

Exhibit S

Historic, Cultural, and Archaeological Resources

**Wagon Trail Solar Project
January 2022**

Prepared for



Prepared by



Tetra Tech, Inc.

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Acronyms and Abbreviations

Applicant	Wheatridge East Wind, LLC c/o NextEra Energy Resources, LLC
CRPP	Cultural Resources Protection Program
CTUIR	Confederated Tribes of the Umatilla Indian Reservation
CTWSRO	Confederated Tribes of the Warm Springs Reservation of Oregon
Council	Oregon Energy Facility Siting Council
Facility	Wagon Trail Solar Project
GPS	global positioning system
HPRCSIT	Historic Properties of Religious and Cultural Significance to Indian Tribes
NRHP	National Register of Historic Places
Nez Perce	Nez Perce Tribe
OAR	Oregon Administrative Rules
ORS	Oregon Revised Statutes
SHPO	State Historic Preservation Office
Yakama Nation	Confederated Tribes and Bands of the Yakama Nation

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 S was prepared to meet the submittal requirements in Oregon Administrative Rules (OAR) 345-021-0010(1)(s).

2.0 Analysis Area

OAR 345-021-0010(1)(s) Information about historic, cultural and archaeological resources. Information concerning the location of archaeological sites or objects may be exempt from public disclosure under ORS 192.502(4) or ORS 192.501(11). The applicant shall submit such information separately, clearly marked as "confidential," and shall request that the Department and the Council keep the information confidential to the extent permitted by law. The applicant shall include information in Exhibit S or in confidential submissions providing evidence to support a finding by the Council as required by OAR 345-022-0090, including:

Pursuant to OAR 345-021-0010(1)(a) and (b) and through consultation with the State Historic Preservation Office (SHPO) and as defined in the Project Order, the analysis area for cultural resources has been divided in two: archaeological and aboveground (ODOE 2021). Both are depicted on Figure S-1. The archaeological analysis area is the site boundary. The site boundary is defined in detail in Exhibits B and C. The aboveground analysis area consists of the site boundary and a one mile buffer and addresses historic buildings, Traditional Cultural Properties, and Historic Properties of Religious and Cultural Significance to Indian Tribes (HPRCSITs).

Note that the Facility site boundary has expanded twice, once by 1,382 acres and twice by 119 acres (making the site boundary a total of 7,450 acres). The second addition occurred since the last issuance of the Applicant's Notice of Intent on June 11, 2021; the Oregon Energy Facility Siting Council (Council) has confirmed that this addition will not require an amended Notice of Intent, thus this change is reflected herein and in subsequent exhibits of this Application for Site Certificate. King et al. (2021) includes the cultural resource findings for these two additions and the aboveground analysis area. All areas of the Facility site boundary have been subject to cultural resource surveys, while the surrounding 1-mile area has been subject to an aboveground reconnaissance from public rights-of-way.

3.0 Historic and Cultural Resources within the Analysis Area

3.1 Historic and Cultural Resources Listed, or Likely Eligible for Listing, on the National Register of Historic Places

OAR 345-021-0010(1)(s)(A) Historic and cultural resources within the analysis area that have been listed, or would likely be eligible for listing, on the National Register of Historic Places.

There are two HPRCSITs (Sisupa and Sand Hollow Battleground), two historic sites (WT-H-10 and WT-H-13), and four archaeological sites (WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10) in the analysis area (archaeological and aboveground combined) that are subject to Siting Standard OAR 345-021-0010(1)(s)(A) (see Table S-2 in Section 4.2). The HPRCSITs and historic sites are National Register of Historic Places (NRHP)-eligible or potentially eligible (WT-H-13), and the archaeological sites are unevaluated for NRHP eligibility. Unevaluated resources are treated as NRHP-eligible.

3.2 Archaeological Objects and Sites on Private Lands within the Analysis Area

OAR 345-021-0010(1)(s)(B) For private lands, archaeological objects, as defined in ORS 358.905(1)(a), and archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.

All of the archaeological sites (11) and objects (5) have been identified on private lands within the archaeological analysis area (see Table S-2 in Section 4.2). All of these resources with the exception of four archaeological sites (WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10) have been recommended by King and Cody (2019), King and Berger (2019, 2021), and King et al. (2021) as not eligible for listing on the NRHP. The four archaeological sites are unevaluated for listing on the NRHP and treated as NRHP-eligible.

3.3 Archaeological Sites on Public Lands within the Analysis Area

OAR 345-021-0010(1)(s)(C) For public lands, archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.

There are no public lands within the analysis area.

4.0 Significant Potential Impacts of Construction and Operation, and Retirement of the Facility on Historic, Cultural, and Archaeological Resources

OAR 345-021-0010(1)(s)(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs

(A), (B) and (C) and a plan for protection of those resources that includes at least the following:

4.1 Methods

(i) A description of any discovery measures, such as surveys, inventories, and limited subsurface testing work, recommended by the State Historic Preservation Officer or the National Park Service of the U.S. Department of Interior for the purpose of locating, identifying and assessing the significance of resources listed in paragraphs (A), (B) and (C).

The entirety of the archaeological analysis area has been surveyed for cultural resources by Dickson (2014), King and Cody (2019), King and Berger (2019), King and Berger (2021), and King et al. (2021) (copies of these studies are provided in confidential Attachment S-1). Dickson (2014) was completed by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Cultural Resources Protection Program (CRPP) for the Wheatridge Wind Energy Facility. King and Cody (2019) and King and Berger (2019) were conducted by Tetra Tech for the Wheatridge Solar Energy Project. King and Berger (2021) and King et al. (2021) were conducted specifically for the Facility and covered portions of the archaeological analysis area not previously surveyed by Dickson (2014), King and Cody (2019), or King and Berger (2019). King et al. (2021) also includes the aboveground reconnaissance survey of the aboveground analysis area. Figure S-2 shows the applicable survey area addressed by each report.

4.1.1 Records Review

Prior to each survey applicable to the Facility (Dickson 2014; King and Cody 2019; King and Berger 2019; King and Berger 2021; King et al. 2021), the SHPO's Online Archaeological Records Remote Access and Historic Sites Databases were reviewed by each to identify previously conducted surveys and recorded cultural resources within or near the applicable survey area. Surveys conducted by Tetra Tech subsequent to Dickson (2014) also reviewed the applicable results and records search data collected and documented in each prior survey report.

