

Exhibit L

Protected Areas

Wagon Trail Solar Project
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Prepared for



Prepared by



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Acronyms and Abbreviations

ACEC	Areas of Critical Environmental Concern
Applicant	Wheatridge East Wind, LLC c/o NextEra Energy Resources, LLC
BMP	Best Management Practice
Council	Energy Facility Siting Council
Facility	Wagon Trail Solar Project
I-84	Interstate 84
OAR	Oregon Administrative Rule
ODEQ	Oregon Department of Environmental Quality
ODOT	Oregon Department of Transportation
TNC	The Nature Conservancy
ZVI	zone of visual influence

1.0 Introduction

Wheatridge East Wind, LLC c/o NextEra Energy Resources, LLC (Applicant) proposes to construct and operate the Wagon Trail Solar Project (Facility), a solar energy generation facility and related or supporting facilities in Morrow County, Oregon. This Exhibit L was prepared to meet the submittal requirements in Oregon Administrative Rule (OAR) 345-021-0010 (1)(l).

2.0 Analysis Area

The analysis area for protected areas is defined in the Project Order as "the area within and extending 20 miles from the site boundary" (ODOE 2021), as defined in OAR 345-001-0010(59)(e). The site boundary is described in detail in Exhibits B and C. The analysis area is shown on Figure L-1.

3.0 Protected Areas Inventory

OAR 345-021-0010(1)(l) Information about the proposed facility's impact on protected areas, providing evidence to support a finding by the Council as required by OAR 345-022-0040, including:

- (A) A list of the protected areas within the analysis area showing the distance and direction from the proposed facility and the basis for protection by reference to a specific subsection under OAR 345-022-0040(1).*
- (B) A map showing the location of the proposed facility in relation to the protected areas listed in OAR 345-022-0040 located within the analysis area.*

Table L-1 provides an inventory of the eight protected areas within the analysis area and indicates the proximity and direction of each protected area relative to the Facility site boundary. No protected areas are located within the site boundary. The inventory of protected areas was based on review of best available Geographic Information System data, maps, and the most current information for the categories of protected areas listed in OAR 345-022-0040(1) (BLM 2018; ODFW 2021; USGS 2018). These protected areas are identified by name on Figure L-1.

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Table L-1. Protected Areas Inventory, Visual and Noise Assessment Results

Protected Areas within 20 Miles of Site Boundary		Distance to Site Boundary (miles)		Direction from Facility	Facility Potentially Visible?		Visual Analysis Results	Operational Noise Analysis Results
Type	Area Name	Transmission Line	Solar Array (site boundary)		Transmission Line	Solar Array (site boundary)		
National Parks OAR 345-022-0040(1)(a)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
National Monuments OAR 345-022-0040(1)(b)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wilderness Areas OAR 345-022-0040(1)(c)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
National & State Wildlife Refuges OAR 345-022-0040(1)(d)	Umatilla National Wildlife Refuge	19.2	14.0	N	Unlikely	Yes	Negligible impact. Viewshed analysis indicates potential visibility of solar arrays from some refuge locations on the Washington and Oregon sides of the Refuge. At a far background viewing distance of 14 miles or greater, it is highly unlikely that solar arrays with a maximum height of 16 feet could be detected or identified by viewers. If any solar facilities were visible, the additional visual contrast within an existing modified landscape will be negligible. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 19 miles, and therefore will not contribute to visual contrast from this location. No management direction applicable to preservation of scenic qualities outside of Refuge. Views of the Facility, if any, will not compromise the purpose of the Refuge.	No audible noise
National Coordination Areas OAR 345-022-0040(1)(e)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Fish Hatcheries OAR 345-022-0040(1)(f)	Irrigon Hatchery	24.2	19.5	N	Unlikely	Yes	Negligible impact. Viewshed analysis indicates limited potential visibility of solar facilities at the hatchery location. At a viewing distance of 19.5 miles or greater, it is highly unlikely that solar arrays could be detected or identified by viewers. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 24 miles, and therefore will not contribute to visual contrast from this location. No management direction applicable to scenic quality. The Facility will not compromise the purpose of the hatchery.	No audible noise
National Recreation and Scenic Areas OAR 345-022-0040(1)(g)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
State Parks & Waysides OAR 345-022-0040(1)(h)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Protected Areas within 20 Miles of Site Boundary		Distance to Site Boundary (miles)		Direction from Facility	Facility Potentially Visible?		Visual Analysis Results	Operational Noise Analysis Results
Type	Area Name	Transmission Line	Solar Array (site boundary)		Transmission Line	Solar Array (site boundary)		
State Natural Heritage Areas OAR 345-022-0040(1)(i)	Lindsay Prairie Preserve	2.2	0.5	E	Yes	Yes	Low impact. Viewshed analysis indicates potential relatively close visibility of solar panels in portions of the eastern part of the preserve. At a viewing distance of 0.5 mile or greater, the solar arrays will not create a prominent feature in the viewshed. If any solar facilities were visible, the additional visual contrast within an existing modified landscape that includes wind turbines (i.e., the existing adjacent Wheatridge Renewable Energy Facilities I, II, and III) and other infrastructure will be weak. The up to 0.6-mile transmission line may be visible in the middleground from the eastern portion of the preserve; however, if visible, the additional visual contrast within an existing modified landscape as noted above will be weak. The Preserve is fenced, gated, and locked and has no developed facilities; although it is publicly accessible, it receives very little public use. ¹ The site is protected for preservation of native vegetation and wildlife, and there is no management direction related to scenic quality. The Facility solar arrays will not compromise the purpose of the Preserve.	Audible noise up to 50 decibels
State Estuarine Sanctuaries OAR 345-022-0040(1)(j)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scenic Waterways/ Wild & Scenic Rivers OAR 345-022-0040(1)(k)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Experimental Areas (Rangeland Resources Program) OAR 345-022-0040(1)(l)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Agricultural Experimental Stations OAR 345-022-0040(1)(m)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Research Forests OAR 345-022-0040(1)(n)	None	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Bureau of Land Management (BLM) Areas of Critical Environmental Concern (ACEC), Outstanding Natural Areas, and Research Natural Areas ² OAR 345-022-0040(1)(o)	Oregon Trail ACEC, Echo Meadows	18.6	15.6	NE	Unlikely	No	No impact. Viewshed analysis indicates no visibility of solar facilities at the ACEC location. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 18 miles, and therefore will not contribute to visual contrast from this location.	No audible noise

