for years to come. As Oregon continues to face an aging construction workforce, it is vital that projects like Sunstone Solar move forward, so the next generation of operating engineer apprentices can gain the necessary hours for them to graduate into fulltime journeymen.

As Sunstone Solar can use the already existing transmission infrastructure and does not appear to conflict with the local habitat and would produce substantial economic benefits for the county, I see no environmental or economic reasons for this project to not move forward.

Respectfully,
Tiffany Wilkins
Eastern Oregon Business Representative
IUOE Local 701

Aug. 19, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as the Business Manager and Financial Secretary of the International Union of Operating Engineers Local 701 to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables.

Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — over 150 of which live in Morrow and the surrounding area and would likely secure work on the Sunstone Solar Project.

The construction and operation of this solar project will require a diverse range of skilled labor, including electricians, operating engineers, technicians, and other specialized workers. By partnering with organizations like IUOE Local 701, the project can ensure that these positions are filled by highly trained professionals who adhere to the highest standards of safety and quality.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs. IUOE Local 701 operating engineers would be crucial in completing this project from start to finish. Once the project is complete, our engineers will still be vital in maintaining the solar farms.

Sunstone Solar will advance Oregon and Morrow County's clean energy goals and aid us in increasing stable employment for journeymen and needed training hours for apprentices.

I fully support this project and urge the Department of Energy to consider the momentous opportunities Sunstone Solar offers Oregon.

Respectfully,
James Anderson
Business Manager & Financial Secretary
IUOE Local 701



The Honorable Greg Smith

Oregon House of Representatives
District 57

August 19, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a State Representative committed to fostering economic growth in my district, investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals. Thank you for your consideration and please do not hesitate to reach out if there are any ways I may offer further support.

Best Regards,

Representative Greg Smith
District 57

900 Court Street NE, H-482, Salem, OR 97301 – Phone: 503-986-1457
P.O. Box 219, Heppner, OR 97836 – Phone: 541-676-5154
rep.gregsmith@oregonlegislature.gov

900 Court Street NE, H-482, Salem, OR 97301 – Phone: 503-986-1457
P.O. Box 219, Heppner, OR 97836 – Phone: 541-676-5154
rep.gregsmith@oregonlegislature.gov

August 19, 2024

Oregon Department of Energy
550 Capital Street NE
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To whom it may concern:

The Draft Proposed Order for the Sunstone Solar Project identifies lithium-ion, or more specifically, “Li-ion phosphate battery chemistry”, as one of the options for the proposed Battery Energy Storage System (BESS). I would like to present some considerations for the Department on why present **lithium BESS** technology may be considered contrary to the Department’s vision of a “safe, ... clean, and sustainable future”. Four areas of concerns come to mind:

1. Flammability
2. Toxicity
3. Recyclability
4. Liability

1. Flammability

Page 630 of the DPO says, “The Applicant will implement the following fire prevention and control methods to minimize fire and safety risks for the Li-ion batteries”. The methods and the assumptions behind the methods raise questions.

Page 630 says: “The batteries will be stored in completely contained, leak-proof modules.”

However: reviewing images of previous lithium BESS fires show the fire breaching the BESS container.

Page 630 cites how the “Transportation of Li-on batteries is subject to the Code of Federal Regulations” and “Adherence...will minimize any public hazard related to transport, use, or disposal of batteries”.

However, as recently as July 26, 2024, a truck carrying a single BESS (likely a Lithium iron phosphate BESS) rolled over, the BESS caught fire and off-gassed, and portions of the I-15 highway in California were closed for around two days. Federal regulations did not prevent this incident.

Page 22 says the “facility...would use Li-ion phosphate batteries, which are more thermally stable than Li-ion cathode batteries”.

However: an article published earlier in 2024 in the [Journal of Energy Storage](#) and entitled, “[Review of gas emissions from lithium-ion battery thermal runaway failure - Considering toxic and flammable compounds](#)”, paints an important, more complex picture. The paper’s Abstract states that “LFP off-gas has a greater flammability hazard”, and later says:

“...due to the lower TR [thermal runaway] temperature of LFP cells it is more likely that the vent gas is emitted without combustion. This results in a greater likelihood of vapour cloud emission and accumulation, leading to an increased risk of vapour cloud explosions for LFP batteries compared to NMC [Lithium nickel manganese cobalt oxide]. This needs to be stressed in safety and risk assessments given the general belief that LFP cells are “safe” or “the safest” in public media... This “safest” chemistry belief is based on typical abuse tests (overheat, penetration, etc...) due to LFP having lower maximum temperatures and heat generation or the absence of visible sparks and flames... However, there are many instances of LFP-based EVs under TR and emitting vapour clouds... Additional to this is the emission of toxic substances that also present a further hazard. As such, it is unwise to categorise the safety of a battery system based on the abuse test of cells that do not account for the explosion of the off-gas (and its toxicity) or the influence of the battery system design on failure behaviour. Therefore, there should be a focus within the battery community to provide a holistic

assessment of battery safety considering stability and thermal, fire/explosion and toxicity hazards.”

Part of the paper’s conclusion reads: “LFP presents a greater flammability hazard even though they show less occurrence of flames in cell TR tests.”

Page 631 cites the “Implementation of locks and fencing to prevent entry of unauthorized personnel”.

However: as necessary as this security feature is, there is another sense in which it has a rather limited ability to protect a flammable BESS.

Page 631 cites the “Installation of remote power disconnect switches”.

However: turning off power does not make the BESS non-flammable.

The Project Description does not address the complexities that can occur for the immediate problem of fire extinguishment if a lithium BESS had a fire incident. The single BESS container incident that disrupted I-15 lasted about 2 days. The lithium-ion energy storage fire from back in May 2024 in Otay Mesa, CA, lasted more than a week.

2. Toxicity

And related to the flammability issue, the Project takes a seemingly dismissive stance on the toxicity of lithium batteries. Page 629 claims, “The chemicals used in Li-ion batteries are generally nontoxic but do present a flammability hazard”.

However: a [firefighter](#) who runs a training business on EV, lithium-ion battery, and energy storage fire incident response, and is also “a member of the Technical Panel for Fire Safety of Batteries and Electric Vehicles at the UL FSRI”, had this to say while assessing the recent [Otay Mesa energy storage fire](#) and the proposed Murray BESS project in La Mesa.

“The other part about this Murray system is what they’re actually advertising: Lithium Iron Phosphate [LFP] batteries. Non-toxic. **Sure, the batteries are non-toxic, until there’s a failure!** Then there’s a **significant level of toxicity** that’s coming out of those batteries.”

The San Bernardino County Fire department was involved in the response to the I-15 BESS container fire. As the fire department [detailed](#) on their X account, they were indeed concerned about toxic fumes.

“...The primary concern is the air quality due to the hazardous materials and chemicals involved. Air monitoring is assessing for hydrogen cyanide, chlorine, and sulfur dioxide. These chemicals pose significant health risks at elevated levels, with hydrogen cyanide and chlorine being particularly dangerous even at low concentrations.”

And to cite the article from the Journal of Energy Storage paper again:

“...LFP batteries show greater toxicity than NMC; ...LFP is more toxic at lower SOC [state of charge], while NMC is more toxic at higher SOC (relative to themselves); and...LFP off-gas has a greater flammability hazard.

...The off-gas from Li-ion battery TR [thermal runaway] is known to be flammable and toxic making it a serious safety concern of LIB utilisation in the rare event of catastrophic failure...”

3. Recyclability

Would a lithium BESS be recyclable?

Would a fully used, or a defective, or a fire-destroyed lithium BESS be considered hazardous material?

Page 23 of the DPO says, “Used Li-ion batteries are generally considered to be hazardous waste by the EPA and must be transported and disposed of according to the most current guidelines at end of life”.

Is there a more sustainable and safer option?

