

Oregon Department of **ENERGY**

Energy Facility Siting
Council Meeting

ODOE Office
550 Capitol Street NE
Salem, Oregon

November 21, 2025



Opening Items:

- Call to Order
- Roll Call
- Announcements

Announcements:

- Reminder to Council and to anyone addressing the Council to please remember to state your full name clearly, and no not use the speakerphone feature, as it will create feedback.
- You may sign up for email notices by clicking the link on the agenda or the Council webpage.
- You are also welcome to access the online mapping tool and any documents by visiting our website.

Announcements continued:

- Please silence your cell phones
- Please use the “Raise Your Hand” feature in Webex to speak during the public comment period, or press *3 to raise your hand if you are participating by telephone.
- Energy Facility Council meetings shall be conducted in a respectful and courteous manner where everyone is allowed to state their positions at the appropriate times consistent with Council rules and procedures. Willful accusatory, offensive, insulting, threatening, insolent, or slanderous comments which disrupt the Council meeting are not acceptable. Pursuant to Oregon Administrative Rule 345-011-0080, any person who engages in unacceptable conduct which disrupts the meeting may be expelled.



Agenda Item A (Action Item & Information Item)

Consent Calendar

- October Council Meeting Minutes
- Council Secretary Report

November 21, 2025

Compliance Incident Updates

Facility	Issue	Status
Shepherds Flat North	Injury to maintenance employee	Open
Biglow Canyon Wind	Blade Stud Found on ground	Open

2024 Annual Report Non-Compliance Updates

Facility	Condition Summary	Rationale for Non-Compliance	Data or Action Require	Timing of Resolution
Biglow Canyon Wind	Inspection of turbine blades	Blade bolt torque check data was missing	Data (if available for 2024) and future reporting	2024 response requested by end of year
	Hazardous Waste	Data missing on monitoring or maintenance for leaks	Data (if available for 2024) and future reporting	
Klondike Wind III	Weed Management – general and in the HMA	Documentation of weeds and supporting data for implementation unclear	Update the weed control plan	Review and approve plan by spring
			Treat areas identified	Monitor and report
Golden Hills Wind	Turbine inspection, maintenance, and reporting	Documentation of inspections and supporting data were not provided	Provide inspection schedules and summaries of findings and maintenance	2024 response requested by end of year

Agenda Item B (Public Hearing)

Modernization Rulemaking Public Comment Hearing

Tom Jackman, Siting Policy Analyst & Rules Coordinator

November 21, 2025



Modernization Rulemaking Public Hearing

Agenda Overview

- Review of projected timeline for rulemaking
- Background and overview of proposed rule language
- Opportunity for public to make comments
 - In-person testimony (Please fill out a comment card)
 - Testimony via WebEx
 - Testimony via phone

Note: There will not be any Q&A offered at this hearing, however any questions related to this rulemaking can be directed to Tom Jackman at tom.jackman@energy.oregon.gov.



Modernization Rulemaking Public Hearing

Timeline

Event	Date
Informal rulemaking initiated by Council	March 21, 2025
Notice of Proposed Rulemaking filed with Sec of State	October 1, 2025
Public hearing	November 21, 2025
Public comment ends	November 30, 2025
Presentation of proposed rule language to Council for final consideration	December 2025

Modernization Rulemaking – Rule Overview

Minor Updates

- Correcting outlining and reference errors
- A reversion of an inadvertent rule change
- Updating rule version references, e.g., “Applicant must follow other agency rules dated Jan 1, 2012.”
- The removal of applicability provisions, given the passage of time

Modernization Rulemaking – Rule Overview

Modest Updates

- Formalizing the process for providing the Department of Defense (DoD) notice of new energy facility applications
- The removal of the requirement that applicants and site certificate holders must print copies of all their various submissions by default, but still allowing for direction by the Department to do so

Modernization Rulemaking – Rule Overview

More Significant Updates

- Directing parties to submit any data used to produce maps or other geospatial data in an acceptable format as approved by the department
- The removal of preconstruction requirement of having all construction rights before any construction could occur for all types of facilities

Modernization Rulemaking Public Hearing

Written Comments

May be submitted until 5:00 pm on November 30, 2025. Written comments may be submitted:

- Via online siting comment portal:
<https://odoe.powerappsportals.us/en-US/SitingPublicComment/>
- Via email: efsc.rulemaking@oregon.gov
- Hand delivery to one of the staff members or by mail to:
 - Oregon Department of Energy
 - 550 Capitol St. NE
 - Salem, OR, 97301



Modernization Rulemaking Public Hearing

Testimony

Prior to testifying, state the following:

- Full name with spelling
- Name of organization or group if you are representing one
- Provide any written comments or supplemental materials to a staff member

How to Raise Your Hand in Webex:

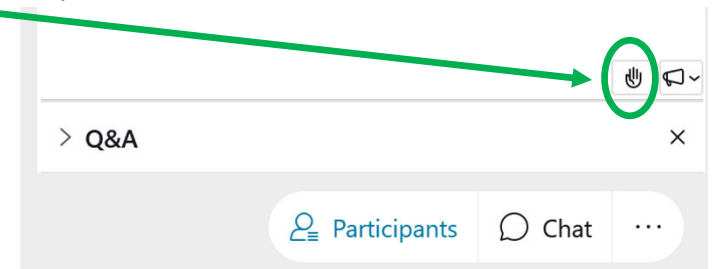
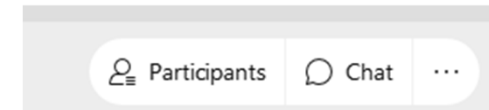
Webinar Participants

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Agenda Item C (Information Item)