Protected Areas within 20 Miles of Site Boundary		Distance to Site Boundary (miles)		Direction from Facility	Facility Potentially Visible?		Visual Analysis Results	Operational Noise Analysis Results
Type	Area Name	Transmission Line	Solar Array (site boundary)		Transmission Line	Solar Array (site boundary)		
	Horn Butte Curlew ACEC	19.2	16.3	NW	Unlikely	Yes	Negligible impact. Viewshed analysis indicates limited potential visibility from small portions of the ACEC. If any solar arrays were visible, at a distance of over 16 miles they are unlikely to be detected or identified by viewers. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 19 miles, and therefore will not contribute to visual contrast from this location. No management direction applicable to preservation of scenic qualities outside of ACEC. The Facility will not compromise the purpose of the ACEC.	No audible noise
State Wildlife Areas and Management Areas OAR 345-022-0040(1)(p)	Columbia Basin-Coyote Springs Wildlife Area	19.0	14.0	N	Unlikely	Yes	Negligible impact. Viewshed analysis indicates limited potential visibility of solar facilities from 14 miles or greater distance from this area. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of 19 miles or greater, and therefore will not contribute to visual contrast from this location. No management direction applicable to scenic quality. The potential addition of solar arrays to the distant background will not interfere with wildlife viewing or compromise the purpose of the wildlife area.	No audible noise
	Columbia Basin-Willow Creek Wildlife Area	22.9	18.8	NE	Unlikely	No	No impact. Viewshed analysis indicates no visibility of solar facilities from this area. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 22 miles, and therefore will not contribute to visual contrast from this location.	No audible noise
	Columbia Basin-Irrigon Wildlife Area	24.3	19.8	N	Unlikely	No	No impact. Viewshed analysis indicates no visibility of solar facilities from this area. The up to 0.6-mile transmission line is highly unlikely to be visible or otherwise discernible at the far background viewing distance of over 24 miles, and therefore will not contribute to visual contrast from this location.	No audible noise

1. Information on access and use obtained through a personal communication between Kristen Gulick, Tetra Tech, and the Dalles Field Office representative, January 24, 2021.

2. The Boardman Research Natural Area (RNA) is located within the boundary of the Boardman Bombing Range on property owned by the U.S. Department of Defense. While the Boardman RNA is within the analysis area, it is not included in this inventory as OAR 345-022-0040(1)(o) only includes such areas that are under the management of the U.S. Bureau of Land Management (BLM). Thus, RNAs designated by the BLM are included as Energy Facility Siting Council (Council) protected areas, but an RNA designated or managed by another agency would not be a Council protected area. The Boardman RNA is owned by the Department of Defense, and thus is not a protected area as defined by the Council.