4. Liability

Travelers, the insurance company, [notes](#) that “Chemicals contained within a battery can be released during a fire and may create an explosion. Chemical releases can also contribute to liquid pollution when mixed with firefighting water, potentially contaminating soil or groundwater.”

One LFP BESS container fire on the side of a highway was enough for authorities to shut down the highway.

Past lithium BESS fires have involved “stay indoors” or, alternatively, evacuation orders.

What happens if the Project has a lithium BESS fire incident, and nearby properties not owned by the Project experience adverse consequences?

Does the Project owner have any liability in such scenarios?

Conclusion

Lithium energy storage systems create concerns around flammability, toxicity, and recyclability that fall short of the concept of “clean energy” and the Oregon Department of Energy’s mission of a “**safe**,...**clean**, and **sustainable** future”. If energy storage systems are available that are **non-flammable** and do not pose the same risks of current lithium BESS technology, then these non-flammable BESS technologies should, by definition, take priority in the decision-making process for any proposed BESS facility under the Oregon Energy Facility Siting Council’s jurisdiction.

Thank you for taking these matters into consideration.

Sincerely,
[@TenPeaksJournal](#)

References and Additional Reading

1. Sunstone Solar Project: Draft Proposed Order on Application for Site Certificate

Oregon Department of Energy, July 12, 2024

<https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2024-07-12-SSPAPP-Draft-Proposed-Order-Signed-Combined-Attachments.pdf>

2. Oregon Department of Energy > About Us > Our Vision, Mission, and Values

Oregon Department of Energy

<https://www.oregon.gov/energy/About-Us/Pages/Mission-Values.aspx>

3. Review of gas emissions from lithium-ion battery thermal runaway failure – Considering toxic and flammable compounds

Journal of Energy Storage, Volume 87, 15 May 2024, 111288

Received 23 Nov. 2023, Revised 5 Feb. 2024, Accepted 10 Mar. 2024

<https://www.sciencedirect.com/science/article/pii/S2352152X24008739>

4. How safe are lithium iron phosphate batteries?

Researchers in the United Kingdom have analyzed lithium-ion battery thermal runaway off-gas and have found that nickel manganese cobalt (NMC) batteries generate larger specific off-gas volumes, while lithium iron phosphate (LFP) batteries are a greater flammability hazard and show greater toxicity, depending on relative state of charge (SOC).

pv magazine, April 10, 2024

<https://www.pv-magazine.com/2024/04/10/how-safe-are-lithium-iron-phosphate-batteries/>

5. BESS Incidents - Recent failures and risk management considerations

Baker Engineering and Risk Consultants, Inc., 11 September, 2023

<https://www.bakerrisk.com/wp-content/uploads/2023/11/BESS-incidents-recent-failures-and-risk-management-considerations.pdf>

6. New York is reeling from its hot battery summer

The state's ambitious clean energy buildout has hit an unexpected setback after three different grid batteries caught fire in the span of two months.

Canary Media, 21 August 2023

<https://www.canarymedia.com/articles/batteries/new-york-is-reeling-from-its-hot-battery-summer>

7. San Bernardino County Fire Department

@SBCOUNTYFIRE, posting on the I-15 incident

<https://x.com/SBCOUNTYFIRE/status/1817248115919065359>

8. Gateway Energy Storage System Fire: Otay Mesa, CA

YouTube video by Patrick Durham, StacheD Training

“Patrick Durham serves as the Captain and Training Officer at Station 4 within the Troy Fire Department in Michigan. Additionally, Patrick is a skilled mechanical engineer... Durham is a member of the Technical Panel for Fire Safety of Batteries and Electric Vehicles at the UL FSRI, where he contributes his expertise to advance the field of fire safety in the context of emerging battery technologies and electric vehicles.”

<https://www.youtube.com/watch?v=A7UY4ioP4VQ>

9. Disaster on I-15: Lithium-ion Batteries Cause Major Delays

YouTube video by Patrick Durham, StacheD Training

<https://www.youtube.com/watch?v=r0V6e3gOPYw>

10. EnerSmart, Murray Project, La Mesa

<https://www.enersmartstorage.com/lamesa>

11. Battery storage is a key piece of California's clean energy transition. But there's a problem with fires

LA Times, Oct. 12, 2023

<https://www.latimes.com/business/story/2023-10-12/battery-storage-is-a>

[-key-piece-of-californias-clean-energy-transition-but-theres-a-problem-with-fires](#)

12. Lithium-Ion Battery Energy Storage Systems (BESS) Risks

Travelers (insurance company)

<https://www.travelers.com/resources/business-industries/energy/lithium-ion-battery-energy-storage-emerging-risks-business>

13. Line of Thought: How the Growth of Battery Energy Storage Systems May Impact Commercial Property Insurers

Verisk, Apr 24, 2024

<https://core.verisk.com/Insights/Emerging-Issues/Articles/2024/April/Week-5/Battery-Energy-Storage-System-Considerations-for-Insurers>

14. Public pushback and fears against large lithium based Battery Energy Storage Systems appears to be growing

CTIF, 18 Oct 2023

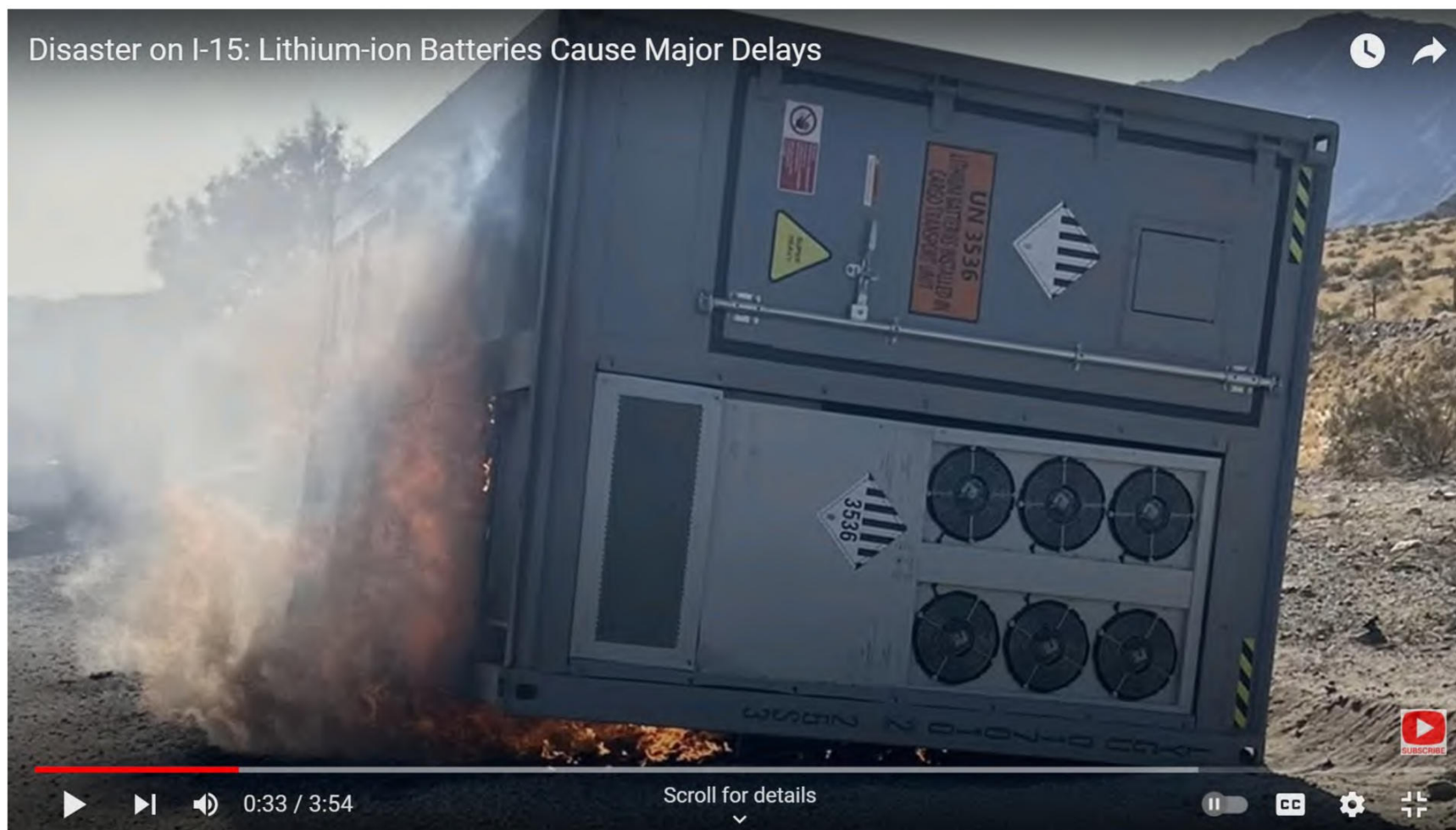
<https://ctif.org/news/public-pushback-and-fears-against-large-battery-energy-storage-systems-growing>

