

# Notice of Intent to Apply for a Site Certificate

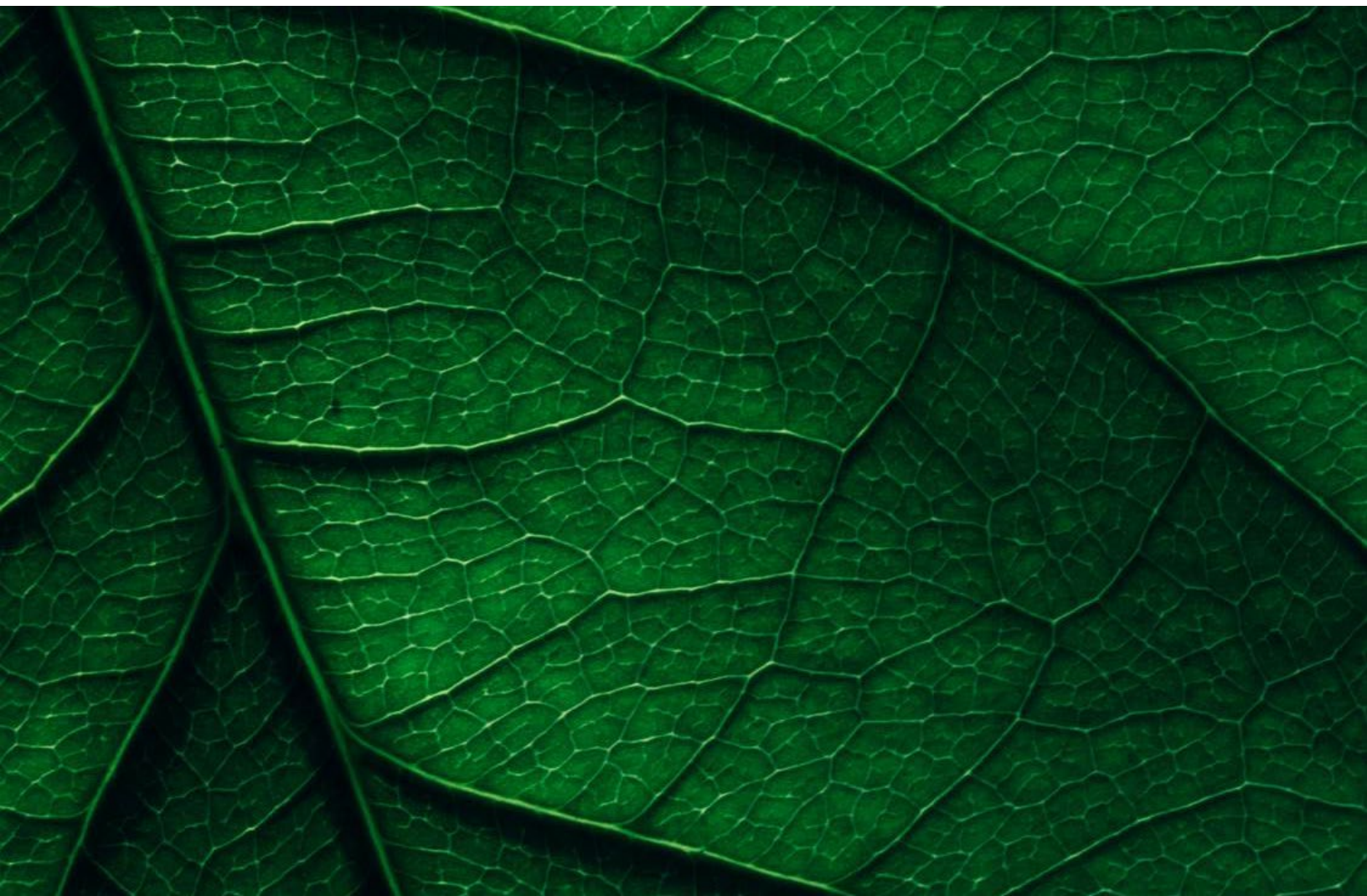
Deschutes Solar and Battery Energy  
Storage System Facility

SUBMITTED TO  
Oregon Energy Facility Siting  
Council

PREPARED FOR



DATE  
21 February 2025



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## ACRONYMS AND ABBREVIATIONS

Acronym	Description
Applicant	DECH bn, LLC
ASC	Application for Site Certificate
BLM	Bureau of Land Management
BPA	Bonneville Power Administration
BESS	Battery Energy Storage System
BrightNight	BrightNight, LLC
CFR	Code of Federal Regulations
EFSC	Energy Facility Siting Council
Facility	Proposed solar photovoltaic power generation facility and related or supporting facilities in Wasco County, Oregon
Gen-tie	Generation tie
kV	Kilovolt
MW	Megawatt
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
OAR	Oregon Administrative Rules
DEQ	Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODOT	Oregon Department of Transportation
OPRD	Oregon Parks and Recreation Department
ORS	Oregon Revised Statutes
OSU	Oregon State University
SCADA	Communication and Supervisory Control and Data Acquisition
USC	United States Code
USFS	U.S. Department of Agriculture Forest Service
USGS	United States Geological Survey
WCLUDO	Wasco County Land Use and Development Ordinance



## EXHIBIT A. APPLICANT INFORMATION

### OAR (Oregon Administrative Rules) 345-020-0011(1)(a)

(a) *Exhibit A. Information about the applicant and participating persons, including:*

*(A) The name and address of the applicant including all co-owners of the proposed facility, the name, mailing address, email address and telephone number of the contact person for the NOI, and if there is a contact person other than the applicant, the name, title, mailing address, email address and telephone number of that person.*

#### **Response:**

Name and address of the Applicant:

DECH bn, LLC  
c/o BrightNight, LLC  
698 12<sup>th</sup> Street SE  
Suite 200  
Salem, OR 97301

Applicant contact person for the Notice of Intent (NOI):

Bijan Damavandi  
Director, Development  
BrightNight, LLC  
13123 E Emerald Coast Parkway  
Suite B #158  
Inlet Beach, FL 32461  
bijan@brightnightpower.com  
(850) 842-1855

*(B) The contact name, mailing address, email address and telephone number of all participating persons, other than individuals, including but not limited to any parent corporation of the applicant, persons upon whom the applicant will rely for third-party permits or approvals related to the facility, and persons upon whom the applicant will rely in meeting any facility standard adopted by the Council.*

#### **Response:**

DECH bn, LLC (Applicant) is a subsidiary of BrightNight, LLC (BrightNight or Parent Company).

Parent Company:

BrightNight, LLC  
13123 E Emerald Coast Parkway



Suite B #158

Inlet Beach, FL 32461

Parent Company contact person:

Bijan Damavandi

Director, Development

BrightNight, LLC

13123 E Emerald Coast Parkway

Suite B #158

Inlet Beach, FL 32461

bijan@brightnightpower.com

(850) 842-1855

Contact persons other than the Applicant:

Sarah Seekins

Environmental Resources Management

1050 SW 6<sup>th</sup> Ave

Suite 1650

Portland, OR 97204

Sarah.Seekins@erm.com

(802) 579-5455

Elaine Albrich

Davis Wright Tremaine, LLP

560 SW 10<sup>th</sup> Ave

Suite 700

Portland, OR 97205

elainealbrich@dwt.com

(503) 778-5423



*(C) If the applicant is a corporation:*

*(i) The full name, official designation, mailing address, email address and telephone number of the officer responsible for submitting the NOI;*

*(ii) The date and place of its incorporation;*

*(iii) A copy of its articles of incorporation and its authorization for submitting the NOI; and*

*(iv) In the case of a corporation not incorporated in Oregon, the name and address of the resident attorney-in-fact in this state and proof of registration to do business in Oregon.*

**Response:**

The Applicant is not a corporation, and therefore, this requirement is not applicable.

*(D) If the applicant is a wholly owned subsidiary of a company, corporation or other business entity, in addition to the information required by paragraph (C), the full name and business address of each of the applicant's full or partial owners.*

**Response:**

The Applicant is a subsidiary of BrightNight, LLC. The Parent Company name and business address are as follows:

BrightNight, LLC  
13123 E Emerald Coast Parkway  
Suite B #158  
Inlet Beach, FL 32461

*(E) If the person submitting the NOI is an association of citizens, a joint venture or a partnership:*

*(i) The full name, official designation, mailing address, email address and telephone number of the person responsible for submitting the NOI;*

*(ii) The name, business address and telephone number of each person participating in the association, joint venture or partnership and the percentage interest held by each;*

*(iii) Proof of registration to do business in Oregon;*

*(iv) A copy of its articles of association, joint venture agreement or partnership agreement and a list of its members and their cities of residence; and*

*(v) If there are no articles of association, joint venture agreement or partnership agreement, the applicant must state that fact over the signature of each member.*

**Response:**

The Applicant is not an association of citizens, a joint venture, or partnership.

*(F) If the applicant is a public or governmental entity:*

*(i) The full name, official designation, mailing address, email address and telephone number of the person responsible for submitting the NOI; and*

*(ii) Written authorization from the entity's governing body to submit an NOI.*

**Response:**

The Applicant is not a public or governmental entity.

*(G) If the applicant is an individual, the individual's mailing address, email address and telephone number.*

**Response:**

The Applicant is not an individual.

*(H) If the applicant is a limited liability company:*

*(i) The full name, official designation, mailing address, email address and telephone number of the officer responsible for submitting the NOI;*

*(ii) The date and place of its formation;*

*(iii) A copy of its articles of organization and its authorization for submitting the NOI; and*

*(iv) In the case of a limited liability company not registered in Oregon, the name and address of the resident attorney-in-fact in this state and proof of registration to do business in Oregon.*

**Response:**

The Applicant is a limited liability company. The Applicant contact submitting this NOI is:

Bijan Damavandi  
Director, Development  
BrightNight, LLC  
13123 E Emerald Coast Parkway  
Suite B #158  
Inlet Beach, FL 32461  
[Bijan@brightnightpower.com](mailto:Bijan@brightnightpower.com)  
(850) 842-1855

The officer for Applicant is:

Martin Hermann  
CEO  
BrightNight, LLC  
13123 E Emerald Coast Parkway  
Suite B #158  
Inlet Beach, FL 32461  
[martin@brightnightpower.com](mailto:martin@brightnightpower.com)  
(408) 221-9390

The Applicant was formed with the Secretary of State in Delaware on December 22, 2020, and was acknowledged and registered to do business in Oregon by the Oregon Secretary of State on June 2, 2021, in Salem, Oregon.

A copy of the Applicant's articles of organization and registration in Oregon are provided as Appendix A.





## EXHIBIT B. FACILITY DESCRIPTION

### OAR 345-020-0011(1)(b)

*(b) Exhibit B. Information about the proposed facility, including:*

*(A) A description of the proposed energy facility, including as applicable:*

#### **Response**

The Applicant proposes to construct a solar photovoltaic power generation facility and related or supporting facilities in Wasco County, Oregon (Facility). The Facility site boundary is approximately 13,626 acres of private land located approximately 10 miles southwest of Maupin, Oregon (Figures 1a and 1b). As described in more detail below, the Facility will consist of up to 1,000 megawatts (MW) of solar generation and include a battery storage system (BESS) capable of storing up to 1,000 MW of energy for up to 4 hours. The Facility will interconnect via a short (i.e., approximately a half mile) generation tie (gen-tie) line to a newly proposed 500-kilovolt (kV) switchyard connecting to the existing 500-kV Bonneville Power Administration (BPA) Marion-Buckley transmission line located in the southern portion of the site boundary (Figure 2).

The Facility will have solar arrays (or blocks) consisting of solar modules, racking systems, posts/piles, and related electrical equipment (i.e., inverters and transformers). The modules will be connected in series to form rows or strings. The rows of modules will then be connected via combiners, cables, and switchboards. The strings of panels will be mounted on trackers separated by open space. The strings of panels will be connected to inverters and then transformers which will connect the generation output of the solar modules to the high-capacity 34.5-kV collector lines which will carry power to the proposed collector substation.

The Applicant seeks to permit a range of technologies to preserve design flexibility. The solar modules and associated equipment, and precise layout of the solar arrays, have not been determined yet. The Application for Site Certificate (ASC) will evaluate a worst-case scenario for impacts under the Energy Facility Siting Council (EFSC) standards and the final design will not exceed those impacts analyzed in the ASC and approved in the Final Order. The ASC will address microsite flexibility within the site boundary for the layout of the solar arrays and related and supporting facilities, as well as the flexibility to potentially phase Facility construction. This flexibility will allow the Applicant to microsite to avoid and minimize potential impacts as well as offer potential customers scalable power production.

*(i) For electric power generating plants, the nominal electric generating capacity and the average electrical generating capacity, as defined in ORS 469.300.*

*(ii) Major components, structures and systems, including a description of the size, type and configuration of equipment used to generate, store, transmit, or transport electricity, useful thermal energy, or fuels.*

## **Response**

Electrical power generated by solar modules must go through a series of inverters and transformations before it reaches the electric grid. The major components, structures, and systems of the proposed Facility are the **solar modules**, which convert sunlight into electricity; the **tracking systems and posts**, which optimize electricity production by rotating the solar modules to follow the sun; and the **inverters, transformers, and collector systems**, which collect and aggregate the direct current generated by the solar modules, convert it to alternating current, and then consolidate at the project substation where the voltage is stepped up to the voltage to match the grid. The descriptions of these major components are based on the best available design information at the time of this Notice of Intent but may not reflect all details in the final design.

## **Solar Modules**

Solar modules use mono- or poly-crystalline cells to generate electricity by converting sunlight into DC electrical energy. The electrical energy generation from one module varies by module size and the number of cells per module. Because technology evolves, final module specification may be in flux until late in the design and development process.

The solar modules may consist of monocrystalline, polycrystalline or thin-film solar cells, an anti-reflective coating, a metal frame, and factory installed wire connectors and will be connected in series to form rows or strings. The rows of modules are then connected via combiners, cables, and switchboards. The configuration of multiple rows (i.e., an array) can vary depending on the module technology, topography, spacing, mounting equipment, and other design criteria, which are subject to change during detailed design by the engineering, procurement, and construction contractor.

## **Tracking Systems and Posts**

The strings of panels will be spaced and mounted on a tracking system, which will optimize electricity production by rotating the solar modules to follow the sun throughout the day. The length and width of each string of panels will depend on topography and layout, and the exact spacing between strings of panels will depend on the racking configuration and manufacturer's specifications, which will be determined during detailed design. The open space between strings of panels will be revegetated unless gravel is required (e.g., access roads, equipment pads).

Each tracker system will be supported by multiple steel posts, which could be hollow steel sections, screw piles, or pile-type posts. The final number of posts and the installation method will depend on the final tracker system, ground coverage ratio, topography, height of the solar

modules, and site-specific geological conditions. Post locations will be determined during detailed design of the tracker system and future geotechnical investigations.

### **Collector Systems and Transformers**

The solar modules produce DC electrical current, which must be converted to AC by inverters to be sent to the electrical grid. Buried cables located within the solar area fence will collect and aggregate the DC and connect to inverters via a centralized trunk bus system. Trunk bus technology simplifies wiring across the arrays and does not require combiner boxes, substituting an aboveground aluminum trunk system that combines the functionality of cable assemblies and combiner boxes into one system<sup>1</sup>. Each modular inverter will be positioned on a concrete pad with an integrated step-up transformer. The inverter specifications will comply with the applicable requirements and standards of the National Electric Code and Institute of Electrical and Electronics Engineers standards.

The AC power from the modular inverters will then be routed to inverter step-up transformers to increase the output voltage from the inverter (typically 660 volts) to match the collector substation feed voltage (34.5-kV). After the voltage is increased, the AC electric current is aggregated via underground cables (34.5-kV) to underground collector lines, which carry power to the collector substation. The collector lines will be buried to a minimum of 3 feet underground to the extent feasible unless topography or other site conditions constraints require them to be aboveground. Junction splice boxes will be positioned intermittently along the lines for maintenance access.

*(iii) Methods for waste management and waste disposal, including to the extent known, the amount of wastewater the applicant anticipates, the applicant's plans for disposal of wastewater and storm water, and the location of disposal.*

### **Response**

The Facility will not produce significant quantities of solid waste or wastewater; water will not be used in the generation of electricity. Waste and recyclable products will be disposed of off-site at licensed waste management facilities. Further details about stormwater drainage and wastewater disposal during construction and operations are provided in Exhibit K of this NOI.

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<sup>1</sup> If harnesses are used, the amount of cabling will be like the amount of cabling used with combiner box technology, but the cables would be above ground, attached in parallel to the panel racking.

*(iv) For thermal power plants, combustion turbine power plants, or other facilities designed to generate electricity from any gas, liquid, or solid fuels:*

*(I) A discussion of the source, quantity and availability of all fuels proposed to be used in the facility to generate electricity or useful thermal energy;*

*(II) If the facility will generate electric power from natural gas, petroleum, coal or any form of solid, liquid or gaseous fuel derived from such material, a discussion of methods the facility will use to ensure that the facility does not emit greenhouse gasses into the atmosphere, and a description of any equipment the facility will use to capture, sequester, or store greenhouse gases;*

*(III) A discussion of the methods for the disposal of waste heat generated by the facility.*

**Response**

The Facility is a renewable energy facility. This section does not apply.

*(v) For transmission lines, approximate transmission line voltage, load carrying capacity and type of current.*

**Response**

The Facility is an "energy facility" under ORS 469.300(11)(a)(D) and will include the construction of an associated transmission line. The Facility is not a "transmission line" within the meaning of ORS 469.300(11)(a)(C). This section does not apply.

*(vi) For pipelines, approximate operating pressure and delivery capacity in thousand cubic feet per day.*

**Response**

The Facility is not a pipeline. This section does not apply.

*(vii) For surface facilities related to underground gas storage, estimated daily injection and withdrawal rates, horsepower compression required to operate at design injection or withdrawal rates, operating pressure range and fuel type of compressors.*

**Response**

The Facility will not include any underground gas storage. This section does not apply.

*(viii) For facilities to store liquefied natural gas, the approximate volume, maximum pressure, liquefaction and gasification capacity in thousand cubic feet per hour.*

### **Response**

The Facility will not include any liquefied natural gas storage. This section does not apply.

*(B) A description of major components, structures and systems of each related or supporting facility.*

### **Response**

Related or supporting facilities include up to a 1,000 MW **BESS** that will store energy from the grid and energy generated by the Facility for up to four hours, a **collector substation** that will step-up the voltage generated by the Facility from 34.5 kV to 500 kV, a 500-kV switchyard, and an approximately 0.5 mile **gen-tie lines** that will connect the Facility to the existing 500-kV BPA Marion-Buckley transmission line; an operations and maintenance (**O&M**) **building** and supervisory control and data acquisition (**SCADA**) communication system that will be used to operate and maintain the Facility; **access roads, perimeter fencing, and gates**; and a **temporary construction area** or laydown yard that will be used for equipment staging during construction. The areas immediately around the O&M building, proposed substation and switchyard, and BESS will be graveled, with no vegetation present. The following descriptions are based on the best available information at the time of this NOI. The BESS, substation, and gen-tie line are shown on Figure 2.

### **BESS**

The BESS will be designed to store up to 4,000 MW-hours and will include a series of modular enclosures, battery units with enclosure-integrated inverters, and transformers. Each enclosure will be on a concrete slab-on-grade or pier foundation. The enclosures are rated for outdoor environments and hold the batteries and a battery management system. The BESS will also include Inverter Step-Up transformers to increase the output voltage from the BESS inverters (typically 660 volts) to match the substation feed voltage (34.5-kV AC).

### **Collector Substations, Switchyard, and Gen-Tie**

Energy generated and stored at the Facility will be sent via the 34.5-kV collection systems to the Facility collector substation. The Facility collector substation, located next to the BESS, will use a generator step-up transformer to step up the voltage from 34.5 kV to 500 kV and then interconnect to a new 500-kV switchyard that will connect to the existing 500-kV BPA Marion-Buckley transmission line located on the southern portion of the site boundary. Additional Facility collector substation and switchyard equipment may include a 34.5-kV switch, 34.5-kV feeder breakers, 500-kV breakers, 500-kV switches, surge arrestors, control enclosure, metering equipment, grounding, and associated control wiring.

### **Operations and Maintenance Building and SCADA System**

The Facility will include an O&M building as workspace for staff who maintain the Facility. The O&M building will have electricity, internet, and water and will house the Facility's SCADA





communication system. The O&M building location is shown in Figure 2; adjacent to the O&M building will be space for parking, a service staging zone and clearance area, and storage containers to house spare parts and maintenance equipment. Water for the O&M building will be supplied by an exempt groundwater well, which is expected to provide no more than 5,000 gallons per day for drinking, kitchen use, showers, toilets. This amount is considered an exempt use under ORS 537.545 and does not require a new water right. Water for solar panel washing will be provided by the third-party contractor responsible for cleaning the solar panels. The O&M building will have a permitted septic system for sanitary waste disposal. See Exhibits M (Water Sources and Use) and K (Community Service Impacts) of this NOI for additional information on the water supply and septic system for the O&M building.

A SCADA system housed within the O&M building will monitor the Facility for meteorological conditions, critical operating parameters, and power output so that the solar array and BESS may be controlled and monitored remotely. This communication system will consist of fiber optic and copper communication lines (buried or overhead) that will connect the solar arrays, BESS, and substation to the SCADA system and the internet service provider. The SCADA system will be tuned to the Facility's precise specifications by the third-party SCADA vendor and engineer of record. The SCADA system will also be accessible from the collector substation and off-site at a remote operation center which meets all compliance requirements, and the system will be monitored remotely 24 hours per day, 7 days per week.

### **Access Roads, Perimeter Fencing, and Gates**

Existing roads will be used as transportation corridors to access the Facility. The primary transportation corridors to the Facility will be US-97 onto Bakeoven Road, I-26, I-197, Highway 216. Alternative transportation corridors to the Facility include Reservation Road and Claymier Lane from the east and Walters Road and Linns Mill Road from the west. The primary and alternative transportation corridors to the Facility are sufficiently sized for emergency vehicle access in accordance with 2022 Oregon Fire Code requirements, including Section 503 and Appendix D - Fire Apparatus Access Roads.

To the extent practical, existing roads within the site boundary will also be used to provide access throughout the Facility. Where new internal access roads are required, they will be at least 20 feet in width and will be sufficiently sized for emergency vehicle access.

The solar arrays (or blocks) and most related or supporting facilities will be surrounded with perimeter fencing. Locations of specific access points and lockable vehicle access gates will depend on the final configuration of the solar arrays and related infrastructure.

### **Temporary Construction Area**

Temporary construction areas (i.e., laydown areas) will be used to support construction, store supplies and equipment, and facilitate the delivery and assembly of materials and equipment.

(C) *The approximate dimensions of major facility structures and visible features.*

### **Response**

The proposed Facility consists of the following major facility structures although the following is subject to further refinement in the ASC:

Major Facility Structures and Visible Features	Dimensions
Solar Modules	Photovoltaic modules – 7.47 feet by 3.7 feet Module mounting – 5 feet off ground, with maximum height of 12.5 feet at full tilt
Tracking Systems and Posts	52 modules per two-string rack 78 modules per three-string rack 104 modules per four-string rack  Posts will be buried 7 to 15 feet below ground surface and will extend approximately 5 feet above grade
Collector Systems and Transformers	The collector system will be mostly underground; where it is overhead, the structures will be approximately 20 to 40 feet high depending on terrain and surrounding infrastructure. Inverter Step Up Transformers will be approximately 8 feet wide, 9 feet deep and 8 feet high
BESS	Approximately 19 feet long, 11 feet wide, and 10 feet high
Collector Substation, Switchyard, and Gen-Tie	The height of specific pieces of equipment within the substation fence line will range between approximately 8 and 35 feet above the ground surface  The generator step-up in the substation will be the highest piece of equipment, (approximately 35 feet above ground surface)  In the switchyard the bus structures will have the tallest height at approximately 29 feet above ground surface.  20 by 40-foot control building  0.5-mile gen-tie
O&M Building	80 feet long by 40 feet wide building 40 by 8-foot storage containers
Perimeter Fencing	Up to 8 feet high and approximately 55 miles long
Temporary Construction Area	Small temporary laydown area: 250 feet by 500 feet (2.9 acres) Main temporary laydown area: 400 feet by 650 feet (5.9 acres)

Note: BESS = Battery Energy Storage System, Gen-tie = Generation tie, O&M = Operation and Maintenance

## EXHIBIT C. FACILITY LOCATION

### OAR 345-020-0011(1)(c)

*(c) Exhibit C. A description of the location of the proposed energy facility site and the proposed site of each related or supporting facility and all areas that might be temporarily disturbed during construction of the facility, including the approximate land area of each.*

#### **Response**

The Facility is in Wasco County, Oregon (Figures 1a and 1b). The site boundary includes approximately 13,626 acres of private land and encompasses some or all the townships, ranges, and sections identified in Table C-1, below.

