

Agenda Item B (Public Hearing)

Yellow Rosebush Energy Center Application for Site Certificate Public Hearing on Draft Proposed Order

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October 23-34, 2025



Yellow Rosebush Energy Center

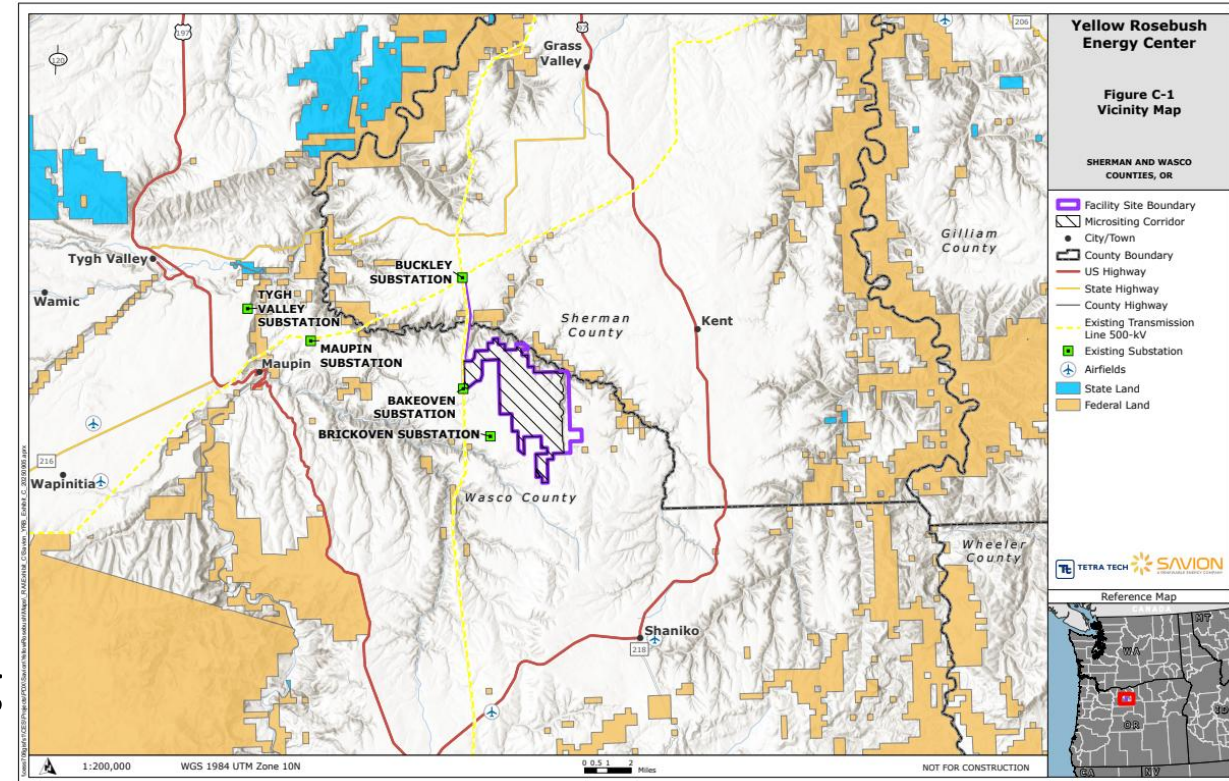
- Overview of the Proposed Facility & Draft Proposed Order
- Hearing Overview – Vice Chair Condon
- Public Hearing & Oral Testimony:
 - Applicant
 - Public
 - Council
 - Applicant Opportunity to Respond to Comments