Executive Order 25-25 Overview

**Amy Schlusser, Climate and Energy Policy Advisor,
Office of Governor Tina Kotek**

November 21, 2025





Office of Governor
TINA KOTEK

Executive Order 25-25: Accelerating Wind and Solar Energy Development Following HR 1

Amy Schlusser, Climate and Energy Policy Advisor

November 20, 2025



EO 25-25: Purpose and Context



To qualify for federal tax credits, HR 1 requires solar and wind projects to commence construction by July 4, 2026 and be entered into service within four years



EO 25-25 directs executive branch agencies to accelerate and prioritize siting and permitting of tax credit-eligible solar and wind projects to help projects meet HR 1 deadlines



Covered Agencies: ODOE/EFSC, OPUC, DLCD, DEQ, ODWF, ODF, DSL, ODOT, and SHPO



EO 25-25: Purpose and Context



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EFSC Enforcement Discretion



Office of Governor
TINA KOTEK

EO 25-25 directs EFSC to exercise its enforcement discretion and waive civil penalties for any eligible wind and solar project that has not received a site certificate and commences construction before July 5, 2026

Eligibility Criteria:

- Project has submitted a complete site certificate application
- Applicant supplies a letter of credit demonstrating financial assurance
- On-site construction activities are limited to minimum disturbance necessary to satisfy the Physical Work Test, and
- Applicant avoids all natural, historical, archeological, and cultural resources identified in application



Office of Governor
TINA KOTEK

Questions?

Amy Schlusser, Climate and Energy Policy Advisor

Amy.Schlusser@oregon.gov

BREAK

Agenda Item D (Action Item)

Sunstone Solar Project, Public Hearing on Request for Amendment 1/Proposed Order on Amendment 1

Chase McVeigh Walker, Senior Siting Analyst

November 21, 2025



Agenda Item E (Information Item)

PUBLIC COMMENT

Items Closed for Public Comment:

- Yellow Rosebush Energy Center Draft Proposed Order
- Modernization Rulemaking - written public comments may still be submitted until November 30, 2025.
- Sunstone Solar Project Amendment 1 Proposed Order – written public comments may be submitted until December 5, 2025.

Per OAR 345-011-0020, the Chair establishes the duration of the time for individual commenters at 7 minutes, but may lengthen or shorten that timeframe as the length of the meeting and timing and duration of other Council business dictate.



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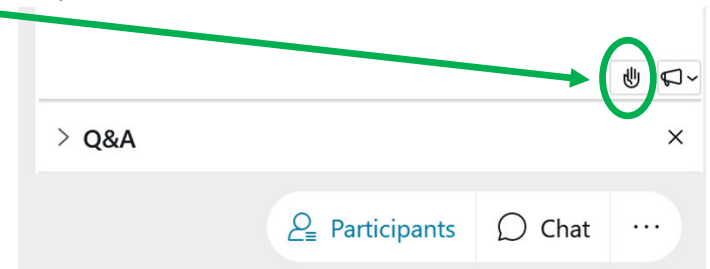
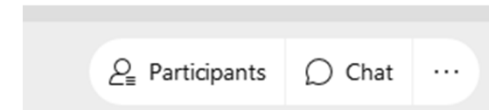
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Agenda Item F (Action Item)

Pachwaywit Fields (FKA Montague Solar Facility) – Request to Amend Noxious Weed and Revegetation Plans Amendments

Sarah Esterson, Senior Policy Advisor

November 21, 2025



Request to Amend Noxious Weed Plan

Certificate Holder's Proposed Changes

- Remove references in the plan that apply to construction activities.
 - Construction has been completed.
- Remove references to spot treatment of herbicide.
 - Site wide treatment has been applied, which is acceptable just not consistent with the plan's reference to spot treatment.
- Clarify the approach for monitoring and reporting, providing similar benefits as the Revegetation Plan, but within the solar site.
- Clarify the success criteria for noxious weed treatment to be 1-3% cover values of pre-disturbance impacts.



Request to Amend Noxious Weed Plan

Department's Proposed Changes

- Clarify that monitoring and reporting applies to sheep grazing, including timing, frequency, issues and success.

Request to Amend Revegetation Plan

Certificate Holder's Proposed Changes

- Remove all requirements and route to the Noxious Weed Plan
 - 0.11 acres of temporary impacts to Category 4 grassland was inappropriately evaluated within the context of the plan. Not considered Category 4 when evaluated within context
 - 30 acres of temporary cropland impacts restored by landowner; plan requirements not necessary.
 - Noxious Weed Plan is based on approach requiring seeding and noxious weed control; and short- and long-term monitoring. Provides benefits of both plans. Two plans are unnecessary.



Council Options

Option 1 - Recommended

Approve the proposal
as recommended

Option 2

Approve the proposal
with changes

Option 3

Deny the proposal

Council Deliberation

Agenda Item G (Information Item)

ODFW Update on Recommended Preventative Measures for Solar Facilities Proposing Sheep Grazing as Vegetative Management Strategy

Jeremy Thompson, John Day Watershed District Manager, ODFW

November 21, 2025



Sheep Grazing Impacts

Background

Sheep grazing is being proposed at solar facility sites as a noxious weed/vegetation/wildfire management strategy

- Montague Solar Facility (approved/in use)
- Bakeoven Solar Project (approved/in use)
- Daybreak Solar Project (approved/in use)
- Sunset Solar Project (approved/not in use)
- Yellow Rosebush Energy Center (proposed)