Prior to surveys conducted specifically for the Facility (King and Berger 2021; King et al. 2021), nine previous surveys covered portions of the analysis area, including those conducted by CTUIR CRPP and Tetra Tech for the Wheatridge Wind and Solar Energy Projects: Cole (1978), Flenniken and Ozburn (1993), Engum (2013), Dickson (2014), Teoh (2016), King and Cody (2018 and 2019), King and Berger (2019), and Boula (2019). For the most part, the analysis area had not been subjected to prior survey for cultural resources.

The records review conducted by King and Berger (2021) and King et al. (2021) found four historic sites (Lexington-Echo Highway/OR 207, Bombing Range Road, Strawberry Lane, and Starvation Farms/72967 Strawberry Lane), one archaeological site (WRII-DM-04), and one archaeological object (WRII-BB-ISO-01) to be previously recorded within the analysis area. All were recorded by surveys conducted for the Wheatridge Solar Energy Project: King and Cody (2019) and King and Berger (2019). No historic sites were previously recorded within the 1-mile buffer portion of the

aboveground analysis area. However, potential historic sites were identified in that area through a review of historic maps and aerial photographs (see below). These locations were targeted as part of the aboveground reconnaissance survey (see Section 4.1.2).

Additionally, two previously recorded Traditional Cultural Properties overlap a portion of the analysis area and are documented in Engum (2013): Sisupa and Sand Hollow Battleground. Both are Traditional Cultural Properties identified as HPRCSITs by CTUIR. Sisupa is a campsite between the Columbia River and Ione (Hunn et al. 2015:86). Sand Hollow Battleground is the site of the largest battle of the Cayuse War (Minthorn 2006:82; Mitchell 2003). Both sites have been determined to be NRHP-eligible. It is unknown if there are specific archaeological or historic sites associated with the HPRCSITs. (The Applicant is consulting with tribes outside of the Council process.)

As indicated above, historic maps and aerial photographs of the analysis area were reviewed for indications of potential cultural resources that could be encountered during the surveys. These documents also aided in determining the locations of potential historic sites within the aboveground analysis area as well as in the NRHP-eligibility evaluation of resources identified by the surveys.

4.1.2 Field Surveys

As noted above, three prior surveys related to the Wheatridge Wind Energy Facility addressed portions of the analysis area (Table S-1): Dickson (2014), King and Cody (2019), and King and Berger (2019). To address those portions of the analysis area that were not surveyed by those efforts, Tetra Tech conducted a “non-collection” Phase I pedestrian survey of the remaining archaeological analysis area. An initial survey occurred between August 17 and 29, 2020, covering 4,409.16 acres (King and Berger 2021). Additional surveys occurred between April 19 and 23, 2021, and November 16 and 18, 2021, covering an additional 1,491.52 acres (King et al. 2021). The April and November 2021 mobilizations also included a reconnaissance of historic sites within the aboveground analysis area and is documented in King et al. (2021). Figure S-2 provides an overview of the survey coverage of the analysis area, while confidential Figure S-3 provides further detail of survey coverage and resource locations. All five reports being used to address the analysis area are included in confidential Attachment S-1 and summarized in Table S-1. Field methods employed for each survey are summarized below.

Table S-1. Field Efforts Undertaken for the Facility

Author (Affiliation)	Date	Title
Catherine Dickson (Confederated Tribes of the Umatilla Indian Reservation)	2014	<i>An Archaeological Investigation for the Wheatridge Wind Energy Facility, Morrow and Umatilla Counties, Oregon</i>
Erin King and Tia Cody (Tetra Tech, Inc.)	2019	<i>Supplemental Cultural Resources Pedestrian Survey Report – Wheatridge Solar Assessment, Morrow and Umatilla Counties, Oregon</i>

Author (Affiliation)	Date	Title
Erin King and Brady Berger (Tetra Tech, Inc.)	2019	<i>Supplemental Cultural Resources Pedestrian Survey Report Addendum 1 – Wheatridge Solar Assessment, Morrow and Umatilla Counties, Oregon</i>
Erin King and Brady Berger (Tetra Tech, Inc.)	2021	<i>Cultural Resources Pedestrian Survey Report, Wagon Trail Solar Expansion Project, Morrow County, Oregon</i>
Erin King, Kaley Brown, and Brady Berger (Tetra Tech, Inc.)	2021	<i>Cultural Resources Survey Report Addendum 1, Wagon Trail Solar Project, Morrow County, Oregon</i>

4.1.2.1 *Dickson (2014) Archaeological Investigation*

The pedestrian survey was conducted in the proposed development corridors of the Wheatridge Wind Energy Facility. Generally wind turbine survey corridors were 656 to 984 feet (200 to 300 meters) wide, and roads and collection line survey corridors were 197 to 328 feet (60 to 100 meters) wide. SHPO guidelines as of 2007 (SHPO 2007:26) were followed for this pedestrian survey. The survey was conducted using parallel transects spaced 98 feet (30 meters) apart. Global positioning system (GPS) units were used to assist in locating the project area, and hard copy topographic maps and aerial photos were also used while in the field. Pedestrian survey was conducted between October 28, 2013 and January 17, 2014. The survey was conducted by a CRPP field director and six archaeologists or cultural resource technicians under the supervision of an archaeologist who met the Secretary of Interior Qualifications for Archaeology. In total 13,078 acres were surveyed for archaeological resources. The weather was cold, often below freezing, sometimes causing delays due to snow or heavy hoar frost.

Upon finding archaeological resources, the survey stopped and surveyors examined the area using meandering transects spaced between 6.6 and 9.8 feet (2 and 3 meters) apart searching for additional artifacts and to delineate the boundaries of the archaeological resource. Each site or isolated find was photographed and recorded to SHPO's standards. Archaeological sites were defined as 1) those localities with 10 or more artifacts likely to have been generated by patterned cultural activity within an area reasonable for that activity; or 2) features with or without associated artifacts, like rock features. An isolated find was defined as an occurrence that does not qualify as a site because it lacks features or has fewer than 10 artifacts (SHPO 2007:9).

Ground surface visibility during the survey was approximately 40 percent in grazed areas and ranged between 10 and 100 percent in cultivated areas depending on crop status.

4.1.2.2 *King and Cody (2019) Supplemental Cultural Resources Pedestrian Survey Report*

Tetra Tech conducted a “non-collection” Phase I pedestrian survey of 2,291.03 acres between August 21 and 29, 2018. No subsurface boundary probing of archaeological resources was conducted. No areas of poor ground surface visibility (less than 30 percent) or high probability for

buried resources were identified. The inventory was conducted by Tetra Tech's professional archaeologists, including two co-field directors and five archaeological technicians, under the supervision of a principal investigator. Crews walked and observed the ground, spread out in line at 20-meter intervals (i.e., transects), working under the guidance of the field directors. As a result of agricultural fields being recently cut and tilled, ground surface visibility was good to excellent (greater than 60 percent) throughout the survey area. Weather conditions were warm to very warm and dry. Control was maintained through the use of field maps and GPS units with submeter accuracy. No part of the survey area was inaccessible.