Yellow Rosebush Energy Center: Project Overview

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

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

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



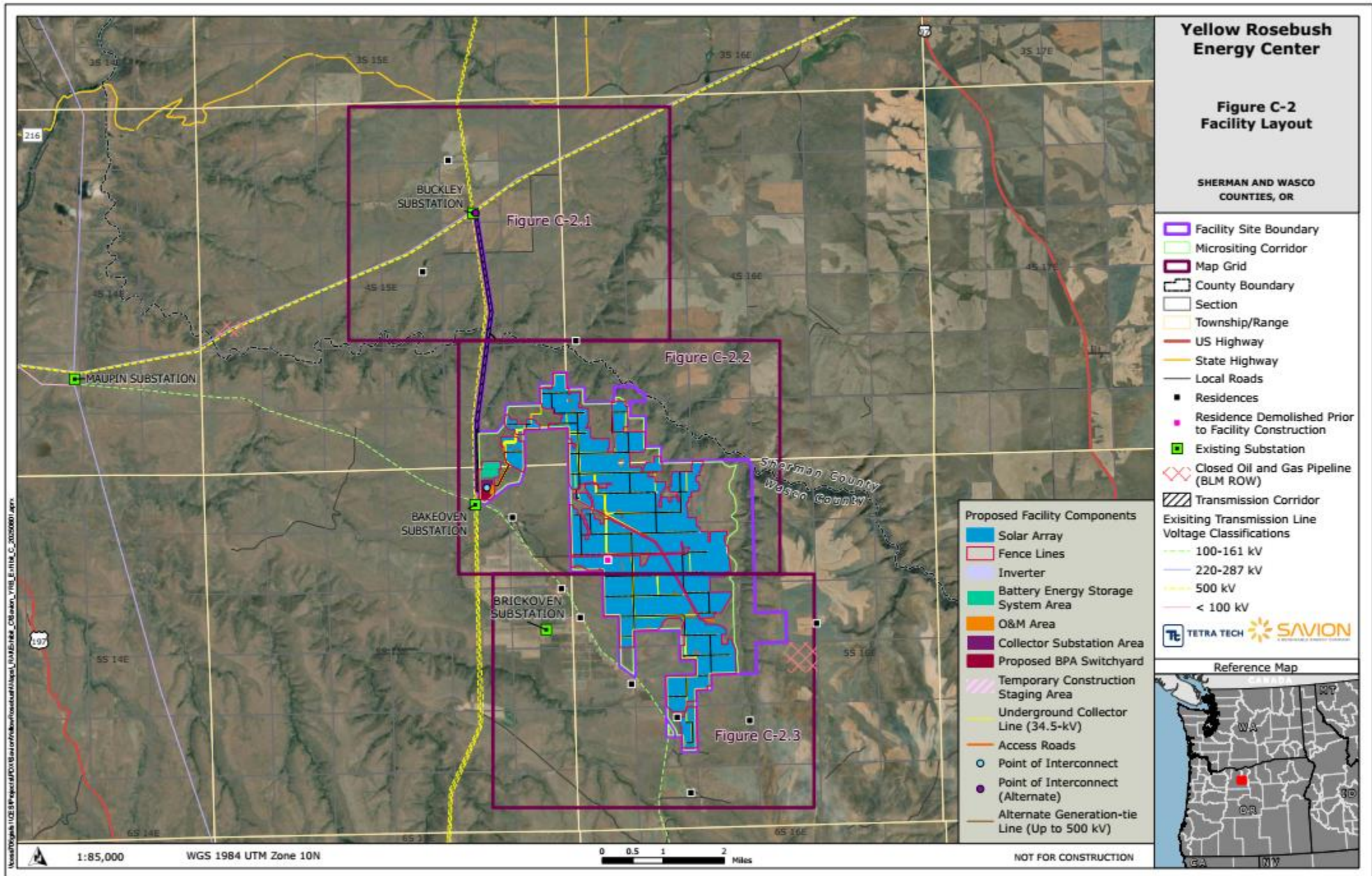
Yellow Rosebush Energy Center: Facility Overview

Energy Facility:

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

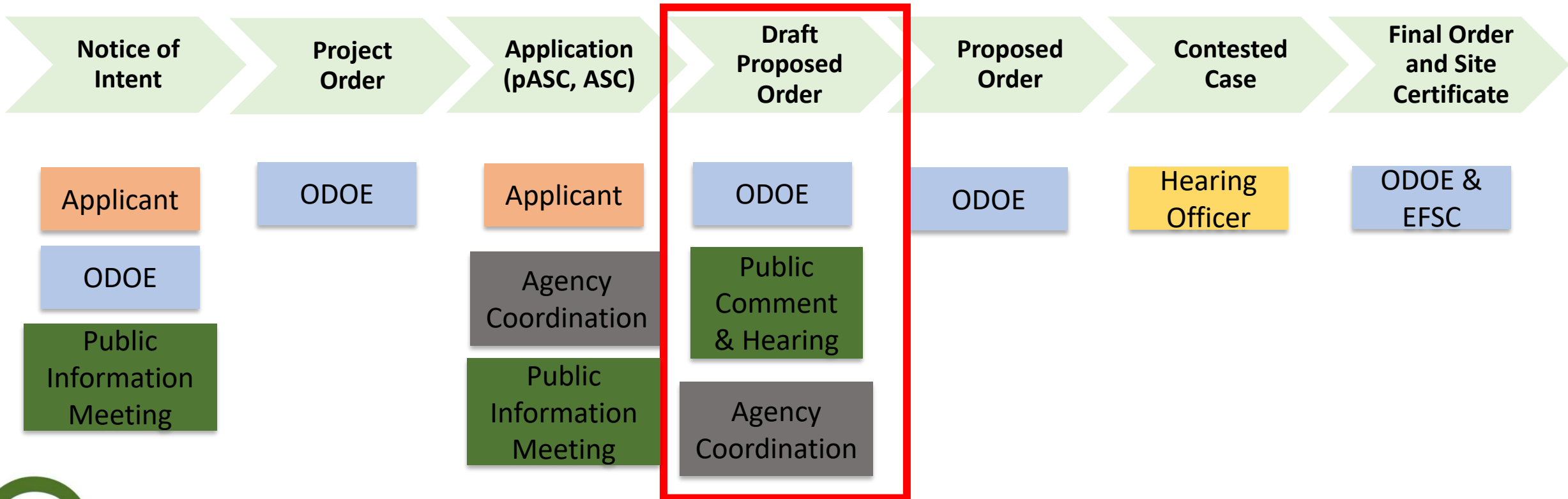
Related or Supporting Facilities:

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



Energy Facility Siting Process

Application for Site Certificate (ASC)



Draft Proposed Order (Select Issues)

GENERAL STANDARD OF REVIEW (DPO section IV.A., pg. 19-26)

- Applicant proposes to construct the facility in 2 phases (400 MW each) with each phase taking approximately 36 months to complete.
- The Department recommends **General Standard Condition 2** - requires construction of the facility to begin within six years, and **General Standard Condition 3** - requires completion of each phase within 3 years of construction start of that phase.
- Applicant is considering two alternatives for the 500 kV transmission line to the point of interconnection with Bonneville Power Administration. One alternative is adjacent to the facility and has been fully surveyed. The other alternative has not yet been surveyed, and would extend 4.5 miles from the facility, with 1.9 miles into Sherman County..
- Department recommends **General Standard Condition 8** to require unsurveyed transmission line corridor to be fully evaluated under applicable standards and preconstruction survey and compliance requirements if this alternative route is selected in final design.

Draft Proposed Order (Select Issues)

ORGANIZATIONAL EXPERTISE (DPO section IV.C, pg. 26-35)

- Yellow Rosebush Energy Center, LLC is the applicant. The applicant is a wholly-owned subsidiary of Savion, LLC (Savion), which is a part of Shell Group.
- Savion has 23 projects in 11 states as in operation, under construction and contracted, and 18 GW of solar energy development across 73 projects in 26 states and 14.8 GW of battery storage combined across 60 projects in 24 states.
- Letter from Savion LLC., attests that applicant will have access to the expertise and personnel required to build and operate the proposed facility, under their parent company, Shell Energy.
- Department recommends **Organizational Expertise Conditions 4 and 5**, to require the certificate holder to identify a qualified on-site construction manager reporting requirements during construction of the facility. Similar recommended conditions for **Organizational Expertise Conditions 7 and 8** for Operations.

Draft Proposed Order (Select Issues)

SOIL PROTECTION (DPO Section IV.D., pg. 45-47)

- Soils in site boundary are susceptible to dust propagation upon disturbance and erosion by wind and water.
- The National Pollution Discharge Elimination System (NPDES) Construction Permit (NPDES 1200-C), and Fugitive Dust Plan are required for construction. Department recommends similar measures be required for operations.
- Department recommends **Soil Protection Conditions 1, 2 and 3** to require the finalization and implementation of the Draft Fugitive Dust Plan (Attachment I). The Department also recommends **Soil Protection Condition 6** to require the monitoring and implementation of erosion control measures for the operations and life of the facility.