Sheep Grazing Impacts

Position

- ODFW's mission is to protect and enhance Oregon's fish and wildlife and their habitats
 - Within that broader mission, wild sheep (bighorn) and their habitat are a species specific/habitat-management focus
- Known/documented risk of disease transmission from domestic sheep to wild bighorn sheep
- Spatial or Temporal Strategy
 - Monitoring to assess proximity/contact of domestic to wild
 - Determine domestic sheep disease history
 - Evaluate die-offs
 - Double fencing



WORKING LUNCH BREAK



Agenda Item H (Action Item)

Wind and Wildlife Technical Advisory Committee Proposal (Action Item)

**Daisy Goebel, Senior Technical Specialist, Haley & Aldrich, Inc.
Jeremy Thompson, John Day Watershed District Manager, ODFW
Christopher M. Clark, Senior Siting Analyst, ODOE**

November 21, 2025



Wind and Wildlife Technical Advisory Committee

Background

- The Final Order on Request for Amendment 1 of the Site Certificate for Wheatridge Renewable Energy Facility East (June 2024), required a review of the “thresholds of concerns” for bird and bat fatalities used in the Wildlife Monitoring and Mitigation Plan for the facility.
- At the July 18, 2025, EFSC Meeting, the Department recommended that following review, the certificate holder and agencies agreed that there was not a sufficient empirical basis to support an update.
- Council agreed with recommendation, but requested Department provide a plan and schedule for reviewing wind and wildlife issues for future proceedings.

Wind and Wildlife Technical Advisory Committee

Recommended Action

- Authorize the formation of a Technical Advisory Committee (TAC) to:
 - Review existing policies and procedures regarding bird and bat mortality monitoring and mitigation
 - Provide general recommendations on how best to address the potential impacts of wind energy development on wildlife and wildlife habitat based on the best available science.



Golden Eagle. Credit: ODFW

Wind and Wildlife Technical Advisory Committee

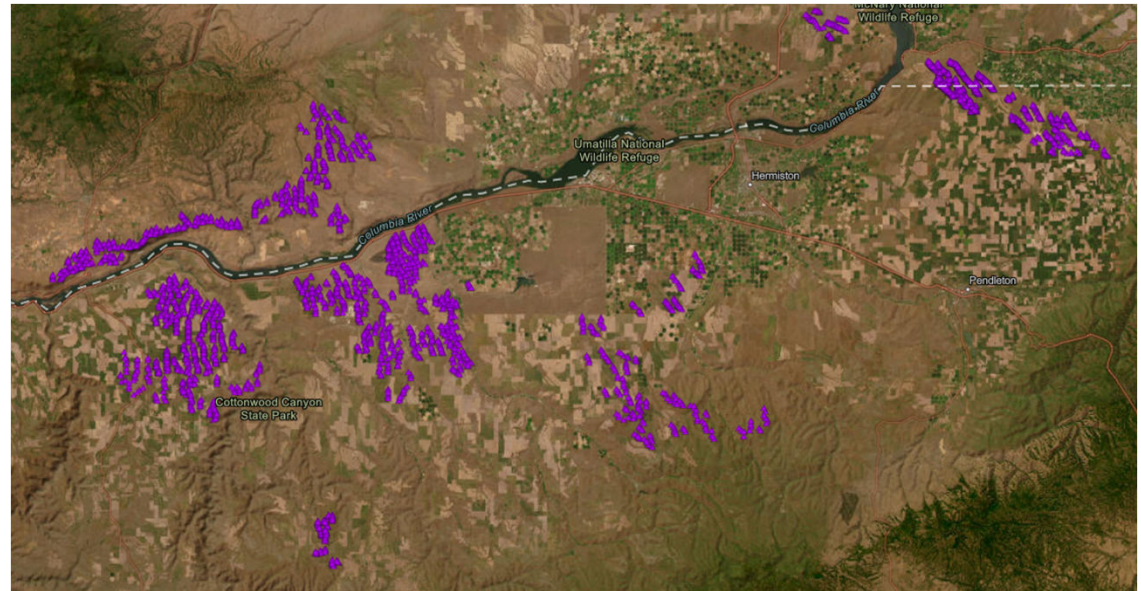
Research Questions

- How do wind-related bird and bat mortality rates translate to population-level impacts?
- How might we refine and standardize mortality estimates?
- Are the existing "thresholds of concern" adequate to protect migratory species and habitats?
- What preventative conditions are effective for reducing bird and bat fatalities?
- What mitigation measures are effective for offsetting impacts to migratory species?

Wind and Wildlife Technical Advisory Committee

Recommended Scope

- Focus on Wind Energy Facilities
- Focus on Columbia Plateau Ecoregion
- Focus on Wildlife and Wildlife Impacts
 - Expected emphasis on bird and bat mortality



Existing Wind Turbines in the Columbia Plateau.

Source: US Wind Turbine Database v. 8.0 (Feb 2025). Accessed via [ORESAs Mapping Tool](#)

Wind and Wildlife Technical Advisory Committee

Recommended Committee Composition

- Oregon Department of Energy
- Oregon Department of Fish and Wildlife
- Washington Energy Facility Site Evaluation Council
- Washington Department of Fish and Wildlife
- U.S. Fish and Wildlife Service
- Burns Paiute Tribe Natural Resources Department
- Confederated Tribes of the Umatilla Indian Reservation Department of Natural Resources
- Confederated Tribes of the Warm Springs Reservation of Oregon Branch of Natural Resources
- Yakima Nation Department of Natural Resources
- Nez Perce Tribe Natural Resources Department



Wind and Wildlife Technical Advisory Committee

Recommended Process

- Identify Participants, establish scope of participation
- Conduct Literature review and synthesis
- Develop policy recommendations
- Present preliminary results and recommendations to Council
- Public engagement, stakeholder consultation
- Refine policy recommendations
- Present Final report



