Exhibit K

Land Use

Yellow Rosebush Energy Center
September 2025

Prepared for
Yellow Rosebush Energy Center, LLC

Prepared by

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Table of Contents

List of Tables

List of Figures

List of Attachments

Acronyms and Abbreviations

A-1	Wasco County Exclusive Farm Use Zone
APLIC	Avian Powerline Interaction Committee
Applicant	Yellow Rosebush Energy Center, LLC
ASC	Application for Site Certificate
BESS	battery energy storage system
BMP	best management practice
BPA	Bonneville Power Administration
CRP	Conservation Reserve Program
EFSC	Oregon Energy Facility Siting Council
ERP	Emergency Response Plan
ESCP	Erosion and Sediment Control Plan
F-1	Sherman County Exclusive Farm Use Zone
Facility	Yellow Rosebush Energy Center
FEMA	Federal Emergency Management Agency
gen-tie	generation-tie
HEL	highly erodible land
MW	megawatt
NH	Natural Hazards
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O&M	operations and maintenance
OAR	Oregon Administrative Rules
ODEQ	Oregon Department of Environmental Quality
ODFW	Oregon Department of Fish and Wildlife
ODOE	Oregon Department of Energy
ODOT	Oregon Department of Transportation
ORS	Oregon Revised Statutes
POI	point of interconnect
RFPA	Rangeland Fire Protection Association
RPS	Renewable Portfolio Standard

SCZO	Sherman County Zoning, Subdivision, Partitioning, and Land Development Ordinance
SHPO	State Historic Preservation Office
WCCP	Wasco County Comprehensive Plan
WCLUDO	Wasco County Land Use Development Code
WMP	Wildfire Mitigation Plan

1.0 Introduction

Yellow Rosebush Energy Center, LLC (Applicant) seeks to develop the Yellow Rosebush Energy Center (Facility), a solar energy generation facility, battery energy storage system, and related or supporting facilities in Wasco and Sherman counties, Oregon. Compliance with statewide and local land use regulations will be subject to an Oregon Energy Facility Siting Council (referred to as EFSC or Council herein) determination. This Exhibit K was prepared to meet the submittal requirements in Oregon Administrative Rules (OAR) 345-021-0010(1)(k). Sections of OAR 345-021-0010(1)(k) that do not apply to the proposal have been omitted from this exhibit.

2.0 Land Use Analysis Area – OAR 345-021-0010(1)(k)(A)

OAR 3450-021-0010(1)(k) Information about the proposed facility's compliance with the statewide planning goals adopted by the Land Conservation and Development Commission, providing evidence to support a finding by the Council as required by OAR 345-022-0030. The applicant must state whether the applicant elects to address the Council's land use standard by obtaining local land use approvals under ORS 469.504(1)(a) or by obtaining a Council determination under ORS 469.504(1)(b). An applicant may elect different processes for an energy facility and a related or supporting facility but may not otherwise combine the two processes. Once the applicant has made an election, the applicant may not amend the application to make a different election. In this subsection, "affected local government" means a local government that has land use jurisdiction over any part of the proposed site of the facility. In the application, the applicant must:

(A) Include a map showing the comprehensive plan designations and land use zones in the analysis area;

Response: In accordance with OAR 345-001-0010(35)(c), the analysis area includes the proposed Facility site boundary plus the area within 0.5 miles from the site boundary (Figure K-1) for land within Wasco County and Sherman County. Approximately 18,381 acres are located within the land use analysis area, 8,075 acres are located within the Facility site boundary, and 7,026 acres are located within the solar micrositing corridor. Figure K-2 shows the Wasco County and Sherman County land use zones and comprehensive plan map designations within the land use analysis area. Land within the Facility site boundary and land use analysis area is zoned Exclusive Farm Use in both counties (Figure K-2).

3.0 Local Land Use Approval – OAR 345-021-0010(1)(k)(B)

OAR 345-021-0010(1)(k)(B) If the applicant elects to obtain local land use approvals:

(i) Identify the affected local government(s) from which land use approvals will be sought;

(ii) Describe the land use approvals required in order to satisfy the Council's land use standard;

(iii) Describe the status of the applicant's application for each land use approval;

(iv) Provide an estimate of time for issuance of local land use approvals;

The Applicant has elected to address the Council's Land Use standard by obtaining a land use determination from the Council pursuant to ORS 469.504(1)(b) (see Section 4.0 for more information). Therefore, these standards do not apply.

4.0 Council Determination on Land Use – OAR 345-021-0010(1)(k)(C)

4.1 Identification of Applicable Substantive Criteria – OAR 345-021-0010(1)(k)(C)(i)

OAR 345-021-0010 (1)(k)(C) If the applicant elects to obtain a Council determination on land use:

(i) Identify the affected local governments;

Response: The Facility site boundary is located within Wasco County and the alternate generation-tie (gen-tie) line is located partially within both Wasco County and Sherman County.

4.2 Applicable Substantive Criteria from OAR 345-021-0010(1)(k)(C)(ii)

OAR 345-021-0010 (1)(k)(C)(ii) Identify the applicable substantive criteria from the affected local government's acknowledged comprehensive plan and land use regulations that are required by the statewide planning goals and that are in effect on the date the application is submitted and describe how the proposed facility complies with those criteria;

Response: The Facility site boundary is primarily located within the Wasco County Exclusive Farm Use Zone (A-1) zone with the alternate gen-tie line partially located within the Sherman County Exclusive Farm Use Zone (F-1) zone. The applicable substantive criteria from the Wasco County Land Use Development Code (WCLUDO) (Wasco County 2022), Wasco County Comprehensive Plan (WCCP) (Wasco County 2010), and Sherman County Zoning, Subdivision, Partitioning, and Land Development Ordinance (SCZO) (Sherman County 2003) are outlined below and addressed in Sections 4.2.1, 4.2.2, and 4.2.3, respectively.