4.1.2.3 King and Berger (2019) Supplemental Cultural Resources Pedestrian Survey Report Addendum 1

Tetra Tech conducted a "non-collection" Phase I pedestrian survey of the survey area on May 1–2, 2019. No subsurface probing of archaeological resources was conducted. No areas of poor ground surface visibility (less than 30 percent) or high probability for buried resources were identified. The inventory was conducted by Tetra Tech's professional archaeologists, under the supervision of a principal investigator. The survey outing was conducted by one crew of two archaeologists (one field director and one archaeological technician). The crew walked and observed the ground, spread out in line at 20-meter intervals (i.e., transects), working under the guidance of the field director. Weather conditions during the survey were warm and dry. Control was maintained through the use of field maps and GPS units with submeter accuracy. No part of the survey area was inaccessible.

4.1.2.4 King and Berger (2021) Cultural Resources Pedestrian Survey Report

Tetra Tech conducted a "non-collection" Phase I pedestrian survey of a 4,409-acre Survey Area between August 17 and 29, 2020. No subsurface probing of archaeological resource boundaries was conducted. No areas of poor ground surface visibility or high probability for buried resources were identified. The inventory was conducted by Tetra Tech's professional archaeologists, including one field director and six archaeological technicians, under the supervision of a principal investigator. Crews walked and observed the ground, spread out in line at 20-meter intervals (i.e., transects), working under the guidance of the field director. As a result of agricultural fields being recently cut and tilled, ground surface visibility was good to excellent (greater than 60 percent) throughout the survey area. Weather conditions during the survey were warm to hot and dry. Control was maintained through the use of field maps and GPS units with submeter accuracy. No part of the survey area was inaccessible.

4.1.2.5 King et al. (2021) Cultural Resources Survey Report

This survey included an archaeological survey of the site boundary (archaeological analysis area) and aboveground reconnaissance survey of the site boundary and a 1-mile buffer (aboveground analysis area), as detailed below. The survey was conducted between April 19 and 23, 2021, by one crew of five Tetra Tech archaeologists (one field director and four archaeological technicians) and

one architectural historian. Weather conditions during the survey were warm and dry. An additional mobilization occurred between November 16 and 18, 2021, by one crew of three archaeologists (one Field Director and two Archaeological Technicians). Weather conditions during that mobilization were cool and ranged from sunny and windy to light rain on the final day. During both mobilizations, control was maintained through the use of field maps and GPS units with submeter accuracy.

Archaeological Survey

The archeological survey area was 1,491.52 acres. Approximately 95 percent of the archaeological survey area comprises active agricultural fields. Archaeological survey methods were consistent with those employed and described in King and Berger (2021). Transects were spaced 66 feet (20 meters) apart, and no subsurface probing occurred. No areas of poor ground surface visibility (less than 30 percent) or high probability for buried resources were identified.

Architectural Reconnaissance Survey

The architectural reconnaissance survey was conducted consistent with methods outlined in SHPO's *Guidelines for Historic Resource Surveys in Oregon* (SHPO 2011). The architectural historian along with one of the archaeological field technicians visited potential historic aboveground sites identified through the literature review as within the architectural reconnaissance survey area. Historic sites and built environment resources were defined as resources consisting of standing or in-use buildings or structures 50 years of age or older. Potential historic built environment sites were identified by comparing buildings identified on the reviewed historic maps and aerial photographs with modern aerial photographs. These were plotted in geographic information systems software and indicated on field maps prior to mobilization. The architectural historian with the assistance of one archaeological field technician visited each pre-plotted potential historic site to confirm the presence of historic buildings and/or structures. Additionally, the architectural historian conducted a reconnaissance to identify other historic sites that were not identified through the pre-field historic map and aerial photograph review. When standing built environment resources were observed, they were documented in the field. Historic sites within the archaeological survey area (equivalent to the archaeological analysis area or Facility site boundary) were completely accessible, but properties outside this area were not and were documented from the public right-of-way. Locations were mapped using a GPS receiver and resources were photographed and recorded on photograph logs.

4.1.3 Tribal Consultation

The Applicant has notified the CTUIR, Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), Nez Perce Tribe (Nez Perce), and Confederated Tribes and Bands of the Yakama Nation (Yakama Nation) regarding the Facility and inquired of their concerns.

The Facility was introduced to CTUIR via a teleconference on August 3, 2020. Although the CTUIR was invited to participate in the August 2020 survey, their staff were unavailable to participate at the time. At CTUIR's request, Tetra Tech's botany surveyors provided a list of First Foods observed

within the Facility's site boundary during botanical surveys in 2021. These foods were primarily identified outside of the active agricultural fields.

Drafts of King and Berger (2021) and King et al. (2021) have been provided to CTUIR and CTWSRO for review and comment. CTUIR responded via email to the Applicant on December 28, 2021 that they had no comments.

4.2 Survey and Inventory Results

(ii) The results of the discovery measures described in subparagraph (i), together with an explanation by the applicant of any variations from the survey, inventory, or testing recommended.

Surveys conducted within the overall analysis area (Dickson 2014; King and Cody 2019; King and Berger 2019; King and Berger 2021; King et al. 2021) have identified a total of 35 cultural resources. This includes 11 archaeological sites, 5 archaeological objects, and 17 historic sites. In addition, 2 previously recorded HPRCSITs documented by Engum (2014) overlap a portion of the analysis area. These resources are summarized in Table S-2.

All of the archaeological objects, 15 of the historic sites, and 7 of the archaeological sites are considered not eligible for listing on the NRHP. Two historic sites (WT-H-10 and WT-H-13) are within the aboveground analysis area but outside the site boundary and are considered eligible for listing on the NRHP. Four archaeological sites (WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10) are within the site boundary and unevaluated for NRHP eligibility. As noted above, the two HPRCSITs are NRHP-eligible and partially within the site boundary, but also partially within the 1-mile buffer of the aboveground analysis area. The SHPO has confirmed the ineligibility status of four of the historic sites (Lexington-Echo Highway/OR 207, Bombing Range Road, Strawberry Lane, and Starvation Farms/72967 Strawberry Lane) identified in King and Cody (2019; see Attachment S-2) and the NRHP-eligibility of the HPRCSITs. SHPO has not yet reviewed the recommended NRHP eligibility of the remaining resources. With the exception of the HPRCSITs, all of the cultural resources subject to the Council Siting Standards within the analysis area (see Table S-2) will be directly avoided by the Facility, as proposed. Significant indirect visual impacts on historic sites in the aboveground analysis area are not anticipated. Locations of these resources are included in confidential Figure S-3.