Exhibits regarding Lithium BESS fires

1. Disaster on I-15: Lithium-ion Batteries Cause Major Delays

StacheD Training, Jul 30, 2024 (container design appears to match a manufactured LFP BESS)

<https://www.youtube.com/watch?v=r0V6e3gOPYw>



2. Disaster on I-15: Lithium-ion Batteries Cause Major Delays

StacheD Training, Jul 30, 2024

<https://www.youtube.com/watch?v=r0V6e3gOPYw>



3. Gateway Energy Storage System Fire: Otay Mesa, CA

StacheD Training, Jun 19, 2024

<https://www.youtube.com/watch?v=A7UY4ioP4VQ>



4. Battery storage fire near Otay Mesa ongoing two weeks later

CBS 8 San Diego, May 30, 2024

<https://www.youtube.com/watch?v=YRnNfFuQwNk>



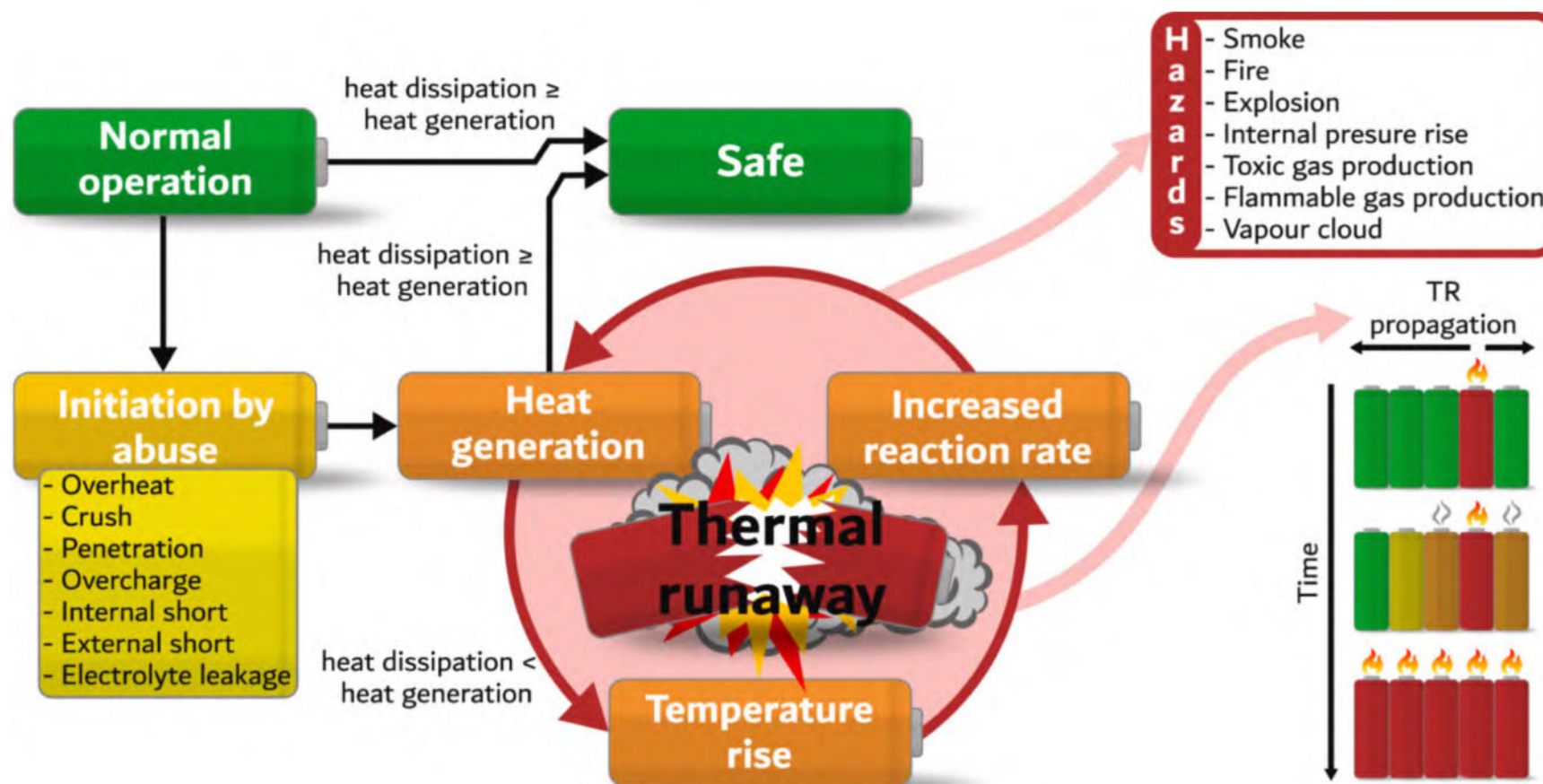
5. Review of gas emissions from lithium-ion battery thermal runaway failure – Considering toxic and flammable compounds

Journal of Energy Storage, 15 May 2024

<https://www.sciencedirect.com/science/article/pii/S2352152X24008739>

“Fig. 1. Process of thermal runaway from initiation to propagation and resulting hazards” - Bugryniec P.

Li-ion battery Thermal Runaway Flowchart, (2023) - <https://doi.org/10.13140/RG.2.2.34249.01120>



6. [Lithium-ion BESS] Fire: Neermoor, Germany Incident

StacheD Training, May 7, 2024

https://storagewiki.epri.com/index.php/Failure_Event_-_Germany,_Neermoor_-_27_Apr_2024