Draft Proposed Order (Select Issues)

LAND USE and Goal 3 (DPO Section IV.E.1.4, pg. 131-144)

The proposed facility would occupy up to 7,026 acres of land zoned for Exclusive Farm Use (EFU), and as such, the applicant has requested that the Council take an exception to Statewide Land Use Planning Goal 3, based on the following reasons:

1. The facility does not impact high-value farmland or water availability and imposes minimal direct impacts to agricultural activities.
2. The facility is locationally dependent (proximity to regional transmission grid, existing energy infrastructure, and major transportation corridors).
3. The facility creates local economic benefits (landowners, local government and local agricultural economy).
4. The Facility imposes minimal impacts to resources protected by Council standards.
5. The Facility responds to important state and county goals and priorities.

Draft Proposed Order (Select Issues)

LAND USE (DPO Section IV.E.1.4, pg. 131-144)

Under ORS 469.504(2)(c), the Council may find goal compliance for a facility that does not otherwise comply with a statewide planning goals by taking an exception to the applicable goal, if the Council finds the following standards are met:

- (A) Reasons justify why the state policy embodied in the applicable goal should not apply;
- (B) The significant environmental, economic, social and energy consequences anticipated as a result of the proposed facility have been identified and adverse impacts will be mitigated in accordance with rules of the council applicable to the siting of the proposed facility; and
- (C) The proposed facility is compatible with other adjacent uses or will be made compatible through measures designed to reduce adverse impacts.

Draft Proposed Order (Select Issues)

LAND USE (DPO Section IV.E.1.4, pg.131-144)

The Department evaluated the evidence provided in the Application and recommends that Council find the follow reasons that justify taking an exception to Goal 3 are reasons 1 and 2:

1. The facility does not impact high-value farmland or water availability and would have minimal direct, indirect, and induced impacts to agricultural activities at the site and the overall agricultural economy in Wasco County.
 - Department recommends that the Council find that use of the site would have minimal impacts to high value farmland, water availability and any direct impacts to agricultural practices.
 - The Department recommends that the Council find, based on these facts, that this is a reason that justifies an exception to Goal 3 for the proposed site.

Draft Proposed Order (Select Issues)

LAND USE (DPO Section IV.E.1.4, pg. 131-144)

2. The facility is locationally dependent on existing BPA transmission and transportation infrastructure and is collocated with other nearby energy facilities in a manner that allows for efficient use of existing infrastructure.
 - Department recommends Council accept the applicant's argument that proximity to the existing BPA's existing John Day to Grizzly 500-kV transmission line and proximity to existing major transportation corridors supports a locational dependence reason that would, in part, justify an exception to Statewide Planning Goal 3.

Draft Proposed Order (Select Issues)

RETIREMENT AND FINANCIAL ASSURANCE (DPO Section IV.G, pg.147-156)

- The Department recommends the cost that would be required for the State to retire the facility and restore the site would be approximately \$46.2 million, in Q2 2024 dollars.
- The applicant has provided a comfort letter from Citi Bank stating that the bank would be comfortable with potentially providing a letter of credit of up to \$46 million to the applicant.
- The Department recommends **Retirement and Financial Assurance Conditions 4, 5 and 6** to require the bond/letter of credit to be provided prior to the beginning of construction and maintained for the life of the facility.

Draft Proposed Order (Select Issues)

FISH & WILDLIFE HABITAT (DPO Section IV., pg. 156-175)

- The entire analysis area and microsinning corridor are within Oregon Department of Fish & Wildlife (ODFW) mapped Category 2 Big Game Winter Range for Mule Deer habitat. Cultivated lands, even if within ODFW's mapped Category 2 Big Game Winter Range, are considered Category 6.
- Applicant has estimated, and ODFW has concurred, approximately 4,670 acres of permanent and 198 acres of temporary impacts to Category 2: Big Game Winter Range habitat that require mitigation.
- Permanent impacts will be mitigated through the implementation of a final Habitat Mitigation Plan. Temporary impacts to habitat will be mitigated through a final Revegetation and Reclamation Plan and Noxious Weed Control Plan (Drafts in Attachments P-1, 2 and 3)
- The Department recommends **Fish and Wildlife Habitat Conditions 1 through 9**, requiring finalization and approval of the draft plans prior to construction and their implementation of the final approved plans, as applicable during construction and operations.