Table S-2. Cultural Resources Identified in the Analysis Area

Resource	Resource Description	Survey Report	Landowner Status	NRHP Status*	Applicable Council Siting Standard OAR 345-022-0090(1)
Historic Sites					
Lexington-Echo Highway (OR 207)	In-use/modernized segment of historic road.	King and Cody (2019)	ODOT	Not Eligible	None
Bombing Range Road	In-use/modernized segment of historic road.	King and Cody (2019)	ODOT	Not Eligible	None
Strawberry Lane	In-use/modernized segment of historic road.	King and Cody (2019)	ODOT	Not Eligible	None
Starvation Farms/72967 Strawberry Lane	Historic building (shed) within modern farm.	King and Cody (2019)	Private	Not Eligible	None
WT-H-01	Historic farm/ranch complex (4H Ranch)	King et al. (2021)	Private	Not Eligible	None
WT-H-02	Historic cistern	King et al. (2021)	Private	Not Eligible	None
WT-H-03	Historic farmstead and grain bins	King et al. (2021)	Private	Not Eligible	None
WT-H-04	Historic farm/ranch complex (67554 and 67556 Juniper Canyon Rd.)	King et al. (2021)	Private	Not Eligible	None
WT-H-05	Historic farmstead	King et al. (2021)	Private	Not Eligible	None
WT-H-06	Historic farmstead (68078 Lindsay Rd.)	King et al. (2021)	Private	Not Eligible	None
WT-H-07	Historic farmstead (67057 and 67031 Marquardt Rd.)	King et al. (2021)	Private	Not Eligible	None
WT-H-08	Historic farmstead (67070 Marquardt Rd.)	King et al. (2021)	Private	Not Eligible	None
WT-H-09	Historic farmstead	King et al. (2021)	Private	Not Eligible	None
WT-H-10	Historic grain elevator (North Lexington Grain Elevator)	King et al. (2021)	Private	Eligible	A
WT-H-11	Historic farm/ranch	King et al. (2021)	Private	Not Eligible	None

EXHIBIT S: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES

Resource	Resource Description	Survey Report	Landowner Status	NRHP Status*	Applicable Council Siting Standard OAR 345-022-0090(1)
WT-H-13	Historic residence (70575 Bombing Range Rd.)	King et al. (2021)	Private	Potentially Eligible	A
WT-H-14	Historic ranch (Kilkenny Ranch)	King et al. (2021)	Private	Not Eligible	None
Archaeological Sites					
WRII-DM-04	Abandoned historic agricultural access road.	King and Cody (2019)	Private	Not Eligible	B
WT-BB-01	Historic refuse scatter	King and Berger (2021)	Private	Not Eligible	B
WT-BB-02	Historic refuse scatter	King and Berger (2021)	Private	Not Eligible	B
WT-BB-03	Historic refuse scatter	King and Berger (2021)	Private	Not Eligible	B
WT-BB-04	Historic refuse scatter	King and Berger (2021)	Private	Not Eligible	B
WT-BB-05	Abandoned historic cistern	King et al. (2021)	Private	Unevaluated	A, B
WT-BB-06	Historic refuse scatter	King et al. (2021)	Private	Unevaluated	A, B
WT-BB-07	Historic road sign	King et al. (2021)	Private	Not Eligible	B
WT-BB-08	Historic refuse scatter	King et al. (2021)	Private	Unevaluated	A, B
WT-BB-09	Historic refuse scatter	King et al. (2021)	Private	Not Eligible	B
WT-BB-10	Historic refuse scatter	King et al. (2021)	Private	Unevaluated	A, B
Archaeological Objects					
WRII-BB-ISO-01	Historic refuse	King and Berger (2019)	Private	Not Eligible	B
WT-BB-ISO-02	Historic refuse	King and Berger (2021)	Private	Not Eligible	B
WT-BB-ISO-03	Historic refuse	King and Berger (2021)	Private	Not Eligible	B
WT-BB-ISO-04	Historic refuse	King and Berger (2021)	Private	Not Eligible	B
WT-BB-ISO-05	Historic refuse	King and Berger (2021)	Private	Not Eligible	B

Resource	Resource Description	Survey Report	Landowner Status	NRHP Status*	Applicable Council Siting Standard OAR 345-022-0090(1)
Historic Properties of Religious and Cultural Significance to Indian Tribes (HPRCSIT)					
Sand Hollow Battleground	HPRCSIT	Engum (2013)	BLM, DOD, Private	Eligible	A
Sisupa	HPRCSIT	Engum (2013)	DOD, Private	Eligible	A
<p>* SHPO has confirmed NRHP status of the Lexington-Echo Highway (OR 207), Bombing Range Road, Strawberry Lane, Starvation Farms/72967 Strawberry Lane, Sand Hollow Battleground, and Sisupa sites. See Attachment S-2 for concurrence on the four roads/historic sites. The two HPRCSITs were previously determined as NRHP-eligible. SHPO has not yet reviewed the NRHP eligibility recommendations of the remaining resources.</p> <p>BLM = U.S. Bureau of Land Management; DOD = U.S. Department of Defense; NRHP = National Register of Historic Places; ODOT = Oregon Department of Transportation; SHPO = State Historic Preservation Office</p>					

4.3 Significant Potential Impacts of the Facility

OAR 345-021-0010(1)(s)(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs (A), (B) and (C) and a plan for protection of those resources that includes at least the following:...

Survey efforts were conducted through multiple surveys: Dickson (2014), King and Cody (2019), King and Berger (2019), King and Berger (2021), and King et al. (2021). All five survey reports are included in confidential Attachment S-1. Resources subject to the Council Siting Standards are indicated in Table S-2 above. Survey coverage of each analysis area is depicted on Figure S-2 and confidential Figure S-3. Confidential Figure S-3 also depicts resource locations within each analysis area.