In Wasco County, the proposed Facility falls under the use category of "Commercial Power Generating Facility (Utility Facility for the Purpose of Generating Power) subject to Section 19.030" in the A-1 zone per WCLUDO 3.215(M), which is a Type III conditional use review. In Sherman

County, the proposed Facility alternate gen-tie line falls under the use category of "associated transmission line" in the F-1 zone per ORS 215.283(1)(c) and ORS 215.274, which is outright permitted.

Wasco County Land Use Development Code

- WCLUDO 1.030 – Legal Parcel Status
- WCLUDO 3.212 – Uses Permitted Without Review (A-1 Zone)
- WCLUDO 3.214 – Uses Permitted Subject to Type I Review (A-1 Zone)
- WCLUDO 3.215(M) – Uses Permitted Subject to Conditional Use Review/Type III (A-1 Zone)
- WCLUDO 3.216 – Property Development Standards (A-1 Zone)
- WCLUDO 3.218 – Agricultural Protection (A-1 Zone)
- WCLUDO 3.720 – Geologic Hazards Overlay Zone (OZ-2)
- WCLUDO 3.800 – Sensitive Wildlife Overlay Zone (OZ-8)
- WCLUDO 3.840 – Sensitive Bird Site Overlay Zone (OZ-12)
- WCLUDO 3.870 – Military Airspace Overlay Zone (OZ-15)
- WCLUDO 5.020 – Authorization to Grant or Deny Conditional Uses, and Standards and Criteria Used
- WCLUDO 10.020 – 10.150 Fire Safety Standards
- WCLUDO 19.030 – Commercial Power Generating Facilities Review Process & Approval Standard
- WCLUDO 20.030 – 20.080 Site Plan Review

Wasco County Comprehensive Plan

- GOAL #1 – Citizen Involvement
- GOAL #3 – Agricultural Lands
- GOAL #5 – Open Spaces, Scenic and Historic Areas and Natural Resources
- GOAL #6 – Air, Water and Land Resources Quality
- GOAL #7 – Areas Subject to Natural Hazards
- GOAL #9 – Economic Development
- GOAL #11 – Public Facilities and Services
- GOAL #12 – Transportation
- GOAL #13 – Energy Conservation

Sherman County Zoning Ordinance

- SCZO 3.1(2) – Uses Permitted
- SCZO 3.1(4) – Dimensional Standards
- SCZO 3.7 – Natural Hazards Combining Zone

4.2.1 Wasco County Land Use Development Ordinance

4.2.1.1 Section 1.030 – Severability (Legal Parcel Status)

The provisions of this Ordinance are severable. If any section, sentence, clause, or phrase of this Ordinance is adjudged to be invalid by a court of competent jurisdiction, that decision shall not affect the validity of the remaining portion of this Ordinance. The Director, the Director's designee or other Approving Authority shall not approve a development or use of land that has been previously divided or otherwise developed in violation of this Ordinance, regardless of whether the applicant created the violation, unless the violation can be rectified as part of the development proposal.

***Section 1.090 - Parcel** (Legal) - A unit of land created as follows:*

a. A lot in an existing, duly recorded subdivision; or

b. A parcel in an existing, duly recorded major or minor land partition; or

c. By deed or land sales contract prior to September 4, 1974.

Table K-1. Legal Status of Parcels within the Facility Site Boundary

Township, Range, Section, Tax Lot	Account #	Approximate Acres within Site Boundary	Legal Parcel	Deed History
5S 16E 0 0900, 5S 16E 0 1000 & 5S 16E 0 1100	12534, 12533 & 12532	2,723, 932 & 1.5	Yes	Pre-1974 Deed #: Book 145, Pages 348-349, dated 2/26/1962; Current Deed #: "Parcel I" 2024-001624, filed 7/1/2024
4S 16E 0 0300	12341	928	Yes	Pre-1974 Deed #: 1973-911, dated 4/27/1973; Current Deed #: 2006-001445, filed 3/9/2006 (portion of Tract I)
5S 16E 0 1300 & 2600*	12536	2,468	Yes	Pre-1974 Deed #: 1950-067232, 1950-067233 & 1950-067234, dated 5/15/1950; Current Deed #: 2011-004385, filed 12/21/2011

Township, Range, Section, Tax Lot	Account #	Approximate Acres within Site Boundary	Legal Parcel	Deed History
4S 15E 0 1500	12335	1,434	Yes	Pre-1974 Deed #: 67-1797, dated 6/28/1963; Current Deed #: 2023-001042, filed 5/8/2023
5S 15E 0 0100	12511	1,262	Yes	Pre-1974 Deed #: 83-2012, dated 10/25/1966; Current Deed #: 2020-5363, Parcel 1 of Plat 2020-0025, filed 12/17/2020
*The land identified as TL 2600 was added to this parcel in 2011 as a correction from an omission in the 1950 deeds. This is described in the 2011 deed.				

Response: Per WCLUDO 1.030, development shall not be approved if located on land that has been previously divided or otherwise developed in violation of the WCLUDO. Table K-1 lists the legal status for each parcel included in the Facility site boundary. The Applicant will work with the Wasco County Planning Department to complete due diligence for parcels included as part of the Facility site boundary at final design and prior to construction. Therefore, the Applicant will comply with this provision.

4.2.1.2 Section 3.212 – Uses Permitted Without Review

The following uses are permitted on lands designated Exclusive Farm Use (A-1) Zone without review:

TRANSPORTATION FACILITIES

G. Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right-of-way, but not resulting in any new land parcels.