Draft Proposed Order (Select Issues)

FISH & WILDLIFE HABITAT (DPO Section IV., pg. 156-175)

Draft Habitat Mitigation Plan (Attachment P-3)

- The applicant has worked with ODFW to identify in-kind and in-proximity habitat mitigation areas (HMA) to mitigate impacts to Category 2 Big Game Habitat.
- Applicant has provided a conservation agreement for the Tygh Ridge Ranch portion of the HMA.
- The applicant has also worked with ODFW to identify additional suitable HMA acreage within the site boundary, but outside the microsite area.
- The combination of these two HMAs provide sufficient mitigation potential and acreage for permanent facility impacts to Category 2 Big Game Habitat and have ODFW approval.

Draft Proposed Order (Select Issues)

HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES (DPO Section IV.K., pg. 181-197)

- The facility is located within the ceded lands of the Confederated Tribes of the Warm Springs Reservation of Oregon. The Department has requested but not received any comments to-date.
- The entire solar array and analysis area were surveyed for cultural resources with technical reports submitted to tribes and SHPO as part of the ASC, except for the alternative 4.5-mile transmission line.
- The Department recommends **Historic, Cultural, and Archaeological Resources Condition 1**, requiring completion of any required surveys, reports, or additional mitigations, if the unsurveyed transmission line is selected in final design.
- Applicant commits to buffering and avoiding all unevaluated (for the National Register of Historic Places) and eligible resources.
- The Department recommends **Historic, Cultural, and Archaeological Conditions 2 and 5** to require adherence to the avoidance buffers during construction and operations.

Draft Proposed Order (Select Issues)

PUBLIC SERVICES (DPO Section IV.M., pg. 199-211)

- Applicant estimates 200-300 workers on site with a maximum of 400 workers on site for construction. Traffic estimates assume US-97 from northbound and southbound will be used to access Bakeoven Road.
- Because of influx of traffic on US-97, Department recommends Council impose **Public Services Conditions 2 and 3** to require development and implementation of a Road Use Agreement with Wasco County.
- Wasco County Sheriff submitted written comments on public safety concerns and recommendations based upon past experience with other similar facilities in the area (unrelated to the applicant).
- Department recommends **Public Services Condition 4**, to require the certificate holder to provide on-site security during construction, and to establish and maintain communication with the Sherriff Office; requesting monthly data on public safety/law enforcement, with reporting requirements.

Public Participation at DPO Phase

- The issuance of the DPO notice initiates the opportunity for public comment on the ASC;
- Notice opens comment period and provides details on public hearing;
- The public may submit comments by:
 - Mail, email, public comment portal, hand-delivery, or fax during the comment period;
 - Providing oral or written comments at the in-person, webinar/call-in DPO public hearing.



Public Participation at DPO Phase (cont'd)

- The Council will not accept comments on the ASC or on the DPO after the close of the public record unless an extension is granted. Written public comments may be submitted until **November 3, 2025 at 5:00 p.m.**
- Only persons who comment on DPO during the comment timeframe are eligible to participate in the contested case proceeding.
- For consideration in the contested case, issues must:
 - Be submitted within the comment timeframe.
 - Be within the jurisdiction of the Council.
 - Be raised with sufficient specificity to afford the Council, the Department of Energy and the certificate holder an adequate opportunity to respond, including a statement of facts that support the person's position on the issue.

Comments Received To Date

- Reviewing Agency Comments on the DPO:
 - Department of State Lands – comments on status of wetlands delineation and concurrence (under review and pending)
 - Wasco County Planning Department: confirming legal status of parcels in site boundary.
- Applicant Written Comments on the DPO:
 - Written Comments Pending – will provide prior to Public Hearing
- Public Comments to-date on the DPO:
 - None as of Oct 16, 2025

Agenda Item B (Hearing Portion)

Yellow Rosebush Energy Center Application for Site Certificate Public Hearing on Draft Proposed Order

Presiding Officer – Sarah Esterson, Senior Policy Advisor, ODOE

October 23, 2025

Yellow Rosebush Energy Center: DPO Public Hearing

Consideration of Issues in a Contested Case

A person who intends to raise any issue that may be the basis for a contested case must raise an issue:

- that is within the jurisdiction of the Council;
- in person at the hearing or in a written comment submitted to the Department of Energy before the close of the public hearing;
- with sufficient specificity to afford the Council, the Department of Energy and the certificate holder an adequate opportunity to respond, including a statement of facts that support the person's position on the issue.