As described in Section 3.1, eight resources are subject to Council Siting Standard OAR 345-022-0090(1)(A) (listed or likely eligible for listing on the NRHP). This includes four archaeological sites (WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10), two historic sites (WT-H-10 and WT-H-13), and the two HPRCSITs (Sand Hollow Battleground and Sisupa). The four archaeological sites consist of an abandoned historic cistern (WT-BB-05) and historic refuse scatters (WT-BB-06, WT-BB-08, and WT-BB-10). All are unevaluated for NRHP eligibility; they are therefore treated as potentially eligible, and all are avoided by Facility design by a minimum of 100 feet (30 meters). The historic sites are a historic grain elevator (WT-H-10) and a historic residence (WT-H-13); the resources are considered eligible (WT-H-10) and potentially eligible (WT-H-13) for listing on the NRHP. Both historic sites are within 1,000 feet of and outside of the Facility site boundary. Direct impacts on these sites would therefore not occur. Pending SHPO's concurrence with the NRHP eligibility recommendations and reasonings, indirect visual impacts on the sites are not expected to be significant given that the settings of these resources do not contribute to their NRHP eligibility and because of the extent of existing modern renewable energy infrastructure (wind turbines) in the surrounding landscape. The two HPRCSITs are NRHP-eligible and overlap a portion of the Facility

site boundary. The Applicant is addressing tribal concerns for the HPRCSITs through coordination with the CTUIR and outside of the Council process. Given the avoidance of WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10; the lack of indirect impacts to WT-H-10 and WT-H-13; and the ongoing coordination with CTUIR regarding the HPRCSITs, no significant impacts on resources subject to the Council Siting Standard OAR 345-022-0090(1)(A) are anticipated.

All of the 11 archaeological sites and 5 archaeological objects identified in the archaeological analysis area are located on private lands and are subject to the Council Siting Standard OAR 345-022-0090(1)(B) (archaeological objects and sites on private lands). As described above, 4 of the archaeological sites (WT-BB-05, WT-BB-06, WT-BB-08, and WT-BB-10) are unevaluated for listing on the NRHP and are treated as NRHP-eligible. As noted above, direct impacts on these potentially significant archaeological resources will be avoided by the Facility. The remaining 7 archaeological sites (WRII-DM-04, WT-BB-01, WT-BB-02, WT-BB-03, WT-BB-04, WT-BB-07, and WT-BB-09) and all 5 archaeological objects (WRII-BB-ISO-01, WT-BB-ISO-02, WT-BB-ISO-03, WT-BB-ISO-04, and WT-BB-ISO-05) are considered not eligible for listing on the NRHP; impacts on these resources are not considered significant. Because these resources are not eligible for listing on the NRHP and cannot provide significant information pertaining to national or local prehistory or history, beyond that already documented in the associated survey reports, any impact on these resources would not be significant. NRHP-ineligible archaeological sites and objects are not considered significant archaeological resources as they do not meet the NRHP-eligibility criteria. Further, the sites do not meet the state's definition of a "site of archaeological significance" (Oregon Revised Statutes [ORS] 358.905(1)(b)). By their nature, any meaningful information that could be gleaned from NRHP-ineligible resources (whether a site or object) would have been recorded in the associated cultural resources survey report and NRHP-eligibility evaluation. These recordings and evaluations have concluded that the resources cannot be significantly associated with the prominent historic themes, persons, or events that have been identified for the area, nor are they representative of a unique type, period, or method of construction. They are not representative of a master nor do they have high artistic values. They are unable to answer research questions pertinent to the region and do not offer any additional information that could inform our understanding of prehistory or history in a meaningful way. Mitigation of these NRHP-ineligible resources would not provide us with any significant information or knowledge beyond that documented in the survey report. Based on this reasoning, impacts on NRHP-ineligible archaeological sites and objects protected by OAR 345-021-0010(1)(s)(B) would not be considered significant impacts and no mitigation of these non-significant resources is proposed. Nevertheless, all NRHP-ineligible archaeological sites and objects will be flagged and Facility-related disturbance avoided by a minimum of 100 feet (30 meters).

Although considered unlikely to occur, there is always a potential for an inadvertent discovery of cultural resources during construction. To avoid impacts on unidentified cultural resources, a preliminary Inadvertent Discovery Plan is provided as Appendix D in King and Berger (2021). The document is considered a "living" document and is anticipated to be modified and updated ahead of construction to address any Facility design changes and reviewing agency concerns. The final version of the plan will be implemented during construction.

4.4 Measures Designed to Prevent the Destruction of Historic, Cultural, and Archaeological Resources

(iii) A list of measures to prevent destruction of the resources identified during surveys, inventories and subsurface testing referred to in subparagraph (i) or discovered during construction.

As noted above, the Facility has been designed to avoid significant impacts to cultural resources by avoiding known resources that are subject to the Council Siting Standards at OAR 345-021-0010(1)(s). Several measures to prevent the destruction of historic, cultural, and archaeological resources have been identified by the Applicant. These are outlined below.

4.4.1 Avoidance Measures

With the exception of Lexington-Echo Highway/OR 207, Bombing Range Road, Strawberry Lane, Sand Hollow Battleground, and Sisupa, the Applicant will avoid all of the identified cultural resources in Facility development by a minimum of 100 feet (30 meters) regardless of NRHP-eligibility. Within the Facility site boundary, these areas within 300 feet (91 meters) of disturbance will be flagged and marked on construction plans as “environmentally sensitive areas” or other marking that does not denote their archaeological nature. This recommendation is based on the Council Siting Standards at OAR 345-021-0010(1)(s)(A), which protects NRHP-listed or likely NRHP-eligible historic properties, and OAR 345-021-0010(1)(s)(B), which protects archaeological sites and objects (isolated finds) on private land.

4.4.2 Continued Coordination with Native Americans

The Applicant will continue consultations with the CTUIR and CTWSRO to assess any impacts the Facility may have on the identified HPRCSITs as well as any other traditional resources of concern to these Tribes. The Applicant will continue their coordination and open communications with the CTUIR and CTWSRO throughout the Facility development to avoid impacting cultural resources, including HPRCSITs. Tribal consultation will occur outside of the Council process.

4.4.3 Worker Environmental Awareness Program

Before beginning construction, the Applicant will ensure that a qualified archeologist, as defined in OAR 736-051-0070, trains construction contractors on how to identify sensitive historic, cultural, and archaeological resources present on-site, measures to avoid accidental damage to identified resource sites, identification of areas to be avoided, and implementation of the finalized Inadvertent Discovery Plan (see Section 4.4.5).

4.4.4 Inadvertent Discovery Plan

As noted above, a preliminary Inadvertent Discovery Plan has been drafted and is included as Appendix D to King and Berger (2021). The plan has been extracted from the report and included as Attachment S-3. The plan will be developed and finalized in consultation with ODOE, SHPO, and consulted tribes ahead of construction and implemented during construction.

5.0 Proposed Monitoring Plan

OAR 345-021-0010(1)(s)(E) The applicant's proposed monitoring program, if any, for impacts to historic, cultural and archaeological resources during construction and operation of the proposed facility.