Response: Improvements will be required for portions of Bakeoven Road where new access road approaches will be constructed or where existing access road approaches may need to be improved. The Applicant is coordinating with the property owner and Wasco County to vacate Wilson Road. If the Applicant does not vacate Wilson Road, the road may be improved where the existing roadbed is inadequate to accommodate construction equipment or where new access approaches will be required to accommodate new access roads within the micrositing corridor, as needed.

New service roads within the micrositing corridor may be constructed where no roads currently exist to provide internal circulation within the Facility fence line. The Applicant opts to analyze road improvements as an accessory use to the commercial power generation facility, which is a conditionally allowed use under WCLUDO 3.215.M (see Section 4.2.1.4 of this exhibit). For this reason, the Applicant does not evaluate the Facility's access roads under WCLUDO 3.212(G). Improvements to existing county roads will not result in the creation of new land parcels. Therefore, the Applicant complies with this provision.

4.2.1.3 Section 3.214 – Uses Permitted Subject to Standards/Type II Review

The following uses may be permitted on a legal parcel on lands designated Exclusive Farm Use (A-1) Zone subject to the Section 3.216 - Property Development Standards, Section 3.218 - Agricultural Protection, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-street loading or bicycle parking, as well as any other listed, referenced or applicable standards:

> *UTILITY/ENERGY FACILITIES*
>
> *N. Utility facilities "necessary" for public service, including wetland waste treatment systems and Electrical Transmission Facilities under 200 feet in height, but not including commercial utility facilities for the purpose of generating electrical power for public use by sale, or Electrical Transmission Facilities over 200 feet in height, subject to Section 3.219 G below.*

Response: The Applicant is proposing two point of interconnect (POI) options for the Facility described in Exhibit B and shown on Exhibit C, Figure C-2.

The primary POI under consideration is at the proposed Bonneville Power Administration (BPA) switchyard that is within the Facility site boundary and will be developed by BPA. The Facility's collector substation will connect to the adjacent BPA switchyard. The BPA switchyard will then connect to the BPA 500-kV John Day to Grizzly transmission line located directly adjacent to the westernmost edge of the Facility. The Facility's collector substation will interconnect directly with the proposed BPA switchyard using a short overhead span of gen-tie line between the adjacent facilities.

The alternate POI under consideration will include an alternate up to 500-kV gen-tie line of 4.5 miles (approximately 2.6 miles within Wasco County and approximately 1.9 miles within Sherman County) and connect to BPA's existing Buckley Substation located in Sherman County north of the Facility. The alternate gen-tie line will start at the Facility's collector substation and run east of and parallel to the BPA's 500-kV transmission line corridor and connect to the Buckley Substation. The alternate gen-tie line is an associated transmission line and is not a transmission line within the meaning of EFSC jurisdiction. The alternate gen-tie line will be outside the fenced solar arrays but within the Facility site boundary (Exhibit C, Figure C-2). The 1.9-mile portion of the line in Sherman County is analyzed in Section 4.2.3.

The Facility's collector substation will interconnect directly with the proposed BPA switchyard using a short overhead span of gen-tie line between the adjacent facilities using an approximately

160 to 180-foot steel monopole. The alternate 500-kV gen-tie will be supported by approximately 160 to 180-foot steel monopoles that will be spaced approximately 1,000 feet apart. Each monopole will require a concrete caisson foundation that will be approximately 8 feet in diameter (larger for dead-end structures) with a foundation depth of between 40 and 60 feet. Custom structures may be required to accommodate larger spans to avoid sensitive resources or steep terrain. Tension stringing equipment (i.e., pulling site) will be spaced approximately 10,000 feet apart and be 100-feet wide by 600-feet long and located within the gen-tie right of way.

Therefore, the Facility's proposed primary and alternate gen-tie lines are considered a "utility facility necessary for public service," because they are related to or supporting the Facility. Additionally, the gen-tie line is also considered an "associated transmission line" subject to Oregon Revised Statutes (ORS) 215.274. ORS 215.274 is addressed in Section 4.3.3.

4.2.1.4 Section 3.215 – Uses Permitted Subject to Conditional Use Review/ Type III

The following uses may be permitted on a legal parcel designated Exclusive Farm Use (A-1) Zone subject to Section 3.216 - Property Development Standards, Section 3.218 - Agricultural Protection, ORS 215.296, Chapter 5 - Conditional Use Review, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-street loading or bicycle parking or is a commercial event (home occupation or agritourism), as well as any other listed, referenced, or applicable standards:

> *ENERGY/UTILITY/SOLID WASTE DISPOSAL FACILITIES*
>
> *M. Commercial Power Generating Facility (Utility Facility for the Purpose of Generating Power) subject to Section 19.030.*
>
> *. . .*
>
> *Except for wind facilities, transmission lines or pipelines, unless otherwise allowed by state regulations, the energy facility shall not preclude more than 12 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR Chapter 660-004, or 20 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR Chapter 660-004 and ORS 197.732.*

Response: The Applicant proposes to construct and operate an 800-megawatt (MW) solar photovoltaic power generation facility with related or supporting interconnection facilities and an up to 800-MW battery energy storage system (BESS) within the Facility site boundary. The proposed Facility meets the definition of a "Commercial Power Generating Facility (Utility Facility for the Purpose of Generating Power)" and therefore, WCLUDO 19.030 is addressed in Section 4.2.1.18. Additionally, the Facility will preclude more than 20 acres from use as a commercial agricultural enterprise. As a result, a Goal 3 Exception taken pursuant to OAR Chapter 660-004 and ORS 197.732 is proposed and discussed in Section 4.5.