**TABLE C-1: TOWNSHIP, RANGE, AND SECTIONS WITHIN THE SITE BOUNDARY**

<b>Township and Range</b>	<b>Section</b>
5S 12E	9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
5S 13E	29, 30
6S 12E	1, 2, 3, 4, 5, 6

The Applicant will confirm the solar micrositing corridor area in the ASC. The Applicant requests micrositing flexibility within the site boundary to site the energy facility and related and supporting facilities using the most efficient and effective equipment and layout. The approximate land area for each aboveground facility component for the purpose of this NOI is provided in Table C-2, below.

**TABLE C-2: APPROXIMATE LAND AREA OF FACILITY**

<b>Related or Supporting Facility</b>	<b>Approximate Land Area</b>
Solar Design Acreage <sup>1</sup>	Approximately 8,157 acres
Tracking Systems and Posts	Approximately 8,157 acres
Collector Systems and Transformers	Collector systems will mostly be underground; there will be 263 transforms that are each 8 feet by 9 feet
BESS	Approximately 25 acres, including roads
Collector Substation and Switchyard	Collector substation will be approximately 400 feet by 540 feet Switchyard will be approximately 730 feet by 540 feet
Gen-tie	Approximately 0.5-mile long
Access Roads	Approximately 2 acres
Perimeter Fencing and Gates	295,443 feet
Temporary Construction Area	Small temporary laydown area: 250 feet by 500 feet (2.9 acres) Main temporary laydown area: 400 feet by 650 feet (5.9 acres)

**Note:**

<sup>1</sup> The solar design acreage is a conservative estimate of the area needed for development and is not the anticipated disturbance footprint.

BESS = Battery Energy Storage System, Gen-tie = Generation tie

## EXHIBIT D. ALTERNATIVE LOCATIONS

### OAR 345-020-0011(1)(d)

*(d) Exhibit D. If the proposed energy facility is a pipeline or a transmission line or has, as a related or supporting facility, a transmission line or pipeline that, by itself, is an energy facility under the definition in ORS 469.300, identification of at least two proposed corridors, as defined in OAR 345-001-0010, or identification of a single proposed corridor with an explanation of why alternate corridors are unlikely to better meet the applicant's needs and satisfy the Council's standards. The applicant must include an explanation of the basis for selecting the proposed corridors and, for each proposed corridor, the information described in subsections (e), (g), (i), (j), (k), (L), (o) and (q) that is available from existing maps, aerial photographs, and a search of readily available literature.*

### **Response**

The Facility does not include a "transmission line" within the meaning of ORS 469.300(11)(a)(D).



## EXHIBIT E. PERMITS NEEDED FOR CONSTRUCTION AND OPERATION

### OAR 345-020-0011(1)(e)

*(e) Exhibit E. Identification of all federal, state and local government permits related to the siting of the proposed facility, a legal citation of the statute, rule or ordinance governing each permit, and the name, address, email address and telephone number of the agency or office responsible for each permit. For each permit, the applicant must provide a preliminary analysis of whether the permit should or should not be included in and governed by the site certificate.*

### **Response**

Tables E-1, E-2, and E-3 identify the federal, state, and local government permits required for construction and operation of the Facility, respectively.

TABLE E-1: SUMMARY OF FEDERAL PERMITS REQUIRED FOR CONSTRUCTION AND OPERATION

Permit	Agency	Authority/Description
Clean Water Act, Section 404	<p>U.S Army Corps of Engineers, Portland District</p> <p>Attn: Trey Fraley, Project Manager P.O. Box 2946 Portland, OR 97208-2946 (503) 808-4632 Robert.H.Fraley@usace.army.mil</p>	<p>Clean Water Act, Section 404 (33 USC § 1344); 33 CFR §§ 320, 323, 325-28, and 330</p> <p>Description: Coverage under one or more Section 404 Nationwide Permits will be required if there will be dredge or fill in waters of the United States. This federal permit is outside EFSC's jurisdiction and should not be included in the site certificate.</p>
Notice of Proposed Construction or Alteration (Form 7460.1)	<p>Federal Aviation Administration</p> <p>Attn: Dan Shoemaker Airspace Specialist Seattle Obstruction Evaluation Group 1601 Lind Ave SW Renton, WA 98057 (425) 227-2791 Dan.Shoemaker@faa.gov</p>	<p>Federal Aviation Act of 1958 (14 USC § 44718); 14 CFR § 77</p> <p>Description: The Applicant's proposed construction or alterations may affect navigable airspace with potential glare from the Facility's solar arrays. The Applicant may also build structures within specified distances of airports. As such, the Applicant may be required to file this notice. No permit is issued by the Federal Aviation Administration. This federal process is not within the jurisdiction of EFSC and therefore should not be included in the site certificate.</p>
Record of Decision/ National Environmental Policy Act Compliance	<p>Bonneville Power Administration (BPA)</p> <p>Attn: Eric Taylor, Customer Manager PO Box 3621 Portland, OR 97208-3621 (360) 619-6014 ektaylor@bpa.gov</p>	<p>National Environmental Policy Act, Section 102 (42 USC § 4332); 40 CFR § 1500</p> <p>Description: Interconnection to BPA's transmission system is subject to National Environmental Policy Act review. BPA will lead this process, separately from the solar facility site certificate process. This federal process is not within the jurisdiction of the EFSC and therefore should not be included within the site certificate.</p>

Permit	Agency	Authority/Description
Supplemental Notice of Actual Construction or Alteration (Form 7460-2)	<p>Federal Aviation Administration</p> <p>Attn: Dan Shoemaker  Airspace Specialist  Seattle Obstruction Evaluation Group  1601 Lind Ave SW  Renton, WA 98057  (425) 227-2791  Dan.Shoemaker@faa.gov</p>	<p>Federal Aviation Act of 1958 (14 USC § 44718);  14 CFR § 77</p> <p>Description: If a Notice of Proposed Construction or Alteration with the Federal Aviation Administration is required, then a Supplemental Notice of Actual Construction or Alteration form must be filed within 5 days after construction reaches its greatest height (as specified in the No Hazard Determination). This federal process is not within the jurisdiction of EFSC and therefore should not be included in the site certificate.</p>

Note: CFR = Code of Federal Regulation, USC = United States Code

**TABLE E-2: SUMMARY OF STATE PERMITS REQUIRED FOR CONSTRUCTION AND OPERATION**

<b>Permit</b>	<b>Agency</b>	<b>Authority/Description</b>
Energy Facility Site Certificate	Oregon Department of Energy and Energy Facility Siting Council  Attn: Todd Cornett 550 Capitol Street NE Salem, OR 97301 503-428-2962 Todd.Cornett@energy.oregon.gov	ORS 469.300 et seq.; OAR Chapter 345, Divisions 1, 21-24  Description: This site certificate is the subject of this Notice of Intent.
Removal/Fill Permit	Oregon Department of State Lands  Attn: Richard Fitzgerald Aquatic Resource Coordinator 775 Summer St. NE, Suite 100 Salem, OR 97301-1279 (503) 910-4565 Richard.W.Fitzgerald@dsl.oregon.gov	ORS 196; OAR Chapter 141, Division 85  Description: A Removal-Fill Permit is required if 50 cubic yards or more of material is removed, filled, or altered within a jurisdictional water of the State. If this is proposed, the Removal-Fill Permit should be included in and governed by the site certificate.
On-Site Sewage Disposal Construction-Installation Permit	Oregon Department of Environmental Quality Wasco-Sherman Public Health Department  Attn: Glenn Pierce Wasco-Sherman Public Health Department 419 East 7th Street The Dalles, OR 97058-2607 Glennp@co.wasco.or.us (541) 506-2601	ORS 454 and 468B; OAR Chapter 340, Divisions 71  Description: Facilities with on-site sewage disposal system must obtain a Construction-Installation Permit before construction. The O&M facility may require an on-site sewage disposal system for operations. The Applicant's third-party contractor will obtain from the Oregon DEQ a Construction-Installation Permit. Therefore, this permit should not be included in or governed by the site certificate.
National Pollutant Discharge Elimination System Stormwater Discharge Permit 1200-C	Oregon Department of Environmental Quality  Attn: Jeff Navarro Water Quality Program Analysis 400 E Scenic Drive, Suite 307 The Dalles, OR 97058 (503) 229-5257 Navarro.Jeffrey@deq.state.or.us	Clean Water Act, Section 402 (33 USC § 1342); 40 CFR § 122; ORS 468 and 468B; OAR Chapter 340, Division 45  Description: NPDES 1200-C permit coverage is required for construction activities that will disturb one or more acres of land. The NPDES 1200-C Permit is a federally delegated permit to Oregon DEQ. The Applicant obtains this coverage directly from Oregon DEQ. Therefore, this permit should not be included in or governed by the site certificate.

Permit	Agency	Authority/Description
401 Water Quality Certification	<p>Oregon Department of Environmental Quality</p> <p>Attn: Jeff Navarro Water Quality Program Analysis 400 E Scenic Drive, Suite 307 The Dalles, OR 97058 (503) 229-5257 Navarro.Jeffrey@deq.state.or.us</p>	<p>Clean Water Act, Section 401 (33 USC § 1341); OAR Chapter 340, Division 48</p> <p>Description: Water quality certification is required for projects that are processed under the U.S. Army Corps of Engineers Section 404 Nationwide Permits. If the Facility requires coverage under Section 404 of the Clean Water Act, the Applicant will obtain this certification directly from Oregon DEQ as it is a federally delegated authority. The 401 certification is outside EFSC's jurisdiction and should not be included in or governed by the site certificate.</p>
Water Right Permit or Water Use Authorization	<p>Oregon Water Resources Department Water Rights Section District 5</p> <p>Attn: Greg Silbernagel 116 SE Dorion Ave Pendleton, OR 97801 (541) 278-5456 Greg.M.Silbernagel@wrdd.state.or.us</p>	<p>ORS 537; OAR 690 Divisions 310, 340, 410 and 502</p> <p>Description: Applicant is in the process of analyzing available water supplies and conditions within the project area. Construction needs may be addressed through a temporary license or transfer from existing water rights within the project area or through municipal service, and operation needs would likely be addressed through an exempt well limited to 5,000 gallons per day.</p>
General Water Pollution Control Facilities Permit, WPCF-1700-B	<p>Oregon Department of Environmental Quality, Eastern Region</p> <p>Attn: Jeff Navarro Water Quality Program Analysis 400 E Scenic Drive, Suite 307 The Dalles, OR 97058 (503) 229-5257 Navarro.Jeffrey@deq.state.or.us</p>	<p>ORS 468B; OAR Chapter 340, Division 45</p> <p>A third-party contractor that washes the solar panels, may seek coverage under the WPCF-1700-B permit from Oregon DEQ following completion of construction and before initiating any washing activities. Therefore, this permit should not be included in or governed by the site certificate.</p>



Permit	Agency	Authority/Description
Oversize Load Movement Permit/Load Registration	Oregon Department of Transportation Attn: Christy Jordan Motor Carriers Transportation Division 355 Capitol Street NE, MS 11 Salem, OR 97301 (971) 201-6958 Christy.A.Jordan@odot.oregon.gov	ORS 818.030; OAR Chapter 734, Division 82  Description: Authorization for oversized loads. Moving construction cranes and other equipment and materials may require this permit. If needed, the Applicant's third-party contractor will obtain this permit and load registration from the ODOT; therefore, this permit should not be included in or governed by the site certificate.
Access Management Permit	Oregon Department of Transportation Attn: Access Management Unit 4040 Fairview Industrial Drive SE Salem, Oregon 97302 (503) 986-3632 Peter.V.Ignatovich@odot.oregon.gov	OAR Chapter 734, Division 51  Description: Access from Oregon state highways would require an access permit, which may be issued by the local ODOT District Offices.
Permit to Occupy or Perform Operations Upon a State Highway	Oregon Department of Transportation Attn: ODOT Utility and Miscellaneous Permit Specialist ODOT District 9 3313 Bret Clodfelter Way The Dalles, OR 97058 (541) 296-2215	OAR Chapter 734, Division 55 (Pole Lines, Buried Cables, and Miscellaneous Operations)  Description: Utility installations within the right-of-way of a state highway in Oregon require a permit issued by the ODOT.
Archaeological Excavation Permit	Oregon Parks and Recreation Department, State Historic Preservation Office  Attn: John Pouley 725 Summer Street NE, Suite C Salem, OR 97301 (503) 986-0577 John.Pouley@oregon.gov	ORS Chapter 97, 358, and 390; OAR Chapter 736, Division 51  Description: Ground-disturbing activity that may affect a known or unknown archaeological resource on public or private lands requires a state permit. If needed, the Applicant will obtain the permit through the Site Certificate. If there is a discovery during construction that requires a permit, then one will be obtained with the State Historic Preservation Office.

Note: CFR = Code of Federal Regulations, EFSC = Energy Facility Siting Council, NPDES = National Pollutant Discharge Elimination System, O&M = Operations and maintenance, OAR = Oregon Administrative Rules, DEQ = Department of Environmental Quality, ODOT = Oregon Department of Transportation, ORS = Oregon Revised Statutes.

**TABLE E-3: SUMMARY OF LOCAL PERMITS REQUIRED FOR CONSTRUCTION AND OPERATION**

Permit	Agency	Authority/Description
Conditional Use Permit and Zoning Permit	Wasco County Planning Department  Attn: Angie Brewer, Planning Director 2705 East 2nd Street The Dalles, OR 97058 (541) 506-2560 AngieB@co.wasco.or.us	WCLUDO Section 3.210, Exclusive Farm Use Zone; WCLUDO Chapter 5, Conditional Use Review; WCLUDO Chapter 20, Site Plan Review  Description: The Applicant elects to obtain an EFSC determination under ORS Chapter 469.504(1)(b). Under ORS 469.401(3), following issuance of the Site Certificate, the County, upon the Applicant's submission or the proper application and fee, shall issue the permits addressed in the site certificate, subject only to the conditions set forth in the site certificate and without hearings or other proceedings.
Building Permit for Construction in Wasco County	Oregon Department Consumer and Business Services, Building Codes Division  1535 Edgewater Street NW Salem, OR 97304 (503) 378-4133 dcbs.info@dcbs.oregon.gov	OAR 734, Division 51  Description: A Building Permit is required prior to beginning construction of the Project. Wasco County does not have its own building department, so building permits are issued by the Oregon State Building Codes Division.
Utility Crossing Permit and Access Approach Site Permit	Wasco County Public Works Department  Attn: Arthur Smith, Public Works Director 2705 East 2nd Street The Dalles, OR 97058 (541) 506-2645 ArthurS@co.wasco.or.us	ORS 374.305 to 374.325  Description: A Utility Crossing Permit is required any time a utility is constructed within or across a county road right-of-way. An Approach Site Permit will be required for each location where Facility access roads intersect with county roads, or if necessary, upgrades to existing access roads affect a county road.

Note: Applicant = DECH bn, LLC, EFSC = Energy Facility Siting Council, OAR = Oregon Administrative Rules, ORS = Oregon Revised Statutes, WCLUDO = Wasco County Land Use and Development Ordinance

## EXHIBIT F. PROPERTY OWNERSHIP

### OAR 345-020-0011(1)(f)

*(f) Exhibit F. A list of the names and mailing addresses of property owners, as described in this rule:*

*(A) The list must include all owners of record, as shown on the most recent property tax assessment roll, of property located:*

*(i) Within 100 feet of property which the subject of the NOI, where the subject property is wholly or in part within an urban growth boundary;*

*(ii) Within 250 feet of property which is the subject of the NOI, where the subject property is outside an urban growth boundary and not within a farm or forest zone; or*

*(iii) Within 500 feet of property which is the subject of the NOI, where the subject property is within a farm or forest zone.*

### **Response**

The site boundary includes the Facility and all its related or supporting facilities, including temporary laydown areas and siting corridors. The site boundary is outside of any urban growth boundaries and within Wasco County's A-1 zone, which is classified as Exclusive Farm Use. One parcel within the site boundary is split zoned A-1 Exclusive Farm Use and R-R 2 Rural Residential. Attached Table F-1 lists the names and mailing addresses for the owners of record of properties within the site boundary and within 500 feet of the site boundary (Figure 3).

*(B) In addition to incorporating the list in the NOI, the applicant must submit the list to the Department in an electronic format acceptable to the Department.*

### **Response**

Table F-1 will be submitted to the Oregon Department of Energy in an acceptable, electronic format.

## EXHIBIT G. FACILITY MAPS

### OAR 345-020-0011(1)(g)

*(g) Exhibit G. A map or maps showing:*

*(A) The proposed locations of the energy facility site, all related or supporting facility sites and all areas that might be temporarily disturbed during construction of the facility in relation to major roads, water bodies, cities and towns, important landmarks and topographic features.*

#### **Response**

The components of each figure addressing the above criteria are listed below:

- **Figure 1a:** the Vicinity Map, shows an overview of the Facility site boundary in relation to the surrounding area.
- **Figure 1b:** the Street Access Map, highlights the surrounding streets that approach the proposed site boundary.
- **Figure 2:** the Facility Layout Map, shows the proposed site boundary, county boundaries, city and towns, major roads, and specific components such as BESS, collector substations, switchyard, and gen-tie.
- **Figure 3:** the Property Ownership Map, includes tax lot information within the site boundary and within 500 feet of the site boundary.
- **Figure 4:** the Study Area Boundaries Map, identifies the study area as defined by OAR 345-001-0010(35).
- **Figure 5:** the Topographic Map, depicts topographic features of the surrounding area in comparison to the proposed site boundary.
- **Figure 6:** the Protected Areas Map, identifies the federal, state, and local protected areas as defined by OAR 345-001-0010(26), within a 20-mile buffer of the proposed site boundary.
- **Figure 7:** the National Wetlands Inventory Map, shows hydrology and wetland data within the vicinity of the Facility from the National Wetlands Inventory.
- **Figure 8:** the National Hydrography Dataset Map, shows hydrology and wetland data within the vicinity of the Facility from the National Hydrography Dataset.
- **Figure 9:** the Energy Generation Facilities Map, shows permitted energy generation facilities within 10 miles of the proposed site boundary, if any. Major roads, existing transmission lines, and existing substations are also shown on the figure.
- **Figure 10:** the Zoning and Overlay Map, shows the current zoning relative to the proposed site boundary.

*(B) The proposed locations of the corridors the applicant has identified under subsection (d) in relation to major roads, water bodies, cities and towns, important landmarks and topographic features.*

#### **Response**



The Facility is not a pipeline or transmission line as defined under OAR 469.300(11)(a)(D), so this requirement does not apply.

*(C) The study areas for the proposed facility as defined in OAR 345-001-0010.*

*(D) The topography of the study areas including streams, rivers, lakes, major roads and contour lines.*

### **Response**

Figure 4, Study Area Boundaries Map, shows the boundaries of the study areas as defined by OAR 345-001-0010 for land use and fish and wildlife habitat (0.5 mile from the site boundary), recreational opportunities (5 miles from the site boundary), threatened and endangered species (5 miles from the site boundary), scenic resources and public services (10 miles from the site boundary), and protected areas (20 miles from the site boundary). Figure 5, Topographic Map, shows the site boundary in relation to geographic features and elevation, including streams, rivers, lakes, major roads and contour lines.

*(E) All protected areas in the study area as defined in OAR 345-001-0010 for impacts to protected areas.*

### **Response**

Figure 6, Protected Areas Map, displays and labels all protected areas in the study area for impacts to protected areas (20 miles from the site boundary) as defined by OAR 345-001-0010(59).

*(F) The location of any potential waters of the state or waters of the United States that are on or adjacent to the site.*

### **Response**

The National Wetlands Inventory Map and National Hydrology Dataset Map (Figures 7 and 8, respectively) display potential waters of the state or potential waters of the United States within the vicinity of the site boundary. A comprehensive waters and wetlands field survey, including a formal wetland delineation, will be conducted and detailed in the ASC.

*(G) For energy generation facilities, the approximate locations of any other energy generation facilities that are known to the applicant to be permitted at the state or local level within the study area as defined in OAR 345-001-0010 for impacts to public services.*

### **Response**

Figure 9, Energy Generation Facilities Map, shows no other permitted energy facilities within 10 miles of the site boundary, in accordance with OAR 345-001-0010(59) for impacts to public services.

## EXHIBIT H. NON-GENERATING ENERGY FACILITY

### OAR 345-020-0011(1)(h)

*(h) Exhibit H. If the proposed facility is a non-generating energy facility for which the applicant must demonstrate need under OAR 345-023-0005, identification of the rule in division 23 of this chapter under which the applicant intends to demonstrate need and a summary statement of the need and justification for the proposed facility.*

### **Response**

The Facility is a renewable energy generation facility. This rule does not apply.

## EXHIBIT I. LAND USE

### OAR 345-020-0011(1)(i)

*(i) Exhibit I. A statement indicating whether the applicant intends to satisfy the Council's land use standard, OAR 345-022-0030, by obtaining local land use approval under ORS 469.504(1)(a) or by seeking a Council determination under ORS 469.504(1)(b).*

#### **Response**

The Facility site boundary is comprised of parcels zoned A-1 Exclusive Farm Use except for tax parcel number 5S12E04700, which is split zoned A-1 Exclusive Farm Use and R-R 2 Rural Residential (Figure 10). To meet the EFSC Land Use Standard (OAR 345-022-0030), the Applicant seeks a determination from the EFSC under ORS 469.504(1)(b).

## EXHIBIT J. ENVIRONMENTAL IMPACTS

### OAR 345-020-0011(1)(j)

*(j) Exhibit J. Identification of potential significant environmental impacts of construction and operation of the proposed facility on resources in the study areas, including those impacts affecting air quality, surface and ground water quality and availability, wildlife and wildlife habitat, threatened and endangered plant and animal species, historic, cultural and archaeological resources, scenic resources, recreation opportunities, land use, and wildfire risk.*

#### **Response**

Potential significant environmental impacts of the Facility on air quality; surface and ground water quality and availability; wildlife and wildlife habitat; threatened and endangered plant and animal species; historic, cultural, and archaeological resources; scenic resources; recreation opportunities; and land use are identified in this exhibit. The applicable study areas for the resources identified in Exhibit J are shown in Table J-1:

**TABLE J-1: STUDY AREAS FOR ENVIRONMENTAL IMPACTS**

<b>Resource</b>	<b>Study Area</b>	<b>Regulatory Requirement</b>
Air Quality	Facility site boundary	N/A
Surface and Groundwater Quality and Availability (includes Wetlands and Waters of the United States)	Facility site boundary	N/A
Wildlife and Wildlife Habitat	Facility site boundary and areas within 0.5 mile from site boundary	OAR 345-001-0010(35)(c)
Threatened and Endangered Plant and Animal Species	Facility site boundary and areas within 5 miles from site boundary	OAR 345-001-0010(35)(a)
Historic, Cultural and Archaeological Resources	Facility site boundary	N/A
Scenic Resources	Facility site boundary and areas within 10 miles from site boundary	OAR 345-001-0010(35)(b)



Resource	Study Area	Regulatory Requirement
Recreation Opportunities	Facility site boundary and areas within 5 miles from site boundary	OAR 345-001-0010(35)(d)
Land Use	Facility site boundary and areas within 0.5 mile from site boundary	OAR 345-001-0010(35)(c)
Wildfire Risk	Facility site boundary and areas within 0.5 mile from site boundary	OAR 345-001-0010(35)(c)

Note: OAR = Oregon Administrative Rules

### Air Quality

The primary sources of air pollution during construction and operation of the Facility are pollutants coming from the emissions of vehicles traveling to and from the Facility and fugitive dust. Solar modules, collector lines, BESS, and related and supporting components will not produce air contaminants and therefore will not have a negative impact on air quality in the area. Generally, vehicles traveling to and from the Facility will include large trucks carrying various materials and smaller trucks and personal vehicles used for commuting. During construction, air pollutant combustion emissions may be generated from diesel and gasoline engines in vehicles and construction equipment, and fugitive dust may be generated from vehicle traffic and equipment. Best management practices will be implemented during all phases of construction, including applying dust control measures. These measures will be thoroughly described in the ASC.

Facility-related vehicles, including vehicles used for commuting and for delivery of supplies and equipment, are subject to the Oregon Department of Transportation (ODOT) and United States Department of Transportation regulations for registration and emissions. Facility construction equipment will be subject to the federal non-road engine standards in 40 Code of Federal Regulations Part 89 (National Archives 2024). These standards establish the maximum allowable emission rates for compression ignition non-road engines based on the model year of the engine. It is anticipated that the potential emissions and fugitive dust from vehicles and equipment during construction will be minor and will not exceed state emissions thresholds; thus, these emissions are not required to be quantified and will not require a permit from the Oregon Department of Environmental Quality (DEQ).

### Surface and Ground Water Quality

The Facility will not discharge pollutants to surface water or groundwater during operation. During construction, stormwater will be managed in accordance with a National Pollutant Discharge Elimination System (NPDES) 1200-C permit to be issued by the Oregon DEQ, and the associated Erosion Control Plan.