Given the sensitive nature of the two HPRCITs (Sand Hollow Battleground and Sisupa) that overlap a portion of the Facility, the Applicant will monitor construction activities within these areas. If interested and available, CTUIR tribal monitors will be given preference for monitoring. Activities that are open excavations or grading that disturb the upper 3 feet (1 meter) of soils within the boundaries of Sand Hollow Battleground and Sisupa, as shown on confidential Figure S-3, will be monitored by a qualified archaeologist to limit impacts to potential associated archaeological deposits that would be protected by the Council Siting Standards at OAR 345-021-0010(1)(s). The driving of solar panel posts into the ground will not require monitoring since there is no open excavation or drilling involved.

As described above, no ground disturbance will be allowed within a 100-foot (30-meter) avoidance buffer around all identified cultural resources described above under Section 4.4.2, with the exception of Lexington-Echo Highway/OR 207, Bombing Range Road, Strawberry Lane, Sand Hollow Battleground, and Sisupa.

6.0 Submittal Requirements and Approval Standards

6.1 Submittal Requirements

Table S-3. Submittal Requirements Matrix

Requirement	Location
OAR 345-021-0010(1)(s) Information about historic, cultural and archaeological resources. Information concerning the location of archaeological sites or objects may be exempt from public disclosure under ORS 192.502(4) or 192.501(11). The applicant shall submit such information separately, clearly marked as "confidential," and shall request that the Department and the Council keep the information confidential to the extent permitted by law. The applicant shall include information in Exhibit S or in confidential submissions providing evidence to support a finding by the Council as required by OAR 345-022-0090, including:	Section 3.0
(A) Historic and cultural resources within the analysis area that have been listed, or would likely be eligible for listing, on the National Register of Historic Places.	Section 3.1
(B) For private lands, archaeological objects, as defined in ORS 358.905(1)(a), and archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.	Section 3.2
(C) For public lands, archaeological sites, as defined in ORS 358.905(1)(c), within the analysis area.	Section 3.3

Requirement	Location
(D) The significant potential impacts, if any, of the construction, operation and retirement of the proposed facility on the resources described in paragraphs (A), (B) and (C) and a plan for protection of those resources that includes at least the following:	Section 4.0
(i) A description of any discovery measures, such as surveys, inventories, and limited subsurface testing work, recommended by the State Historic Preservation Officer or the National Park Service of the U.S. Department of Interior for the purpose of locating, identifying and assessing the significance of resources listed in paragraphs (A), (B) and (C).	Section 4.1
(ii) The results of the discovery measures described in subparagraph (i), together with an explanation by the applicant of any variations from the survey, inventory, or testing recommended.	Section 4.2
(iii) A list of measures to prevent destruction of the resources identified during surveys, inventories and subsurface testing referred to in subparagraph (i) or discovered during construction.	Section 4.4
(E) The applicant's proposed monitoring program, if any, for impacts to historic, cultural and archaeological resources during construction and operation of the proposed facility.	Section 5.0

6.2 Approval Standards

Table S-4. Approval Standard

Requirement	Location
OAR 345-022-0090 Historic, Cultural and Archaeological Resources	—
(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to:	N/A
(a) Historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places;	Sections 3.1 and 4.0
(b) For a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in 358.905(1)(c); and	Sections 3.2 and 4.0
(c) For a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).	Sections 3.3 and 4.0
(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.	N/A
(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.	N/A

7.0 References

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King, Erin, and Brady Berger. 2019. *Supplemental Cultural Resources Pedestrian Survey Report Addendum 1 – Wheatridge Solar Assessment, Morrow and Umatilla Counties, Oregon*. Tetra Tech, Inc., Portland, Oregon. Submitted to NextEra Energy, Inc., Juno Beach, Florida. Oregon SHPO Case #13-0338.

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ODOE (Oregon Department of Energy). 2021. Wagon Trail Solar Project. First Amended Project Order. Issued August 17, 2021. Salem, OR. Available online at:
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Figures