Yellow Rosebush Energy Center: DPO Public Hearing

Order of Oral Testimony and Comments for this Public Hearing

1. Applicant (testimony or additions to record)
 - Members of Council may ask clarifying questions.
2. Members of the Public (will be called on in the following order):
 - Oral in-person testimony
 - Oral testimony via WebEx
 - Oral testimony via phone
3. Members of Council
4. Applicant Responses to Comments; Council review/decision on request to extend record for applicant response to comments, if requested



Yellow Rosebush Energy Center: DPO Public Hearing

Testimony

Prior to Testifying, state the following:

- Full name with spelling
- Name of organization or group if you are representing one
- Physical mail or email address if you wish to receive notice of the Proposed Order which includes a description of how to submit a request for contested case

Please Note: If you do not wish to provide your mailing or email address in this format, you may email it to the Department at kathleen.sloan@energy.oregon.gov or call (971) 701-4913 and provide the information, including spelling, in a voicemail.



Yellow Rosebush Energy Center: DPO Public Hearing

Applicant

The applicant may provide/present on anything in the Draft Proposed Order and/or may submit additional information/evidence to supplement the record.

Presiding Officer or Council Members may ask clarifying questions.

Yellow Rosebush Energy Center: DPO Public Hearing

Written Comments

Written comments on the Application for Site Certificate and/or the Draft Proposed Order and may be submitted until the close of the Public Comment Period on **November 3, 2025 at 5:00 p.m. Pacific Time**. Written comments may be submitted:

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

Yellow Rosebush Energy Center: DPO Public Hearing

Public

Members of the public may comment on the Draft Proposed Order and/or the ASC.

5 Minute Time Limits

Presiding Officer or Council Members may ask clarifying questions.

How to Raise Your Hand in Webex:

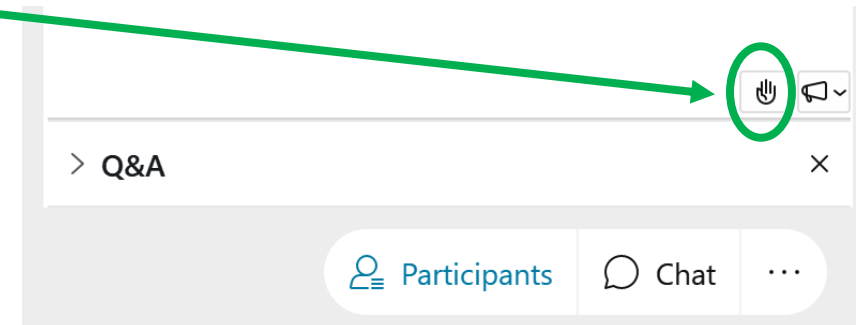
Webinar Participants

The bottom right of the main window is a set of icons:

Click on “Participants”

The bottom right of the participant window is a hand icon, click on the hand:

Clicking on it again will lower your hand.



Phone Participants

Press *3 on your telephone keypad to raise your hand.

Press *3 again on your telephone keypad to lower your hand.

Yellow Rosebush Energy Center: DPO Public Hearing

Council

Council may comment about any concerns they have related to the Draft Proposed Order and/or the ASC.

Yellow Rosebush Energy Center: DPO Public Hearing

Applicant's Response to Comments

The applicant may respond to any comments by:

- Providing oral responses tonight; or
- Request that Council extend the record past the November 3, 2025 deadline, to allow adequate time for review and response to comments

Yellow Rosebush Energy Center: DPO Public Hearing

Public Comment Period Closes

Monday, November 3, 2025 at 5:00 p.m. Pacific Time

Written comments may be submitted via mail, email or through the comment portal.

Via online siting comment portal: <https://odoe.powerappsportals.us/en-US/SitingPublicComment/>

Via email: kathleen.sloan@energy.oregon.gov

Hand delivery to one of the staff members or by mail to: Oregon Department of Energy;
550 Capitol St. NE; Salem, OR, 97301

Yellow Rosebush Energy Center: DPO Public Hearing

Close of the Public Hearing

RECESS