## **Surface and Ground Water Availability**

Facility construction is expected to require approximately 1,400 to 2,000 acre-feet of water. Applicant is exploring different sources of water to accommodate construction, including dust control, road compaction, and concrete mixing, in a way that minimizes any impact to water resources. Options include municipal supplies, temporary licenses for the duration of construction, or a temporary transfer from an existing water right. Daily water use will fluctuate based on weather conditions and specific construction activities. The Applicant will conduct a detailed analysis in the ASC to confirm the amount of water needed for construction and ensure that either the local wells or local municipality can meet these requirements.

For the Facility's operation, water will likely be supplied by an exempt groundwater well or through a water use agreement with a landowner within the project area or municipality. If relying on an exempt well, the well is expected to provide no more than 5,000 gallons per day for drinking, kitchen use, showers, and toilets. This amount is considered an exempt use under ORS 537.545(f) and does not require a new water right from the Oregon Water Resources Department. The Applicant will thoroughly confirm the water requirements and study any potential impacts from the operation of the exempt well for operation in the ASC. Water for periodic solar panel washing will be provided by the third-party contractor responsible for solar panel cleaning.

Please refer to Exhibit M (Water Resources and Use) of this NOI for more details regarding water sources and use for Facility construction and operation.

## **Wetlands and Waters of the United States**

The National Wetlands Inventory (Figure 7) and National Hydrologic Dataset (Figure 8) identify multiple streams and wetlands throughout the study area. Wetland and waters delineations and assessments within the site boundary will be conducted in accordance with the administrative rules governing the issuance and enforcement of removal-fill authorizations within waters of Oregon including wetlands (ORS 196, Chapter 141, Division 85), as well as Section 404 of the Clean Water Act. Results will be detailed in the ASC and will include a detailed discussion of identified wetlands and waters, potential jurisdictional status, potential impacts, potential required mitigation, and necessary permits. If impacts are to occur, they will be mitigated in accordance with state and federal law. If a removal/fill permit is required through the Oregon Department of State Lands, the permit will be obtained through the EFSC process.

## **Wildlife and Wildlife Habitat**

The Oregon Department of Fish and Wildlife (ODFW) Compass report identifies grasslands, late successional mixed conifer forests, oak woodlands, ponderosa pine woodlands, flowing water and riparian habitats, sagebrush habitats, and wetlands as strategy habitats within the study area. Deer winter range is mapped to the south and west of the site boundary, and elk winter range is mapped to the west of the site boundary. Wildlife and habitat surveys will be conducted in coordination with ODFW; an analysis of habitat and potential impacts will be detailed in the ASC.

## Threatened and Endangered Plant and Animal Species

A variety of resources have been utilized to determine the threatened, endangered, and sensitive species that may occur within the study area, including the United States Fish and Wildlife Service database, the ODFW Compass database, and the Oregon Fish Habitat Distribution and Barriers web map. A total of 37 special status species of concern to the United States Fish and Wildlife Service and ODFW were identified that should be evaluated as potentially occurring within the study area. These species are listed in Table J-2, below.

**TABLE J-2: POTENTIAL SPECIAL STATUS SPECIES WITHIN THE STUDY AREA**

Species	State/Federal Status	Potential Habitat in Study Area
American Marten	State	Yes
American White Pelican	State	Yes
Bald Eagle	Bald and Golden Eagle Protection Act	Yes
Beller's Ground Beetle	State	Yes
Black-backed Woodpecker	State	Yes
Brewer's Sparrow	State	Yes
Bull Trout	Federal	Yes
California Condor	Federal	Yes
Calliope Hummingbird	Bird of conservation concern	Yes
Cascades Frog	State	Yes
Cassin's Finch	Bird of conservation concern	Yes
Chinook Salmon	State	Yes
Coastal Rainbow Trout	State	Yes
Columbia Basin Redband Trout	State	Yes
Common Nighthawk	State	Yes
Cope's Giant Salamander	State	Yes
Evening Grosbeak	Bird of conservation concern	Yes
Flammulated Owl	State	Yes
Golden Eagle	Bald and Golden Eagle Protection Act	Yes

Species	State/Federal Status	Potential Habitat in Study Area
Grasshopper Sparrow	State	Yes
Gray Wolf	State	Yes
Great Gray Owl	State	Yes
Harlequin Duck	State	Yes
Lewis's Woodpecker	State	Yes
Loggerhead Shrike	State	Yes
Long-billed Curlew	State	Yes
Monarch butterfly	Federal	Yes
Northern Goshawk	State	Yes
Northern Harrier	State	Yes
Northern Spotted Owl	Federal/State	Yes
Olive-sided flycatcher	State	Yes
Oregon Spotted Frog	State	Yes
Pacific Lamprey	State	Yes
Rufous Hummingbird	State	Yes
Shortface Lanx	State	Yes
Suckley's Cuckoo Bumble Bee	Federal	Yes
Summer Steelhead	State	Yes
Swainson's Hawk	State	Yes
Trumpeter Swan	State	Yes
Tygh Valley Milkvetch	State	Yes
White-headed Woodpecker	State	Yes

In compliance with ODFW recommendations, targeted surveys will be performed for raptor and passerine bird species and listed rare plants to minimize impacts and gain agency approvals necessary to support environmental permitting for the proposed Facility. An analysis of potential impacts to sensitive, endangered, and threatened species will be provided in the ASC.

### **Historic, Cultural and Archaeological Resources**

The Applicant will complete a cultural resources field survey and submit the results in the ASC. This inventory will evaluate the presence or absence of historic properties and other cultural resources, including those that may not meet the threshold of significance necessary to qualify them as historic properties. The study methodology will follow applicable Oregon State Historic Preservation Office regulations and will be consistent with U.S. Secretary of Interior standards for cultural resource surveys and documentation under Section 106 of the National Historic Preservation Act (Public Law 89-665).

Any archaeological or historic sites discovered during the field investigation will be officially recorded and filed with the Oregon State Historic Preservation Office. If an archaeological or historic site is identified, the Applicant will undertake the appropriate avoidance or mitigation actions to avoid significant impacts.

### **Scenic Resources**

In accordance with to OAR 345-021-0010(1)(r) and 345-022-0080(1), scenic resources to be considered are *those "identified as significant or important in local land use plans, tribal land management plans and federal land management plans for any lands located within the analysis area..."*

The Wasco County Land Use and Development Ordinance (WCLUDO) was used to identify scenic resources within the study area. The Wasco County Comprehensive Plan designates the White River as an Outstanding Scenic and Recreation Area, located near the northern site boundary. The Lower White River Wilderness Area and Lower Deschutes Wild Scenic River areas are identified to the west and east of the site boundary, respectively. The Lower Deschutes River Back Country Byway also parallels the river. A visual assessment will be included with the ASC and will provide avoidance, minimization, and mitigation measures, if needed, for significant potential impacts identified through the ASC process.

### **Recreational Opportunities**

Recreational activities within the study area include hiking, fishing, boating, camping, bicycling, and sightseeing along the Deschutes and White Rivers. The ASC will include more detailed analysis of the potential impacts to recreational resources and whether the recreational opportunities within the study area meet the level of uniqueness or irreplaceability that is required by OAR 345-022-0100(1).

### **Land Use**

The study area is currently zoned as Exclusive Farm Use by Wasco County except for Tax Parcel Number 5S12E04700, which is split zoned A-1 Exclusive Farm Use and R-R 2 Rural Residential. Overlay Zones include:



- The “Destination Report Eligibility” Overlay Zone 16 in the central portion of the study area;
- The “Sensitive Wildlife Habitat” Overlay Zone 8 in the southern portion of the study area;
- The “Wild and Scenic River” Overlay Zone 7 which abuts the northern site boundary (along the White River); and,
- Smaller areas of “Significant Aggregate Sites” Overlay Zone 5 are present throughout the southern areas of the study area.

Zoning and Overlay Zones are shown in Figure 10. Applicable development standards for these zones and overlay zones will be addressed in the ASC, as well as potential impacts to agricultural land, in accordance with OAR 345-022-0030.

### **Wildfire Risk**

The Oregon Wildfire Risk Explorer shows most of the study area within a high hazard area for burn probability, with a few small areas in a moderate hazard area for burn probability. Water trucks will be at the Facility for dust management and will provide water to support fire control. The Applicant will coordinate closely with Rural Protection Associations including the Maupin Fire Department, Tygh Valley Rural Fire Protection District, and the Bakeoven-Shaniko Rural Fire Protection Association. The ASC will provide a detailed analysis of the baseline fire risk, seasonal fire risk, heightened risk area, and high fire consequence areas for the study area. The Facility will develop and implement a Wildfire Mitigation Plan for construction and operation in compliance with OAR 345-022-0115(1)(b).

## EXHIBIT K. COMMUNITY SERVICE IMPACTS

### OAR 345-020-0011(1)(k)

*(k) Exhibit K. Information about significant potential adverse impacts of construction and operation of the proposed facility on the ability of communities in the study area to provide the services listed in OAR 345-022-0110.*

#### **Response**

As defined by OAR 345-001-0010(35)(b), the “study area” includes both the area within the site boundary and the region extending 10 miles beyond the site boundary. The community services to be evaluated for potential impacts from the Facility's construction and operation are specified in OAR 345-020-0011(1)(k) and include sewers and sewage treatment, water, stormwater drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools.

#### **Sewers and Sewage Treatment**

Given the Facility's rural setting, there will be no need for connection to public sewers and sewage treatment services. During construction, portable toilets will be used, and a certified third-party contractor will handle their deployment, maintenance, and waste removal. Once operational, the Facility will utilize a septic system for sanitary waste disposal at the O&M building. Permits for both the construction and operation of the sewer management system will be secured before work begins. No adverse impacts to the public sewers and sewage treatment system are expected.

#### **Water for Construction**

During Facility construction, water will be sourced from a municipal water supply or other licensed and permitted providers with adequate water rights through a temporary license or transfer, ensuring that public water systems are not adversely impacted. The Applicant will thoroughly confirm the water requirements for both construction and operation in the ASC. The analysis will include detailed assessments of whether the identified water sources can meet the Facility's needs. Should these sources prove insufficient, alternative water supplies will be sought from other licensed providers.

The total water consumption for construction is anticipated to be 1,400 to 2,000 acre-feet for activities such as concrete mixing, dust control, road compaction, and sanitation. However, water use will vary based on specific construction activities, site conditions and weather, with higher use during dry, windy periods for dust control.

#### **Water for Operation**

For the Facility's operation, water will likely be supplied by an exempt groundwater well or through a water use agreement with a landowner within the project area or municipality. If relying on an exempt well, the well is expected to provide no more than 5,000 gallons per day for drinking, kitchen use, showers, and toilets. This amount is considered an exempt use under ORS 537.545(f) and does not require a new water right from the Oregon Water Resources Department. The Applicant will thoroughly confirm the water requirements and study any potential impacts

from the operation of the exempt well for operation in the ASC. Water for periodic solar panel washing will be provided by the third-party contractor responsible for solar panel cleaning.

### **Stormwater Drainage**

During construction, the Facility will obtain a NPDES 1200-C construction stormwater permit and implement Best Management Practices to manage stormwater and control erosion, including measures to contain disturbed areas, erosion control near surface water features, and avoidance of work within waterways. Best Management Practices will also focus on preserving existing vegetation, using perimeter controls, soil stabilization, and dust control. Once construction is complete, good housekeeping practices will continue to minimize erosion and sediment mobilization. No adverse impacts to public stormwater services are anticipated from the construction or operation of the Facility.

### **Solid Waste Management**

The Facility will adhere to all relevant waste handling and disposal regulations governed by Wasco County. The Wasco County Landfill, owned by Waste Connections, Inc., provides solid waste management services to Wasco County and collects non-hazardous solid waste including trash, cardboard, organics, recycling, construction and demolition debris. The landfill permit through the Oregon DEQ has been extended through 2034, and the landfill has a 30-year capacity<sup>2</sup>. Solid waste generated during construction activities will include organic debris, wood, concrete, and packaging materials. All waste generated will be managed using Best Management Practices to prevent any fire, health, or safety hazards and will be stored safely until it can be transported for recycling or proper disposal. Disposal services will be arranged through a private contract with local commercial haulers, and waste will be recycled or repurposed to the extent possible to minimize landfill use. The Facility's waste management plan, including private contracts for hauling, will be designed to avoid disrupting existing services in the surrounding communities.

### **Housing**

During construction, approximately 300 workers will be present on-site on an average day, though this number may rise to approximately 500 workers at peak times when multiple teams are working simultaneously. The workforce will consist of both local hires and specialized workers from outside the region who will be brought in for tasks like solar array controls, equipment testing, commissioning and troubleshooting. The proportion of local versus non-local workers will depend on the availability of the local skilled workforce. The non-local workforce may need temporary housing.

Temporary housing for non-local workers is expected to include motels, hotels, rental units, and RV parks. Larger communities within a commutable distance, such as Eugene, Madras and Corvallis, offer a range of accommodation options, which will help minimize the impact on local housing. Approximately half of the construction workforce may stay locally in RV parks or motels, with the other half of the workforce commuting daily from locations up to one hour away.

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<sup>2</sup> Landfill capacity verified by Wasco County Landfill during a phone conversation on 5 September 2024.



During operation, the Facility will permanently employ approximately 5 to 10 O&M staff. Permanent staff will be hired locally, if possible, though certain tasks (e.g., solar module inspections, electrical system maintenance, or the repair of solar panel and tracker systems) may require specialized contractors. Depending on the availability of the local workforce, some O&M staff may already reside locally, while others might come from nearby towns and commute to the Facility. Consequently, a small number of staff (between 5 and 10) may need permanent housing. Given the limited number of additional residents and the availability of housing in the area, it is anticipated that the Facility will not have any significant adverse effects on local housing availability or community services.

### **Traffic Safety**

During construction, the primary transportation corridors to the Facility will be from US-97 (either north or southbound) onto Bakeoven Road, I-26, I-197, and Highway 216. These primary transportation corridors will carry most of construction-related heavy-duty trucks and light-duty delivery vehicles, and some workforce traffic. Heavy-duty trucks will transport Facility components, gravel, and materials for road improvements, as well as concrete for the equipment foundations. Lighter-duty trucks will deliver water, electrical equipment, and other necessary supplies. The primary transportation corridors are major transportation routes, that can accommodate substantial volumes of traffic. Alternative transportation corridors include Reservation Road and Claymier Lane from the east, and Walters Road and Linns Mill Road from the west. Traffic is expected to peak approximately six to eight months after construction starts. Traffic flow will be steady for approximately 12 months and then will decrease as construction activities wind down. Any improvements to county or state roads will be limited to rights-of-way and subject to approval by the applicable agency. Despite the increased traffic, construction-related activities are not anticipated to cause significant safety issues or delays. Impacts to traffic safety will be fully evaluated in Exhibit U of the ASC and a traffic management plan, if needed, will be developed in coordination with the Oregon Department of Transportation and local municipalities.

During operation, O&M staff (less than 10) will commute to the Facility from nearby communities in personal vehicles and in light-duty trucks using the primary and alternative transportation corridors described above. Equipment and material deliveries are expected to be infrequent, and the overall traffic impact during the operational phase is expected to be minor.

### **Police and Fire Protection**

The Facility is served by the Wasco County Sheriff's Office, which will provide police services for the area. The Applicant will collaborate with the Sheriff's office to ensure adequate law enforcement coverage, though the anticipated influx of temporary and permanent residents is not expected to significantly strain local police resources. Backup law enforcement service is available from the Oregon State Police Eastern Region, with offices in Madras, Prineville, and Bend. Impacts to law enforcement services will be fully evaluated in Exhibit U of the ASC. If necessary, the Applicant will work closely with local law enforcement to develop an Emergency Management Plan for police services.

The Applicant will engage with the Wasco County fire districts and rural protection associations to develop a comprehensive Wildfire Prevention and Risk Mitigation Plan which will be included as Exhibit V of the ASC. This plan will be developed in consultation with local emergency response agencies and will include First Aid and Emergency Response procedures tailored to the construction and operation phases of the Facility. Fire safety measures will adhere to the Oregon Fire Code and National Fire Protection Association standards, incorporating strategies like maintaining firefighting equipment and avoiding high fire-risk activities. The Applicant will coordinate closely with rural protection associations including the Maupin Fire Department, Tygh Valley Rural Fire Protection District, and the Bakeoven-Shaniko Rural Fire Protection Association. Once operational, the Facility is expected to have minimal impact on local law enforcement and fire protection services due to the relatively small permanent workforce (i.e., less than 10 employees).

### **Health Care**

The Facility will be served by regional hospitals and healthcare services. The nearest hospital is Providence Hood River Memorial Hospital Mountain Clinic, approximately 35 miles to the northwest of the Facility. The Mid-Columbia Medical Center has two locations in The Dalles approximately 45 miles to the north of the Facility. There are also two medical clinics in Maupin, approximately 9 miles east of the Facility, however, emergency services are not available at these clinics. While the increase in temporary workforce during construction could potentially strain local health services, careful management of health and safety risks should mitigate significant impacts. A health and safety plan will be developed for all construction activities, which will include risk avoidance and minimization measures.

During construction and operation, the Facility will rely on local emergency services and there will be a transportation plan for potential medical emergencies. Due to the small number of O&M staff (less than 10), impacts to the public health care system are not anticipated once the Facility is operational. Nonetheless, a health and safety plan will also be developed for operations activities.

### **Schools**

The Facility is in the South Wasco School District, and the nearest school is approximately five miles east of the site boundary. Given that the construction is temporary and mostly during the summer, it is not expected that construction activities will cause a significant influx of new students. There will be approximately 5 to 10 full time O&M staff, so the Facility's operation is unlikely to impact school enrolment significantly. No significant adverse impacts on school services are anticipated due to the Facility's construction or operation.

## EXHIBIT L. PROTECTED AREAS

### OAR 345-020-0011(1)(I)

*(I) Exhibit L. A list of all protected areas in the study area for impacts to protected areas identifying:*

*(A) The distance and direction of the protected area from the proposed facility.*

*(B) The basis for protection of the area, by reference to a specific subsection of OAR 345-001-0010(26).*

*(C) The name, mailing address, phone number, and email address of the land management agency or organization with jurisdiction over the protected area.*

### **Response**

The protected areas study area is the Facility site boundary plus a surrounding 20-mile buffer, in accordance with OAR 345-001-0010(35)(e). Protected areas are defined and listed in OAR 345-001-0010(26). Table L-1 lists known protected areas within the study area (Figure 6). Exhibit L of the ASC will include more detailed analysis of the potential impacts to protected areas.

TABLE L-1: PROTECTED AREAS WITHIN 20 MILES OF SITE BOUNDARY

Type	Area Name	Approximate Distance to Site Boundary (Miles)	Direction from Facility	Agency Contact Information	Data Source
National Monument OAR 345-001-0010(26)(b)	None	N/A	N/A	N/A	Confirmed none via USGS Protected Areas Database of the United States (PADUS 2024)
Wilderness Area OAR 345-001-0010(26)(c)	Lower White River Wilderness Area	0.05	West	BLM - Oregon/Washington State Office Prineville District Office 3050 NE 3rd Street Prineville, OR 97754 541-416-6700 BLM_OR_PR_Mail@blm.gov	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024)
	Badger Creek Wilderness	8.05	North		
	Mt Hood Wilderness	13.91	Northwest		
	Salmon-Huckleberry Wilderness	18.18	Northwest		
Wild, Scenic, or Recreational River included in the National Wild and Scenic River System OAR 345-001-0010(26)(d)	East Fork Hood Wild and Scenic River	16.41	Northwest	BLM - Oregon/Washington State Office Prineville District Office 3050 NE 3rd Street Prineville, OR 97754 541-416-6700 BLM_OR_PR_Mail@blm.gov	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024) and National Wild and Scenic River Lines (USFS 2022)
	White Wild and Scenic River	9.46	Northwest		
	Fifteen-mile Creek Wild and Scenic River	15.06	Northwest		
	Deschutes Wild and Scenic River	3.19	Northeast		
	Salmon Wild and Scenic River	18.58	Northwest		

Type	Area Name	Approximate Distance to Site Boundary (Miles)	Direction from Facility	Agency Contact Information	Data Source
National Wildlife Refuge included in the National Wildlife Refuge System OAR 345-001-0010(26)(e) N	None	N/A	N/A	N/A	Confirmed none via USGS Protected Areas Database of the United States (PADUS 2024)
National Fish Hatcheries OAR 345-001-0010(26)(f)	None	N/A	N/A	N/A	Confirmed none via U.S. Fish and Wildlife Service – Visit National Fish Hatcheries (USFWS 2024)
National Recreation area, National Scenic area, or Special Resources Management Unit OAR 345-001-0010(26)(g)	Mount Hood National Recreation Area	10.89	Northwest	USFS Forest Service Region 06: Pacific Northwest Region 1220 SW 3rd Avenue Portland, Oregon 97204	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024)
	Badger Creek National Recreation Area	8.05	Northwest		
Wilderness Study Area OAR 345-001-0010(26)(h)	None	N/A	N/A	N/A	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024)
Area of Critical Environmental Concern OAR 345-001-0010(26)(i)(A)	None	N/A	N/A	N/A	Confirmed none via BLM website (BLM 2023a)
Outstanding Natural Area OAR 345-001-0010(26)(i)(B)	None	N/A	N/A	N/A	Confirmed none via USGS Protected Areas Database of the United States (PADUS 2024) and BLM website (BLM 2023b)



Type	Area Name	Approximate Distance to Site Boundary (Miles)	Direction from Facility	Agency Contact Information	Data Source
Research Natural Area OAR 345-0010(26)(i)(C)	Gumjuwac-Tolo Research Natural Area	13.10	Northwest	USFS Forest Service Region 06: Pacific Northwest Region 1220 SW 3rd Avenue Portland, Oregon 97204	Confirmed none via USGS Protected Areas Database of the United States (PADUS 2024)
Experimental Forest or Range OAR 345-001-0010(26)(i)(D)	Happy Ridge Hazard Experimental Research Area	8.48	Northwest	USFS Forest Service Region 06: Pacific Northwest Region 1220 SW 3rd Avenue Portland, Oregon 97204	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024)
Special Interest Area designated for scenic, geologic, botanic, zoologic, paleontological, archaeological, historic, or recreational values, or combinations of these values OAR 345-001-0010(26)(i)(E)	Pacific Crest National Trail	17.34	West	USFS Forest Service Region 06: Pacific Northwest Region 1220 SW 3rd Avenue Portland, Oregon 97204	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024).
State park, wayside, corridor, monument, historic, or recreation area under the jurisdiction of the Oregon Parks and Recreation Department OAR 345-001-0010(26)(j)	White River Falls State Park	10.28	Northeast	OPRD 725 Summer Street NE, Suite C Salem, OR 97301 (800) 551-6949 park.info@oregon.gov	Confirmed via Oregon Parks and Recreation Department State Parks database (OPRD 2024).
	Barlow Creek Campground	14.71	West		
Willamette River Greenway OAR 345-001-0010(26)(k)	None	N/A	N/A	N/A	Confirmed none via Oregon Parks and Recreation Department State

Type	Area Name	Approximate Distance to Site Boundary (Miles)	Direction from Facility	Agency Contact Information	Data Source
					Parks database (OPRD 2014).
Natural area listed in the Oregon Register of Natural Areas OAR 345-001-0010(26)(l)	Tygh Valley State Natural Area	10.35	Northeast	NR-Corvallis (headquarters) Oregon State University 234 Strand Hall 170 SW Waldo Place Corvallis, OR 97331-8680 (541) 737-9918 inr@oregonstate.edu	Confirmed via Oregon Natural Area Plan of 2020 (ORBIC 2020).
South Slough National Estuarine Research Reserve OAR 345-001-0010(26)(m)	None	N/A	N/A	N/A	Confirmed none via Oregon Natural Area Plan of 2020 (ORBIC 2020).
State Scenic Waterway OAR 345-001-0010(26)(n)	Deschutes River State Scenic Waterway	3.36	East	Oregon Parks and Recreation Department 725 Summer Street NE, Suite C Salem, OR 97301 (503) 986-0707 park.info@oregon.gov	Confirmed via USGS Protected Areas Database of the United States (PADUS 2024) and Oregon Parks and Recreation Department State Parks database (OPRD 2014).
State Wildlife Refuge or Management Area OAR 345-001-0010(26)(o)	White River Wildlife Area	0.01	Northwest	ODFW 4034 Fairview Industrial Drive SE Salem, OR 97302 (503) 947-6000 <a href="https://myodfw.com/white-riverwildlife-area-visitors-guide">https://myodfw.com/white-riverwildlife-area-visitors-guide</a>	Confirmed via Oregon Department of Fish and Wildlife, Wildlife Areas Data Clearinghouse (ODFW 2022).
Fish hatchery operated by the Oregon Department of Fish and Wildlife OAR 345-001-0010(26)(p)	Oak Springs Hatchery	9.97	Northeast	ODFW 4034 Fairview Industrial Drive SE Salem, OR 97302 (503) 947-6000	Confirmed via Oregon Department of Fish and Wildlife - Natural Resources Information Management
	Warm Springs National Fish Hatchery	14.44	Southeast		

Type	Area Name	Approximate Distance to Site Boundary (Miles)	Direction from Facility	Agency Contact Information	Data Source
					Program - Hatchery Data (ODFW 2014).
Agricultural experiment station, experimental area, or research center established by Oregon State University OAR 345-001-0010(26)(q)	None	N/A	N/A	N/A	Reviewed using OSU website and PDF maps (OSU 2022).
Research forest established by Oregon State University OAR 345-001-0010(26)(r)	None	N/A	N/A	N/A	Reviewed using OSU website and PDF maps (OSU 2023).