**Wagon Trail
Solar Project**

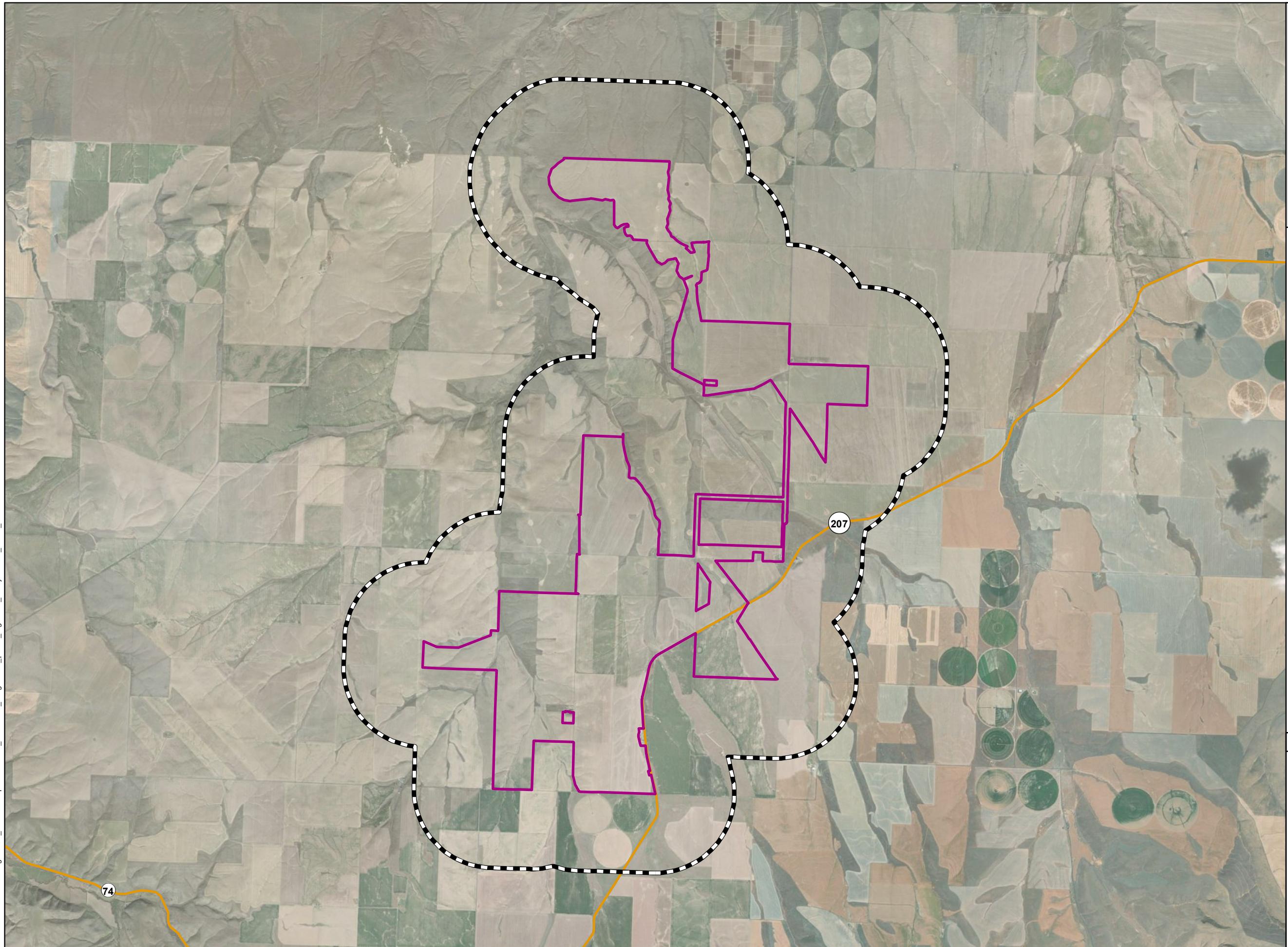
Figure S-1
Analysis Area

MORROW COUNTY, OREGON

- Archaeological Analysis Area/Site Boundary
- Aboveground/ HPRCSIT Analysis Area
- State Highway
- County Boundary



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



**Wagon Trail
Solar Project**

Figure S-2
Survey Coverage
of the Analysis Area

MORROW COUNTY, OREGON

- Archaeological Analysis Area/Site Boundary
- Aboveground/ HPRCSIT Analysis Area
- King and Berger (2021)
- King, et al. (2021) - Archaeological Survey
- King, et al. (2021) - Aboveground
- Reconnaissance
- King and Berger (2019)
- King and Cody (2019)
- Dickson (2014)
- State Highway
- County Boundary

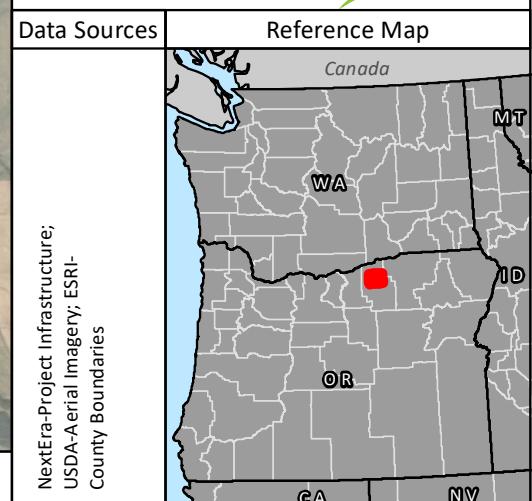


EXHIBIT S: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES

Figure S-3 provided under Confidential Cover Pursuant to ORS 192.501(13)

Attachment S-1. Survey Reports (Confidential)

(submitted under separate cover)

EXHIBIT S: HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES

Provided under Confidential Cover Pursuant to ORS 192.501(13)

Attachment S-2. SHPO NRHP Eligibility Concurrence



Oregon

Kate Brown, Governor

January 29, 2019

Parks and Recreation Department
State Historic Preservation Office
725 Summer St NE Ste C
Salem, OR 97301-1266
Phone (503) 986-0690
Fax (503) 986-0793
www.oregonheritage.org



Ms. Erin King
Tetra Tech Inc
17885 Von Karman Ave
Irvine, CA 92614

RE: SHPO Case No. 13-0338
Wheatridge Wind Energy Facility Project
Wind and solar facility
Mutiple legals, Various, Morrow/Umatilla County

Dear Ms. King:

Thank you for submitting documentation on the project referenced above. In order for us to complete our review, please provide the following for 72967 Strawberry Lane, Morrow County:

- Additional photos of all the resources within the property boundary and additional documentation that includes construction dates and descriptions of these resources. If any of the additional resources are 50 years or older, please evaluate eligibility. An architectural description of the shed and a discussion of alterations is also needed.

Please submit this information to our office using the Go Digital Submittal process.

Based on the information provided, we are able to concur that Bombing Range Road, Butte Road, Strawberry Lane, and Lexington-Echo Highway (OR 207) are not eligible for listing in the National Register of Historic Places. When recording roads and other linear resources in the future, please refer to the Oregon SHPO *Guidance for Recording and Evaluating Linear Cultural Resources* (2013). This document is available on our website at <https://www.oregon.gov/opr/HCD/SHPO/docs/ORLinearResourcesGuidancev2.pdf>. Please feel free to contact me if you have any questions, comments or need additional assistance.

Sincerely,

Tracy Schwartz
Historic Preservation Specialist
(503) 986-0677
tracy.schwartz@oregon.gov

cc: Carrie Konkol, Tetra Tech Inc



Oregon

Kate Brown, Governor

July 9, 2019

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State Historic Preservation Office
725 Summer St NE Ste C
Salem, OR 97301-1266
Phone (503) 986-0690
Fax (503) 986-0793
www.oregonheritage.org



Ms. Sarah Esterson
OR Dept of Energy
550 Capitol St NE, 1st Flr
Salem, OR 97301

RE: SHPO Case No. 13-0338
Wheatridge Wind Energy Facility Project
Wind and solar facility
Mutiple legals, Various, Morrow/Umatilla County

Dear Ms. Esterson:

We have reviewed the materials submitted on the project referenced above, and we concur that Starvation Farms (72967 Strawberry Lane, Lexington) is not eligible for listing in the National Register of Historic Places due to a loss of historic integrity. This letter refers to above-ground historic resources only. Comments pursuant to a review for archaeological resources, if applicable, will be sent separately. Local regulations, if any, still apply and review under local ordinances may be required. Please feel free to contact me if you have any questions, comments, or need additional assistance.

Sincerely,

Tracy Schwartz
Historic Preservation Specialist
(503) 986-0677
tracy.schwartz@oregon.gov

cc: Erin King, Tetra Tech Inc





Oregon

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Ms. Erin King
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Wind and solar facility
Mutiple legals, Various, Morrow/Umatilla County

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Please submit this information to our office using the Go Digital Submittal process.