4.0 Potential Impacts

OAR 3450-021-0010(1)(l)(C) A description of significant potential impacts of the proposed facility, if any, on the protected areas including, but not limited to, potential impacts such as:

4.1 Noise Impacts

(i) Noise resulting from facility construction or operation;

Table L-1 provides a summary of operational noise levels from the solar facilities at protected areas within the analysis area. Exhibit X provides an assessment of the existing acoustical environment and anticipated Facility sound levels; the methodology for noise modeling is discussed in detail in that exhibit. Construction activities associated with the Facility have the potential for localized noise on a temporary basis as construction activities progress through certain locations within the site boundary. Based on sound levels of the anticipated equipment for Facility construction and given that all protected areas except for one are located more than 2 miles from the site boundary, construction noise will not likely be distinguishable from background noise levels at all but one of the protected areas. The one protected area less than 2 miles from the site boundary, the Lindsay Prairie Preserve, will receive up to 50 decibels, at the loudest, at the eastern border of the protected area, i.e., the closest portion to the battery energy storage system; this sound level is approximately equivalent to less than the that of a normal conversation.

There will be no significant operational noise from the solar panels themselves. However, there will be some limited noise from associated facilities, including cooling equipment associated with the battery energy storage system and electrical equipment. Based on sound levels of the anticipated equipment for Facility operation, operational noise will attenuate to be indistinguishable from the background noise level (including existing wind projects; less than 30 decibels) from a distance of approximately 2 miles from the site boundary. All protected areas except for one, the Lindsay Prairie Preserve, are located more than 2 miles from the site boundary, where noise from the Facility will be effectively indistinguishable from the background noise level.

Exhibit X describes sound level thresholds derived from the Oregon Department of Environmental Quality (ODEQ) noise regulations (OAR 340-035-0015 and OAR 340-035-0035), which are used to assess the significance of impacts to noise sensitive properties. As defined in the ODEQ regulations, "Noise sensitive property" is "real property normally used for sleeping, or normally used as schools, churches, hospitals or public libraries. Property used in industrial or agricultural activities is not Noise Sensitive Property unless it meets the above criteria in more than an incidental manner." The closest protected area, the Lindsay Prairie Preserve, is not an area normally used for sleeping (which is also true of all of the other protected areas) and has minimal daytime use, so is not considered noise sensitive property. Therefore, the ODEQ noise regulations do not apply.

The Lindsay Prairie Preserve is a site protected for restoration and preservation of native vegetation and wildlife, and while open to the public, receives no known public use (see Section

4.4.1 below). The protected area is fenced, and the access road is gated and locked. Therefore, although Facility construction and operations will be audible, the Facility is not anticipated to interfere with the primary purpose (native grassland and wildlife habitat preservation) of the Lindsay Prairie Preserve. Thus, because of the low elevation of noise-emitting components of the Facility infrastructure and because of their distance from the Lindsay Prairie Preserve and the other protected areas, construction and operation of the solar arrays will not have a significant noise impact.

4.2 Traffic Impacts

(ii) Increased traffic resulting from facility construction or operation;

Traffic impacts are addressed in greater detail in Exhibit U, which provides additional information on anticipated traffic volumes, peak construction traffic times, potential delays, and temporary road closures; mitigation measures that could be implemented by the Applicant and the construction contractor to avoid significant traffic impacts; and required coordination with Oregon Department of Transportation (ODOT) and county road officials for necessary road improvements, road closures, and permits for construction and oversized load movements.

No significant traffic impacts to protected areas are anticipated from construction of the Facility. Four of the protected areas are located north of Interstate 84 (I-84) and will be virtually unaffected by Facility traffic, which will be concentrated on a small number of roads south of I-84. No truck traffic associated with the Facility will occur north of I-84, and construction worker traffic will be dispersed on many roads in the area, rather than concentrated on any one road such that access to any protected area north of I-84 could be adversely affected. Of the four protected areas located south of I-84, only the Lindsay Prairie Preserve is likely to experience impacts from Facility traffic; the Horn Butte Curlew Area of Critical Environmental Concern (ACEC), Willow Creek Wildlife Area, and the Oregon Trail ACEC are accessed by routes that will not carry Facility-related truck traffic. Construction worker traffic may occur on roads providing access to these areas; however, construction worker traffic will be dispersed on many roads in the area, and the level of worker traffic anticipated will not adversely affect level of service on those roads (see Exhibit U).

