



Oregon

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To: Energy Facility Siting Council

From: Kathleen Sloan, Senior Siting Analyst

Date: November 6, 2025

Subject: Agenda Item I (Information Item): Council Review of the Draft Proposed Order on the Application for Site Certificate for Yellow Rosebush Energy Center for the November 21, 2025 EFSC Meeting

Attachments: Attachment 1: Draft Proposed Order on ASC
Attachment 2: Oct. 23024, 2025 Staff Report on Draft Proposed Order
Attachment 3: DPO Comment Index/DPO Comments
Attachment 4: DPO Comment Evaluation (to be provided in Nov 14 Supplement EFSC Packet Materials)

STAFF RECOMMENDATION

The Oregon Department of Energy's (Department) Draft Proposed Order (DPO) on the Application for Site Certificate (ASC) for the Yellow Rosebush Energy Center (proposed facility) recommends that the Energy Facility Siting Council (Council) find that Yellow Rosebush Energy Center, LLC (applicant), provided sufficient evidence in the ASC to demonstrate that the proposed facility, with recommended conditions, satisfies the requirements of applicable Council standards and other state statutes and local ordinance.

PROPOSED FACILITY

Yellow Rosebush Energy Center is a proposed 800 megawatt solar photovoltaic power generation facility with related or supporting facilities including battery energy storage system, transmission line (two alternatives), collector substation, operations and maintenance building, and new and improved roads (proposed facility). If approved, the facility would be located within a site boundary of approximately 8,075 acres (12.6 sq. miles) of private land zoned for Exclusive Farm Use in Wasco and Sherman counties (the transmission line alternative is the only facility component located in Sherman County).

DRAFT PROPOSED ORDER PUBLIC HEARING

The Department issued the DPO on October 1, 2025 and on the same day, issued a Public Notice of the DPO/ASC, notifying the public of a public hearing and 32-day comment period. A copy of the DPO is included in Attachment 1 of this staff report. On October 10, 2025, the Department provided Council a staff report presenting the key findings and analysis included in the DPO, which is provided as Attachment 2 of this staff report. The Public Hearing on the DPO was held in person and virtually at the October 23, 2025 EFSC meeting in Maupin. The Public

Comment period closed at 5:00 p.m. Pacific Time (PT) on November 3, 2025. At the close of the public comment period, the Department had received comments from:

- 3 reviewing agencies (Department of State Lands, Wasco County Planning, and the City of Maupin)
- Applicant
- 66 members of the Laborer's Union International of North America (LIUNA) (1 oral commenter and 66 written comments) (Public)
- 25 members of Green Light America (Public)
- 16 additional members of the public (oral and written commenters)
- 5 members of Council

The themes consisted of:

- General support for the project
- Comments in support of Goal 3 exception request
- Concerns about public services and safety
- Concerns about soil protection
- Concerns about water sources and availability
- Concerns about fish & wildlife habitat and habitat mitigation
- Concerns about threatened & endangered species
- Concerns about wildfire risk and mitigation

Council will review the comments received on the record of the DPO and the applicants' responses to comments at the November 21, 2025 EFSC meeting. A comment index and copies of all written comments received are included in Attachment 3.

At the close of the Public Hearing, the applicant requested, and Council extended the timeframe for the applicant to respond to issues raised in comments received on the record of the DPO public hearing, from November 3 to November 7, 2025 at 5:00 p.m. PT. The Department will provide Council with a supplemental staff report, evaluating issues raised in comments received and the applicants' responses, in the November 14, 2025 Supplemental Council packet materials.

Following Council's review of the DPO, the Department must issue the Proposed Order taking into consideration the comments of the Council, any public comments made at a public hearing, written comments received before the close of the record of the public hearing, and agency consultation. In conjunction with the issuance of the Proposed Order, the Department will issue a Notice of Proposed Order, notifying eligible individuals of their opportunity to request party or limited party status in the contested case proceeding. Only those persons who commented in person or in writing on the record of the public hearing may request a contested case proceeding on the Proposed Order.