Note: BLM = Bureau of Land Management, OAR = Oregon Administrative Rules, ODFW = Oregon Department of Fish and Wildlife, OPRD = Oregon Parks and Recreation Department, OSU = Oregon State University, USFS = U.S. Department of Agriculture Forest Service, USGS = United States Geological Survey



## EXHIBIT M. WATER SOURCES AND USE

### OAR 345-020-0011(1)(m)

*(m) Exhibit M. Information about anticipated water use during construction and operation of the proposed facility, including:*

*(A) A description of each source of water and the applicant's estimate of the amount of water the facility will need from each source.*

#### **Response**

Facility construction is expected to require approximately 1,400 to 2,000 acre-feet of water. Applicant is exploring different sources of water to accommodate construction, including dust control, road compaction, and concrete mixing, in a way that minimizes any impact to water resources. Options include municipal supplies, temporary licenses for the duration of construction, or a temporary transfer from an existing water right. Daily water use will fluctuate based on weather conditions and specific construction activities. The Applicant will conduct a detailed analysis in the ASC to confirm the amount of water needed for construction and ensure that either the local wells or local municipality can meet these requirements.

For the Facility's operation, water will likely be supplied by an exempt groundwater well or through a water use agreement with a landowner within the project area or municipality. If relying on an exempt well, this well is expected to provide no more than 5,000 gallons per day for drinking, kitchen use, showers, and toilets. This amount is considered an exempt use under ORS 537.545(f) and does not require a new water right from the Oregon Water Resources Department. The Applicant will thoroughly confirm the water requirements and study any potential impacts from the operation of the exempt well for operation in the ASC. Water for periodic solar panel washing will likely be provided by the third-party contractor responsible for solar panel cleaning.

*(B) If a new water right is required, the approximate location of the points of diversion and the estimated quantity of water to be taken at each point.*

#### **Response**

For construction, the Applicant is exploring different sources of water including municipal supplies, temporary licenses for the duration of construction, or a temporary transfer from an existing water right. For the Facility's operation, water will likely be supplied by an exempt groundwater well or through a water use agreement with a landowner within the project area or municipality.

*(C) For operation, the source of cooling water and the estimated consumptive use of cooling water, based on annual average conditions.*

#### **Response**

The Facility will not use cooling water. This rule does not apply.



## EXHIBIT N. CARBON DIOXIDE EMISSIONS

### OAR 345-020-0011(1)(n)

*(n) Exhibit N. If the proposed facility would emit carbon dioxide, an estimate of the gross carbon dioxide emissions that are reasonably likely to result from the operation of the facility and a statement of the means by which the applicant intends to comply with the applicable carbon dioxide emissions standard under OAR 345-024-500.*

### **Response**

The Facility is a renewable energy facility and emits no carbon dioxide. This rule does not apply.

## EXHIBIT O. EVALUATION OF STATUTES, RULES, AND ORDINANCES

### OAR 345-020-0011(1)(o)

*(o) Exhibit O. Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant must analyze and describe any problems the applicant foresees in satisfying the requirements of any such statute, rule or ordinance.*

### **Response**

Table O-1 identifies state statutes, administrative rules, and local government ordinances containing standards or criteria that the Applicant must meet for EFSC to issue a Site Certificate, beyond the statutes, rules, and ordinances identified in Exhibit E. The Applicant does not anticipate difficulty in meeting specific requirements.

**TABLE O-1: STATUTES, RULES, AND ORDINANCES CONTAINING RELEVANT STANDARDS OR CRITERIA**

<b>Agency</b>	<b>Legal Citation</b>	<b>Agency Address</b>
Oregon Department of Agriculture	Plant Conservation Biology Program—ORS 564; OAR Chapter 603, Division 73  OAR 345-022-0070 Threatened and Endangered Species	Oregon Department of Agriculture 635 Capitol Street, N.E. Salem, OR 97301-2532 (503) 986-4550
Oregon Water Resources Department – Water Rights Division	OAR 345-022-0020 General Standard of Review ORS Chapters 537, 540; OAR Chapter 690	Oregon Water Resources Department Water Rights Section, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2652
Oregon DEQ—Noise	ORS 467; OAR Chapter 340, Division 35  OAR 345-022-0020 General Standard of Review	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696
Oregon DEQ—Hazardous Waste Management	ORS 465 and 466; OAR Chapter 340, Divisions 100-113  OAR 345-022-0120 Waste Minimization	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696
Oregon DEQ—Solid Waste	ORS 459; OAR Chapter 340, Division 93  OAR 345-022-0120 Waste Minimization	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204-1390 (503) 229-5696
Oregon Department of Geology and Mineral Industries	OAR 345-022-0020 Structural Standard OAR Chapter 632, Division 1	Oregon Department of Geology and Mineral Industries 800 NE Oregon Street, Suite 965 Portland, OR 97232 (971) 673-1555
Oregon Office of State Fire Marshal—Emergency Planning and Community Right to Know Act	OAR 345-022-0115 Wildfire Prevention and Risk Mitigation ORS 453; OAR Chapter 837, Divisions 85 and 95; Fire and Life Safety Regulations, OAR 837, Division 40	Oregon Office of State Fire Marshal 3991 Fairview Industrial Dr SE Salem, OR 97302 (503) 378-3473
Oregon Office of State Fire Marshal	OAR 345-022-0115 Wildfire Prevention and Risk Mitigation 2019 Oregon Fire Code; OAR Chapter 837, Division 40	Oregon Office of State Fire Marshal 3991 Fairview Industrial Dr SE Salem, OR 97302 (503) 378-3473
Oregon Department of Land Conservation and Development	OAR 345-022-0030(2) and (3) Land Use Oregon Statewide Planning Goals, applicable sections of OAR Chapter 660, applicable substantive criteria	Department of Land Conservation and Development 635 Capitol Street NE, Suite 150 Salem, OR 97301 (503) 373-0050

Agency	Legal Citation	Agency Address
	of the Wasco County Comprehensive Plan and land use ordinances, and any exceptions to the same may be granted by the Council under OAR 345-022-0030(4).	
Oregon Parks and Recreation Department, State Historic Preservation Office — Archaeological	<p>OAR 345-022-0090 Historic, Cultural and Archaeological Resources Native American Graves and Protected Objects—ORS 97.740-97.760</p> <p>Archaeological Objects and Sites—ORS 358.90-358.955</p> <p>Permit and Conditions for Excavation or Removal of Archaeological or Historical Materials on Private Lands (OAR 736-051-0090)</p>	State Historic Preservation Office 725 Summer Street NE, Suite C Salem, OR 97301 (503) 986-0690
ODFW—Habitat Conservation Division	ORS 496 and 506; OAR Chapter 635, Divisions 100 and 415	Oregon Department of Fish and Wildlife 3406 Cherry Avenue N.E. Salem, OR 97303-4924 (503) 947-6000
Wasco County Planning Department – Land Use <sup>1</sup>	OAR 345-022-0030(2)(a) Land Use WCLUDO	Wasco County Planning Department 2705 East 2nd Street The Dalles, OR 97058 (541) 506-2560

**Note:**

<sup>1</sup> As stated in Exhibit I: The Applicant intends to satisfy EFSC's land use standard, OAR 345-022-0030, by seeking an EFSC determination under ORS 469.504(1)(b). The Applicant seeks a determination by EFSC of compliance with land use standards from Wasco County.

EFSC = Energy Facility Siting Council, OAR = Oregon Administrative Rules, DEQ = Department of Environmental Quality, ODFW = Oregon Department of Fish and Wildlife, ORS = Oregon Revised Statutes, WCLUDO = Wasco County Land Use and Development Ordinance

## EXHIBIT P. SCHEDULE FOR APPLICATION FOR SITE CERTIFICATE

### OAR 345-020-0011(1)(o)

*(p) Exhibit P. A schedule stating when the applicant expects to submit a preliminary application for a site certificate.*

#### **Response**

The Applicant expects to submit a preliminary application for a site certificate according to the schedule outlined in Table P-1 below.

**TABLE P-1: PROPOSED SCHEDULE FOR APPLICATION FOR SITE CERTIFICATE**

Action	Anticipated Date
Applicant submits the NOI	January 2024
EFSC reviews the NOI, distributes public notice, conducts public information meeting as needed, facilitates comment period, and issues Project Order	January to February 2024
Applicant submits the preliminary application for a site certificate	July 2025

Note: NOI = Notice of Intent, EFSC = Energy Facility Siting Council

## EXHIBIT Q. EVIDENCE OF CONSULTATION WITH STATE COMMISSION ON INDIAN SERVICES

OAR 345-020-0011(1)(q)

*(q) Exhibit Q. Evidence of consultation with the Legislative Commission on Indian Services to identify each appropriate tribe to consult with regarding the proposed facility's possible effects on Indian historic and cultural resources.*

### **Response**

The evidence of consultation is provided as Appendix B.



Tables



Table F-1  
List of Owner Names and Mailing Addresses  
Deschutes Solar and BESS Project

Map Tax Lot ID	Last Name 1	First & Middle Names 1	Last Name 2	First & Middle Names 2	Company/Organization	Mailing Address	City	State	Zip Code
5S 11E 0 1100					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 0 1200					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 0 1700					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 0 2500					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 0 2600	Miller	Lawrence C	Miller	Gloria		77891 Hwy 216	Maupin	Oregon	97037
5S 11E 24 100					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 24 300					State of Oregon	4034 Fairview Industrial Dr SE	Salem	Oregon	97302
5S 11E 24 400	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 11E 24 500	Jones	James E				53006 Endersby Rd	Maupin	Oregon	97037
5S 11E 24 800	Miller	Lawrence C	Miller	Gloria		77891 Hwy 216	Maupin	Oregon	97037
5S 11E 24 900	Miller	Lawrence C	Miller	Gloria		77891 Hwy 216	Maupin	Oregon	97037
5S 12E 0 1500					United States of America	3050 NE 3rd St	Prineville	Oregon	97754
5S 12E 0 1700	Mead	Kimberly S				78901 Victor Rd	Maupin	Oregon	97037
5S 12E 0 1701	Ambrose	Barbara	Ambrose	Melvin		78901 Victor Rd	Maupin	Oregon	97037
5S 12E 0 1800					United States of America	3050 NE 3rd St	Prineville	Oregon	97754
5S 12E 0 1900	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 2000	Dodge	Richard T				74125 Johns Ln	Pendleton	Oregon	97801
5S 12E 0 2100	Dodge	Richard E	Dodge	Janie P	Cemetery	78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 2200	Ambrose	Barbara	Ambrose	Melvin		78901 Victor Rd	Maupin	Oregon	97037
5S 12E 0 2300					Loren & Sandra Mcleod Revocable Trust	1208 Toliver Rd	Molalla	Oregon	97038
5S 12E 0 2700	Williamson	Claude L	Williamson	Emilie S		80691 Old Wapinitia Rd	Maupin	Oregon	97037
5S 12E 0 2702	Ogilvie	Gregory L				PO Box 315	Eagle Creek	Oregon	97022
5S 12E 0 2703	Williamson	Claude L	Williamson	Emilie S		80691 Old Wapinitia Rd	Maupin	Oregon	97037
5S 12E 0 2900	Carter	Nancy H				53231 Reservation Rd	Maupin	Oregon	97037
5S 12E 0 3000	Fullington	Neil A	Fullington	Kayla M		14485 S Union Hall Rd	Mulino	Oregon	97042
5S 12E 0 3100	Fullington	Neil A	Fullington	Kayla M		14485 S Union Hall Rd	Mulino	Oregon	97042
5S 12E 0 3200	Groce	Gregory S				80242 Claymier Lane	Maupin	Oregon	97037
5S 12E 0 3300	Groce	Gregory S				80242 Claymier Lane	Maupin	Oregon	97037
5S 12E 0 3400	Groce	Gregory S				80242 Claymier Lane	Maupin	Oregon	97037
5S 12E 0 3500	Fullington	Neil A	Fullington	Kayla M		14485 S Union Hall Rd	Mulino	Oregon	97042
5S 12E 0 3600	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 3700	Woodside	Van L	Woodside	Sandra S		81551 Victor Rd	Maupin	Oregon	97037
5S 12E 0 3800	Wills	Benjamin	Wills	Tess		78903 Victor Rd	Maupin	Oregon	97037
5S 12E 0 3900	Waine	Michael T	Waine	Juliane I		78769 Victor Rd	Maupin	Oregon	97037
5S 12E 0 400					Fjr LLC	PO Box 189	Boring	Oregon	97009
5S 12E 0 4000	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4100	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4200	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4300	Dodge	Richard	Dodge	Janie		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4400					United States of America	3050 NE 3rd St	Prineville	Oregon	97754
5S 12E 0 4500	Dodge	Richard	Dodge	Janie		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4600	Johnson	Carol Ann				52973 Endersby Rd	Maupin	Oregon	97037
5S 12E 0 4700	Dodge	Richard	Dodge	Janie		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 4800	Elmer	Garren G			Trustee	2536 Lewis River Rd	Woodland	Washington	98674
5S 12E 0 4900	Brown	Lonny D	Brown	Pamela A		PO Box 879	Fairview	Oregon	97024
5S 12E 0 5000	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 5100					Northern Wasco County Public Utilities Department	2345 River Road	The Dalles	Oregon	97058
5S 12E 0 5200	Waine	Michael T	Waine	Juliane I		78769 Victor Rd	Maupin	Oregon	97037
5S 12E 0 5300	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 5400	Waine	Michael T	Waine	Juliane I		78769 Victor Rd	Maupin	Oregon	97037
5S 12E 0 5500	Waine	Michael T	Waine	Juliane I		78769 Victor Rd	Maupin	Oregon	97037
5S 12E 0 5600	Waine	Michael T	Waine	Juliane I		78769 Victor Rd	Maupin	Oregon	97037
5S 12E 0 5700	Holder	Traci				1116 SE Lambert St	Portland	Oregon	97202
5S 12E 0 5800	Paulk	Kevin D				79702 Hwy 216	Maupin	Oregon	97037
5S 12E 0 5900					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 0 6000	Aschoff	Dallas	Aschoff	Tara		53228 Reservation Rd	Maupin	Oregon	97037
5S 12E 0 6100	Richley	Elizabeth L				80377 Hwy 216	Maupin	Oregon	97037
5S 12E 0 6200	Walters	Eugene				81213 Old Wapinitia Rd	Maupin	Oregon	97037

Table F-1  
List of Owner Names and Mailing Addresses  
Deschutes Solar and BESS Project

Map Tax Lot ID	Last Name 1	First & Middle Names 1	Last Name 2	First & Middle Names 2	Company/Organization	Mailing Address	City	State	Zip Code
5S 12E 0 6300					Juniper Flat Rural Fire Protection	53333 Reservation Rd	Maupin	Oregon	97037
5S 12E 0 6400					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 0 6501	Campbell	Gregory D	Campbell	Laura C		81025 E Wapinitia Rd	Maupin	Oregon	97037
5S 12E 0 6600					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 0 6700	Silvey	Brian D	Silvey	Lisa M		52802 Reservation Rd	Maupin	Oregon	97037
5S 12E 0 6800	White	Earl E	White	Sharon V		290 NE Ninth St	Irrigon	Oregon	97844
5S 12E 0 6900	Beebe	Malcolm J	Beebe	Debra K		52590 Reservation Rd	Maupin	Oregon	97037
5S 12E 0 7000					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 0 7100	Hein	Kenneth W				PO Box 29	Maupin	Oregon	97037
5S 12E 0 7200	Skogrand	Richard	Lamirande	Pamela Lt		3107 SE Knapp St	Portland	Oregon	97202
5S 12E 0 7300	Tolentino	John A	Tolentino	Virginia		PO Box 94	Maupin	Oregon	97037
5S 12E 0 7400	Wentzel	Duane	Wentzel	Dorothy		79205 Back Walters Rd	Maupin	Oregon	97037
5S 12E 0 7401					SMI Group LLC	1255 NW 9Th Ave Apt 115	Portland	Oregon	97209
5S 12E 0 7500	Soskin	Steven				1435 Windy Knoll Lane	Deland	Florida	32724
5S 12E 0 7600	Soskin	Steven L				1435 Windy Knoll Lane	Deland	Florida	32724
5S 12E 0 7700	Wassenmiller	Gary L	Wassenmiller	Luann M		PO Box 237	Maupin	Oregon	97037
5S 12E 0 7800	Dodge	Richard T				78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 7900	Dodge	Richard T				78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 7901	Dodge	Richard T				78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 7902	Dodge	Richard T				78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 8000					Sterling Trust	1435 Windy Knoll Lane	Deland	Florida	32724
5S 12E 0 8100					Sterling Trust	1435 Windy Knoll Lane	Deland	Florida	32724
5S 12E 0 8200					Sterling Trust	1435 Windy Knoll Lane	Deland	Florida	32724
5S 12E 0 8300	Lewis	Andrew M	Lewis	Joyce K		78451 Walters Rd	Maupin	Oregon	97037
5S 12E 0 8301	Lam	Stanley				2525 Coconut Dr	San Jose	California	95148
5S 12E 0 8400	Hill Jr	Leland W	Hill	Betty J		14991 S Macksburg Rd	Molalla	Oregon	97038
5S 12E 0 8500	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 8600					Parman Trust RLT	PO Box 324	Maupin	Oregon	97037
5S 12E 0 8700	Kruger	Donald	Kruger	Sandra		12508 NW Mtn View Rd	Portland	Oregon	97231
5S 12E 0 8800	Johnson	Dale F	Johnson	Sharon F		79116 Back Walters Rd	Maupin	Oregon	97037
5S 12E 0 8900	Watson	Henry A				79118 Back Walters Rd	Maupin	Oregon	97037
5S 12E 0 9000	Dodge	Chad E				74125 Johns Ln	Pendleton	Oregon	97801
5S 12E 0 9100	Treanor	Paul E				1040 Yorkshire Ct SE	Salem	Oregon	97317
5S 12E 0 9200	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 9300	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 0 9400	Wisenbaker	Jamie D	Wisenbaker	Shellee		822 Alder Rd	Washougal	Washington	98671
5S 12E 23 DD 100					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 1000	Cole	David R				4186 SE Filbert	Milwaukie	Oregon	97222
5S 12E 23 DD 1100					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 200					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 300	Woodside	Carlotta I				13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 400					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 500					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 23 DD 600	Wall	Salina				4745 Lockwood St	The Dalles	Oregon	97058
5S 12E 23 DD 700	Blackford	Ray				8839 NW Springville Rd	Portland	Oregon	97231
5S 12E 23 DD 800	Mc Coy	Donna J				PO Box 133	Maupin	Oregon	97037
5S 12E 23 DD 900	Blackford	William				6410 SE Needham St	Portland	Oregon	97222
5S 12E 25 B 100	Bryce	Paul A				2520 SEven Mile Hi Rd	The Dalles	Oregon	97058
5S 12E 25 B 200	Woodside	Carlotta I				13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 12E 30 100	Miller	Lawrence C	Miller	Gloria		77891 Hwy 216	Maupin	Oregon	97037
5S 12E 30 B 100					State Highway Commission	4040 Fairview Industrial Dr SE	Salem	Oregon	97302-1142
5S 12E 30 B 1000	Ertel	Keith				5414 SE Roethe St	Milwaukie	Oregon	97267
5S 12E 30 B 1100	Ayers	Jack	Ayers	Patricia		77925 Hwy 216	Maupin	Oregon	97037
5S 12E 30 B 200	Johnson	Stephanie				10511 NE 215Th Ct	Vancouver	Washington	98682
5S 12E 30 B 300	Beebe	John E				77982 Hwy 216	Maupin	Oregon	97037
5S 12E 30 B 400	Penson	Alan R			RLT	8930 NW Cornell Rd	Portland	Oregon	97229
5S 12E 30 B 500	Udey	Rosalee	Udey	James C		77898 Hwy 216	Maupin	Oregon	97037
5S 12E 30 B 700	Miller	Lawrence C	Miller	Gloria		77891 Hwy 216	Maupin	Oregon	97037
5S 12E 30 B 800	Ayers	Jonathan E				12621 SE Holgate Blvd	Portland	Oregon	97236

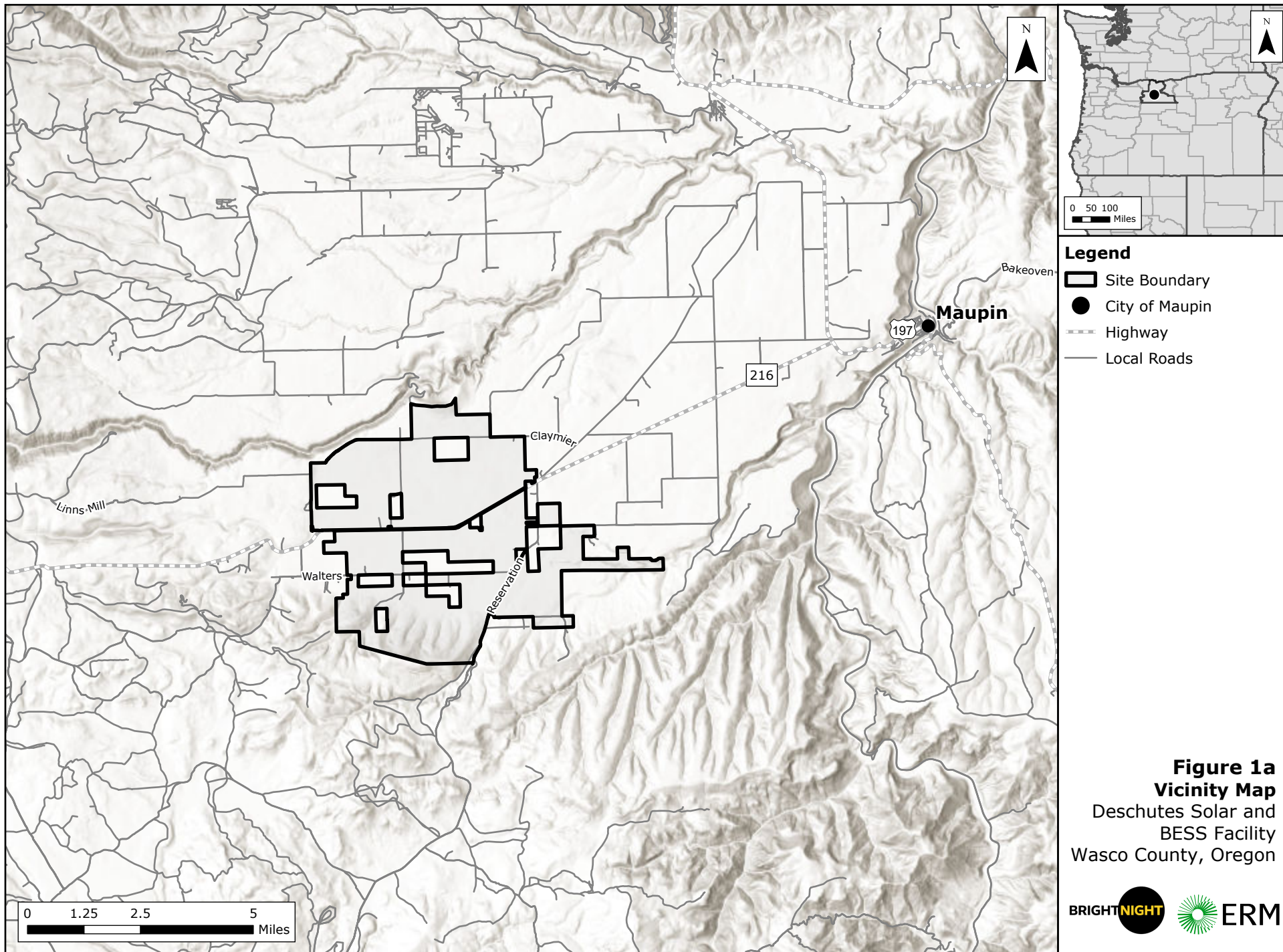
Table F-1  
List of Owner Names and Mailing Addresses  
Deschutes Solar and BESS Project