The Lindsay Prairie Preserve receives no known public use; therefore, significant traffic impacts are inherently not likely to occur. Regardless, construction traffic will be temporary and, as stated above, dispersed over many roads. Construction traffic will primarily be dispersed throughout the business work week concentrated during commute hours, whereas peak recreational traffic is greatest during the weekend. Therefore, there will be no major traffic impacts to protected areas.

Traffic analysis identified no significant impacts on protected areas from the Wheatridge Renewable Energy Facilities I, II, III (Wheatridge Facilities), which has a partially overlapping site boundary, prior to construction. The Wheatridge Facilities had more construction traffic than the Facility, including slow-moving trucks, on the same roadways. During construction of the Wheatridge Facilities, no complaints regarding traffic impacts to protected areas were received by the Applicant. The Applicant plans to construct the Facility in phases and will develop a Construction Traffic Management Plan as part of the Road Use Agreement coordinated with the

Morrow County Road Department and ODOT in consideration of impacts to the local road network. For all of the previously noted reasons, no significant adverse traffic impacts to protected areas are anticipated from construction of the Facility.

Facility operations will not generate amounts of traffic that could adversely impact protected areas. Operation of the Facility is expected to employ up to three individuals (see Exhibit U). Therefore, there will be no significant impacts to protected areas due to operations traffic.

4.3 Water Use and Wastewater

(iii) Water use during facility construction or operation;

No ground or surface water withdrawals will take place in a protected area or beyond those already permitted for existing water suppliers during construction (see Exhibit O). During operation, the Facility will have minimal water needs that are anticipated to will be fulfilled through the use of exempt wells at the operations and maintenance building or another licensed water source. Therefore, water used during construction and operation will not impact water availability or use at protected areas. Water use for Facility construction and operation is discussed further in Exhibit O.

(iv) Wastewater disposal resulting from facility construction or operation;

Wastewater, in this context, refers to stormwater runoff and to sanitation wastewater; no industrial wastewater will be produced during construction or operation of the Facility. No stormwater runoff will leave the site boundary (see Exhibit I), and no sanitation wastewater will be discharged in or near a protected area (see Exhibits O and V). Stormwater runoff will be managed on site according to the Best Management Practices (BMPs) as described in the National Pollutant Discharge Elimination System 1200-C/Erosion and Sediment Control Plan (Attachment I-1). Sanitation wastewater during construction will continue to be contained in portable toilets, to be provided and maintained by a licensed contractor. Wastewater generated at the operations and maintenance building during Facility operations will be handled by an on-site septic system, to be permitted prior to construction. Therefore, no protected areas will be affected by wastewater from the Facility.

4.4 Visual Impacts

(v) Visual impacts of facility structures or plumes.

(vi) Visual impacts from air emissions resulting from facility construction or operation, including, but not limited to, impacts on Class 1 Areas as described in OAR 340-204-0050.

The Facility will not generate any emissions plumes, so it will not cause any visual impacts from air emissions. Potential visual impacts due to dust created during construction will be largely prevented by following BMPs for dust control as detailed in Exhibit I and Exhibit O. Visual impacts of the Facility are primarily related to potential views of the solar panels.

To the extent possible, reflectivity of the solar arrays will be minimized. Antireflective coating will be used to reduce glare, and the surface of the panels will have high transmittance to increase the amount of light reaching the photovoltaic cells. With these methods, the panels will be less reflective than a natural water body or a coated glass surface that is not antireflective.

In evaluating the visual impacts, the Applicant first determined whether the solar arrays will be visible from each protected area using digital bare earth modeling. The analysis began with a zone of visual influence (ZVI) analysis (also known as a viewshed or visibility analysis), using Esri ArcGIS software to identify the areas from which the proposed solar panels might be visible.

It should be noted that this “bare-earth” modeling approach, based only on the effects of terrain on visibility, results in a conservative assessment of potential visibility for several reasons. The model does not account for distance, lighting, weather, and atmospheric attenuation factors that diminish visibility under actual field conditions. A bare-earth analysis also does not account for the effects of vegetation or buildings, which will in practice block or screen views in some places. Figure L-2 shows the areas from which the solar arrays will potentially be visible based on the ZVI analysis.