4.2.1.5 Section 3.216 – Property Development Standards

Property development standards are designed to preserve and protect the character and integrity of agricultural lands, and minimize potential conflicts between agricultural operations and adjoining property owners. A variance subject to WCLUDO Chapter 6 may be utilized to alleviate an exceptional or extraordinary circumstance that would otherwise preclude the parcel from being utilized. A variance to these standards is not to be used to achieve a preferential siting that could otherwise be achieved by adherence to these prescribed standards.

A. Setbacks

1. Property Line

a. All dwellings and accessory structures not in conjunction with farm use, shall comply with the following property line setback requirements: [these criteria have been omitted, since no dwelling is proposed]

. . .

Response: No new dwellings or accessory structures to dwellings are proposed for the Facility, and therefore subpart (a) does not apply to the Facility.

b. All dwellings in conjunction with farm use shall comply with the following property line setback requirements: [these criteria have been omitted, since no dwelling is proposed]

. . .

Response: No new farm structures are proposed by the Facility, and therefore subpart (b) is not applicable to the Facility.

c. Farm structures shall be set back a minimum of 25 feet from the property line.

Response: The Applicant is not proposing any new farm structures. Therefore, subpart (c) does not apply to the Facility. At the end of the Facility's useful life, the landowner may opt to use the Facility's operations and maintenance (O&M) building for agricultural purposes rather than have the building demolished. Accordingly, the O&M building's proposed location complies with this standard, as it is set back at least 25 feet from the property line (see Figure C-2 in Exhibit C). If the O&M building is moved during micrositing, it will be sited to meet this standard to provide flexibility for future, potential agricultural use. Therefore, the Facility complies with this criterion.

d. Utility facilities necessary for public service shall be set back a minimum of 25 feet from the property line.

Response: The primary and alternate gen-tie line are the only components of the Facility that are considered 'utility facilities necessary for public service' where it is located outside of the perimeter fenceline. For purposes of this standard, property line setbacks should be interpreted to be limited to the property lines at or outside of the Applicant's site boundary, not the internal property lines located within the site boundary. The primary and alternate gen-tie line will be sited at least 25 feet

from the property lines at or outside of the Applicant's site boundary. Therefore, the Facility complies with this criterion.

> *e. Additions, modifications or relocation of existing structures shall comply with all EFU setback standards. Any proposal that cannot meet these standards is subject to the following:*
>
> > *(1) Dwellings: The proposed addition modification or relocation shall not result in nonconformity or greater nonconformity to property line setbacks or resource buffer requirements unless the addition will extend a structure further away from and perpendicular to the property line or resource. Any proposal that would place a relocated dwelling or extend an existing dwelling into or further toward the property line or resource, or expand an existing dwelling parallel into a setback or buffer shall also be subject to Chapters 6 & 7 - Variances and any other applicable review criteria. The provisions of Chapter 13 - Nonconforming Uses, Buildings and Lots are not applicable to replacement dwellings. (Added 4/12)*
>
> > *(2) Farm & Non-Farm buildings and structures: The proposed addition, modification or relocation shall not result in nonconformity or greater nonconformity to property line setbacks or resource buffer requirements. If the building or structure currently conforms to all setback standards and the proposal would result in non-conformity a Chapter 6 or 7 variance will be required. If the building or structure currently does not conform to all setback standards and the proposal would increase the non-conformity it shall be subject to the applicable provisions of Chapter 13 - Nonconforming Uses, Buildings and Lots.*

Response: No additions, modifications, or relocation of existing structures are proposed by the Facility, and therefore subpart (e) does not apply.

> *f. Property line setbacks do not apply to fences, signs, roads, or retaining walls less than four (4) feet in height.*
>
> > *Front yard (road) property line setbacks do not apply to parking areas for farm related uses. However, parking areas for farm related uses must meet side and rear yard property line setbacks.*

Response: Fences or signs over 4 feet in height will conform to the property line setbacks. For purposes of this standard, property line setbacks should be interpreted to be limited to the outside property lines of the Applicant's site boundary, not the internal property lines located within the site boundary. Therefore, the Facility complies with this criterion.

2. Waterways

> *a. Resource Buffers: All bottoms of foundations of permanent structures, or similar permanent fixtures shall be setback from the high water line or mark, along all streams, lakes, rivers, or wetlands.*

(1) A minimum distance of one hundred (100) feet when measured horizontally at a right angle for all water bodies designated as fish bearing by any federal, state or local inventory.

(2) A minimum distance of fifty (50) feet when measured horizontally at a right angle for all water bodies designated as non-fish bearing by any federal, state or local inventory.

(3) A minimum distance of twenty-five (25) feet when measured horizontally at a right angle for all water bodies (seasonal or permanent) not identified on any federal, state or local inventory.

(4) If the proposal does not meet these standards it shall be subject to Section 3.216 A1c - Additions or Modifications to Existing Structures, above.

(5) The following uses are not required to meet the waterway setbacks, however they must be sited, designed and constructed to minimize intrusion into the riparian area to the greatest extent possible: (a) Fences; (b) Streets, roads, and paths; (c) Drainage facilities, utilities, and irrigation pumps; (d) Water-related and water-dependent uses such as docks and bridges; (e) Forest practices regulated by the Oregon Forest Practices Act; (f) Agricultural activities and farming practices, not including the construction of buildings, structures or impervious surfaces; and (g) Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area.

Response: As described in Exhibit J, the Facility will avoid and have no adverse impacts to wetlands or other jurisdictional Waters of the State. No perennial streams and no fish-bearing streams occur within the proposed solar micrositing corridor (Exhibit J and P), and no riparian areas associated with fish-bearing streams will be impacted. If the alternate POI is selected, the alternate gen-tie line will span Buck Hollow Creek and avoid impacts to riparian areas. While waterway setbacks are not applicable to the Facility fence, roads, and utility lines, the Applicant has designed these related or supporting Facility components to minimize potential impacts to non-jurisdictional streams to the extent possible. Therefore, the Facility complies with these criteria.

b. Floodplain: Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.710 - Flood Hazard Overlay (OZ 1).