Map Tax Lot ID	Last Name 1	First & Middle Names 1	Last Name 2	First & Middle Names 2	Company/Organization	Mailing Address	City	State	Zip Code
5S 12E 30 B 900	Campbell	Gregory D				81025 E Wapinitia Rd	Maupin	Oregon	97037
5S 12E 31 100	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
5S 12E 31 200					Malay George W et al	78264 Walters Rd	Maupin	Oregon	97037
5S 12E 31 300	Wolfe	Vernon L	Wolfe	Mary Jo		78190 Walters Rd	Maupin	Oregon	97037
5S 12E 31 400	Miller	Richard L	Miller	Kristie L		69332 Camp Polk Rd	Sisters	Oregon	97759
5S 12E 31 500	Skellenger	Scott J				78060 Walters Rd	Maupin	Oregon	97037
5S 12E 31 800					USA in Trust for	PO Box 1329	Warm Springs	Oregon	97761-1329
5S 13E 0 3000					Dulings Natural Pasture LLC	54909 Natural Pasture Rd	Maupin	Oregon	97037
5S 13E 0 4502	Campbell	Gregory D	Campbell	Laura C		81025 E Wapinitia Rd	Maupin	Oregon	97037
5S 13E 0 6200					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 13E 0 6300	Gabel	Henry E				3300 Main St #101	Forest Grove	Oregon	97116
5S 13E 0 6400					Hang Belly Ranch LLC	6134 NE Alameda St	Portland	Oregon	97213
5S 13E 0 6500					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 13E 0 6600					Nelson Dan L Trust	30737 SE Waybill Rd	Boring	Oregon	97009
5S 13E 0 6700					Snodgrass Mickey L et al	13051 SW Foran Hills Ct	Tigard	Oregon	97224
5S 13E 0 6800	Wisenbaker	Jamie D	Wisenbaker	Shellee		822 Alder Rd	Washougal	Washington	98671
6S 12E 0 100	Wisenbaker	Jamie D	Wisenbaker	Shellee		822 Alder Rd	Washougal	Washington	98671
6S 12E 0 1000					Oregon Department of Transportation	355 Capitol Street NE	Salem	Oregon	97301
6S 12E 0 1100					USA in Trust for	PO Box 1329	Warm Springs	Oregon	97761-1329
6S 12E 0 1200	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
6S 12E 0 1300	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
6S 12E 0 1400					Parman Trust Rlt	78902 Walters Rd	Maupin	Oregon	97037
6S 12E 0 1500	Dodge	Richard E	Dodge	Janie P		78888 Walters Rd	Maupin	Oregon	97037
6S 12E 0 1600	Dodge	Richard	Dodge	Janie		78888 Walters Rd	Maupin	Oregon	97037
6S 12E 0 1700					USA in Trust for	PO Box 1329	Warm Springs	Oregon	97761-1329
6S 12E 0 1900					USA in Trust for	PO Box 1329	Warm Springs	Oregon	97761-1329
6S 12E 0 200	Wisenbaker	Jamie D	Wisenbaker	Shellee		822 Alder Rd	Washougal	Washington	98671
6S 12E 0 2100					Indian Allotment	1233 Veterans Street PO Box C	Warm Springs	Oregon	97761
6S 12E 0 2200					Indian Allotment	1233 Veterans Street PO Box C	Warm Springs	Oregon	97761
6S 12E 0 300	Glass	David C				PO Box 777	Banks	Oregon	97106
6S 12E 0 600	Hein	Kenneth W				PO Box 29	Maupin	Oregon	97037
6S 12E 0 601	Yanez	Isaac A				52237 Reservation Rd	Maupin	Oregon	97037
6S 12E 0 700					State Highway Commission	4040 Fairview Industrial Dr SE	Salem	Oregon	97302-1142
6S 12E 0 900	Campbell	Lori				PO Box 391	Maupin	Oregon	97037

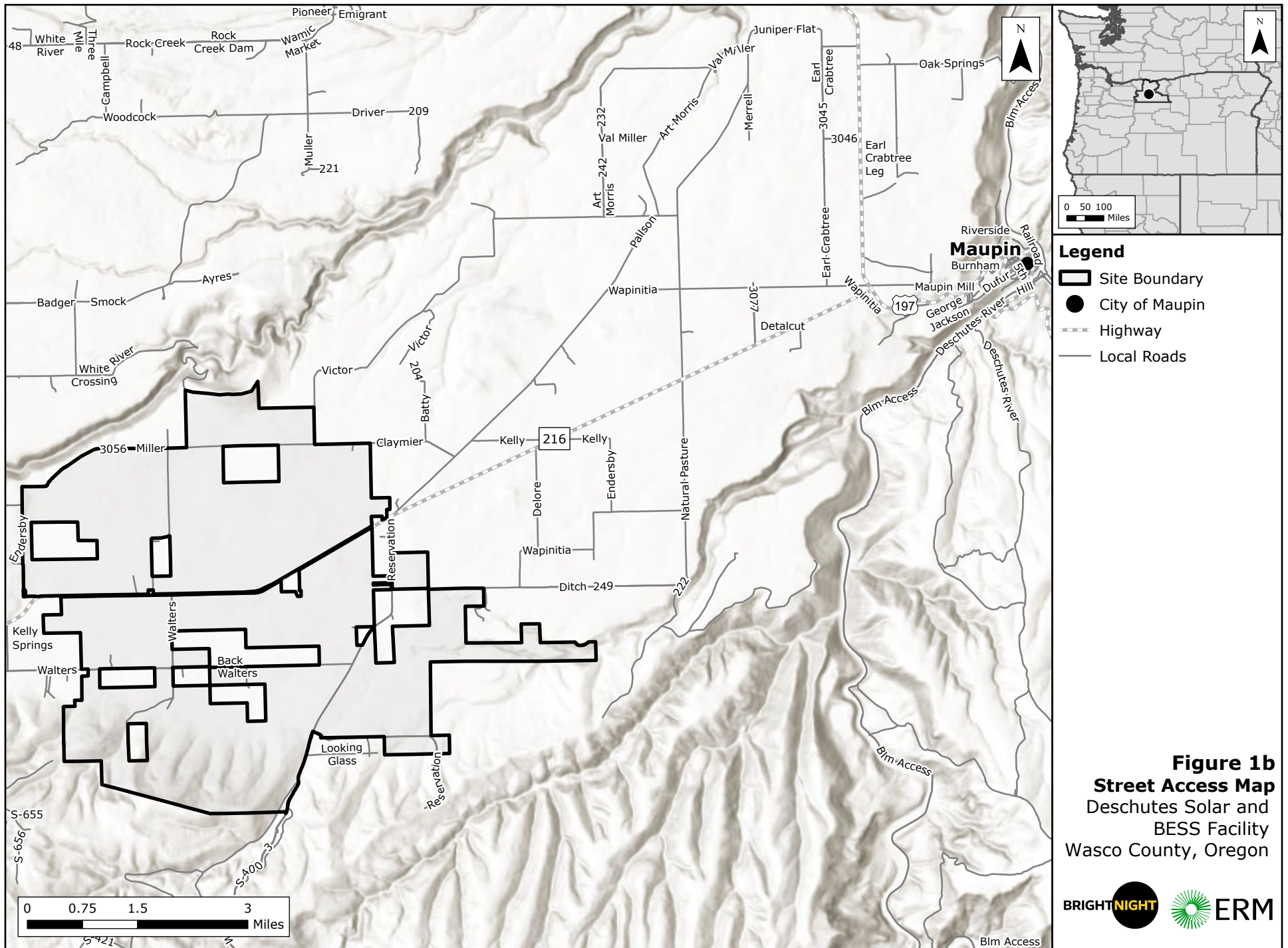


Figures



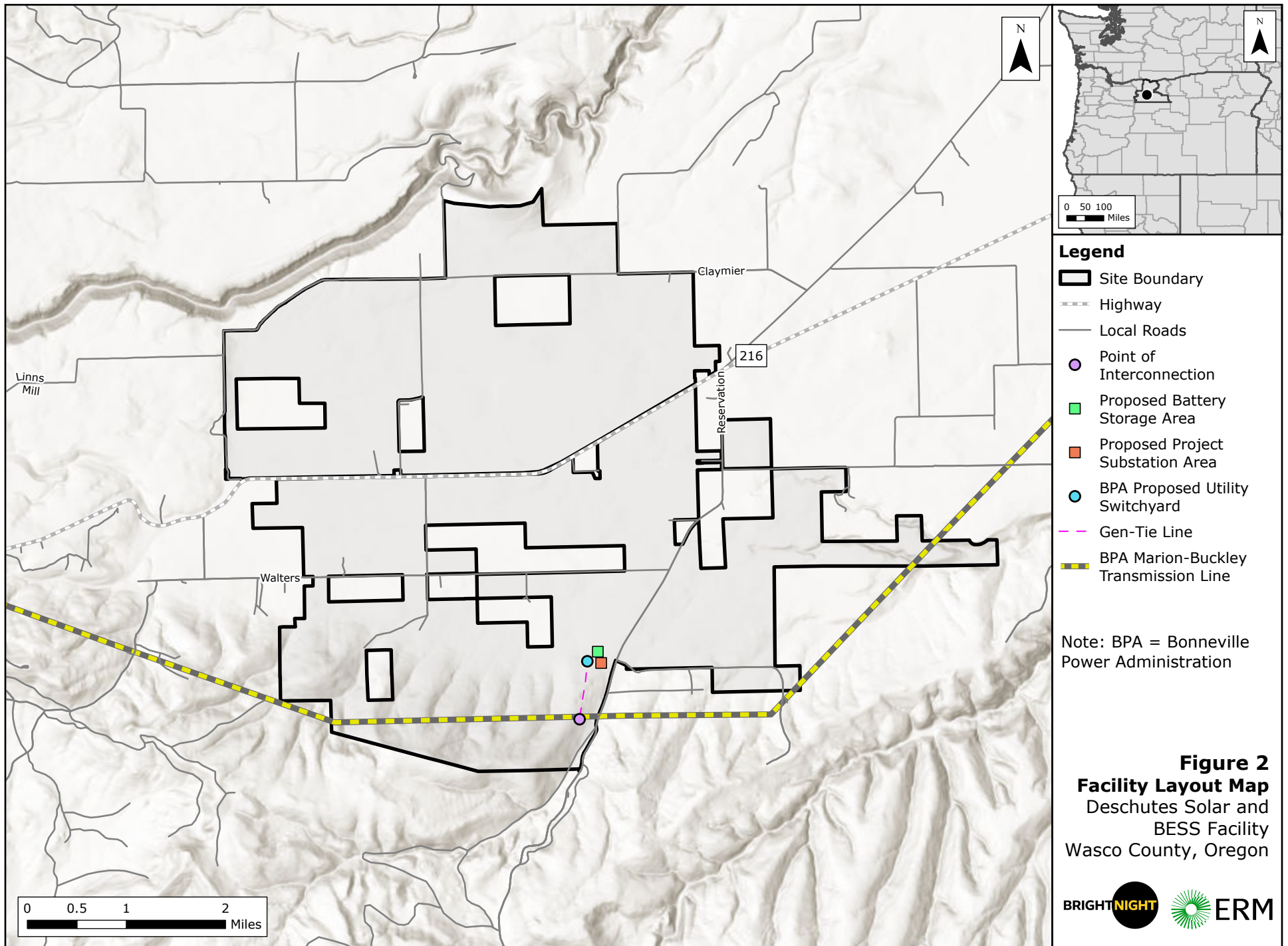


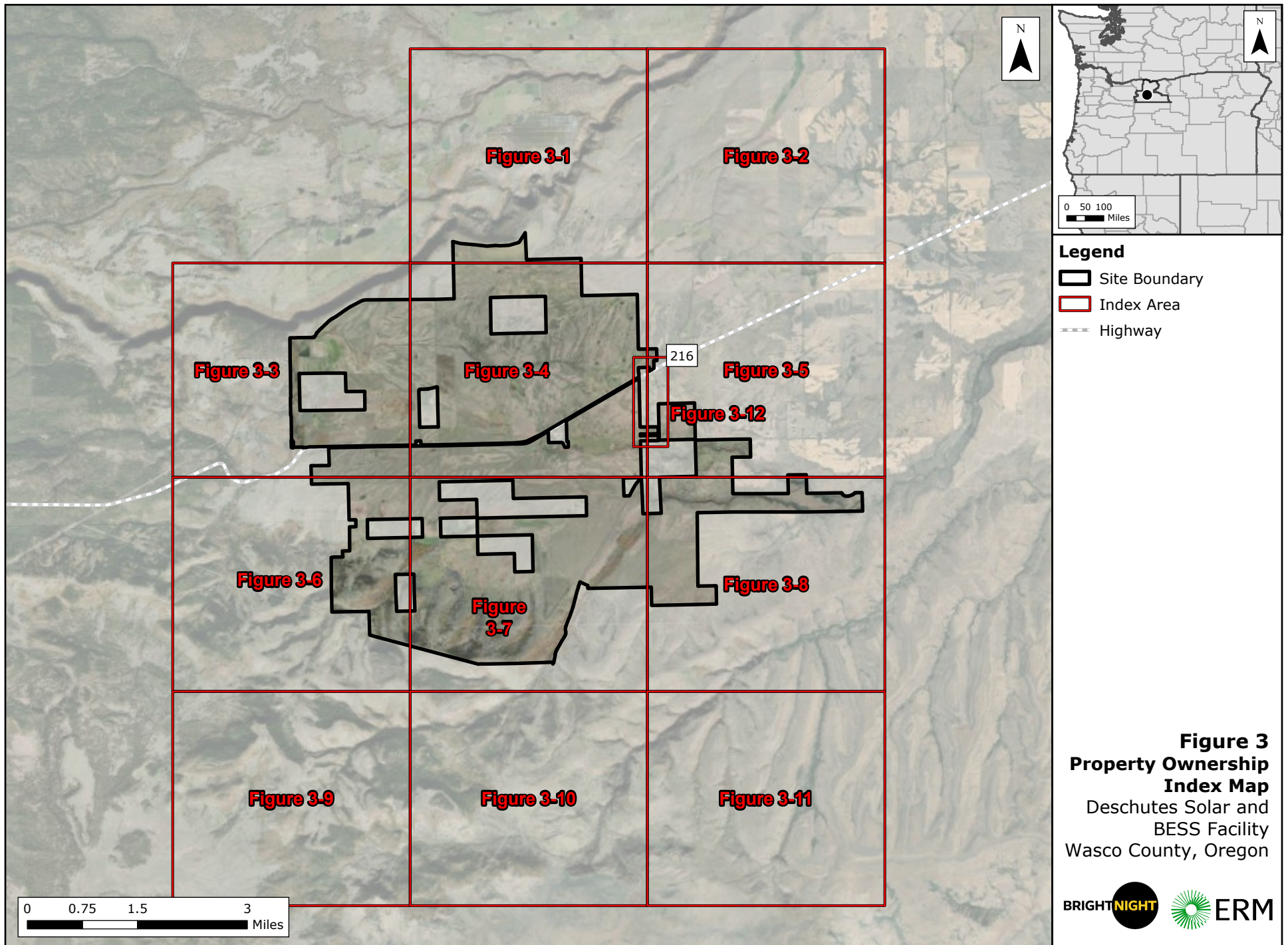
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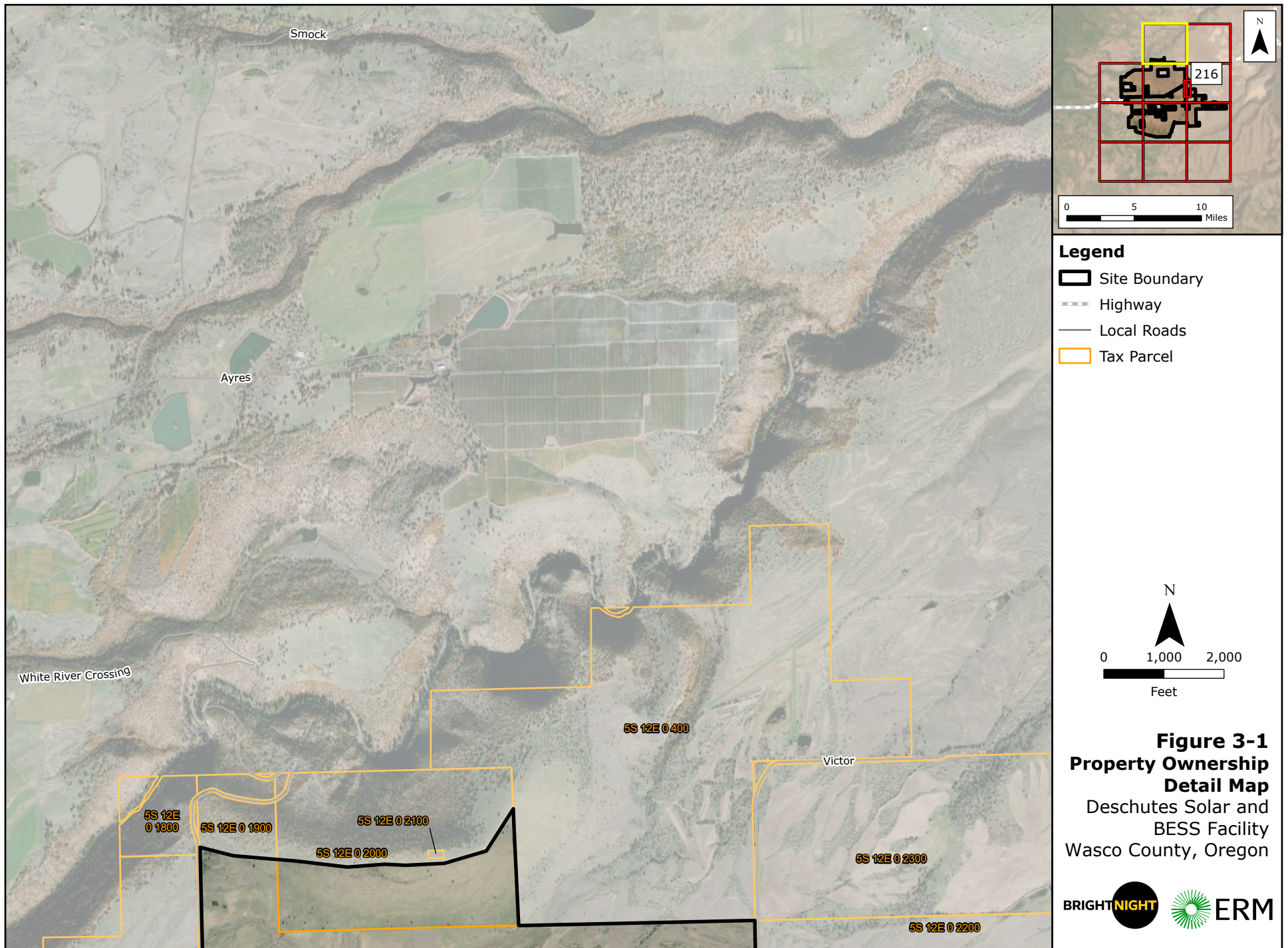
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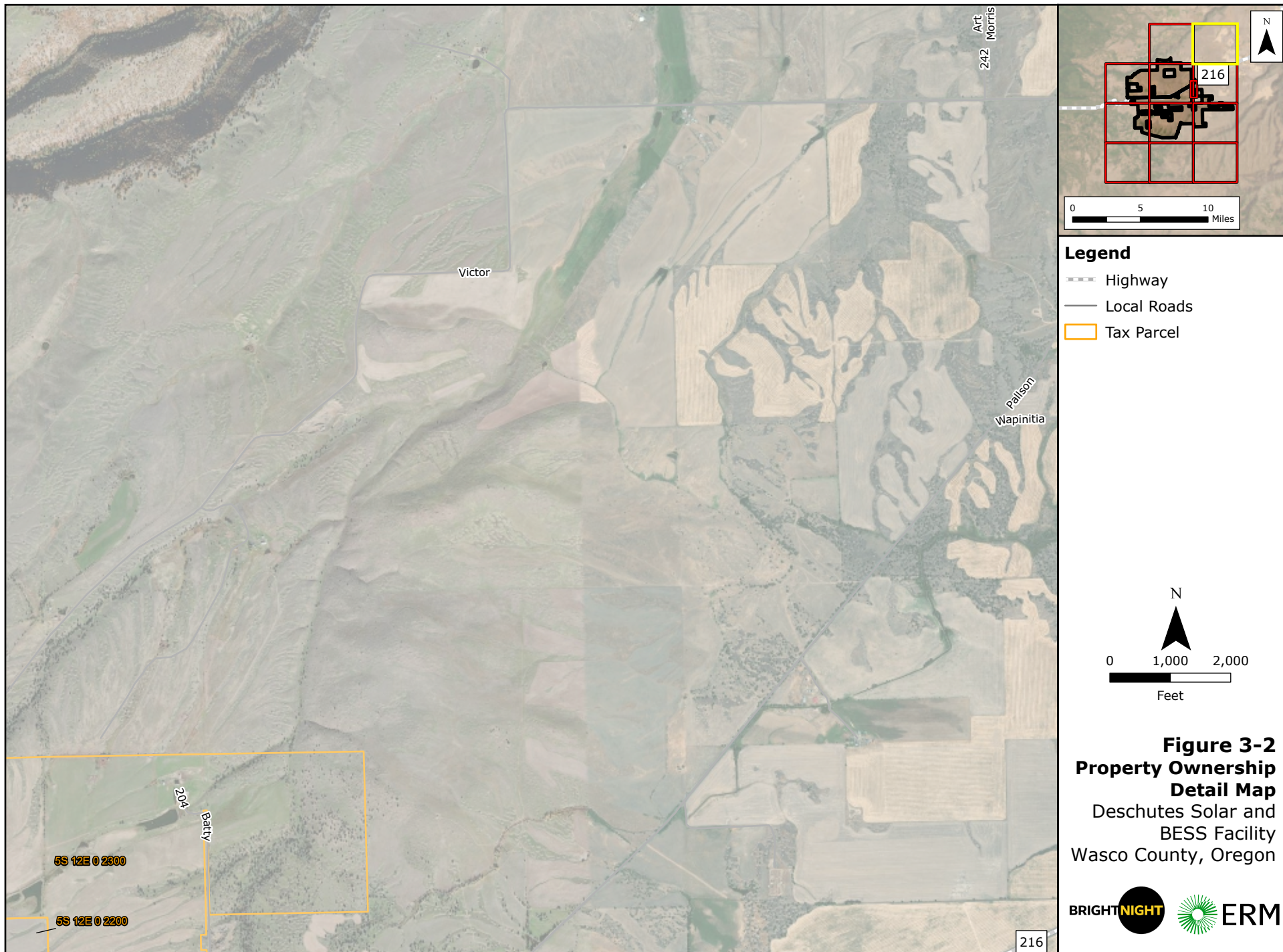






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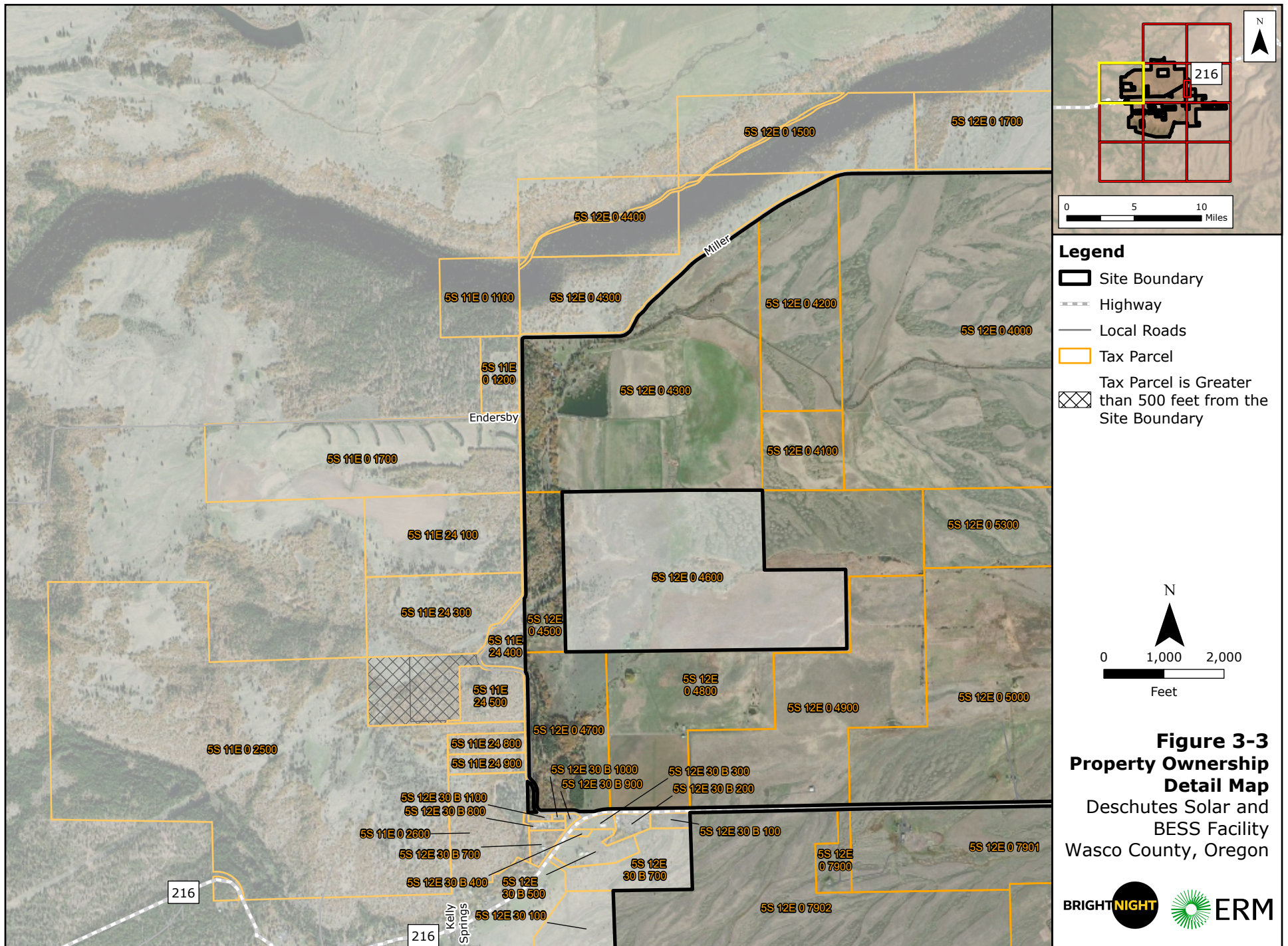
### Legend