The ZVI analysis indicated proposed solar arrays will not be visible from three of the eight protected areas within the analysis area. Therefore, the solar facilities will clearly have no impact on these three protected areas. The results of the ZVI analysis indicate there will be potential visibility of some portions of the solar arrays from five of the eight protected areas within the analysis area (see Table L-1), based on the existence of a direct line of sight from some portion of the solar facilities to one or more locations within a protected area. The nearest protected area to the solar arrays is the Lindsay Prairie Preserve, located 0.5 mile away at its nearest point (see Table L-1). The ZVI analysis indicated that solar arrays will potentially be visible from portions of this protected area. The analysis also indicated potential visibility of solar facilities from portions of the Umatilla National Wildlife Refuge, Irrigon Fish Hatchery, Horn Butte Curlew ACEC, and Columbia Basin – Coyote Springs Wildlife Area, for which the respective viewing distances range from 14 miles to 19.5 miles at the closest point. The impact analysis concluded there will be negligible visual impacts to these four areas; although the ZVI analysis indicated potential visibility from these protected areas (i.e., a direct line of sight), viewers will be highly unlikely to detect or identify the low-profile solar arrays at such long distances.

Potential visibility is but one of several factors that comprise an assessment of visual impact to a protected area. Other factors to consider include the viewing distance; other natural and human-made features visible within the view; the likely number and nature of visitors to a protected area; and whether there is any management direction related to preservation of scenic quality, either within the protected area or outside of it. Table L-1 provides a summary of the visual impact assessment for each of the eight protected areas. The table includes consideration of the visibility of the up to 0.6-mile associated transmission line for the Facility. Given its short length and location of 18.6 to over 24 miles from seven of the eight protected areas, it was considered highly unlikely to be visible from those seven areas and a separate ZVI was unwarranted. From the Lindsay Prairie Preserve, the analysis conservatively assumes potential visibility of the associated transmission line, discussed in Section 4.4.1.

The one protected area closest to the Facility, the Lindsay Prairie Preserve, will have potential foreground and middle ground views of it. The following section provides a visual impact assessment specific to this protected area.

4.4.1 *Lindsay Prairie Preserve*

At the Lindsay Prairie Preserve, the visual impact of the Facility is considered to be low. The visibility analysis indicates potential visibility of the solar arrays at a distance of 0.5 mile or greater in portions of the Preserve, primarily within the eastern half. Because the solar arrays will have a maximum height of 16 feet, they will not appear as a prominent feature to viewers at this distance. If they were visible, the arrays would appear as a dark line on the horizon and would create minimal visual contrast, which would be seen in context with existing landscape modifications, including existing wind turbines (i.e., the adjacent Wheatridge Facilities) and other electrical infrastructure. The Facility's associated 0.6-mile transmission line may also be visible at a distance of 2.2 miles or greater from portions of the Preserve, primarily in the eastern half. If visible, the transmission line would introduce vertical structures that would create minimal visual contrast in context with substantially taller existing wind turbines as well as other existing similar electrical infrastructure in the viewshed.

The Preserve is fenced, the access gated and locked, and there are no signs, trails, or facilities of any kind. Although the site is open to the public, The Nature Conservancy (TNC) reports that it receives no known public use and is only occasionally visited by TNC staff (personal communication between Kristen Gulick, Tetra Tech, and Kelly Wallis, TNC, January 27, 2021). Views of the Facility will not compromise the purpose of the Preserve, and will affect few users for a short duration. Additionally, the site is not managed for its scenic qualities. Therefore, the Facility will not have a significant adverse visual impact on this protected area.

4.5 Other Impacts

No other impacts to protected areas are anticipated.

5.0 Conclusions

The analysis area contains all or part of eight protected areas. The Applicant analyzed potential impacts to these areas and concluded as follows:

- **Noise.** Due to the distance between the protected areas and the Facility (at least 2 miles except for the Lindsay Prairie Preserve), operational and construction noise will not likely be audible or distinguishable from existing background noise at seven of the eight protected areas. Audible noise equivalent or less than the sound level of a normal conversation (up to 50 decibels) may be heard from the eastern portion of the Lindsay Prairie Preserve. However, the protected area is not considered a noise sensitive property and serves the primary function of being a habitat preserve with little public visitation; thus, significant

impacts are not anticipated. Noise modeling presented in Exhibit X further supports these findings.