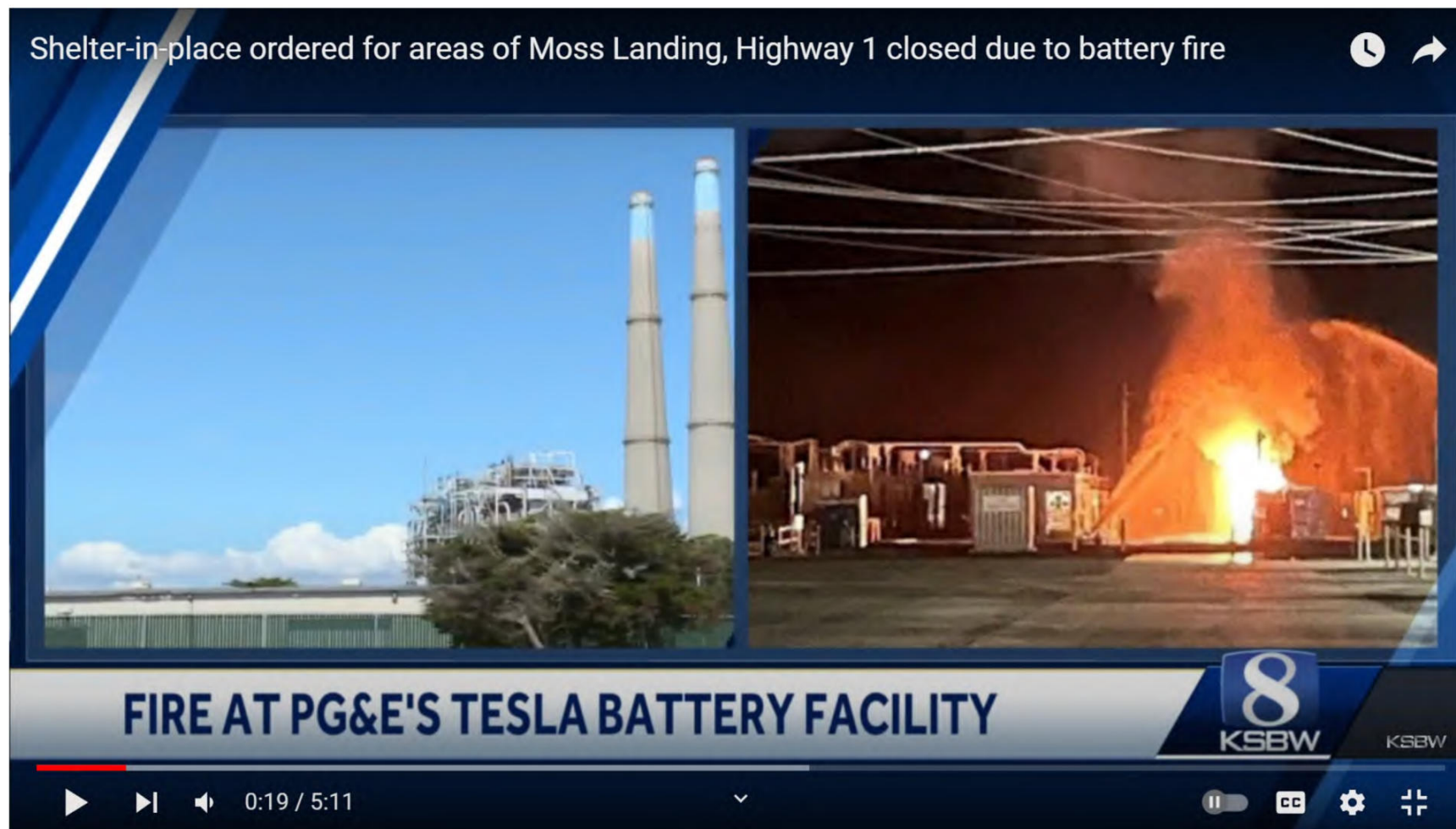
<https://www.youtube.com/watch?v=JM4ifQnIm2Q>



7. Shelter-in-place ordered for areas of Moss Landing, Highway 1 closed due to battery fire

KSBW Action News 8, Sep 20, 2022

<https://www.youtube.com/watch?v=9PTlqCCMX-0>



8. New York is reeling from its hot battery summer - “Firefighters from the Three Mile Bay Fire Co. battled a blaze at a Convergent Energy and Power site...for four days in late July 2023. (Three Mile Bay Fire Co.)”, Canary Media, 21 August 2023

<https://www.canarymedia.com/articles/batteries/new-york-is-reeling-from-its-hot-battery-summer>



9. BESS incident on Interstate 15 near Baker

San Bernardino County Fire Dept., X account, July 27, 2024


<https://x.com/SBCOUNTYFIRE/status/1817248115919065359>



San Bernardino County Fire 
@SBCOUNTYFIRE

Morning Update: Baker Incident

The northbound lanes of the 15 Freeway near Baker remained closed overnight. To manage traffic, the California Highway Patrol (CHP) alternated the north and southbound flow on the southbound lanes. Multiple attempts were made to move the container from the freeway shoulder to open land using heavy equipment from the County Fire's Special Operations Division, including an excavator and a dozer. Ground improvements and grading were completed in preparation for relocating the container to a safe area for long-term mitigation and cleanup. However, the container's weight, exceeding 75,000 pounds, has made these efforts unsuccessful so far.

 Current Situation:

The primary concern is the air quality due to the hazardous materials and chemicals involved. Air monitoring is assessing for hydrogen cyanide, chlorine, and sulfur dioxide. These chemicals pose significant health risks at elevated levels, with hydrogen cyanide and chlorine being particularly dangerous even at low concentrations.



August 20, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

We have farmed the Wm. J. Doherty Ranch independently for 25 years. We are the 4th generation of Doherty's to farm this land. The farm was established by my great grandfather BP Doherty in 1885.

Our farm once included irrigation and cattle, but the state designated our farm as part of a critical groundwater area in the early 1980's, and the pumps stopped. This also reduced our ability to pasture and produce forage for our cattle. The cattle were sold, and since we have been strictly a dryland wheat farm.

Like the other farms in Sunstone Solar, we believe it is impossible to establish a new groundwater right due to our location in the Butter Creek Critical Groundwater Area.

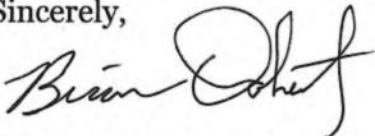
Though we love our farm, our yields are marginal. According to Oregon State University's research, one shouldn't expect a profit at our production levels. Diversifying our income would be a welcome change for our farm

We will continue to actively farm on 1100 acres next to the project area. The revenue our family receives from Sunstone Solar will allow us to invest in other agricultural projects, as well as providing us with more margin to purchase inputs locally.

We understand that people are resistant to seeing change in our local economy. We started as a sheep ranch, like many farms in our area. Times change. We believe the benefits to the local economy of the Sunstone Solar project outweigh the concerns.

With the Wheatridge Wind Project dominating the views from our farm and the 500kv Boardman to Hemingway approved to be placed on our property, possibly using eminent domain, it is clear to us that our farm is in an energy corridor. We look forward to participating in that energy corridor through the development of the Sunstone Solar Project.

Sincerely,



Brian and Peggy Doherty
70516 Hwy 207 Echo
Lexington, Oregon 97839



GRIEB FARMS, INC.

August 20, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am a property owner in Sunstone Solar and a representative of Grieb Farms, Inc.

I am a third-generation farmer with most of the farm's current land holdings in my family since 1952. In the distant past the farm once supported irrigated agriculture and the cultivation of a variety of crops, however in the 1980s declining water allocations forced the farm into being exclusively farmed for wheat production. For a while the farm utilized an existing groundwater right to supplement the area's low average rainfall with irrigation for our wheat, but as our water right was under allocated by the state, investments into maintaining and improving our irrigation infrastructure did not make financial sense and we discontinued any supplemental irrigation of our wheat in 2017. As EFSC staff have concluded in the draft proposed order the full use of our water right is not possible due to our location in the Butter Creek Critical Groundwater Area.

In recent years it has become more difficult to produce a successful crop as input costs continue to rise among fluctuating market prices for wheat. We are in an extremely low rainfall area which often leads to low crop yields. Many years we rely heavily on our crop insurance payments.

Our farm is at somewhat of a crossroads of energy development in eastern Oregon. We have three natural gas pipelines on our property, a very recently constructed gas compressor station is surrounded by our property, 2.5 miles of the Blue Ridge Transmission Line runs through our property (to which Sunstone will interconnect), and EFSC has recently approved the siting for 2 miles of the controversial Boardman to Hemingway Transmission Line directly through the middle of our farm fields.