Response: No digital data is available for the Flood Insurance Rate Map panel (Panel No. 410229B effective 9/24/1984) for the Facility. The Wasco County Public Basemap (Wasco County 2024) shows the solar micrositing corridor is outside the Overlay Zone 1 Federal Emergency Management Agency (FEMA) Flood Zone. If the alternate POI is selected, the alternate gen-tie line will span Buck Hollow Creek and avoid impacts to the Overlay Zone 1 FEMA Flood Zone mapped along Buck Hollow Creek. Development associated with the Facility will avoid the County's Overlay Zone 1 FEMA Flood Zone. Therefore, WCLUDO 3.710 does not apply.

3. *Irrigation Ditches: All dwellings and structures shall be located outside of the easement of any irrigation or water district. In the absence of an easement, all dwellings and structures shall be located a minimum of 50 feet from the centerline of irrigation ditches and pipelines which continue past the subject parcel to provide water to other property owners. Substandard setbacks must receive prior approval from the affected irrigation district. These setbacks do not apply to fences and signs.*

Response: Facility components are located outside of irrigation and water district easements. No irrigation or water districts are known to occur within the Facility site boundary, and no easement of any irrigation or water district is identified within the site boundary; therefore, this setback does not apply to the Facility.

4. *Wasco County Fairground:* [these criteria have been omitted, since they do not apply]

. . .

Response: The Facility site boundary and solar micrositing corridor are not located in or near the Wasco County Fairground. Therefore, these criteria are not applicable to the Facility.

5. *All development will be setback 25 feet from roads or access easements.*

Response: The Facility components are not located within the 25-foot setback from roads and access easements, as shown on Figure C-2 in Exhibit C. Therefore, this setback criterion is satisfied.

B. *Height: Except for those uses allowed by Section 4.070 - General Exception to Building Height Requirements, no building or structure shall exceed a height of 35 feet. Height is measured from average grade.*

Response: The Facility is considered a commercial power generating facility and utility facility necessary for public service, which are listed uses under WCLUDO 4.070 and subject to the standards in WCLUDO Chapter 19. Therefore, the 35-foot height limitation is not applicable to the Facility. However, to provide the property owner flexibility to retain the O&M building as an agricultural building once the Facility is decommissioned, the O&M building will not exceed 35 feet in height. Upon Facility decommission, the property owner will obtain the necessary permits from the County to change the use of the O&M building to an allowed use, or the building will be demolished.

C. *Vision Clearance: Vision clearance on corner properties shall be a minimum of thirty (30) feet.*

Response: WCLUDO 4.090 describes the vision clearance area as a triangular area measured from the corner intersection of the street lot lines, and requires this area to contain no planting, fence, wall, structure, or temporary or permanent obstruction exceeding 2.5 feet in height. Wilson Road provides access to the site; the only intersections present would be internal. There are no corner lots intersecting with a public road. Therefore, the criterion is not applicable to the Facility.

D. *Signs*

1. Permanent signs shall not project beyond the property line.

2. Signs shall not be illuminated or capable of movement.

3. Permanent signs shall describe only uses permitted and conducted on the property on which the sign is located.

4. Size and Height of Permanent Signs:

a. Freestanding signs shall be limited to twelve square feet in area and 8 feet in height measured from natural grade.

b. Signs on buildings are permitted in a ratio of one square foot of sign area to each linear foot of building frontage but in no event shall exceed 32 square feet and shall not project above the building.

5. Number of permanent signs:

a. Freestanding signs shall be limited to one at the entrance of the property. Up to one additional sign may be placed in each direction of vehicular traffic running parallel to the property if they are more than 750 feet from the entrance of the property.

b. Signs on buildings shall be limited to one per building and only allowed on buildings conducting the use being advertised.

Response: The Applicant is proposing one permanent sign at the Bakeoven Road entrance to the Facility. This sign will be attached to the perimeter fence adjacent to the entrance driveway and include the site name and emergency contact information. If needed, additional signage may be located every 750 feet along the perimeter fencing of the site and the collector substation to provide facility-related warning and safety information to visitors. The Facility will comply with these sign criteria.

6. Temporary signs such as signs advertising the sale or rental of the premise are permitted provided the sign is erected no closer than ten feet from the public road right-of-way. Election signs are permitted but shall not be set in place more than 45 days prior to an election and shall be removed within 45 days after an election.

Response: The Applicant is proposing up to three temporary signs to identify the Facility. These signs will be used during Facility construction and will be at least 10 feet from any public right-of-way. The temporary signs will be removed once construction is complete and the Facility is under operation. Therefore, the Facility complies with this criterion.

E. Lighting: Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways and waterways. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

Response: The Facility is proposing permanent outdoor lighting at the BESS, collector substation, and O&M building. Lighting will use LED down-lit fixtures with backlight shield kits that prevent glare and projection onto nearby properties and public rights-of-way. Lighting will be motion

activated, with one light at each entrance and one on each side without an entrance. The Applicant is proposing temporary lighting to be strategically located for safety and security during Facility construction. Once the Facility is under operation, temporary lighting will be removed from the site. Therefore, the Facility complies with this criterion.

F. Parking: Off street parking shall be provided in accordance with Chapter 20.

Response: Parking standards for commercial and industrial uses are included in WCLUDO 20.05. Commercial energy facilities, utility facilities, and transportation facilities are not listed uses in this section. As a result, there is no minimum or maximum parking dictated by WCLUDO. The Applicant is proposing an approximately 350 foot by 480 foot gravel enclosure around the O&M building. This gravel area will provide enough space for up to 20 parking stalls and will be used by the 10 to 15 employees during Facility operations.