Credit: energyinfo.oregon.gov

Council Options

Option 1 - Recommended

Approve the proposal
as recommended

Option 2

Approve the proposal
with changes

Option 3

Deny the proposal

Council Deliberation

Agenda Item I (Information Item)

Yellow Rosebush Energy Center - Council's Review of the Draft Proposed Order

Kellen Tardaewether, Senior Siting Analyst

November, 21, 2025

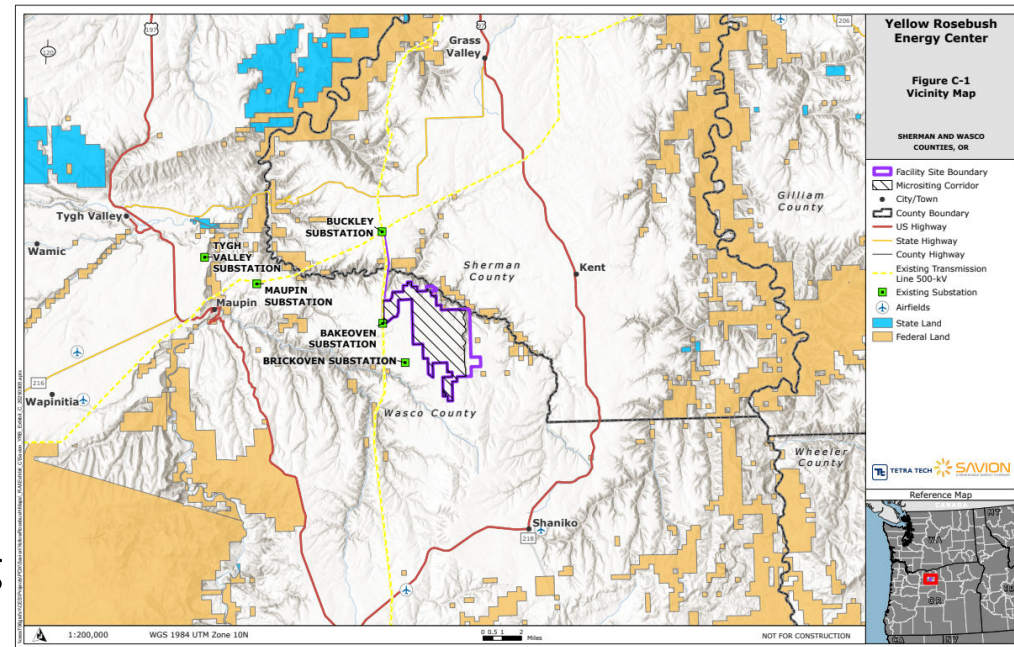


Yellow Rosebush Energy Center: Project Overview

Applicant: Yellow Rosebush Energy Center, LLC., a subsidiary of Savion, LLC., which is owned by Shell Energy

Proposed Facility: 800 MW solar photovoltaic power generation facility with related and supporting facilities.

Location/Site Boundary: 7,026 (11 sq miles) acres within a 8,025-acre (12.6 sq miles) site of privately-owned land zoned for Exclusive Farm Use in Wasco County, with 2 transmission alternatives under consideration, one extending north of the facility approx. 1.9 miles into Sherman County.



Yellow Rosebush Energy Center: Facility Overview

Energy Facility:

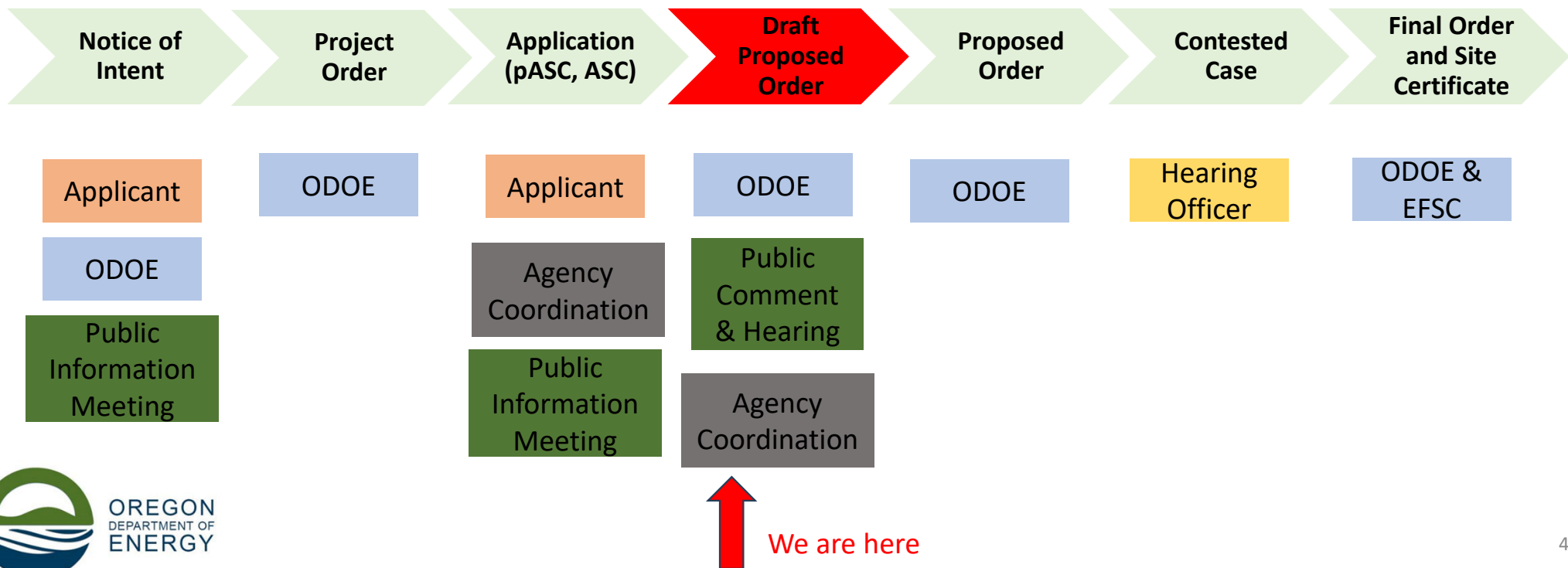
- 2,037,360 solar modules
- 364,351 piles/posts
- 20,622 single axis trackers
- 267.8 miles of underground 34.5 kilovolt (kV) collection system
- 6,800 combiner boxes
- 199 inverters/transformers