- Highway
- Local Roads
- Tax Parcel

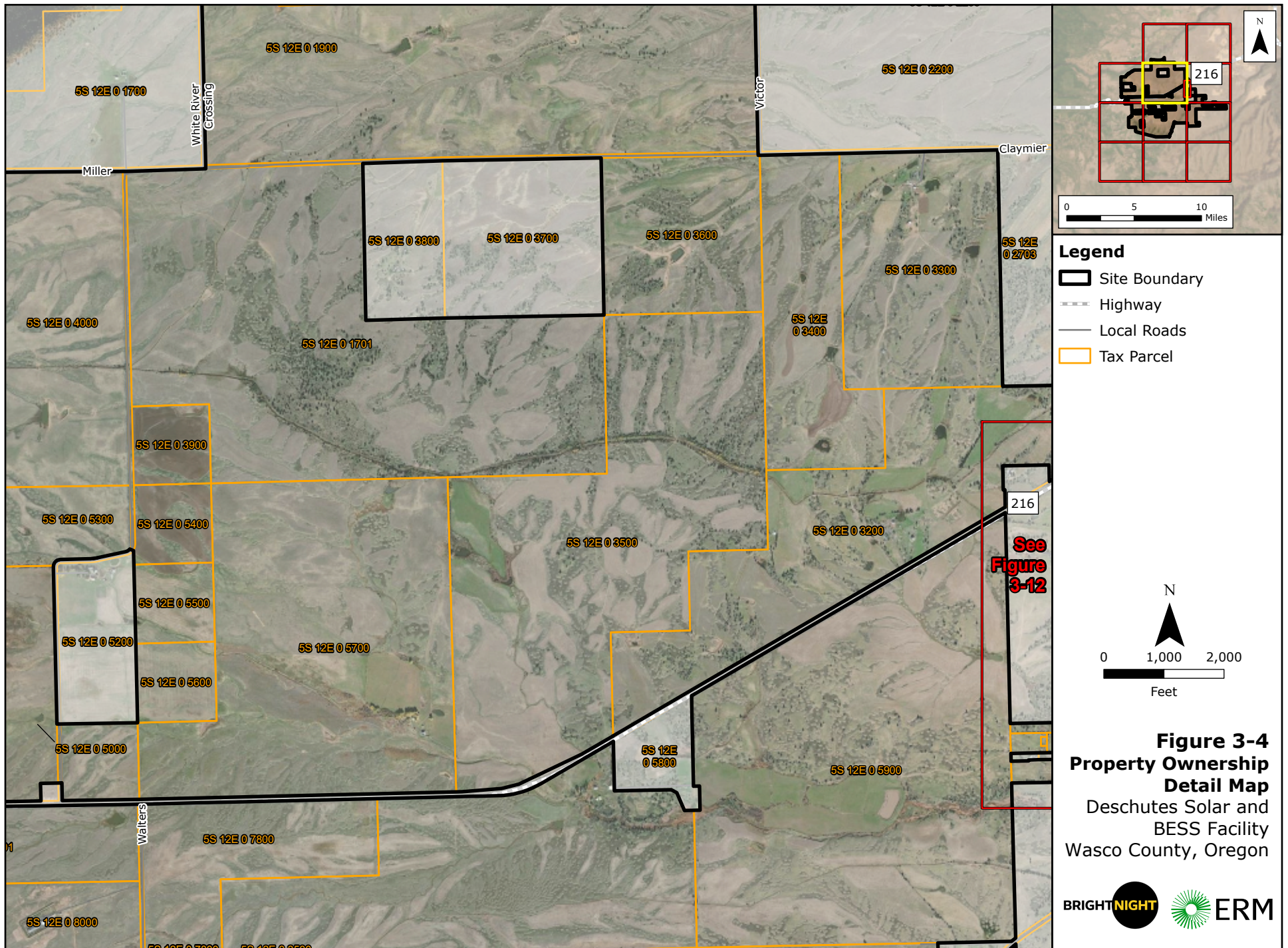
**Figure 3-2**  
**Property Ownership**  
**Detail Map**  
Deschutes Solar and  
BESS Facility  
Wasco County, Oregon