G. New Driveways: All new driveways and increases or changes of use for existing driveways which access a public road shall obtain a Road Approach Permit from the appropriate jurisdiction, either the Wasco County Public Works Department or the Oregon Dept. of Transportation.

Response: The transportation route to the Facility is Bakeoven Road, and the Facility will be accessed from Wilson Road (Exhibit C; Figure C-2). New service roads will be constructed within the Facility site boundary to provide access to Facility infrastructure. The Applicant is not proposing any new driveways at this time. The Facility may require improvements to existing driveways from the existing Bakeoven Road to Wilson Road. If improvements are made to existing driveways, the Applicant will obtain a Road Approach Permit, prior to construction, from the Wasco County Public Works Department or the Oregon Department of Transportation (ODOT). Therefore, the Applicant demonstrates that this criterion will be met.

4.2.1.6 Section 3.218 – Agricultural Protection

The uses listed in Section 3.214 - Uses Allowed Subject to Standards and Section 3.215 -Conditional Uses must meet the following standards:

A. Farm-Forest Management Easement: The landowner is required to sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or case of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

B. Protection for Generally Accepted Farming and Forestry Practices - Complaint and Mediation Process: The landowner will receive a copy of this document.

Response: The Facility is permitted as a conditional use under WCLUDO 3.214 and 3.215. Therefore, the Applicant will ensure a Farm-Forest Management Easement is signed and recorded with the County by each of the landowners within the site boundary. The criteria will be satisfied.

4.2.1.7 Section 3.720 – Geologic Hazards Overlay (OZ-2)

Section 3.721 – Purpose

The purpose of the Geologic Hazards Overlay District is to protect the public health, safety and welfare by assuring that development in hazardous or potential hazardous areas is appropriately planned to mitigate the threat to man's life and property.

B. Approval Standards

Prior to development, the following measures shall be utilized:

1. *Any proposed developments on slopes greater than 25% shall be reviewed to ensure site suitability. Such review shall be conducted in the process for building permit approval and, unless the site has been identified as a geologic hazard area, shall rely on provisions of the Uniform Building Code for the protection of the public health, safety and welfare.*

Response: According to Exhibit H, slopes within the Facility site boundary range from zero to 95 percent, with an average of 7.6 percent. The steepest slopes are located along the drainages on the northern and eastern boundaries along Buck Hollow Creek and the tributary drainage. The solar micrositing corridor is set back from these drainages to prevent Facility components within the site boundary from being located on slopes greater than 25 percent. However, the alternate gen-tie line will span Buck Hollow Creek and may have support structures on slopes greater than 25 percent. Any portion of the Facility located on slopes greater than 25 percent shall adhere to the criterion above and meet the provisions of the Uniform Building Code for the protection of the public health, safety and welfare. Therefore, the Applicant demonstrates that this standard will be met.

2. *Any proposed development in an identified geologic hazard area shall be preceded by a written report by an engineering geologist or an engineer who certifies he is qualified to evaluate soils for suitability. For purposes of this section, development shall include any excavation or change in topography, such as home construction, associated roads, driveways, septic tank disposal fields, wells and water tanks. The written report of the engineering geologist or engineer shall certify that the development proposed may be completed without threat to public safety or welfare and shall be used in ministerially reviewing the development proposal.*

Response: As described in Exhibit H, there are potential geologic hazards identified along the proposed alternate gen-tie line route. The Applicant is proposing to perform site-specific geotechnical work in this area to inform the final design of the proposed alternate gen-tie line. Therefore, the Applicant will satisfy this standard.

3. *In approval of a development permit, whether ministerial or through the Administrative Action procedures of Chapter 2 of this Ordinance, the following conditions may be imposed at the time of approval to ensure site and area stability:*

    a. Maintain vegetation and eliminate widespread destruction of vegetation.

    b. Carefully design new roads and buildings with respect to:

i. Placement of roads and structures on the surface topography.

ii. Surface drainage on and around the site.

iii. Drainage from buildings and road surfaces.

iv. Placement of septic tank disposal fields.

c. Careful construction of roads and buildings.

i. Avoid cutting toeslopes of slump blocks.

ii. Careful grading around the site, especially avoiding over steepened cut banks.

iii. Re-vegetating disturbed areas as soon as possible.

d. Other conditions may be imposed to reasonably assure that the development is protected from damage by mass movement.

Response: The Applicant understands the above conditions may be imposed upon the Facility if development occurs in a geologic hazard area.

4.2.1.8 Section 3.800 - Sensitive Wildlife Habitat Overlay (OZ-8)

Section 3.805 – Siting Standards

A. Within [OZ-8], subject to standards uses permitted in the underlying zone are subject to notice to and comment from the Oregon Department of Fish and Wildlife.

B. Within [OZ-8], conditional uses permitted in the underlying zone are subject to notice and comment from the Oregon Department of Fish and Wildlife. This includes conditional use requirements per Section 5.020 F.

Response: The proposed Facility is within the Sensitive Wildlife Habitat Overlay. The Oregon Department of Fish and Wildlife (ODFW) was notified of the proposed Facility on or before November 10, 2023, by the Oregon Department of Energy (ODOE) in accordance with OAR 345-015-0120 and 345-020-0040. Comments were received on November 30, 2023. Responses to WCLUDO 5.020(F) are provided below in Section 4.2.1.11.

4.2.1.9 Section 3.840 – Sensitive Bird Site Overlay (OZ-12)

Section 3.842 – Applicability

Sensitive bird site protection measures are applicable to all uses in the underlying zone(s).