Related or Supporting Facilities:

- Up to 800 MW battery energy storage system
- Collector substation
- Operations and Maintenance Building
- Over 50 miles of perimeter fence (8-foot tall)
- 27 miles of new and improved access roads
- Two temporary staging areas (3.5-acre site and 20-acre site)
- 500 kV generation tie line, two route alternatives (one onsite and one 4.5 miles extending north into Sherman County)

Energy Facility Siting Process

Application for Site Certificate (ASC)



Yellow Rosebush Energy Center: DPO Overview

Standards Discussed at Hearing Presentation:

- General Standard of Review
- Organizational Expertise
- Soil Protection
- Land Use: Goal Exception
- Retirement and Financial Assurance
- Fish and Wildlife Habitat; HMA
- Historic, Cultural and Archeological Resources
- Public Services



Yellow Rosebush Energy Center: DPO Overview

List of Commenters:

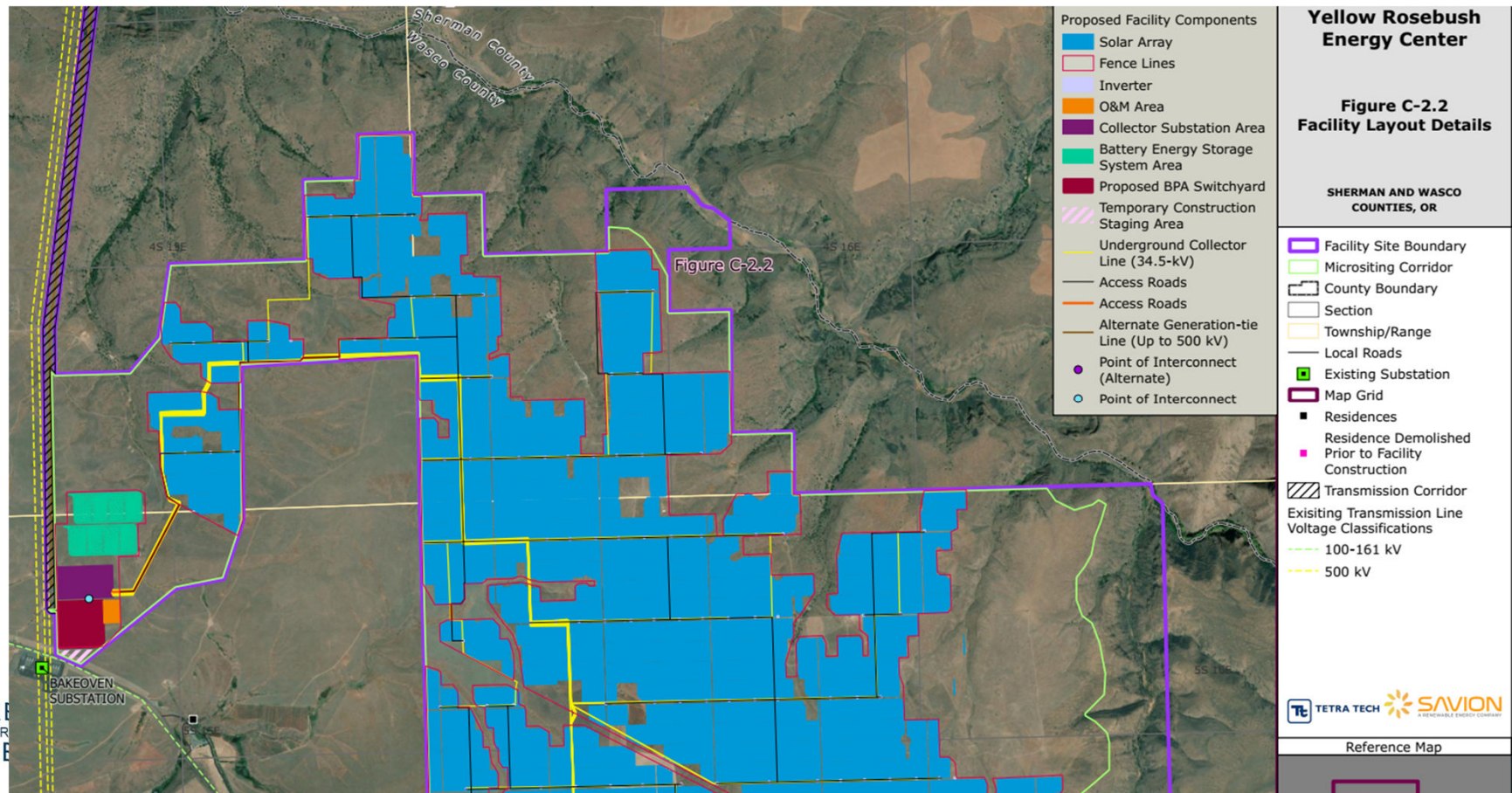
- 3 reviewing agencies
- Applicant
- 66 members of the Laborer's Union International of North America
- 25 members of Green Light America
- 16 members of the public
- Members of Council