- **Traffic.** Facility-related traffic volumes will not be sufficiently high or located so as to significantly impact most protected areas. Construction traffic could cause some short-term, intermittent delays and increased congestion along roads used to access one of the protected areas; however, these will be temporary and traffic conditions will return to typical low levels following construction. There were no identified traffic impacts on protected areas from the Wheatridge Facilities (which has a partially overlapping site boundary), which would have had more construction traffic, including slow-moving trucks, on the same roadways. With implementation of avoidance and minimization measures, as well as development of a Construction Traffic Management Plan as part of the Road Use Agreement in consultation with the appropriate agencies, there will be no significant adverse traffic impacts to protected areas resulting from the construction or operation of the Facility.
- **Water.** The Facility will not use water sourced from a protected area. Therefore, there will be no significant impacts to protected areas by water use at the Facility.
- **Wastewater.** The Facility will not discharge wastewater to a protected area. Therefore, there will be no significant impacts to protected areas due to wastewater generated at the Facility.
- **Visual.** The Facility will be potentially visible from five of the eight protected areas in the analysis area. However, due to distance from the Facility, topographic obstructions, other features within view (i.e., wind turbines and other infrastructure), low user numbers at the nearest sites, and an overall lack of management direction applicable to scenic quality beyond the boundaries of each protected area, the Facility will not have a significant visual impact on any protected area.

6.0 Submittal Requirements and Approval Standards

6.1 Submittal Requirements

Table L-2. Submittal Requirements Matrix

Requirement	Location
OAR 345-021-0010(1)(l) Information about the proposed facility's impact on protected areas, providing evidence to support a finding by the Council as required by OAR 345-022-0040, including:	-
(A) A list of the protected areas within the analysis area showing the distance and direction from the proposed facility and the basis for protection by reference to a specific subsection under OAR 345-022-0040(1).	Section 3.0
(B) A map showing the location of the proposed facility in relation to the protected areas listed in OAR 345-022-0040 located within the analysis area.	Figure L-1

Requirement	Location
(C) A description of significant potential impacts of the proposed facility, if any, on the protected areas including, but not limited to, potential impacts such as:	Table L-1, Section 4.0, and Section 5.0
(i) Noise resulting from facility construction or operation;	Table L-1 and Section 4.1
(ii) Increased traffic resulting from facility construction or operation;	Section 4.2
(iii) Water use during facility construction or operation;	Section 4.3
(iv) Wastewater disposal resulting from facility construction or operation;	Section 4.3
(v) Visual impacts of facility structures or plumes.	Table L-1, Figure L-2, and Section 4.4
(vi) Visual impacts from air emissions resulting from facility construction or operation, including, but not limited to, impacts on Class 1 Areas as described in OAR 340-204-0050.	Section 4.4

6.2 Approval Standards

Table L-3. Approval Standard

Requirement	Location
OAR 345-022-0040 Protected Areas	
(1) Except as provided in sections (2) and (3), the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. References in this rule to protected areas designated under federal or state statutes or regulations are to the designations in effect as of May 11, 2007:	Sections 3.0 through 5.0
(a) National parks, including but not limited to Crater Lake National Park and Fort Clatsop National Memorial;	N/A
(b) National monuments, including but not limited to John Day Fossil Bed National Monument, Newberry National Volcanic Monument and Oregon Caves National Monument;	N/A
(c) Wilderness areas established pursuant to The Wilderness Act, 16 U.S.C. 1131 et seq. and areas recommended for designation as wilderness areas pursuant to 43 U.S.C. 1782;	N/A
(d) National and state wildlife refuges, including but not limited to Ankeny, Bandon Marsh, Baskett Slough, Bear Valley, Cape Meares, Cold Springs, Deer Flat, Hart Mountain, Julia Butler Hansen, Klamath Forest, Lewis and Clark, Lower Klamath, Malheur, McKay Creek, Oregon Islands, Sheldon, Three Arch Rocks, Umatilla, Upper Klamath, and William L. Finley;	Sections 3.0 through 5.0
(e) National coordination areas, including but not limited to Government Island, Ochoco and Summer Lake;	N/A
(f) National and state fish hatcheries, including but not limited to Eagle Creek and Warm Springs;	Sections 3.0 through 5.0