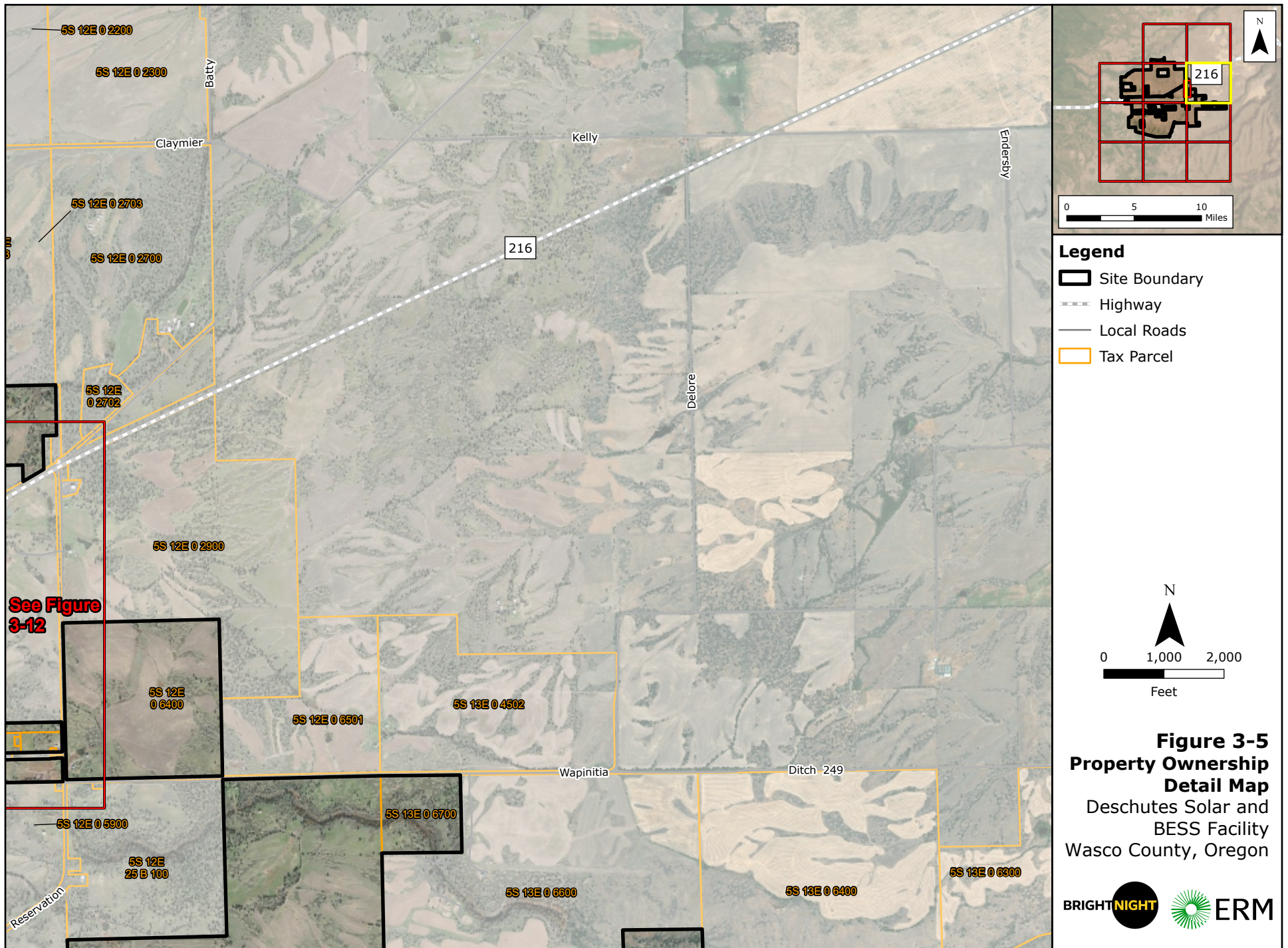




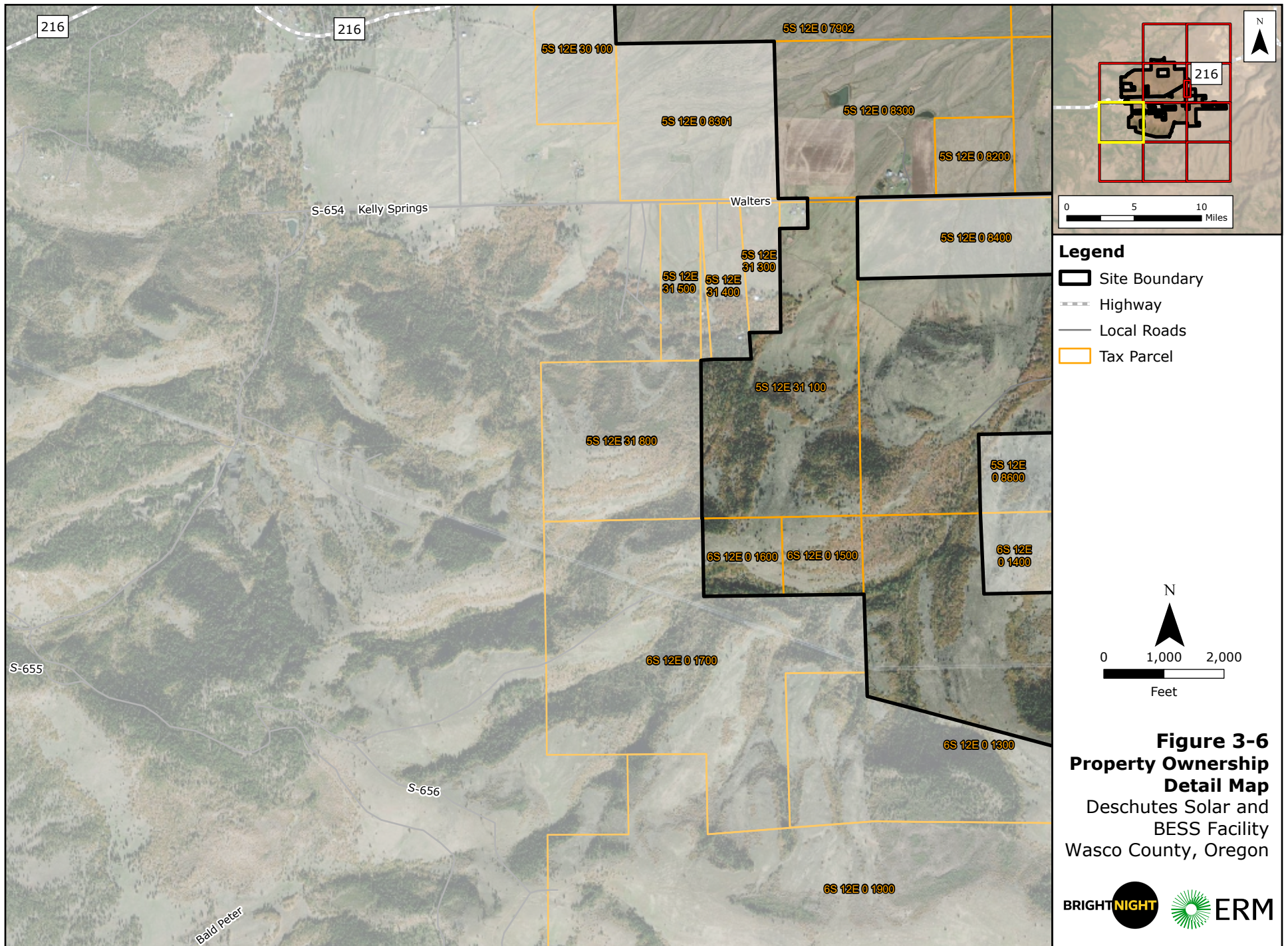




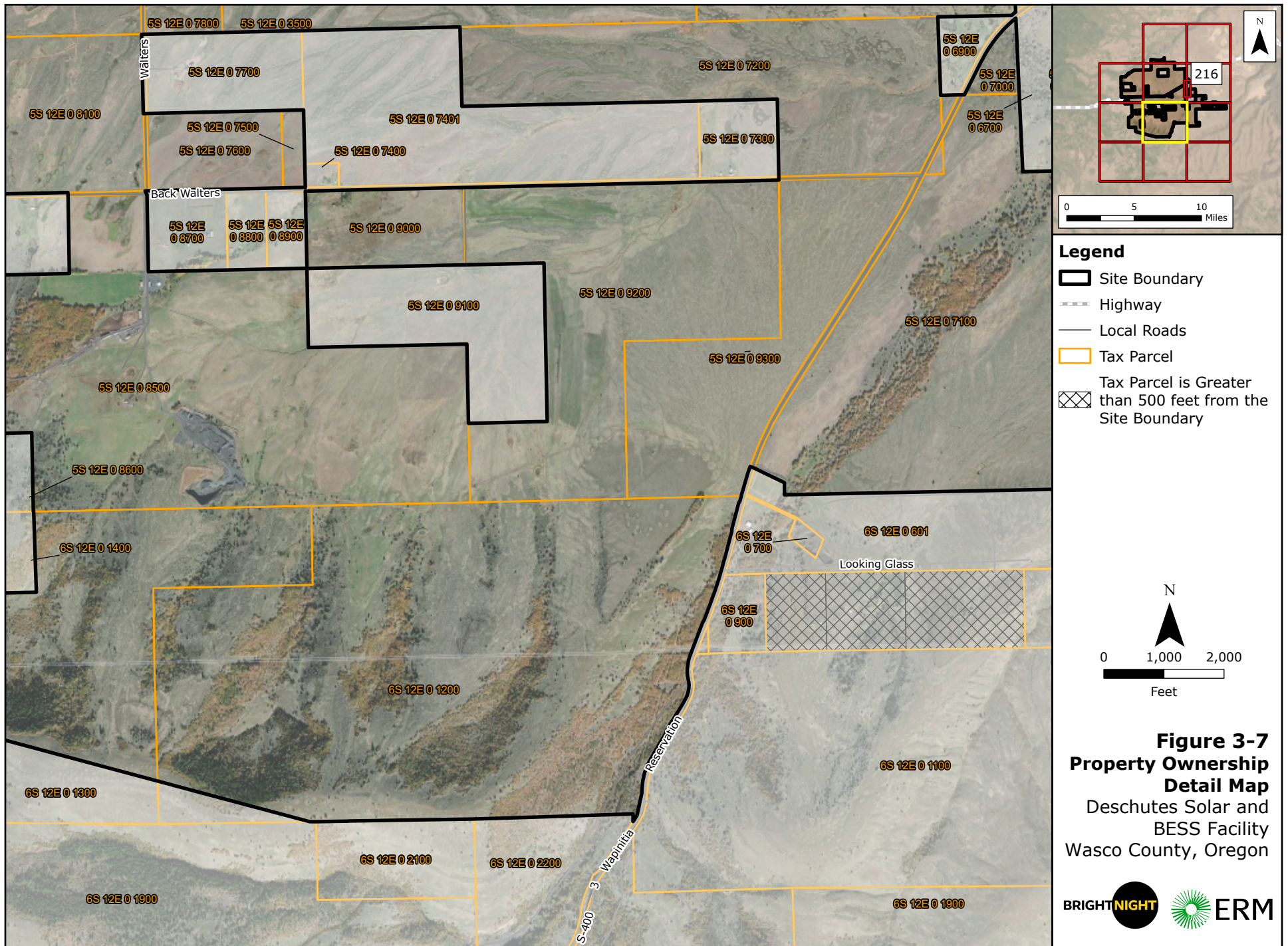




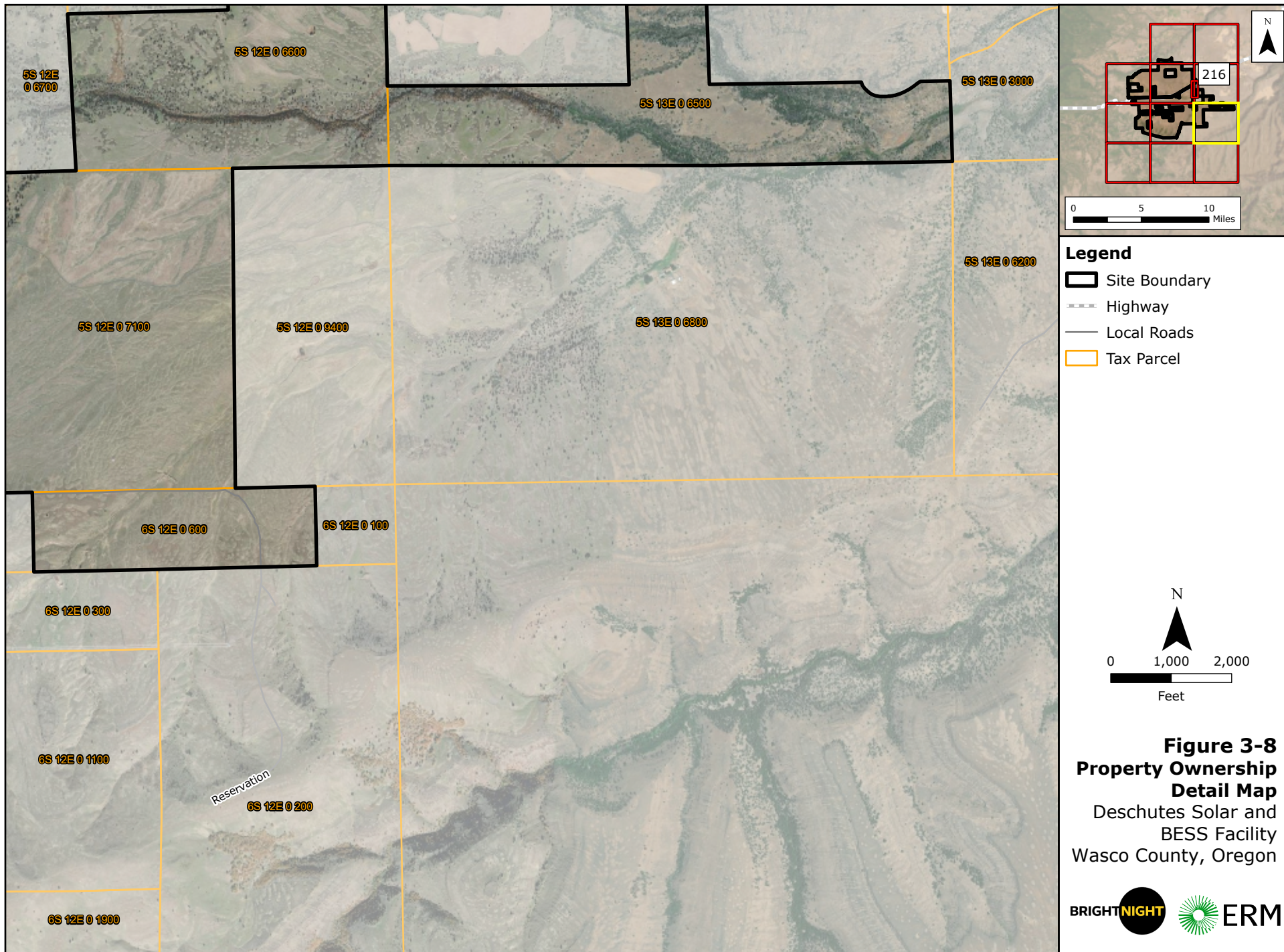










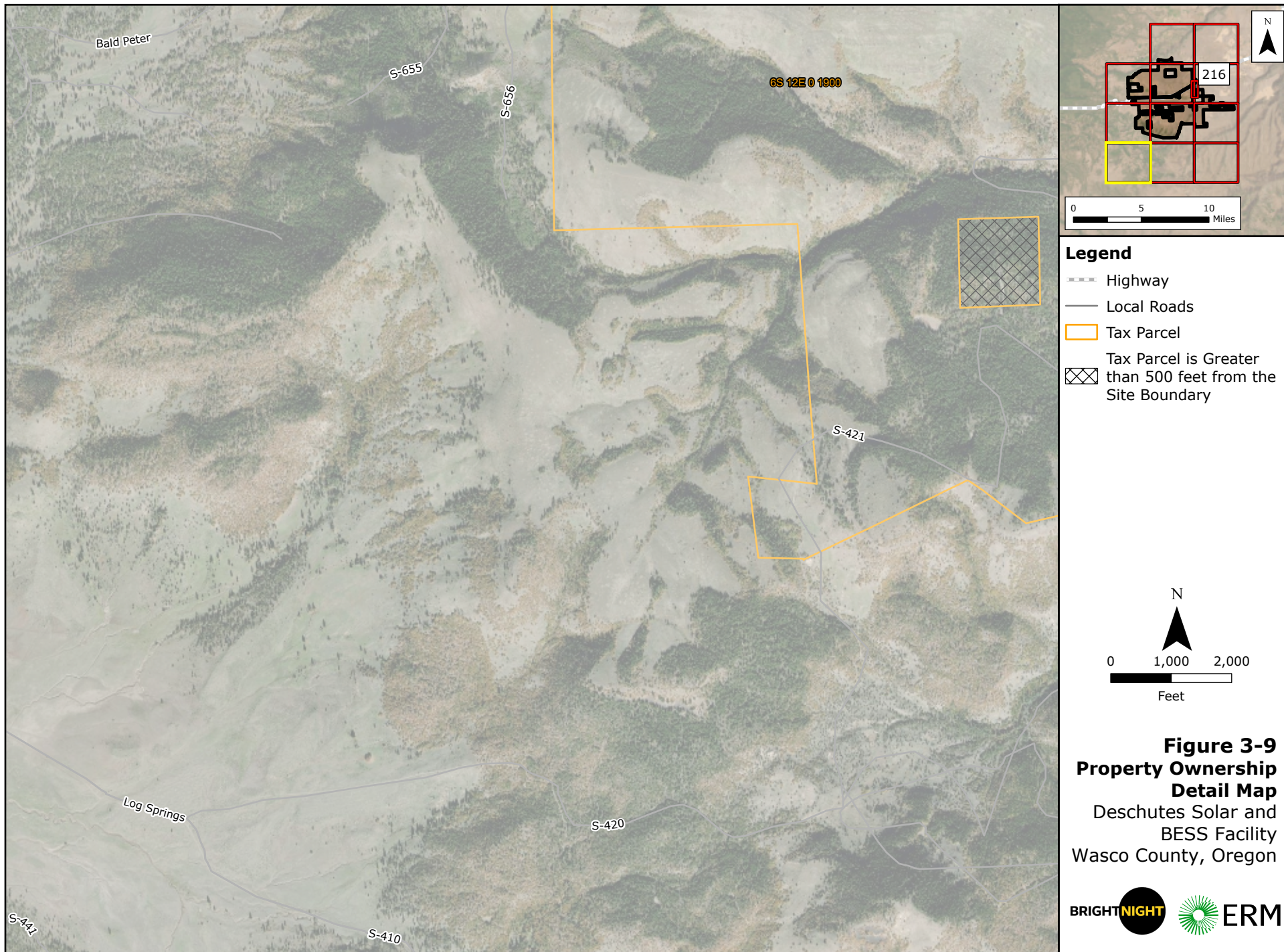


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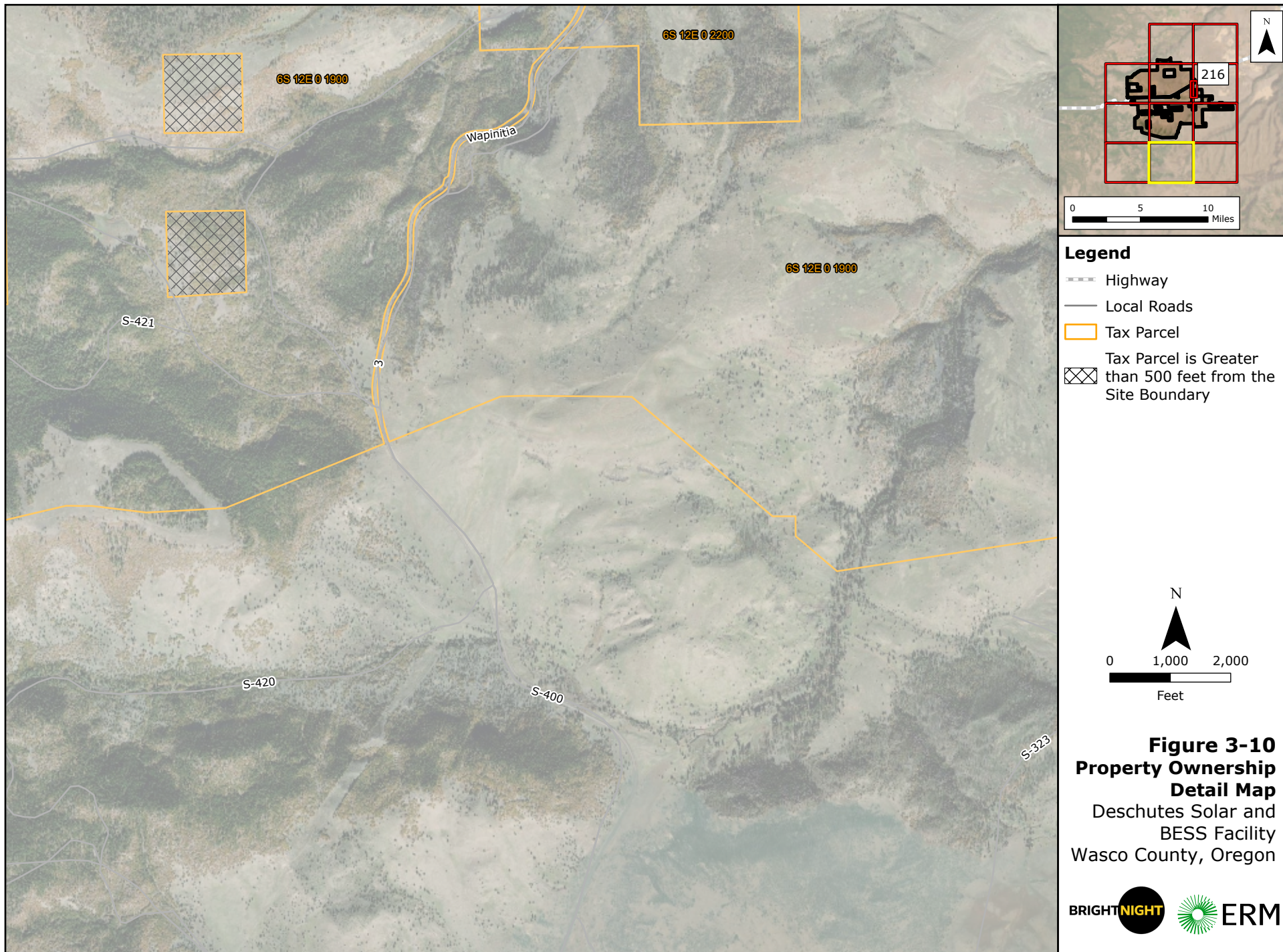
**Figure 3-8**  
**Property Ownership**  
**Detail Map**  
Deschutes Solar and  
BESS Facility  
Wasco County, Oregon



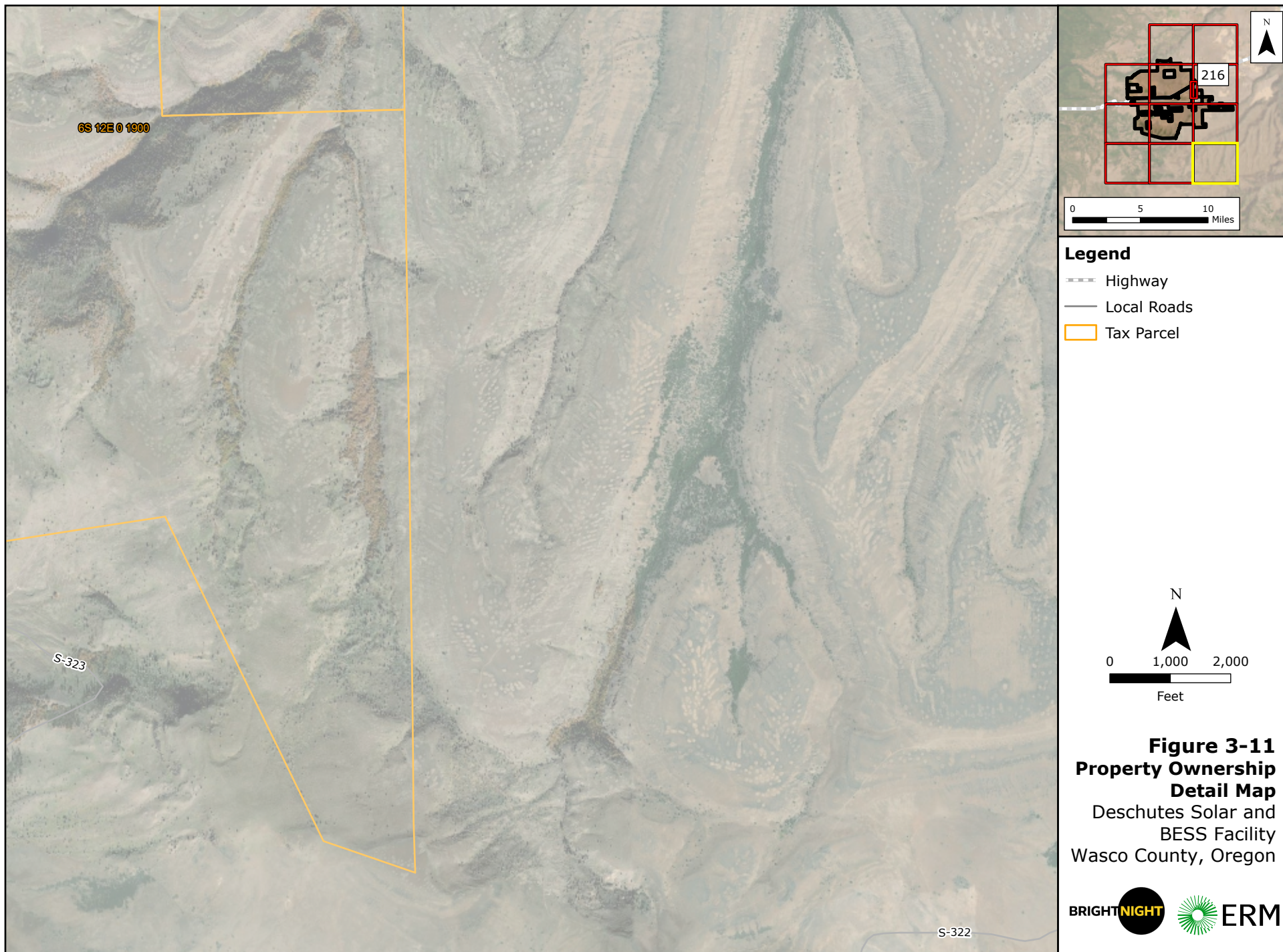






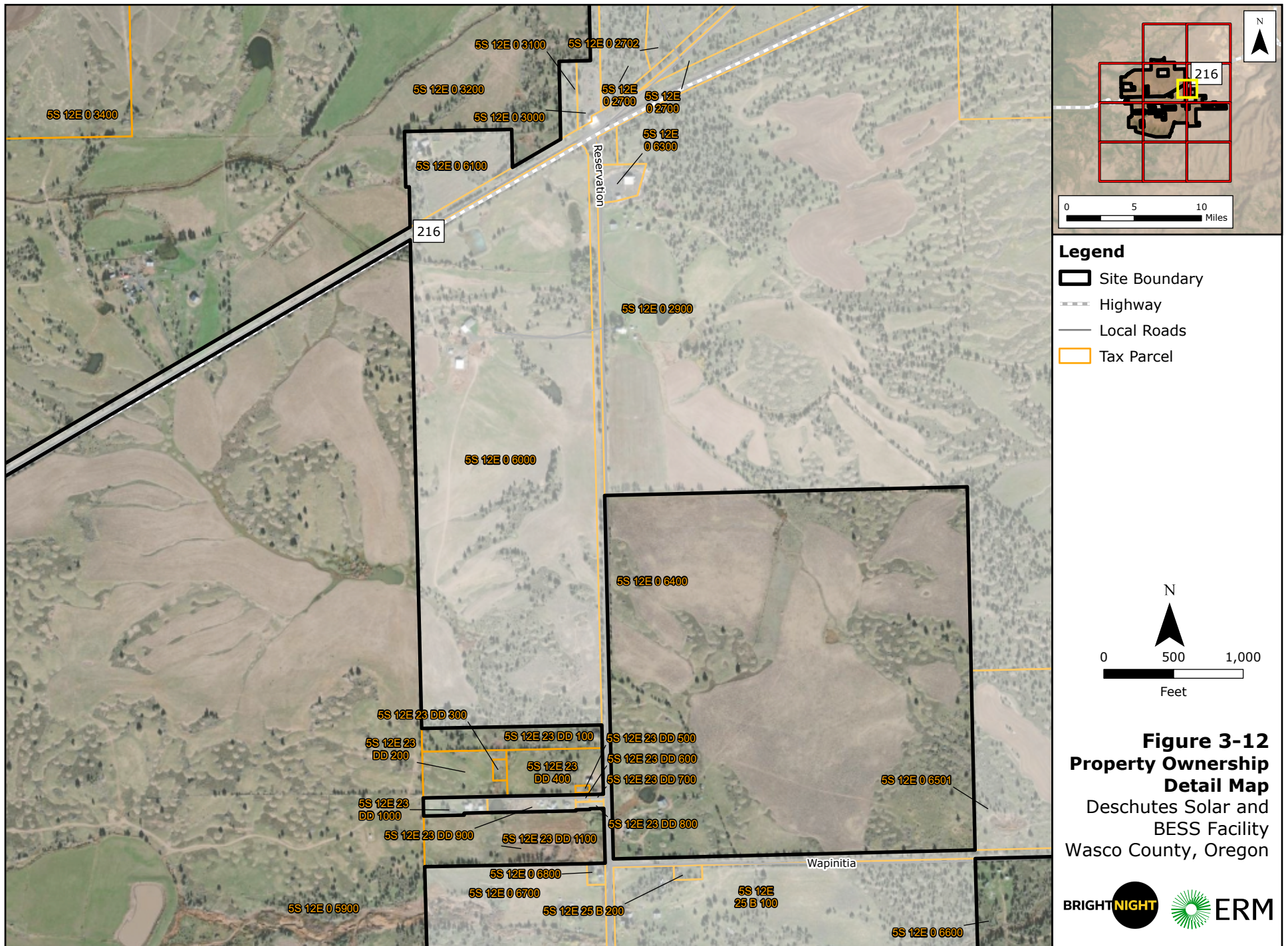






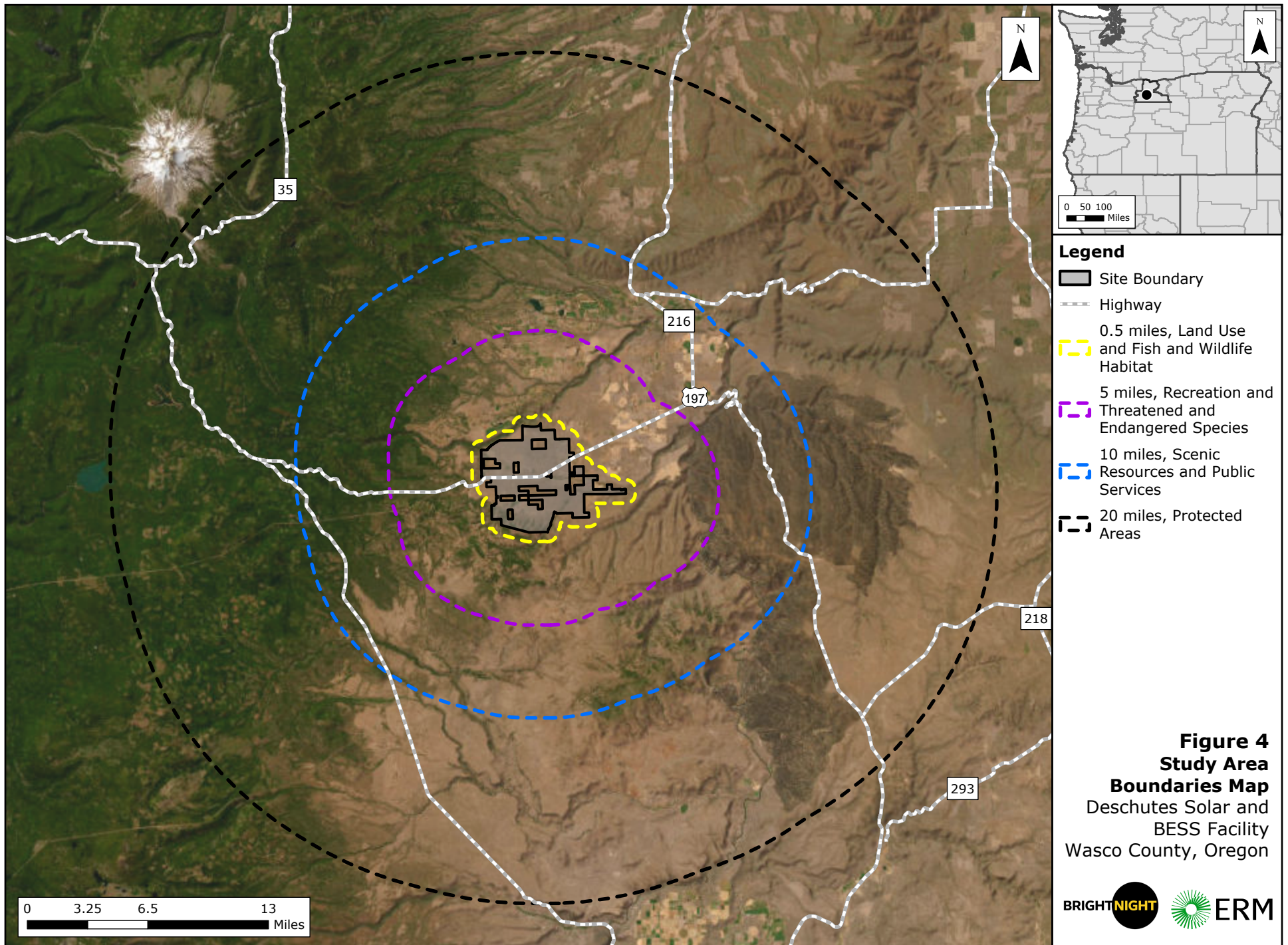
**Figure 3-11**  
**Property Ownership**  
**Detail Map**  
Deschutes Solar and  
BESS Facility  
Wasco County, Oregon

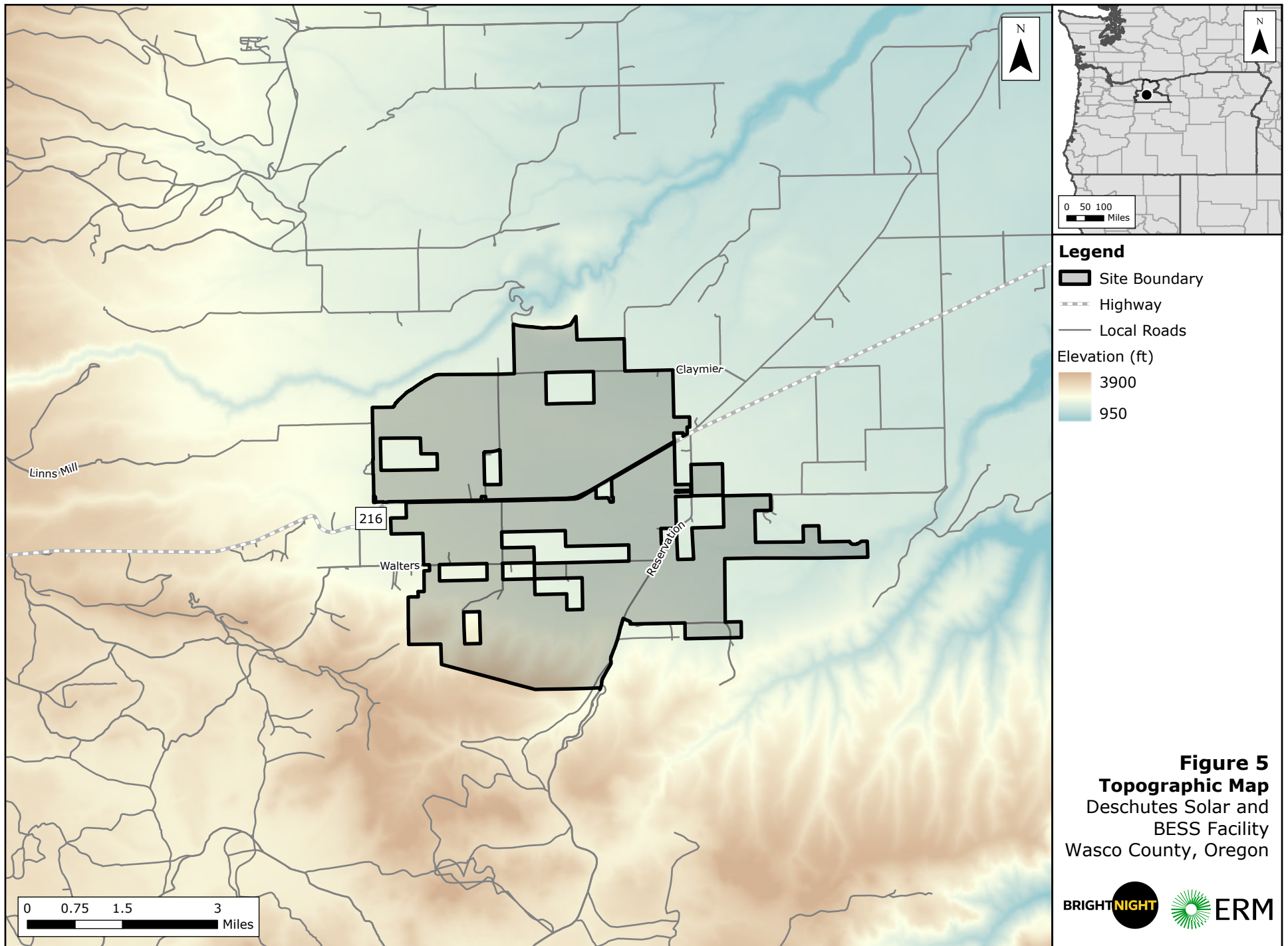




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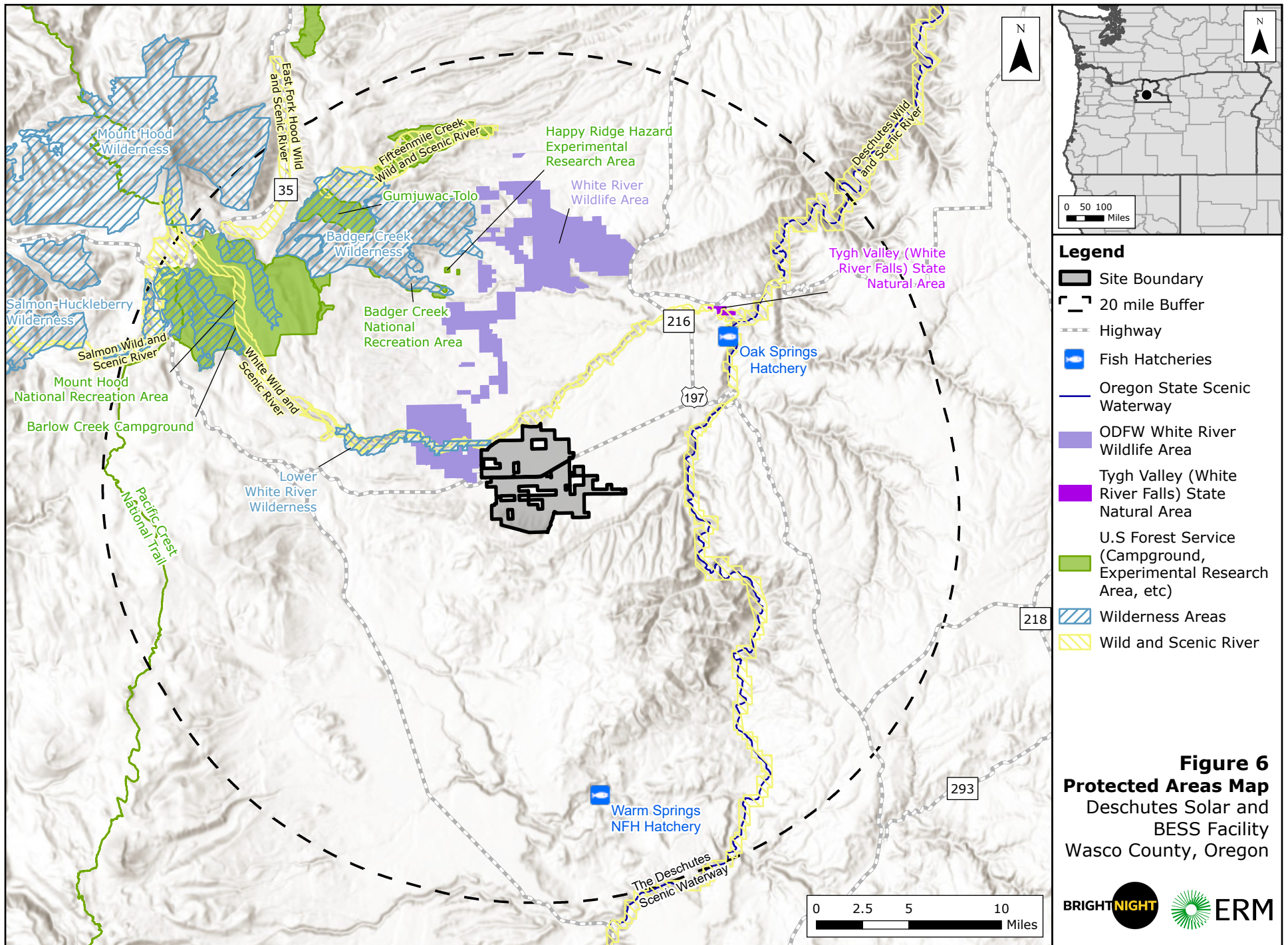