Ken & Carri Grieb / 72540 Alpine Lane / Lexington, OR 97839

Phone: 541-377-1332 / E-mail: grieb@gotasky.com

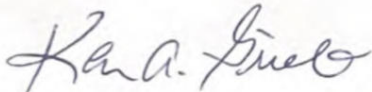
We also have wind turbines sited both north of our property and especially south of our property. Throughout all this energy development we have successfully adapted our farming to the new energy uses, but at some point it has become clear to us that our farm is better positioned to be a part of the energy production surrounding it, rather than a simple pass through for it. Indeed others, including Umatilla Electric Cooperative and former Governor Kate Brown, have referred to our area as part of an emerging Green Energy Corridor. We agree and would like to be more directly involved in the energy economy that surrounds us.

As a past Morrow County Commissioner I have participated in many meetings with large companies that have come into our area in recent years. I know the benefits these companies can bring to rural areas like ours. The jobs and extra funding for schools and taxing districts is very valuable to our community. This project will bring both to Morrow County.

I believe Pine Gate Renewables has done an exceptional job integrating themselves into Morrow County's community. Their agriculture mitigation plan goes well beyond what other developers, and even governments, have done for the area when pursuing activities that have had an impact on our agricultural economy.

Thank you for opportunity to comment upon the draft proposed order for Sunstone Solar. I hope you approve the project and we can get moving forward.

Sincerely,



Ken Grieb

72540 Alpine Lane
Lexington, OR 97839

Ken & Carri Grieb / 72540 Alpine Lane / Lexington, OR 97839

Phone: 541-377-1332 / E-mail: grieb@gotisky.com

FRONTIER ADVOCATES

Navigating Public Policy for Rural Oregon

www.frontieradvocates@gmail.com

93350 Foss Lane Wasco Or 97065

Judge Kevin Campbell, Grant
Judge Steve Grasty, Harney
Judge Mike McArthur, Sherman
Judge Laura Pryor, Gilliam

August 16, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today on behalf of advocates for Eastern Oregon to express our support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As one of four former county elected officials (Eastern Oregon County Judges) we are committed to the decarbonization of our electricity grid. Investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The State of Oregon needs projects like Sunstone to achieve our de-carbonization goals. In addition to the green power this project will help diversify the economy of this region of the state and help the farms involved become more viable.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission

infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

Mike W. McArthur, Chair, Frontier Advocates

August 20th, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

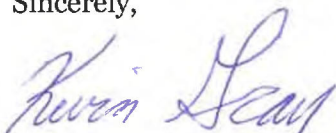
I am writing today to inform the council on my role and history engaging with Pine Gate Renewables in the development of the agricultural mitigation plan for the Sunstone Solar Project.

The Sunstone Solar Project team engaged very early on with Morrow County Grain Growers and other local agricultural organizations to better understand the impacts that the project would have on Morrow County's agricultural community, and how to mitigate those impacts in a way that keeps Morrow County's agricultural sector thriving. The team from Sunstone Solar was clear from the outset that their goal was to reasonably mitigate the impacts from the Sunstone Solar Project on the agricultural economy in a way that was equitable and cooperative minded to members of the local farming community. I believe they have engaged earnestly and sincerely to accomplish their goal through their agricultural mitigation plan.

The Sunstone Solar team specifically requested and received ideas from Morrow County Grain Growers for mitigation projects that make the area's agriculture sector more robust and resilient. The program's structure requires that any final determination of funding for specific projects be approved by a special advisory committee of the Morrow County Board of Directors. I am confident that such an advisory committee can find appropriate uses for the money and hopeful that the program will strengthen Morrow County Grain Growers.

Change can be hard for any community and Morrow County has certainly seen a lot of it in recent years. However, from my perspective, it appears Sunstone Solar is taking meaningful measures to be a good partner to Morrow County's agricultural community. Likewise, the Morrow County Grain Growers Board of Directors stated recently that they felt it important to not lose community, income from agriculture or their way of life due to these types of renewable energy projects; but that they also didn't want to impede growers from making decisions that are in the best interests of their own individual farming operations. I look forward to continuing to work with Pine Gate Renewables and the Sunstone Solar team in the years to come.

Sincerely,



Kevin Gray
CEO/General Manager
Morrow County Grain Growers, Inc.



101 Olson Rd / PO Box 1
Boardman, OR 97818

Phone (541) 481-3014 / Fax (541) 481-2733

info@boardmanchamber.org / www.boardmanchamber.org

August 21, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as Boardman Chamber of Commerce to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a Chamber in Boardman, we are committed to the decarbonization of our electricity grid, investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

Torrie Griggs, CEO
Boardman Chamber of Commerce



101 Olson Rd / PO Box 1
Boardman, OR 97818

Phone (541) 481-3014 / Fax (541) 481-2733

torrie@boardmanchamber.org / www.boardmanchamber.org

August 21, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as Boardman Community Development Associations, to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As an economic development driver in Boardman, we are committed to the decarbonization of our electricity grid, investing in clean energy initiatives like this solar project is essential for the state to meet its clean energy and climate goals. In fact, this project alone, once complete, will double the current installed solar capacity in Oregon. This is an opportunity to take a huge stride towards reducing carbon emissions resulting in cleaner air and a healthier environment.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in a more sustainable energy future that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

Torrie Griggs, Executive Director
Boardman Community Development Association

August 21, 2024
Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I reside at and farm the Matheny Properties LLC. lands in the Sunstone Solar Project.

The farm has been in our family since 1939. Like any family farm we are careful with our land and cautiously consider our options before committing to a course of action. We have been pleased and are eager to see the project move forward.

We are not only participating in the Sunstone Solar Project by leasing land, but we will also be actively farming 340 acres directly adjacent to the project. We have been impressed with Pine Gate's thoughtful approach to construction and operation and we are confident that they will do a good job in managing the project for neighboring land owners.

I will also continue to be a farm producer on other lands in the area, including land that I currently farm with my family. The revenue my family gains from Sunstone Solar might allow for increased investment in those farming operations, or even new farming operations all together.

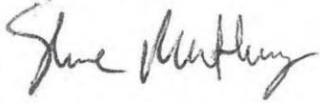
For example, last year I took 900 acres of lease ground out of its CRP program and back into grain production, in part because I expect to have fewer acres in production once the Sunstone project moves forward. Once Sunstone Solar begins construction on our property, I will be looking for more opportunities to put lands that should be in grain production back into active wheat farming.

My family has long and deep ties to agriculture in the area. I simply wouldn't pursue solar development for our land if I did not believe it was compatible with agriculture in the area. Not only do I believe it can be and will be compatible, I believe Pine Gate Renewable's has gone above and beyond their duty to ensure a sustainable agriculture community in Morrow County with their proposed agriculture mitigation fund.

Pine Gate Renewables has already shown a great deal of community support and awareness. They have donated, volunteered, and supported our schools and small community. This is a great example of who they are as a company since they have already done this before the project has even started.

I look forward to seeing what can be done with those funds and in the County with Sunstone Solar operating as a key part of our economy.

Sincerely,
Shane Matheny

A handwritten signature in black ink, appearing to read "Shane Matheny". The signature is fluid and cursive, with the first name "Shane" written in a larger, more prominent script than the last name "Matheny".



OREGON STATE SENATE

August 22, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as [stakeholder role] to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a [government official] committed to fostering economic growth in my district, investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

A handwritten signature in black ink that reads "Bill Hansell". The signature is stylized with a large, bold "B" and "H".