Requirement	Location
(g) National recreation and scenic areas, including but not limited to Oregon Dunes National Recreation Area, Hell's Canyon National Recreation Area, and the Oregon Cascades Recreation Area, and Columbia River Gorge National Scenic Area;	N/A
(h) State parks and waysides as listed by the Oregon Department of Parks and Recreation and the Willamette River Greenway;	N/A
(i) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;	Sections 3.0 through 5.0
(j) State estuarine sanctuaries, including but not limited to South Slough Estuarine Sanctuary, OAR chapter 142;	N/A
(k) Scenic waterways designated pursuant to ORS 390.826, wild or scenic rivers designated pursuant to 16 U.S.C. 1271 et seq., and those waterways and rivers listed as potentials for designation;	N/A
(l) Experimental areas established by the Rangeland Resources Program, College of Agriculture, Oregon State University: the Prineville site, the Burns (Squaw Butte) site, the Starkey site and the Union site;	N/A
(m) Agricultural experimental stations established by the College of Agriculture, Oregon State University, including but not limited to:	N/A
Coastal Oregon Marine Experiment Station, Astoria	N/A
Mid-Columbia Agriculture Research and Extension Center, Hood River	N/A
Agriculture Research and Extension Center, Hermiston	N/A
Columbia Basin Agriculture Research Center, Pendleton	N/A
Columbia Basin Agriculture Research Center, Moro	N/A
North Willamette Research and Extension Center, Aurora	N/A
East Oregon Agriculture Research Center, Union	N/A
Malheur Experiment Station, Ontario	N/A
Eastern Oregon Agriculture Research Center, Burns	N/A
Eastern Oregon Agriculture Research Center, Squaw Butte	N/A
Central Oregon Experiment Station, Madras	N/A
Central Oregon Experiment Station, Powell Butte	N/A
Central Oregon Experiment Station, Redmond	N/A
Central Station, Corvallis	N/A
Coastal Oregon Marine Experiment Station, Newport	N/A
Southern Oregon Experiment Station, Medford	N/A
Klamath Experiment Station, Klamath Falls	N/A
(n) Research forests established by the College of Forestry, Oregon State University, including but not limited to McDonald Forest, Paul M. Dunn Forest, the Blodgett Tract in Columbia County, the Spaulding Tract in the Mary's Peak area and the Marchel Tract;	N/A
(o) Bureau of Land Management areas of critical environmental concern, outstanding natural areas and research natural areas;	Sections 3.0 through 5.0
(p) State wildlife areas and management areas identified in OAR chapter 635, division 8.	Sections 3.0 through 5.0

Requirement	Location
(2) Notwithstanding section (1), the Council may issue a site certificate for a transmission line or a natural gas pipeline or for a facility located outside a protected area that includes a transmission line or natural gas or water pipeline as a related or supporting facility located in a protected area identified in section (1), if other alternative routes or sites have been studied and determined by the Council to have greater impacts. Notwithstanding section (1), the Council may issue a site certificate for surface facilities related to an underground gas storage reservoir that have pipelines and injection, withdrawal or monitoring wells and individual wellhead equipment and pumps located in a protected area, if other alternative routes or sites have been studied and determined by the Council to be unsuitable.	N/A
(3) The provisions of section (1) do not apply to transmission lines or natural gas pipelines routed within 500 feet of an existing utility right-of-way containing at least one transmission line with a voltage rating of 115 kilovolts or higher or containing at least one natural gas pipeline of 8 inches or greater diameter that is operated at a pressure of 125 psig.	N/A

7.0 References

BLM (U.S. Bureau of Land Management). 2018. BLM OR Recreation Site Polygon. Available online at: <https://www.blm.gov/or/gis/data.php/>.

ODOE (Oregon Department of Energy). 2021. Wagon Trail Solar Project. First Amended Project Order. Issued August 17, 2021. Salem, OR. Available online at: <https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2021-08-17-WTS-APP-NOI-Amended-Project-Order.pdf>

ODFW (Oregon Department of Fish and Wildlife). 2021. Visit ODFW Hatcheries. Available online at: <https://myodfw.com/visit-odfw-hatcheries>.

USGS (U.S. Geological Survey). 2018. Protected Areas Database of the United States. Available online at: <https://maps.usgs.gov/padus/>.