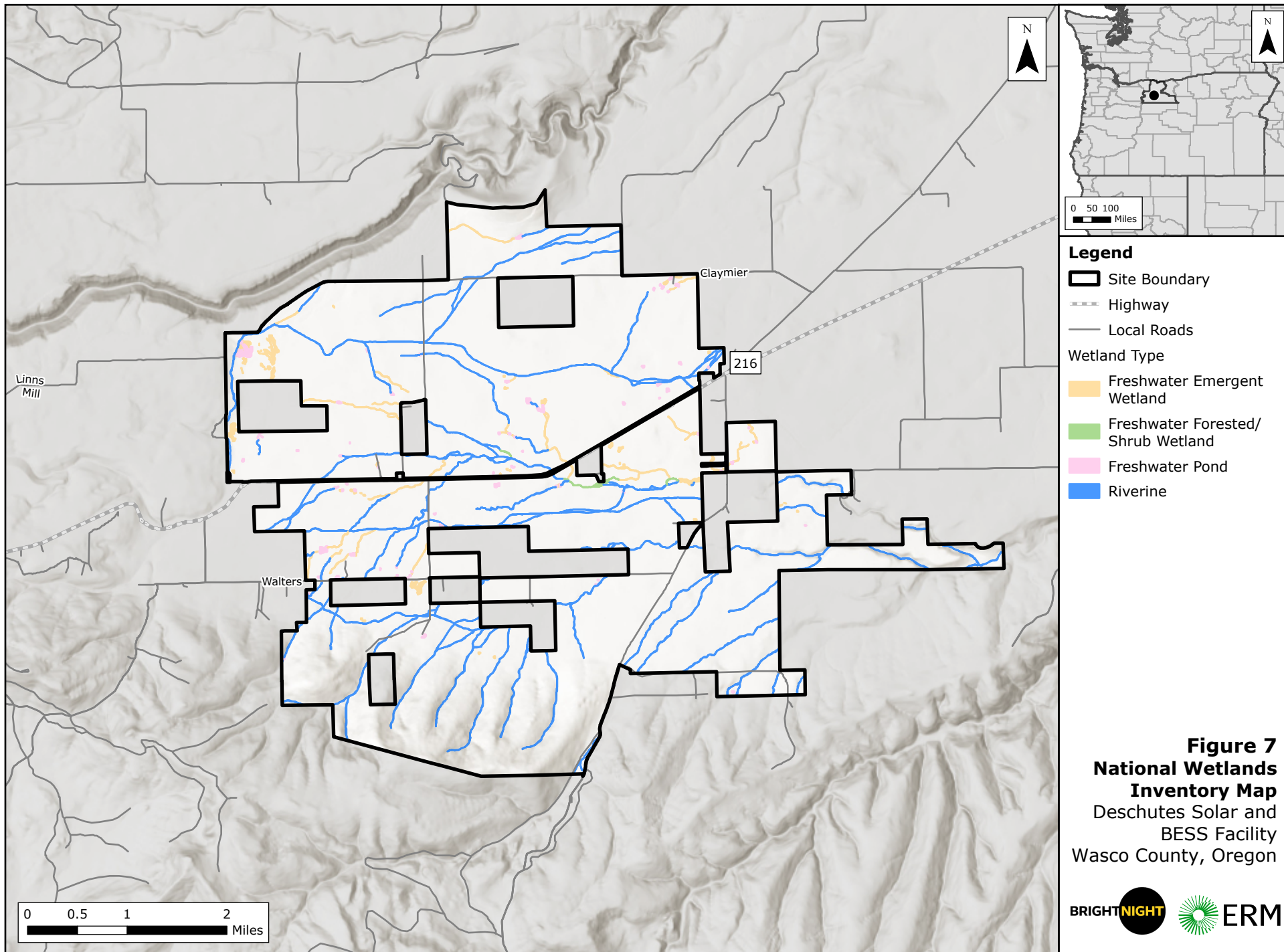


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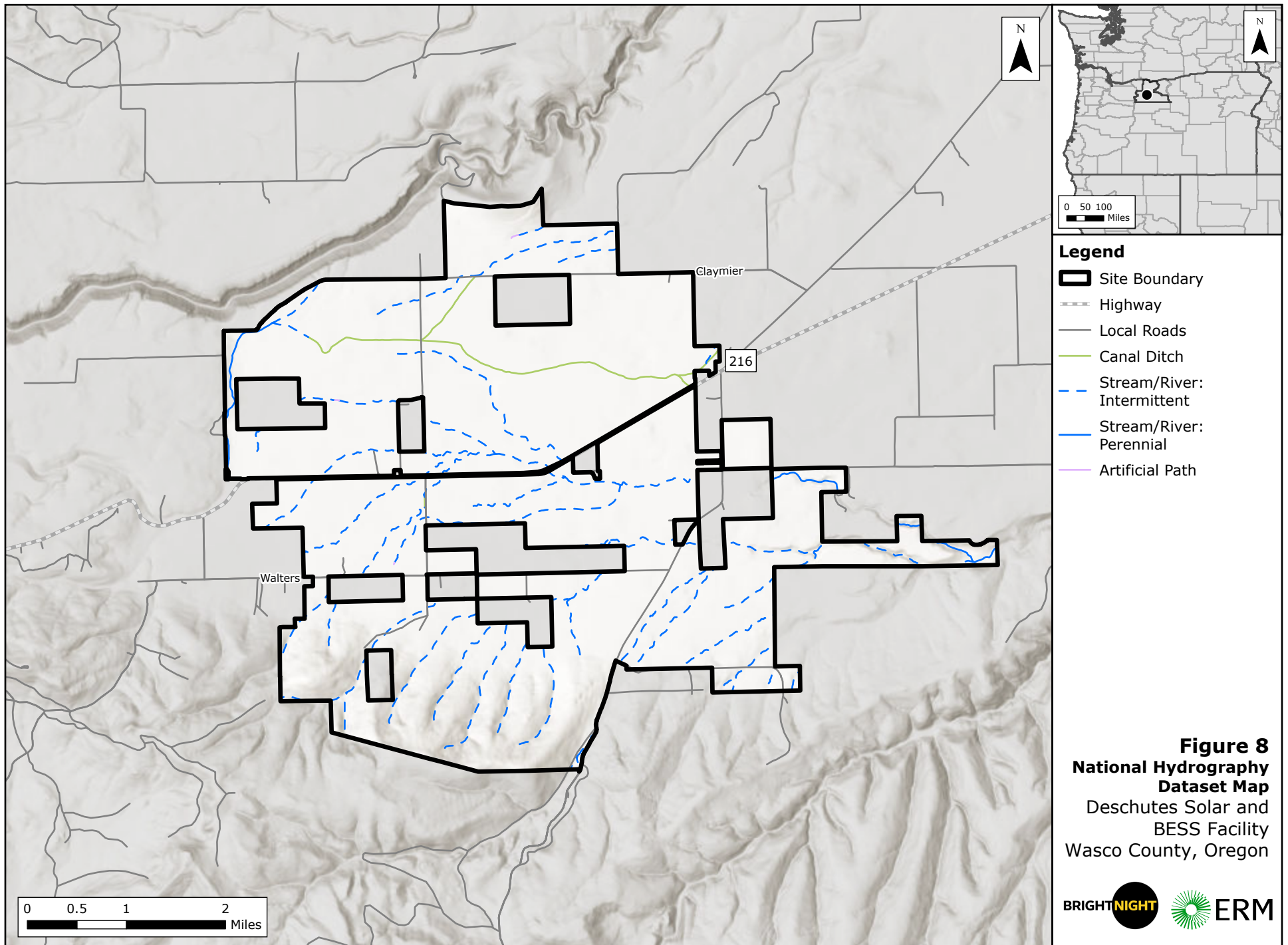


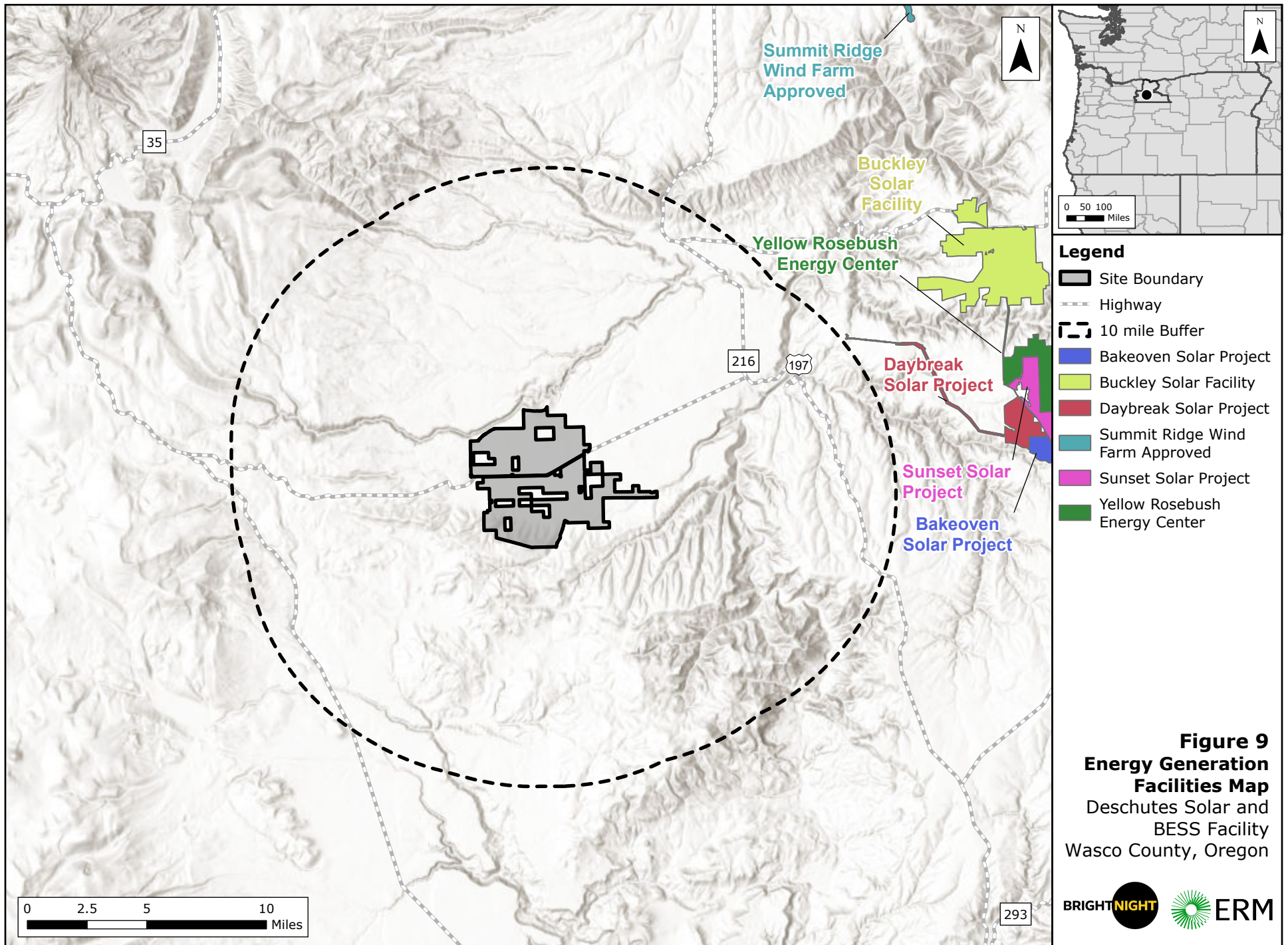


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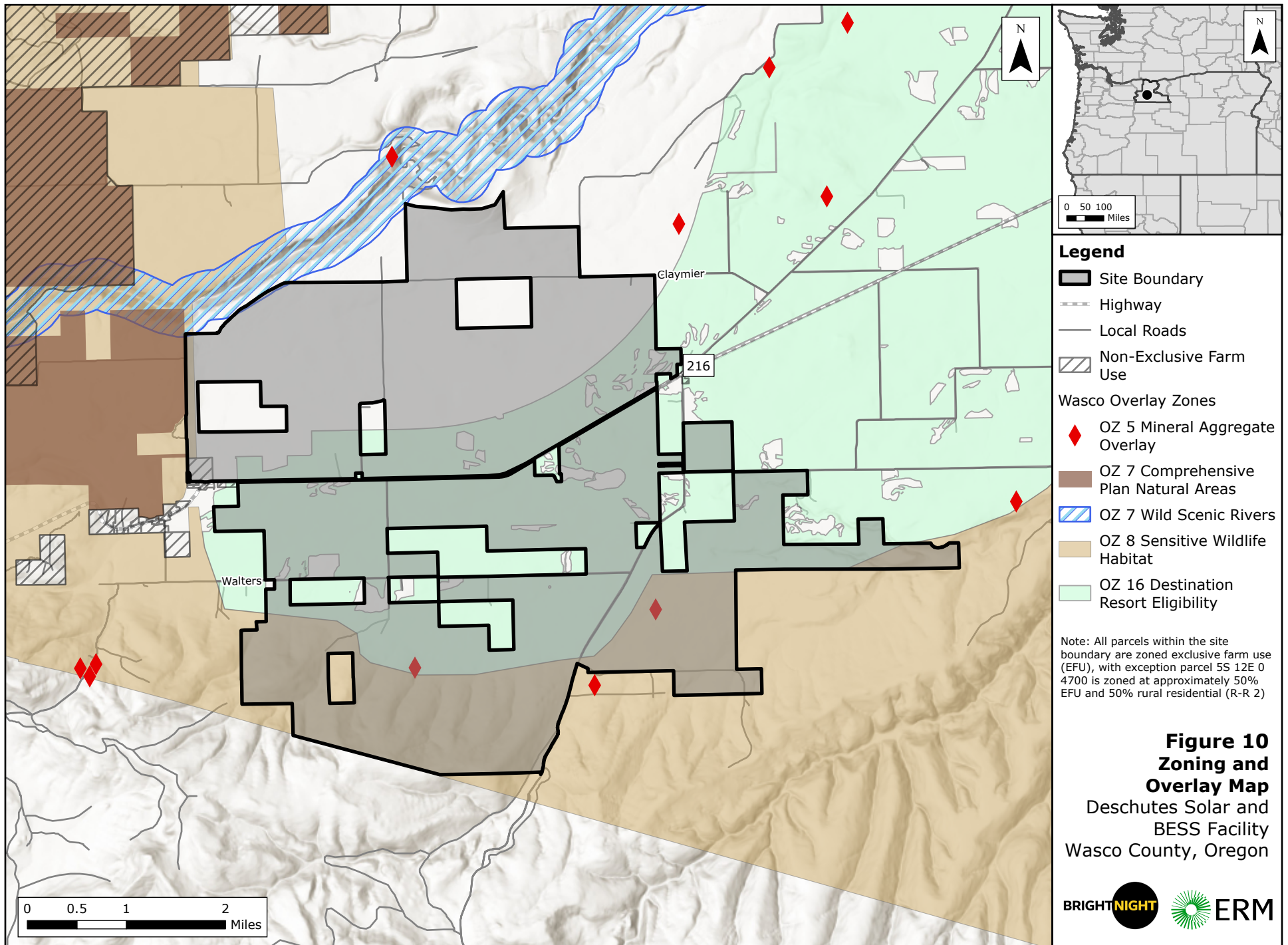














APPENDIX A

ARTICLES OF INCORPORATION AND  
REGISTRATION IN OREGON

M20000011868

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

☐

PICK-UP

☐

WAIT

☐

MAIL

(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



200356798592

2020 DEC 23 PM 12:28  
FALLS CHURCH  
SEC. 11.1

2020 DEC 23 AM 11:05  
FALLS CHURCH  
SEC. 11.1

DEC 28 2020  
Brambley



COGENCYGLOBAL

115 N CALHOUN ST., STE. 4  
TALLAHASSEE, FL 32301  
P: 866.625.0838  
F: 866.625.0839  
COGENCYGLOBAL.COM

Account#: I200000000088

Date: 12/22/2020

Name: Chris Vick

Reference #: 1306840

Entity Name: BRIGHTNIGHT, LLC

- ☒ Articles of Incorporation/Authorization to Transact Business
- ☐ Amendment
- ☐ Change of Agent
- ☐ Reinstatement
- ☐ Conversion
- ☐ Merger
- ☐ Dissolution/Withdrawal
- ☐ Fictitious Name
- ☐ Other \_\_\_\_\_

Authorized Amount: CV \$125.00

Signature: CV

• CORPORATE HQ  
COGENCY GLOBAL INC.  
10 E 40TH ST 10TH FL  
NY, NY 10016  
D: +1.212.947.7200  
P: 800.221.0102  
F: 800.944.6607

• EUROPEAN HQ  
COGENCY GLOBAL (UK) LIMITED  
REGISTERED IN ENGLAND & WALES  
REG NO: 11531972  
6 LLOYDS AVE, UNIT 4CL  
LONDON EC3N 3AX  
+44 (0)20.3961.3080

• ASIA PACIFIC HQ  
COGENCY GLOBAL (HK) LIMITED  
A HONG KONG LIMITED COMPANY  
UNIT B, 1/F, LIPPO LEIGHTON TOWER  
103 LEIGHTON RD, CAUSEWAY BAY  
HONG KONG  
P: +852.2682.9633  
F: +852.2682.9790

COVER LETTER

TO: Registration Section  
Division of Corporations

SUBJECT: BrightNight, LLC  
Name of Limited Liability Company

The enclosed "Application by Foreign Limited Liability Company for Authorization to Transact Business in Florida," Certificate of Existence, and check are submitted to register the above referenced foreign limited liability company to transact business in Florida.

Please return all correspondence concerning this matter to the following:

Gina Brogan  
Name of Person

BrightNight, LLC  
Firm/Company

13123 E Emerald Coast Pkwy Ste B #513  
Address

Inlet Beach, Florida 32461  
City/State and Zip Code

gina@brightnightenergy.com  
E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

Gina Brogan at ( 908 ) 963-4862  
Name of Contact Person Area Code Daytime Telephone Number

**MAILING ADDRESS:**

Division of Corporations  
Registration Section  
P.O. Box 6327  
Tallahassee, FL 32314

**STREET ADDRESS:**

Division of Corporations  
Registration Section  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

Enclosed is a check for the following amount:

Please make check payable to: **FLORIDA DEPARTMENT OF STATE**

- ☐ \$125.00 Filing Fee      ☐ \$130.00 Filing Fee & Certificate of Status      ☐ \$155.00 Filing Fee & Certified Copy      ☐ \$160.00 Filing Fee, Certificate of Status & Certified Copy

APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

IN COMPLIANCE WITH SECTION 605.0902, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO REGISTER A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

1. BrightNight, LLC  
(Name of Foreign Limited Liability Company; must include "Limited Liability Company," "L.L.C.," or "LLC.")

(If name unavailable, enter alternate name adopted for the purpose of transacting business in Florida. The alternate name must include "Limited Liability Company," "L.L.C.," or "LLC.")

2. Delaware  
(Jurisdiction under the law of which foreign limited liability company is organized)

3. 83-2833641  
(FEI number, if applicable)

4. 12/22/2020  
(Date first transacted business in Florida, if prior to registration.)  
(See sections 605.0904 & 605.0905, F.S. to determine penalty liability)

5. 13123 E Emerald Coast Pkwy Ste B #513  
(Street Address of Principal Office)

6. 13123 E Emerald Coast Pkwy Ste B #513  
(Mailing Address)

Inlet Beach, Florida 32461

Inlet Beach, Florida 32461

7. Name and street address of Florida registered agent: (P.O. Box NOT acceptable)

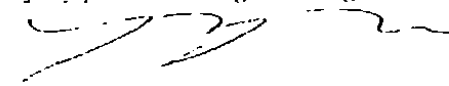
Name: COGENCY GLOBAL INC.

Office Address: 115 North Calhoun St. Suite 4

Tallahassee, Florida 32301  
(City) (Zip code)

Registered agent's acceptance:

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this application, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.



Maria Bautista,  
Assistant Secretary

(Registered agent's signature)

RECEIVED  
2020 DEC 23 AM 11:05  
TALLAHASSEE, FLORIDA



8. For initial indexing purposes, list names, title or capacity and addresses of the primary members/managers or persons authorize manage [up to six (6) total]:

**Title or Capacity:** **Name and Address:**

☒ Manager Name: Martin Hermann

☐ Member Address: 13123 E Emerald Coast Pkwy Ste B #513

☐ Authorized Inlet Beach, Florida 32461

Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

☐ Manager Name: \_\_\_\_\_

☐ Member Address: \_\_\_\_\_

☐ Authorized \_\_\_\_\_

Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

☐ Manager Name: \_\_\_\_\_

☐ Member Address: \_\_\_\_\_

☐ Authorized \_\_\_\_\_

Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

**Title or Capacity:** **Name and Address:**

☐ Manager Name: \_\_\_\_\_

☐ Member Address: \_\_\_\_\_

☐ Authorized \_\_\_\_\_

Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

☐ Manager Name: \_\_\_\_\_

☐ Member Address: \_\_\_\_\_

☐ Authorized \_\_\_\_\_

Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

☐ Manager Name: \_\_\_\_\_

☐ Member Address: \_\_\_\_\_

☐ Authorized \_\_\_\_\_


Person \_\_\_\_\_

☐ Other \_\_\_\_\_ ☐ Other \_\_\_\_\_

**Important Notice:** Use an attachment to report more than six (6). The attachment will be imaged for reporting purposes only. Non-indexed individuals may be added to the index when filing your Florida Department of State Annual Report form.

9. Attached is a certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted)

10. This document is executed in accordance with section 605.0203 (1) (b), Florida Statutes. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.

  
Martin Hermann (Dec 22, 2020 12:36 CST)

Signature of an authorized person

**Martin Hermann**

Typed or printed name of signer

# Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BRIGHTNIGHT, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SECOND DAY OF DECEMBER, A.D. 2020.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BRIGHTNIGHT, LLC" WAS FORMED ON THE TWENTY-FOURTH DAY OF JULY, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



6988059 8300

SR# 20208731579

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Authentication: 204393718

Date: 12-22-20

# State of Oregon

OFFICE OF THE SECRETARY OF STATE  
Corporation Division

## Certificate of Existence 4622478

*I, TOBIAS READ, SECRETARY OF STATE and Custodian of the Seal of said State, do hereby certify:*

**DECH BN, LLC**

*is*

*Authorized to Transact Business*

*under the laws of The State of Oregon*

*and is active on the records of the Corporation Division as of the date of this certificate.*

*In Testimony Whereof, I have hereunto  
set my hand and affixed hereto the  
Seal of the State of Oregon.*



TOBIAS READ, SECRETARY OF STATE

Issued Date: 1/29/2025



Come visit us on the internet at: <https://sos.oregon.gov/business>  
or use the QR code to check their current status.



## APPENDIX B

## EVIDENCE OF CONSULTATION WITH STATE COMMISSION ON INDIAN SERVICE

## Todd Ellwood

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**From:** Bullion Elissa <Elissa.Bullion@oregonlegislature.gov>  
**Sent:** Monday, October 14, 2024 11:28 AM  
**To:** Todd Ellwood  
**Cc:** Bijan Damavandi  
**Subject:** RE: Request for Information on Area Tribal Contacts for the Deschutes Solar and BESS Project, Wasco County, OR

You don't often get email from elissa.bullion@oregonlegislature.gov. [Learn why this is important](#)

Good morning Todd,

Thank you for reaching out and providing all of this information on your project. Based on this work location, I recommend notifying all of the following Tribes about this project to solicit any engagement or feedback they may have:

**Burns Paiute Tribe**  
**Confederated Tribes of Grand Ronde**  
**Confederated Tribes of Siletz Indians**  
**Confederated Tribes of the Umatilla Indian Reservation**  
**Confederated Tribes of Warm Springs Reservation of Oregon**

Contact information for culture and heritage Tribal staff can be found on our website: [Commission on Indian Services archaeology \(oregonlegislature.gov\)](#).

Please let me know if you have any questions.

Cheers!

Elissa

-----  
Dr. Elissa Bullion, PhD (she/her/hers)  
State Physical Anthropologist  
Legislative Commission on Indian Services  
Oregon State Capitol Building  
900 Court Street, NE, Room 167  
Salem, Oregon 97301  
Phone: 971-707-1372  
LCIS Office: 503-986-1067  
[Elissa.Bullion@oregonlegislature.gov](mailto:Elissa.Bullion@oregonlegislature.gov)



---

**From:** Todd Ellwood <todd.ellwood@briightonpower.com>  
**Sent:** Friday, October 11, 2024 8:43 AM  
**To:** LCIS <LCIS@oregonlegislature.gov>

**Cc:** Bijan Damavandi <Bijan@brightnightpower.com>

**Subject:** Request for Information on Area Tribal Contacts for the Deschutes Solar and BESS Project, Wasco County, OR

You don't often get email from [todd.ellwood@brightnightpower.com](mailto:todd.ellwood@brightnightpower.com). [Learn why this is important](#)

**CAUTION: This email originated from outside the Legislature. Use caution clicking any links or attachments.**

Dear Legislative Commission on Indian Services,

BrightNight, LLC (BrightNight) is proposing to develop a solar photovoltaic (PV) power generation facility and related or supporting facilities in Wasco County, Oregon, known as the Deschutes Solar and BESS Project (Project). The Project may consist of up to 1,000 MW of solar generation and include a battery storage system (BESS) capable of storing up to 1,000 Megawatts of energy and may be microsituated across approximately 8,000 acres of privately-owned land zoned exclusive farm use located within Township 5 South, Range 12 East (Latitude/Longitude 45.114009, -121.299748). The approximate boundary of the Project is shown on the attached figure.

This Project is subject to the jurisdiction of Oregon's Energy Facility Siting Council (EFSC). BrightNight anticipates filing a Notice of Intent (NOI) with EFSC in January 2025 and as a part of the NOI, BrightNight needs to include evidence of consultation with the Legislative Commission on Indian Services (LCIS) to identify each appropriate Native American tribe to consult with regarding the Project's potential effect on Indian historic and cultural resources within Wasco County. GeoVisions, a private sector enterprise owned by the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), is currently conducting a cultural resources survey to support BrightNight's EFSC application. To date, GeoVisions has consulted with CTWSRO and Burns Paiute Tribe. To ensure BrightNight and GeoVisions are fully engaging all interested Tribes, BrightNight respectfully requests your assistance in identifying each Tribe that could have an interest in this Project.

Thank you for your assistance.

Todd



**Todd Ellwood**  
**Senior Director, Permitting**  
E [todd.ellwood@brightnightpower.com](mailto:todd.ellwood@brightnightpower.com)  
P +1-850-963-6011  
515 N. Flagler Drive, Suite P200  
West Palm Beach, FL 33401, United States  
[www.brightnightpower.com](http://www.brightnightpower.com)





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