Concerns/Issues Raised on Comments:

- Public service; emergency service impacts; road and traffic, and housing impacts
- Soil protection; erosion into waterways
- Water sources and lack of water availability
- Location of facility to fish & wildlife habitat; wildlife migration and the HMA
- Wildfire risk and sufficiency of mitigation

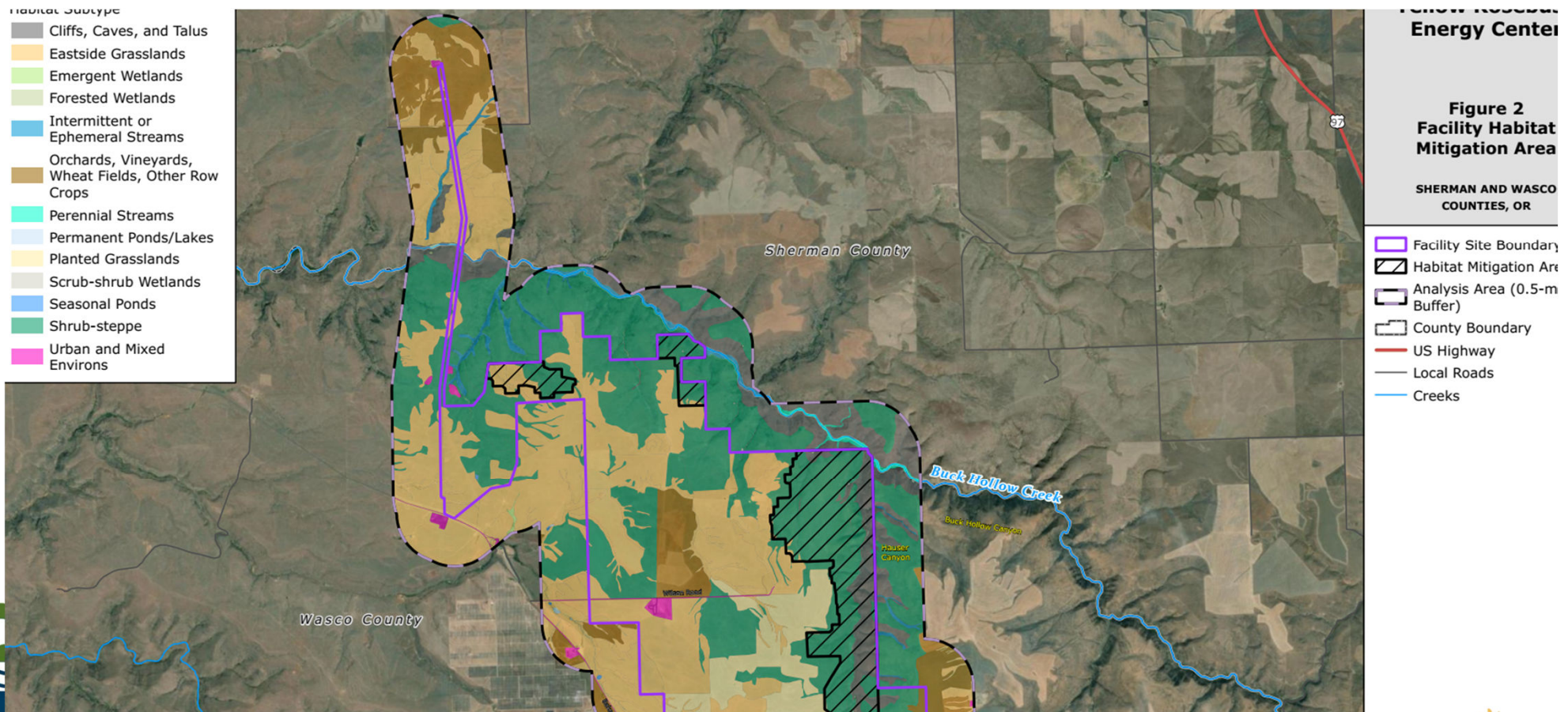
Yellow Rosebush Energy Center

GENERAL ISSUE: IMPACTS DUE TO PROXIMITY OF FACILITY TO RIDGES, CANYONS AND WATERWAYS



Yellow Rosebush Energy Center

GENERAL ISSUE: IMPACTS DUE TO PROXIMITY OF FACILITY TO RIDGES, CANYONS AND WATERWAYS



Yellow Rosebush Energy Center

REVIEWING AGENCY COMMENTS

- Department of State Lands(DSL): Recommend updating Removal Fill Section in Proposed Order to align the citations and conclusions with the DSL Concurrence letter.
- Wasco County: Recommend deleting recommended Land Use Condition 1, which required that, prior to construction, the applicant obtain confirmation from Wasco County on the legal parcel of 04S 15E tax lot 100. Condition is no longer needed given the county's confirmation obtained through agency consultation.
- City of Maupin: Applicant proposes conditions for the development of a housing plan and traffic management plan. Under OAR 345-015-0230(2), Department is coordinating with Mayor Beatty and Wasco County on the proposed conditions to confirm adequacy in addressing potential impacts to local services from influx of workers. The Department recommends updating Proposed Order with any new findings and conditions based on the applicant's represented new site certificate conditions. (Note M. VanEynde also commented on housing issues, same response applies)