Bill Hansell
Oregon State Senator
District 29



BOARD OF COMMISSIONERS

110 N Court St. • P.O. Box 788
Heppner, OR 97836
541-676-5613
www.co.morrow.or.us

David Sykes, Chair
Jeff Wenzholz, Vice-Chair
Roy Drago Jr., Commissioner

August 21, 2024

Christopher Clark, Siting Officer
Oregon Department of Energy
550 Capitol Street NE 1st Floor
Salem, Oregon 97301

RE: Draft Proposed Order (DPO) - Sunstone Solar Project

Dear Mr. Clark:

Morrow County submits this letter to provide final comments on the Sunstone Solar Facility requested by Pinegate Renewables, LLC (Applicant). The facility is scheduled for a hearing before the Energy Facility Siting Council (EFSC) on August 22, 2024. If approved as proposed, the Sunstone Solar Project (project) will consist of the following components:

- Up to 9,442 acres of solar arrays within a 10,960-acre site boundary with a generating capacity of 1,200 MW
- Up to 55 miles of new access roads
- Up to 9.5 miles of 230 kV Transmission lines
- Up to approximately 86 miles of 34.5 kV collector lines
- Up to 4 O & M buildings
- Up to 270 acres of temporary construction area
- Up to Approximately 36.8 to 127.6 acres of battery storage containers
- Up to 58 miles of 7-8-foot-tall perimeter fencing
- Up to 6 collector substations

Prior county comments expressed support for the project and requested the applicant and EFSC give additional attention to several aspects of the application, outlined below:

Weed Mitigation

Morrow County's Weed Program Manager provided recommended revisions to the applicant's Draft Noxious Weed Control Plan. As drafted, the DPO incorporates county revisions and required the applicant to consult extensively with the Weed Department prior to construction. The EFSC staff and applicant worked closely with the County to address concerns related to noxious weed management. We appreciate the recognition of the importance of ensuring

compliance with the weed plan early and often, as enforcement can become rapidly unmanageable if not strictly addressed in the first few years of project operation. County would also like the DPO to emphasize the state's primary responsibility for enforcement, which can be challenging with a large project.

Traffic Impacts

The county recommended that the applicant execute a Road Use Agreement as a Condition of Approval to the application. The department has adopted this recommendation, and included conditions ensuring that this important effort is completed prior to beginning project construction.

Fire Prevention and Mitigation

Previously, county recommended a condition of approval requiring Applicant to develop a Fire and Mitigation Plan and that the Plan be approved by Morrow County Emergency Manager. Additionally, the county recommended a condition requiring the applicant collaborate with county in the update of the Community Wildfire Protection Plan (CWPP). Because our CWPP does not account for the many challenges and risks related to large-scale solar facilities, we would like to reiterate the importance of including solar developers in the CWPP update process in order to provide more specific recommendations to address the location-specific wildfire risks of these large-scale projects. Additionally, we reiterate the importance of including our Emergency Manager in the review of the Fire and Mitigation Plan.

Housing Impacts

Morrow County previously provided feedback on the housing portion of the application. The primary concern posed by the county was that the proposal did not include a guarantee that temporary construction worker housing would be adequate to mitigate impacts. The EFSC staff coordinated extensively with county staff to address this concern, and included Recommended Public Services Conditions 3 and 4, which require the applicant to provide a temporary housing plan for the construction workforce that minimizes impacts to local housing supply. In addition to these conditions, the county requests that a condition be included that requires the applicant to survey their construction contractors and report back on the actual housing demographics, i.e. in aggregate to protect personal privacy but a breakdown of how many of the contracted employees reside in existing hotel/motel/RV park facilities, how many commute from outside of the area, and how many reside on or near the project site, on resource land.

This latter request stems from a lack of evidence to support the assumptions of the applicant's housing supply analysis. For example, the housing supply metrics provided rely on many workers commuting from Benton and Franklin County, Washington - with some of the units located up to 100 miles from the project site. We have not seen evidence that a significant number of workers intend to commute two hours or more from the project site to the Tri-Cities area. This request also stems from the absence of a cumulative impact's standard and analysis, especially important given the size and volume of renewable energy projects and the temporary construction workers employed in Morrow County. Given this, we request the EFSC consider an amendment to Public Services Condition 4 to require that the certificate holder report back on the outcome of required coordination efforts and on the actual housing breakdown.

Additionally, only 4% of the available rental units indicated in the ECONorthwest analysis are in Morrow County. With nearly 1,000 workers requiring housing during peak construction for the facility, the concern that the project may significantly impact housing availability in Morrow County is justified. The county's recommended condition for a housing survey and reporting will help inform the practical applicability of the applicant's housing plan and the actual impacts on housing in Morrow County.

Goal 3 Agricultural Exception

In several prior comment letters, Morrow County expressed strong support for the applicant's agricultural mitigation program. Morrow County supports the Department's recommendation in the DPO that the Sunstone Solar Project (project) meets applicable land use standards and should be granted an exception from Statewide Planning Goal 3 (i.e. "Goal 3").

However, the county does not agree with the Department's conclusion that:

- 1) general economic benefits are not sufficient to justify a reason for granting an exception to Goal 3, or that
- 2) the applicant's Agricultural Mitigation Plan is not sufficient to justify a reason for granting an exception to Goal 3.

More information for each of these points is provided below for your consideration.

1. General Economic Benefits

- A. Regarding the first point, the county agrees with the applicant's arguments that solar energy generation generally promotes rural economic development by creating jobs and adding to the local tax base.
 - a) There is sufficient evidence in the record provided in the ECONorthwest Economic Impact Analysis (see Attachment K-2 of the Final ASC¹) that supports the conclusion that construction related spending², operational job creation and spending³, and property tax payments⁴ will create a substantial number of jobs and economic outputs in Morrow County that far exceed any reduction in direct, indirect,

¹ Exhibit K of the Final ASC is available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Facility%20Exhibits/SSP/2024-05-16-SSPAPDoc25-11-ASC-Exhibit-K-Land-Use.pdf>

² As noted on page 114, lines 1-3 of the DPO, the ECONorthwest analysis estimates the construction of the project will support up to 541 FTE in Morrow County and approximately \$28.8 million in labor income with a total economic output of approximately \$86.9 million.

³ As noted on page 114, lines 6-12 of the DPO, Phase 1 of the project will support 7 FTE during operations and wages paid to employees and other spending will support an additional 0.8 direct jobs in Morrow County each year of facility operations. In total, the ECONorthwest analysis estimates that the operation of Phase 1 of the project will support up to 8 FTE and approximately \$531,000 in labor income, with total economic output of approximately \$3.3 million per year.

⁴ As noted on page 114, lines 25-37 and page 115, lines 1-9 of the DPO, the applicant has entered into a long-term PILOT agreement with Morrow County that provides for fixed payments of \$7,000 per MW in lieu of taxes from the project over a 17-year period. Following expiration of the PILOT agreement in Year 18, estimated property tax payments on the PV facility would increase an estimated \$14 million and this increased tax revenue would support an estimated 40 total FTE (direct, indirect, and induced) jobs in Morrow County and approximately \$3.6 million in labor income, with total economic output of approximately \$5.2 million. The combined solar and BESS Facility is estimated to generate a net value of \$590 million over 40 years.