A. Any use permitted or permitted conditionally in the zone is subject to the sensitive resource review procedure if located within the sensitive habitat protection area identified for the inventoried significant site.

B. The sensitive resource review requirement and resulting protection measures are applicable in addition to and shall be applied concurrently with all other applicable standards and criteria in the county WCLUDO.

If setbacks or buffers specified in this ordinance overlap or conflict, they should be varied in a manner to achieve, to the greatest extent possible, the overall protection of affected resources and public interest.

Response: Exhibit P describes the desktop analysis and field survey results for state sensitive species and eagle species that have the potential to occur within the 0.5-mile analysis area of the Facility site boundary (Exhibit P, Table P-4). Ten state sensitive bird species and two eagle species have the potential to occur within the 0.5-mile analysis area of the Facility site boundary (Table P-4). Adverse impacts to bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) are not expected due to Facility construction and operations. Bald eagles were not observed within the analysis area during 2023 raptor nest surveys. Surveys occurred during the breeding period when this species was most likely to be observed. No bald eagle nests are located within 5 miles of the proposed micrositing corridor (ORBIC 2023a). ORBIC and USFWS data identified two golden eagle nests within 0.5 miles of the Facility site boundary and one additional nest just north of the 0.5-mile raptor nest survey buffer along Buck Hollow Canyon (ORBIC 2023a, Leal 2020). The proposed alternate gen-tie line is approximately 1.2 miles from the nearest golden eagle nest, and the proposed micrositing corridor boundary is approximately 0.3 miles from the nearest mapped nest. The three golden eagle nest record locations were visually inspected from a distance with binoculars; the nest outside of the 0.5-mile analysis area was found to be intact and in good condition but unoccupied, and the other two nests within the 0.5-mile analysis area were no longer present.

While not identified within the Sensitive Bird Site Overlay (OZ-12), field surveys identified one Swainson's hawk (*Buteo swainsoni*) nest within the proposed micrositing corridor, and occurrences of Brewer's sparrow (*Spizella breweri*), ferruginous hawk (*Buteo regalis*), grasshopper sparrow (*Ammodramus savannarum*), and loggerhead shrike (*Lanius ludovicianus*) were observed within the 0.5-mile analysis area (Exhibit P; Table P-4). Section 9 of Exhibit P identifies the avoidance, minimization, and mitigation measures that have been and will be implemented to avoid, minimize, and mitigate potential adverse impacts to state sensitive species and eagles. As recommended by ODFW, the Applicant will apply the buffers and seasonal restrictions in Exhibit P, Table P-6 around raptor nests identified during pre-construction surveys to avoid disturbance to nesting raptors as practicable. The Applicant will consult with ODFW for prior approval for exceptions to nest buffers during construction if needed. For these reasons, the Facility will not conflict with the County's Sensitive Bird Site Overlay (OZ-12).

4.2.1.10 Section 3.870 – Military Airspace Overlay Zone (OZ-15)

Section 3.873 – Notification

A. Any applicable development or use shall be required to submit a pre-application conference request at least one month ahead of submitting a complete application. The pre-application conference shall include:

1. Early notification to the Department of Defense about the proposed development or use;

2. Allow for a 15-day review by the NW Regional Coordination Team or local military representative of the proposed development or use;

3. Potential mitigation measures for a complete application recommended by the applicant, Department of Defense, or Planning Director.

Section 3.874 – Mitigation Measures

A. Proposed development or uses that have identified impacts shall be permitted conditionally with the mitigation measures agreed upon by the Department of Defense, Planning Department, and applicant or developer.

Response: A majority of the Facility site boundary is located within Wasco County's Military Airspace Overlay Zone (OZ-15) and the 500-feet Above Ground Level (AGL) airspace (Wasco County 2024). Pursuant to WCLUDO 3.872(A), this overlay zone is only applicable to structures over 400 feet in height if located within the 500-feet AGL airspace. No portion of the Facility will be more than 200 feet tall. As a result, the OZ-15 Overlay Zone is not applicable to the Facility.

The Applicant notified the Department of Defense on July 7, 2023, of the proposed Facility and that a glare analysis would be completed. In an email dated November 11, 2023, the Community Planning and Liaison Officer from the Northwest Training Range Complex confirmed the Department of Defense does not anticipate concerns from the glare analysis because the lowest the pilots are authorized to fly is 11,000 feet (Kimberly Preacher, US Navy, pers. comm., e-mail message to author, November 21, 2023). Therefore, the Facility is not anticipated to effect military flight paths in the OZ-15.

4.2.1.11 Section 5.020 – Authorization to Grant or Deny Conditional Uses, and Standards and Criteria Used

Conditional uses listed in this Ordinance shall be permitted, enlarged or otherwise altered or denied upon authorization by Administrative Action in accordance with the procedures set forth in Chapter 2 of this Ordinance. In judging whether or not a conditional use proposal shall be approved or denied, the Administrative Authority shall weigh the proposal's appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed, and to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable.

A. The proposal is consistent with the goals and objectives of the Comprehensive Plan and implementing Ordinances of the County.

Response: See Section 4.2.2 for a discussion of the Facility's consistency with the Wasco County Comprehensive Plan. The Facility is consistent with the implementing ordinances of Wasco County as evidenced by the responses to the applicable WCLUDO sections in Section 4.2.1 of this application.

B. Taking into account location, size, design and operational characteristics of the proposed use, the proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses.

Response: For purposes of analyzing this standard, the "surrounding area" is defined as the Facility site boundary plus 0.5 miles from the site boundary; "abutting properties" are those properties adjacent to the Facility site boundary. The Facility site boundary encompasses 8,075 acres, which includes the solar micrositing corridor within which the Facility components will be constructed. The Sunset, Daybreak and Bakeoven solar projects are located within the surrounding area. The Daybreak Solar Project and Bakeoven Solar Project both extend west and south on the south side of Bakeoven Road.