Yellow Rosebush Energy Center

APPLICANT COMMENTS

- Requested change or clarification for Recommended Retirement and Financial Assurance Conditions 5 and 6; the Department recommends subsection (c) be maintained in the conditions and clarification be provided in the proposed order.
- Requested changes to the Draft Site Certificate conditions PRE-FW-03, PRE-FW-04, PRE-FW-07, adding in “of the facility, facility component or phase, as applicable;” the Department concurs that adding the language is consistent with condition language in other conditions and allows flexibility with how the applicant implements its construction phasing.
- Requested changes to the Draft Site Certificate condition Recommended Noise Control Condition 1 to be modified to specify that these copies are required only where there are exceedances; the Department concurs with the suggested condition clarifying language and it does not substantively change the condition.
- Goal 3 exception analysis: argues that sufficient weight was not given to the overall analysis for the “local economic benefit” reason; and disagrees with the recommended rejection of the “minimal impacts to other resources” reason; the Department disagrees with the arguments related to local economic benefits and to the recommended rejection of the “minimal impact to other resources.”



Yellow Rosebush Energy Center

COMMENT - WATER SCARCITY / AVAILABILITY

Commenters: M. VanEynde, C. Lee

- Inconsistent water need estimates; adverse impacts from water. use at the site without mitigation; concerns of water from wells
- Issues with water availability during operation.



Applicant and Department Response and Recommendations

Public Services Condition 1 (PRE-PS-01) requires confirmation of water needed for construction and that all construction-phase water is legally obtained through contract, purchase agreement or third-party permit.

To ensure that operational water sources are legally obtained and that there is sufficient water supply available, Department recommends changes to the Proposed Order to include a condition similar to Public Services Condition 1.

Recommended Water Rights Condition 1 and 2 address OWRD monitoring and withdrawal requirements for onsite wells.

Yellow Rosebush Energy Center

COMMENT – SOIL PROTECTION; EROSION AND RUNOFF IMPACTS TO WATERWAYS

Commenters: M. VanEynde, C. Lee

- Comprehensive soil erosion study/quantitative erosion modeling is needed due to proximity of facility to ridges and waterway. Erosion and runoff from facility will impact waterways and fish habitat.
- No borings, laboratory testing or compaction characteristics to evaluate construction suitability and reclamation feasibility.

Applicant and Department Response and Recommendations

The solar micrositing area fenceline would be approximately 0.27 miles from ridges. Additionally, there will be a 50-foot vegetation maintenance area from the fenceline to the facility components.

Applicant consulted with DOGAMI; site specific geotechnical work will be completed as part of a preconstruction condition requirement under Recommended Structural Condition 1. OAR 345-022-0022(2)(b) states that information from reasonably available sources be used to identify soil conditions and assess potential impacts.

Under Soil Protection Condition 2, a 1200-C NPDES permit will be implemented to reduce and avoid erosion and runoff, Soil Protection Condition 1 requires a Fugitive Dust Control Plan during construction.



Yellow Rosebush Energy Center

COMMENT – WILDFIRE, INACCURATE ANALYSIS, INSUFFICIENT MITIGATION

Commenters: M. VanEynde, C. Lee, K. Carver, W. Claudfeller

- Outdated data sets from 2018, fails to mention how quickly fire spreads, data missing for positions of the site.
- Local fire district is run by volunteers, not trained for solar fires.
- One water truck for a project this large is unrealistic.
- Wildfire Mitigation Plans (WMPS) are incomplete because they allow for finalization at a later date.



Yellow Rosebush Energy Center

DEPARTMENT EVALUATION – WILDFIRE, INACCURATE ANALYSIS, INSUFFICIENT MITIGATION

Applicant and Department Response and Recommendations

Applicant provides updated wildfire analysis based on updated data. Department recommends changes to Proposed Order to incorporate applicant's updated Overall Fire Risk Rating. Importantly, in the DPO the Department recommends Council find that wildfire fire is moderate during winter (seasonally wetter) months and high during the summer months, during fire season.

Applicant proposes condition addressing additional training for emergency and fire department staff. Department recommends incorporating changes into the WMPs.

Applicant proposes additional mowing and vegetation management restrictions during fire season. Department recommends incorporating changes into the WMPs.

OAR 345-022-0115 requires that the facility be constructed and operated consistent with a WMP, and not a “complete plan before certification,” mitigation plans are finalized prior to construction and operation based on the final design of the facility and what is constructed to ensure that appropriate details on within the plans.



Yellow Rosebush Energy Center

COMMENT – PUBLIC SERVICES: TRAFFIC AND ROAD IMPACTS

Commenters: M. VanEynde, S. Miles, K. Carver

- Trucking will haul the shortest route, which will be across the bridge in Maupin and east on Bakeoven Rd and will travel through the middle of town.
- Roads will be destroyed for the six years of construction. How will roads be fixed?

Applicant and Department Response and Recommendations

Public Services Condition 2 states that haul trucks are precluded from accessing the site via Highway 197 through Maupin, unless approved by ODOT and/or City of Maupin.

See responses to Mayor Beatty's comments. Applicant proposes additional measures to mitigate traffic impacts, Department is coordinating with the City and County.

Public Services Condition 2 and 3, require the execution and implementation of a Road Use Agreements which include an inventory of road conditions and measures for repair/compensation for impacts to roads.



Yellow Rosebush Energy Center

COMMENT – PUBLIC SERVICES: EMERGENCY SERVICES

Commenters: A. Carr, M. VanEynde, S. Miles

- Facility may increase call volume and additional demand may directly impact our ability to respond effectively.
- Maupin Rural Fire Protection District and South Wasco County Fire & Rescue are small volunteer departments with limited water supply, inadequate tools and training for fighting electrical and lithium battery fires, and staffing.
- Applicant should financially support South Wasco Ambulance Service for training for our volunteers, strengthen volunteer recruitment and retention efforts, and for equipment.