- or induced jobs, labor income, or economic output from the current dry-land wheat farming occurring in the project's site boundary⁵.
- b) Furthermore, increased tax revenues will help finance public services including roads, wildland firefighting, law enforcement, public health, public works, land use planning, assessment and taxation, district attorney, juvenile services, and general administration.
 - c) The county agrees that these services benefit all of Morrow County, including the local agricultural communities. For example, and as noted by the applicant⁶, increased funding for the Ione Rural Fire Protection District could indirectly benefit agricultural activities through the provision of additional funds for wildland firefighting.
- B. The county references other prior EFSC Final Orders that determined local economic benefit as a "reason" to justify a Goal 3 exception.
- a) On DPO (page 115, lines 11-17), the Department references a prior 2021 EFSC Final Order for the Madras Solar Energy Facility⁷ where Council found that general local economic benefits (e.g. creation of jobs, generation of tax revenue, etc.) is not sufficient to serve as an economic benefits reason for granting an exception to Goal 3.
 - b) But EFSC has made more recent Goal 3 exception approvals in the Obsidian Solar Final Order (February 2022)⁸ and Nolin Hills Wind Power Project Final Order (July 2023)⁹ that determined local economic benefit is a "reason" to justify a Goal 3 exception.
 - i) In the Obsidian Solar Final Order, Council referenced the following as justification for the local economic benefit reason for a Goal 3 exception: lease payments to landowners, creation of up to 150 construction jobs, community service fees paid to Lake County through a Strategic Investment Program (SIP) agreement, and a commitment to pay \$10,000 per MWac to the North Lake County School District Foundation for education enhancement and enrichment activities.
 - ii) In the Nolin Hills Final Order, Council referenced lease payments to landowners and SIP agreement investments as justification for the local economic benefit reason for a Goal 3 exception.
 - c) To be consistent with the Obsidian Solar and Nolin Hills Final Orders, the county recommends that the Council consider a finding that the applicant has provided

⁵ The modeled economic impacts from the removal of 9,400 acres of dry land wheat farmland cited in the ECONorthwest Economic Impact Analysis (Attachment K-2 of Exhibit K) includes a reduction in 6.0 direct, 3.9 indirect, and 0.4 induced jobs in the Morrow County economy.

⁶ See Exhibit K of Sunstone Solar Final ASC, page 97.

⁷ Madras Solar Energy Facility - Final Order on Application for Site Certificate (June 25, 2021), p. 104. Available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2021-08-02-MSEF-Final-Order-SIGNED-Attachments.pdf>

⁸ Obsidian Solar Center – Final Order on Application for Site Certificate (February 23, 2022), p. 86-87. Available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2022-02-25-OSC-APP-Final-Order-on-ASC.pdf>

⁹ Nolin Hills Wind Power Project – Final Order on Application for Site Certificate (Approved July 19, 2023, Issued August 31, 2023), p. 130-132. Available at: <https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2023-08-30-NHW-APP-Final-Order.pdf>

sufficient evidence that the Sunstone Solar Project's creation of jobs and increases to the local tax base promotes rural economic development, including benefits to the local agricultural economy, and these local economic benefits are sufficient to be included as "reason" for a Goal 3 exception.

2. Agricultural Mitigation Plan

- A. Regarding the second point, the Department concludes in the DPO that the Agricultural Mitigation Plan supports an exception to Goal 3 "not as an economic benefit reason but as appropriate mitigation for an anticipated significant adverse effect on the local agricultural economy."
- B. The county finds that the Agricultural Mitigation Plan sufficiently mitigates for the indirect economic effects of the removal of 9,400 acres of dry land wheat production in Morrow County. County points to evidence provided in the Final ASC that indicates the Agricultural Mitigation Program would result in a net benefit, further justifying a local economic benefit reason to justify a Goal 3 exception.
 - a) The county notes that per the February 14, 2024 memorandum from ECONorthwest (Attachment 1 to the Agricultural Mitigation Plan, see Attachment K-3 of Exhibit K in the Final ASC), the investments outlined in the agricultural mitigation program have the potential to generate a net positive benefit to the Morrow County agricultural economy.
 - i) ECONorthwest evaluated the example mitigation programs described in the mitigation fund (equaling a \$9.6 million dollar investment) and concluded they would have an \$11.12 million positive economic impacts to the local agricultural economy. Emphasis added.
 - ii) Also, Sunstone proposes an Agricultural Mitigation fund of \$11.08 million if the project is fully built out, which is more than the value of the projects assessed in the February 14, 2024 memorandum from ECONorthwest (i.e. \$9.6 million). Therefore, it can reasonably be assumed that the mitigation fund will result in a net positive benefit to the Morrow County agricultural economy.
 - b) The county agrees that the mitigation fund will not only fully mitigate both direct and indirect anticipated impacts, but it will facilitate projects and programs with operations that will improve the long-term viability and resilience of Morrow County's wheat farms and supporting organizations.

Summary

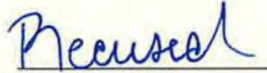
We thank ODOE, EFSC, and the Applicant for the time and effort devoted to understanding and addressing the impacts this project has on Morrow County. We reiterate our support for the project and look forward to continuing to engage with the Applicant and EFSC staff as Sunstone Solar moves into the next phase.

For questions or additional information, please contact Tamra Mabbott, Planning Director, at 541-922-4624 or tmabbott@co.morrow.or.us.

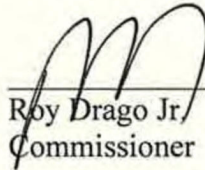
Sincerely,



David Sykes
Chair



Jeff Wenholz
Commissioner



Roy Drago Jr.
Commissioner

Cc: Tamra Mabbott, Planning Director
Eric Imes, Public Works Director
Corey Sweeney, Weed Coordinator
Steve Freeland, Morrow County Emergency Manager



Boardman Park & Recreation District

1 Marine Drive NW
Boardman, OR 97818
P. O. Box 8
Phone: (541) 481-7217

George Shimer, CEO

August 21, 2024

Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Subject: Public Comment on Sunstone Solar Project (FKA Echo Solar Project)

To Whom It May Concern:

I am writing today as CEO of the Boardman Park & Recreation District to express my support for the proposed Sunstone Solar Project developed by Pine Gate Renewables. As a Special District committed to fostering economic growth, investing in clean energy initiatives like this solar project is essential for the economic and environmental prosperity of our region and state. Morrow County and Eastern Oregon are becoming a hub for these innovative energy projects as we work to attract economic investment from businesses that demand access to clean energy.

The multiyear construction of this project will result in robust employment and positive downstream economic benefits to local and regional businesses. The long-term operation of the asset will generate significant, stable tax revenue for Morrow County and additional employment opportunities to support operations and maintenance needs.

Sunstone Solar's strategic location presents a unique opportunity to advance Oregon and Morrow County's clean energy goals. The project will utilize existing transmission infrastructure, is located within a state-designated Critical Groundwater Area, does not have significant conflict with habitat or cultural resources, and has no direct impact on irrigated crops. Importantly, the project has established a first-of-its-kind agricultural mitigation program which will result in significant local economic benefits that seek to offset potential project impacts to agriculture.

In conclusion, I support the Sunstone Solar project and believe it will result in positive economic impact that balances Oregon's need for clean energy with the statewide land use planning goals.

Sincerely,

~George Shimer, CEO

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: August 22, 2024 Location: Hermiston, Oregon

REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: Mike AldrichAddress: 145 W. Water Street Lexington ORI represent (if applicable) Iron workers Local 29 membership
Print your name OR your organization/business name.☐ Send me future notifications about Council meetings via email.

My email address is: _____

☒ I wish to address the Energy Facility Siting Council and/or☒ I wish to submit the following written comment:I represent Iron workers in the state of OR and 2 counties
in SW Washington, in support of the ProjectAs a Resident of Morrow County and A Representative of Iron workers
Local 29, I am in support of the Project. The Applicant
is in conversations with local Building trades Affiliates which will
guarantee local hire, living wage jobs, The ability to bring
local folks into ^{union} Trade Apprenticeship Programs which are registered at the
State & Federal level. These programs lead to Life long careers with

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

How to Testify at Energy Facility Siting Council Meetings and Public Hearings:

State your name and address for the record and indicate whether you are speaking for yourself or for a group.

Keep your statement **concise**. Often the Council will inform the public how much time can be given to each person testifying.

Begin your statement by stating whether you support or oppose the particular agenda item and why. Describe how the issue(s) affects you or your group and feel free to suggest a solution. If you are opposing the agenda item, discuss how you see the proposal as inconsistent with existing laws, rules or ordinances.

It may help to prepare an outline of your testimony to use while speaking. If you wish, you can leave this testimony with the Council.

Full family Benefits (Not out of pocket) and the ability to retire with
dignity.