Based on the information provided, we are able to concur that Bombing Range Road, Butte Road, Strawberry Lane, and Lexington-Echo Highway (OR 207) are not eligible for listing in the National Register of Historic Places. When recording roads and other linear resources in the future, please refer to the Oregon SHPO *Guidance for Recording and Evaluating Linear Cultural Resources* (2013). This document is available on our website at <https://www.oregon.gov/opr/HCD/SHPO/docs/ORLinearResourcesGuidancev2.pdf>. Please feel free to contact me if you have any questions, comments or need additional assistance.

Sincerely,

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cc: Carrie Konkol, Tetra Tech Inc



Oregon

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July 9, 2019

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Ms. Sarah Esterson
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550 Capitol St NE, 1st Flr
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RE: SHPO Case No. 13-0338
Wheatridge Wind Energy Facility Project
Wind and solar facility
Mutiple legals, Various, Morrow/Umatilla County

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Sincerely,

Tracy Schwartz
Historic Preservation Specialist
(503) 986-0677
tracy.schwartz@oregon.gov

cc: Erin King, Tetra Tech Inc



Attachment S-3. Inadvertent Discovery Plan

This Inadvertent Discovery Plan (IDP) for the Wagon Trail Solar Project shall be used as a guide when an unexpected cultural resource is found. It also serves to outline precautions to consider during construction and operation of the Project. This IDP should be followed if cultural resources, including human remains, are encountered during construction and/or operation.

Role	Name	Contact Information
Construction Manager	TBD	TBD
Project Archaeologist	TBD, NextEra/Wheatridge East Wind, LLC	TBD
	TBD, Contractor	TBD
Project Managers	TBD, NextEra	TBD
	TBD, Contractor	TBD
	TBD, Other	TBD
Oregon State Police Contact	Chris Allori	Phone: (503) 731-4717 Cell: (503) 708-6461 Dispatch: (503) 731-3030
Oregon Legislative Commission on Indian Services	Danny Santos, Interim Director	Phone: 503-986-1067 Email: LCIS@oregonlegislature.gov
SHPO	John Pouley, State Archaeologist	Phone: 503-480-9164 Email: john.pouley@oregon.gov

Protocol for coordination in the event of an inadvertent discovery:

Procedure	Protocol
1	In the event of an inadvertent discovery of possible cultural resources, including human remains, all work will stop immediately in the vicinity of the find. A 30-meter buffer should be placed around the discovery wherein ground disturbing work will be stopped. Work may proceed outside of this buffered area unless additional cultural materials are encountered.
2	The area within the buffer shall be secured and protected from additional disturbance with flagging or fencing, or by posting a worker to ensure avoidance. Project personnel shall ensure the discovery is not disturbed and remains confidential, on a need to know basis. Project personnel will not speak with the media or discuss the find on social media (e.g., Facebook, Twitter, Instagram, etc.), or take photographs of the find. The location should be secured, and work will not resume in the area of discovery until all parties involved agree upon a course of action.
3	Project personnel (e.g., CRM, Tribal Monitor, construction personnel, individual who identified the remains) must immediately notify the Construction Manager and Project Archaeologist. The Construction Manager and Project Archaeologist will coordinate subsequent procedures. The Project Archaeologist will notify NextEra, SHPO, and CTUIR THPO of the find. If the find consists of human remains, the special procedures listed below for inadvertent discoveries of human remains will be followed.
4	No work may resume until consultation with SHPO has occurred and the Project Archaeologist is able to assess the discovery. The Project Archaeologist, in consultation with SHPO and CTUIR THPO, as appropriate, will determine whether or not the discovery is subject to any of the EFSC siting standards and determine an appropriate course of action. Archaeological probing, testing, or other excavation may be required. This will be handled on a case-by-case basis by the Project Archaeologist and NextEra, in consultation with SHPO and CTUIR THPO, as appropriate. All treatment efforts will adhere to the guidelines outlined by the permit for archaeological excavation issued by SHPO to the Project Archaeologist prior to construction.
5	As part of the initial notifications described in Step 3 for discoveries of archaeological resources, if possible human remains are encountered, the Oregon State Police and Commission on Indian Services will also be notified.

Draft Inadvertent Discovery Plan for Cultural Resources

Procedure	Protocol
6	If human remains are encountered, do not disturb them in any way. Do not call 911. Secure the location. Project personnel shall ensure the human remains and any associated artifacts and features are not disturbed, are treated with respect and dignity, and ensure confidentiality of the find on a need to know basis. Project personnel will not speak with the media or discuss the find on social media (e.g., Facebook, Twitter, Instagram, etc.), or take photographs of the remains, burials, or associated artifacts. The location should be secured, and work will not resume in the area of discovery until all parties involved agree upon a course of action.
7	A professional archaeologist may be needed to assess the discovery and they will consult with SHPO and appropriate Tribal Governments to determine an appropriate course of action.
8	Archaeological excavations may be required. This is handled on a case by case basis by the professional archaeologist and project manager, in consultation with SHPO and appropriate Tribes.

When to stop work:

Construction work may uncover previously unidentified Native American or Euro-American artifacts. This may occur for a variety of reasons, but may be associated with deeply buried cultural material, access restrictions during project development, or if the area contains impervious surfaces throughout most of the project area which would have prevented standard archaeological site discovery methods.

Work must stop when the following types of artifacts and/or features are encountered:

Native American artifacts may include (but are not limited to):
Flaked stone tools (arrowheads, knives scrapers etc.);
Waste flakes that resulted from the construction of flaked stone tools;
Ground stone tools like mortars and pestles;
Layers (strata) of discolored earth resulting from fire hearths. May be black, red or mottled brown and often contain discolored cracked rocks or dark soil with broken shell;
Human remains;
Structural remains - wooden beams, post holes, etc.
Euro-American artifacts may include (but are not limited to):
Glass (from bottles, vessels, windows etc.);
Ceramic (from dinnerware, vessels etc.);
Metal (nails, drink/food cans, tobacco tins, industrial parts etc.);
Building materials (bricks, shingles etc.);
Building remains (foundations, architectural components etc.);
Old wooden posts, pilings, or planks (these may be encountered above or below water);
Old farm equipment may indicate historic resources in the area.
Even what looks to be old garbage could very well be an important archaeological resource.

Proceeding with construction:

1	No construction work is permitted within the buffered area until all appropriate approvals are obtained and the area is released. Construction may proceed only after the proper archaeological inspections have occurred and environmental clearances are obtained from the Project Archaeologist, SHPO, ODOE, and CTUIR THPO, as appropriate.
2	After an inadvertent discovery, some areas may be specified for close monitoring or "no work zones." Any such areas will be identified by the Project Archaeologist to NextEra, CTUIR THPO, and the Construction Manager. In coordination with SHPO, NextEra will verify these identified areas and be sure that the areas are clearly demarcated in the field, as needed.