Yellow Rosebush Energy Center

DEPARTMENT EVALUATION – PUBLIC SERVICES: EMERGENCY SERVICES

Applicant and Department Response and Recommendations

Applicant provides evaluation of statistical probability of severe and minor injuries occurring onsite. Attachment 1 to the applicant responses provides an example safety plan from construction of a Savion facility; a similar plan will be implemented during construction and operation of the facility.

Applicant is coordinating with Southern Wasco County Ambulance Service (SWCAS) and commits to maintain an ongoing dialogue with SWCAS and other stakeholders to support volunteer emergency responders. Applicant is amenable to contributing financially to SWCAS to ensure they can adequately support the facility through construction and operation.

The Department will update Section IV.M., Public Services, with any new findings and condition resulting from the applicant's representation to support SWCAS.

Land Use Conditions 8 and 9 and 10 and 11 require the submission and implementation of the certificate holder's Emergency Response Plan during construction and operation.



Yellow Rosebush Energy Center

COMMENT – FISH AND WILDLIFE HABITAT: HMA GEOGRAPHICALLY DISCONNECTED, MIGRATION DISRUPTIONS, INSUFFICIENT SURVEYS AND MITIGATION

Commenters: C. Lee, A. Alexanderson, W. Claudfeller

- Missing info on methods, data sources, or quantitative impact tables (temporary vs. permanent acres by habitat type/category)
- The mitigation concept is off-site and separated from the project by steep canyons and the Deschutes River, with no functional corridor for displaced mule deer/elk. Without designated open corridors or wildlife-friendly fencing, the mitigation cannot offset lost connectivity.
- Applicant should financially support South Wasco Ambulance Service for training for our volunteers, strengthen volunteer recruitment and retention efforts, and for equipment.
- The first obligation of mitigation as written in the ODFW rule ..is avoidance.
- The ODFW no-net-loss Rule is a condition that must be satisfied. The draft Habitat Mitigation Plan finds 4992 total acres of Category 2 affected habitat. For no-net-loss, the replacement acreage must at least equal the acreage inside fences.



Yellow Rosebush Energy Center

DEPARTMENT EVALUATION – FISH AND WILDLIFE HABITAT: HMA GEOGRAPHICALLY DISCONNECTED, MIGRATION DISRUPTIONS, INSUFFICIENT SURVEYS AND MITIGATION

Applicant and Department Response and Recommendations

Avoidance measures identified in consultation with ODFW - fenced areas containing solar panels be contained on the plateau above Buck Hollow and Hauser Canyon, which reduces impacts to Priority Wildlife Connectivity Areas (PWCAs) and higher quality habitats including shrub-steppe habitats.

Habitat Mitigation Area (HMA) was identified by ODFW as a priority area for conservation because it is used for seasonal elk migration. The HMA is sited along the northern boundary and borders Buck Hollow and Hauser Canyons, which are also mapped ODFW PWCAs.

ODFW concurs with the mitigation ratios proposed by the applicant to establish the size of the HMA. Based upon the mitigation ratios shown in the table, and the acreage of impacts by habitat category and sub-type, and in consultation with ODFW, the HMA must include a maximum of 6,675 acres.

Recommended Fish and Wildlife Condition 7 requires a legal agreement that ensures that payment for long-term management and enhancement of the HMA is adequate to cover the permanent habitat loss from the facility.



Agenda Item J (Action Item)

Sunstone Solar Facility Appointment of Representatives to Agricultural Mitigation Fund Advisory Committee

Chris Clark, Senior Siting Analyst

November 21, 2025



Sunstone Solar Project

Agricultural Mitigation Advisory Committee

Background

- On November 18, 2024, the Council issued its Final Order approving the Application for Site Certificate for the Sunstone Solar Project
- The Site Certificate authorizes the construction and operation of a solar photovoltaic power generation facility on up to 9,442 acres of cultivated land zoned for Exclusive Farm Use.
- Site Certificate Conditions PRE-LU-07 and GEN-LU-02 require the certificate holder to make a one-time payment of \$1,179 per acre of farmland occupied by the facility to an Agricultural Mitigation Fund administered by the County under an Agricultural Mitigation Plan and associated Memorandum of Agreement.



Sunstone Solar Project Agricultural Mitigation Advisory Committee

Advisory Committee Structure

- Under the MOA, the County must establish a nine-person Advisory Committee to make recommendations on the distribution of funds
- The fund must include two representatives selected by the Council.
- The Council may select any person with subject matter expertise over statewide or regional agriculture issues pertinent to Morrow County dryland wheat farming to serve on the Committee.
- The Department consulted with the Department of Land Conservation and Development and the Oregon Department of Agriculture to identify potential candidates



Sunstone Solar Project Agricultural Mitigation Advisory Committee

Recommended Appointees

- **Eric Orem** – Morrow County Farmer
 - First-generation farmer with active operations in Morrow County
 - Currently serves on the State Board of Agriculture.
 - Associate degree in Marketing and Business Management from Blue Mountain Community College.
 - Currently custom farms a portion of the Sunstone site and is under contract to provide custom seeding and spraying for the certificate holder.
- **Jon Jinings** - DLCD Community Services Specialist.
 - Alumnus of Eastern Oregon University.
 - Worked for local governments including Wallowa and Union Counties.
 - Hilary Foote, DLCD's Farm and Forest Specialist, available to serve as an alternate as needed.



Council Options

Option 1 - Recommended

Appoint recommended
candidates

Option 2

Deny recommended
candidates

Council Deliberation

ADJOURN