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: August 22, 2024 Location: Hermiston, Oregon

REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: Danny Sandoval

Address: New to the area

I represent (if applicable) _____
Print your name OR your organization/business name.

☐ Send me future notifications about Council meetings via email.

My email address is: _____

☐ I wish to address the Energy Facility Siting Council and/or

☒ I wish to submit the following written comment:

As a New member to the area, it is important to me that
our energy is clean

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: August 22, 2024 Location: Hermiston, Oregon

REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: Donald PercifieldAddress: 17230 NE Sacramento St Portland ORI represent (if applicable) LiUNA 737
Print your name OR your organization/business name.

- ☐ Send me future notifications about Council meetings via email.

My email address is: _____

- ☐ I wish to address the Energy Facility Siting Council and/or

- ☒ I wish to submit the following written comment:

It is important that the project proposed
by Pine gat Renewables be approved
to uphold the claims of clean energy
promised by the great state of Oregon

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: August 22, 2024 Location: Hermiston, Oregon

REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: Donovan PercifieldAddress: 175 W HWY 730I represent (if applicable) Donovan Percifield
Print your name OR your organization/business name.

- ☐ Send me future notifications about Council meetings via email.

My email address is: _____

- ☐ I wish to address the Energy Facility Siting Council and/or

- ☒ I wish to submit the following written comment:

It is important to get these projects approved
to make Oregon a cleaner energy state."
and to be 80% Below baseline emission levels by 2030

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

ENERGY FACILITY SITING COUNCIL (EFSC)
 Date: August 22, 2024 Location: Hermiston, Oregon
 REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: Daniel Percifield

Address: 175 W HWY 730

I represent (if applicable) Linna local 737
Print your name OR your organization/business name.

☐ Send me future notifications about Council meetings via email.
 My email address is: _____

☐ I wish to address the Energy Facility Siting Council and/or

☒ I wish to submit the following written comment:

We need to approve projects in Oregon to become a cleaner
energy state.

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

written

ENERGY FACILITY SITING COUNCIL (EFSC)

Date: August 22, 2024 Location: Hermiston, Oregon

REGISTRATION FOR PUBLIC COMMENT ON SUNSTONE SOLAR PROJECT

Name: John HannerAddress: PO Box 2751 Laque, OR 97739I represent (if applicable) Labors Local 737
Print your name OR your organization/business name.

- ☐
- Send me future notifications about Council meetings via email.

My email address is: _____

- ☐
- I wish to address the Energy Facility Siting Council and/or

- ☒
- I wish to submit the following written comment:

I am in support of this project. I believe
this project supports local hire and the utilization
of state registered apprenticeships. I also think it will
help Oregon to continue to be a leader in
renewable energy.

PLEASE NOTE: If there are a large number of speakers, it may be necessary to limit the amount of time each speaker is allowed.

August 29, 2024

Kent Howe
Chair
Oregon Energy Facility Siting Council
Salem, OR 97301
Phone: (503) 378-4040
Fax: 800-221-8035

Re: Sunstone Solar Project – Applicant Responses to Comments on Draft Proposed Order

Dear Chairman Howe,

Applicant Sunstone Solar, LLC and its parent, Pine Gate Renewables, LLC (collectively, Sunstone Solar) thank the Energy Facility Siting Council’s (Council or EFSC) and Oregon Department of Energy’s (Department) efforts on the Draft Proposed Order on the ASC (DPO) and DPO hearing held last week on August 22, 2024. Sunstone Solar also appreciates the public and agency comments submitted on the record of the DPO. Sunstone Solar has reviewed the comments and provides the following responses to relevant comments raised.

I. Comments from Morrow County:

First, Sunstone Solar thanks Morrow County for its strong support of the Project, collaborative feedback throughout the siting process, and thoughtful comments on the DPO. In particular, Sunstone Solar emphasizes the County’s support for a Goal 3 exception for the Project and for the Council to add an additional “reason” in support of that exception based on the Project’s significant benefit to the local economy including the agricultural sector.

With respect to weed mitigation, Sunstone Solar agrees with the County and will comply with the requirements in the DPO, including consulting with the Morrow County Weed Department prior to construction and working closely with the County to address concerns related to noxious weed management. Sunstone Solar remains committed to ensuring that the Project minimizes impacts related to noxious weeds and supports the County’s efforts in this regard.

The County also recommends that Sunstone Solar develop a “Fire and Mitigation Plan” to be approved by the Morrow County Emergency Manager. As detailed in the DPO, Sunstone Solar has proposed, and the Department has recommended, the development and finalization of a detailed Wildfire Mitigation Plan (WMP), which Sunstone Solar will update every five years, including to account for changes in local fire protection personnel. *See* DPO at 220, Atts. L, M. Sunstone Solar agrees that it will collaborate with the Morrow County Emergency Manager on the WMP, but requests the Council not condition the WMP to final approval from the Morrow County Emergency Manager. The County also recommends that Sunstone Solar participate in the County’s Community Wildfire Protection Plan (CWPP) update process. The Project’s compliance with the CWPP is addressed in the DPO, and Department recommends that the fire mitigation measures in the DPO are consistent with that plan. DPO, Sec. IV.N.1.3. Sunstone Solar is willing to participate in the County’s CWPP update process and collaborate to the extent invited by the County.

Sunstone Solar particularly appreciates the County's input on addressing potential housing impacts. In addition to the DPO's Recommended Public Services Conditions 3 and 4, the County recommends that Sunstone Solar report back on the outcome of its housing coordination efforts and the ultimate housing outcomes (i.e., how many contracted employees reside in existing County facilities or reside outside the area). Sunstone Solar is supportive of this recommendation and, if the Department and Council agree, would support that Recommended Public Services Condition 4 be amended to incorporate this requirement, with the added condition that any data be reported in aggregate to protect personal privacy as requested by the County.


II. Questions from Council:

During the DPO hearing, Councilor Beier requested a summary of the relevant water rights and water management implications of the Oregon Water Resources Department's (OWRD) Butter Creek Critical Groundwater Area. Detailed discussions of the water rights implicated by the Project and of the Butter Creek Critical Groundwater Area are provided in the ASC, Ex. K, Sec. 3.3.1; see also DPO at pp. 111-13. In short and particularly relevant to the Goal 3 analysis, the senior water right implicated by the Project (Certificate 43515) is severely restricted based on its location in the Butter Creek Critical Groundwater Area and the practical realities of water use in the specific subarea. The Butter Creek CGWA was established in 1986 for the purposes of managing the groundwater resources in the area due to significant groundwater declines that began in the mid-1960s and continue to be historically low in all subareas of the CGWA. OWRD establishes and administers a "sustainable annual yield" for each subarea of the CGWA, which limits the total amount of groundwater that all authorized groundwater right holders may pump in a subarea in any given year. Use of the senior water right Certificate 43515 is restricted by OWRD regulation and policy because the applicable allowed sustainable annual yield set by OWRD for the subarea is only about 2/3 of the full certificated, or "paper," water right. This means that even if the water right holder *could* feasibly utilize their full water right (which they cannot, for reasons explained in the ASC), the holder would exceed the sustainable allowed yield, which would in turn quickly deplete groundwater levels and harm all other junior water users in the area and the environment. Accordingly, Department staff have rightly recognized in the DPO that the fact that the site is "water-challenged and would not impact irrigated crops" is a reason justifying a Goal 3 exception for the Project. DPO at 120.

CONCLUSION

Sunstone Solar again thanks the Department and Council for their careful preparation and consideration of the DPO. We appreciate the opportunity to provide these comment responses and look forward to the Council's evaluation of the Project.

Sincerely,

DocuSigned by:

89BBAD67AC4A499...

Logan Stephens
Authorized Signatory
Sunstone Solar, LLC