Figures

Wagon Trail Solar Project

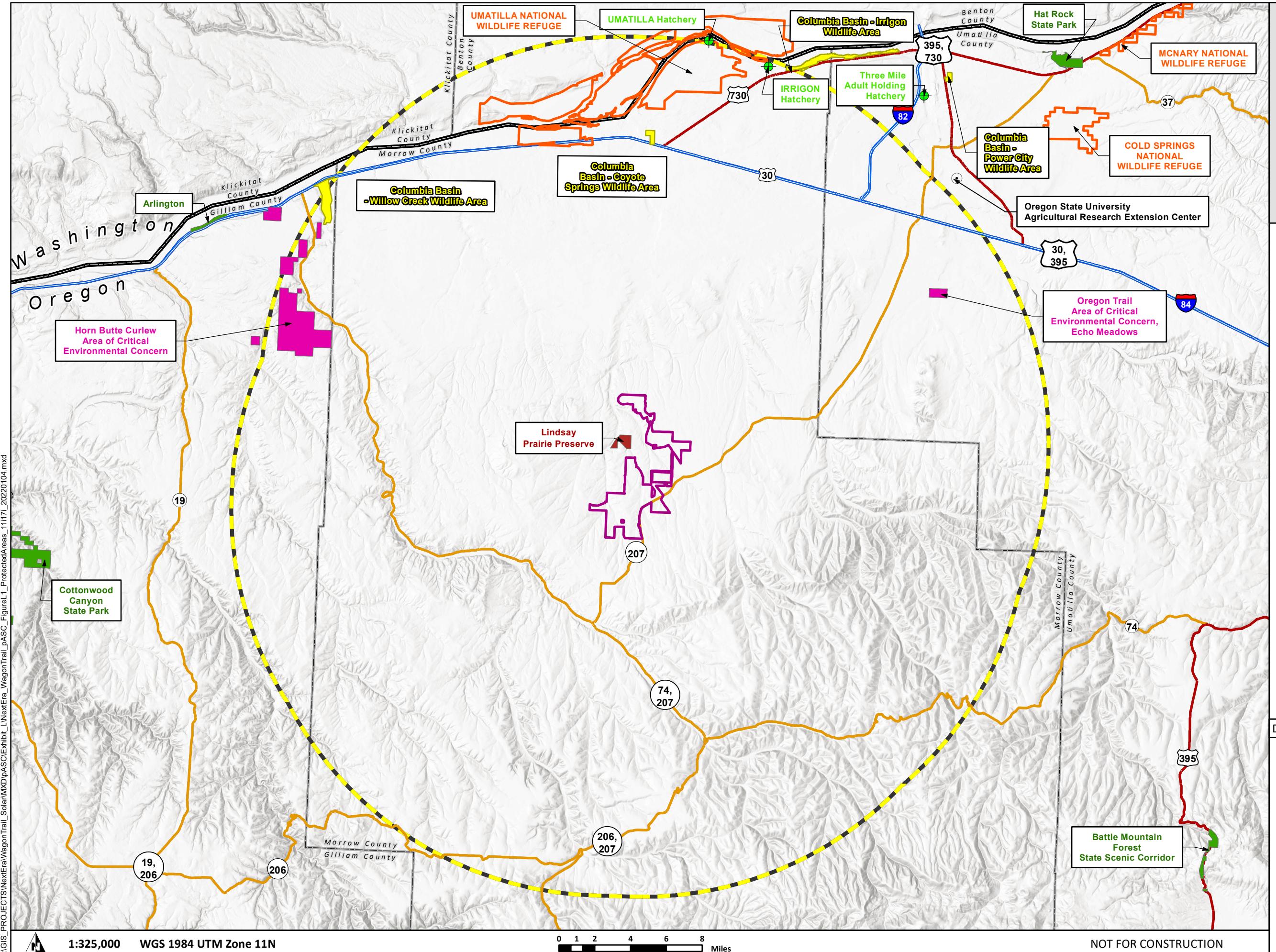
Figure L-1
Protected Areas within
the Analysis Area

MORROW COUNTY, OREGON

- Site Boundary
- Analysis Area (20-mile Buffer)
- Research Center (OSU)
- Fish Hatchery
- US Fish and Wildlife Service Refuge (USFWS)
- Oregon Department of Fish and Wildlife Wildlife Refuge (ODFW)
- Areas of Critical Environmental Concern (BLM)
- Oregon Parks and Recreation Department Site (OPRD)
- Natural Areas (TNC)
- County Boundary
- State Boundary
- Interstate Highway
- US Highway
- State Highway

 **TETRA TECH**
ENERGY

Data Sources	Reference Map
NextEra-Project Infrastructure; USDA-Aerial Imagery; ESRI-County Boundaries	



Wagon Trail Solar Project

Figure L-2
Zone of Visual Influence

MORROW COUNTY, OREGON

- Site Boundary
- Analysis Area (20-mile Buffer)
- Solar Array Not Visible
- Solar Array Potentially Visible
- Research Center (OSU)
- Fish Hatchery
- US Fish and Wildlife Service Refuge (USFWS)
- Oregon Department of Fish and Wildlife Wildlife Refuge (ODFW)
- Areas of Critical Environmental Concern (BLM)
- Oregon Parks and Recreation Department Site (OPRD)
- Natural Areas (TNC)
- County Boundary
- State Boundary
- Interstate Highway
- US Highway
- State Highway

 **TETRA TECH**  **NEXTERA ENERGY** RESOURCES

Data Sources	Reference Map
NextEra-Project Infrastructure; USDA-Aerial Imagery; ESRI-County Boundaries	