The Facility site boundary, surrounding area, and abutting properties are within the A-1 zone, which is an exclusive farm use zone with a purpose of preserving farm and forest uses. Outright permitted uses are those listed in WCLUDO 4.212. These include farm use, forest use, transportation projects within existing rights-of-way, utility facility service lines under 200 feet in height, irrigation infrastructure and minor home occupation, among others.

The general character of the surrounding area is rural agricultural and grazing/rangeland with flat gently sloping scabland terrain characterized by a mixture of sagebrush steppe and grasslands, and limited stands of juniper trees. The flat terrain is frequently interspersed with steep drainages resulting from rivers, creeks and their tributaries. Within and adjacent to the Facility site boundary are Hauser Canyon and Buck Hollow Creek (USGS 2024). Uses on the surrounding land, including abutting properties, are generally agricultural with some mixed residential/agricultural uses associated with ranch homesites and will include solar panels and associated equipment once the Sunset, Daybreak and Bakeoven solar projects are constructed.

Table K-2. Homesites Located within 0.5 Miles of the Facility Site Boundary

Homesite Property Owner	Homesite Tax Lot	Distance Between Homesite and Facility Site Boundary (miles)
Levi Chrisman Family LLC	5S 16E 0 1300	Inside Facility site boundary, outside of micrositing corridor
Vicky Ashley	5S 15E 0 1100	0.3
Vicki Ashley	5S 15E 0 1201	0.4
Steven L Ashley et al.	5S 15E 0 100	0.5
Carver Family Ranches LLC	5S 16E 0 600	0.5

The solar panels will be the most visible components of the solar arrays and will consist of panel strings mounted on single-axis tracker systems. The visibility of the solar arrays will depend

primarily on topographic or other view obstructions and the distance from the viewer to the solar arrays. With a maximum height of 12 feet, the solar arrays will not be visible from sites lower in elevation than the area on which the array is constructed. From sites that are similar in elevation to the arrays, viewers will see only a line on the horizon, and not individual solar panels. Depending on the viewing distance, viewers at sites higher in elevation may have views of the panels. Anti-reflective coating will be used on the solar panels to reduce glare and reflectivity. 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 anti-reflective.

As shown in Table K-2, there are four homesites within the surrounding area and one homesite within the Facility site boundary. The homesites owned by Vicky Ashley and Steven L Ashley et al. are surrounded by the EFSC-approved Sunset and Daybreak solar projects and as a result have been deemed compatible with adjacent solar energy generating facilities. The Levi Chrisman Family LLC homesite is owned by property owners who have a lease agreement with the Facility. Carver Family Ranches LLC does not have a lease with the Applicant; however, while the homesite is about 0.5 miles from the Facility site boundary, it is over 1.4 miles (approx. 7,300 feet) away from the solar micrositing corridor and Facility components. Additionally, Hauser Canyon physically separates the homesite from the solar micrositing corridor. The solar panels may be visible to the Carver Family Ranches LLC homesite, but due to the distance and topographic and physical separation the impact will be minimal.

Structures and buildings within the Facility site boundary will be setback from adjacent properties as required by code. As described in Exhibit B and confirmed in Exhibits I, R, and U, daily operational activities and the design and location of Facility components such as the solar panels, BESS, transformers and inverters are such that potential impacts to the surrounding area including glare, dust, and traffic will be minimal and, if necessary, will be mitigated through best management practices (BMPs). Fencing will enclose the entire Facility and dust will be managed as provided by Exhibit I. In this manner, farming operations in the surrounding area and future outright permitted uses on adjacent properties may occur undisturbed.

Prior to construction of each phase, the final Facility design, equipment specifications, and noise warranty data will be modeled and reviewed by an acoustician to demonstrate compliance with OAR 340-035-0035. Based on the results of the modeling, the Applicant will provide legally effective easements or real covenants [as available under Oregon Department of Environmental Quality (ODEQ) Noise Rules], or noise mitigation implementation, as necessary, to demonstrate compliance with OAR 340-035-0035. On this basis, the Facility will be compatible with the surrounding area from a noise impact perspective.

In conclusion, based on the above analysis of visual impacts, traffic, dust, noise, homesite locations and existing solar energy projects, the Facility is compatible with the surrounding area and development of abutting properties by outright permitted uses.

C. The proposed use will not exceed or significantly burden public facilities and services available to the area, including, but not limited to: roads, fire and police protection, sewer and water facilities, telephone and electrical service, or solid waste disposal facilities.

Response: The Facility will not exceed or significantly burden the following public facilities and services in the area:

- **Roads:** The Facility will be accessed from Bakeoven Road and Wilson Road. The Applicant will obtain Road Use Agreements and Road Approach Permits from Wasco County, as required, for the construction or improvement of Bakeoven Road and the intersection with Wilson Road prior to construction. The Applicant will be responsible for the costs associated with improving County-owned roads and for building and maintaining road approaches. Financial security regarding County road use, maintenance, and repair related to construction will be described in the Road Use Agreement as agreed to by Wasco County and the Applicant.
- **Fire and Police Protection**: Wildfire prevention and risk mitigation is addressed in Exhibit V. Prior to construction and operations, the Applicant will coordinate with the Bakeoven-Shaniko Rural Fire Protection Association (RFPA) to update the draft construction and operations Wildfire Mitigation Plans (WMP), provided in Exhibit V, Attachments V-1 and V-2, respectively. The Applicant will follow the mitigation measures outlined in the plans; the Facility will be equipped with fire protection equipment in accordance with the Oregon Fire Code and will comply with Wasco County's Fire Safety Standards.

  The Wasco County Sheriff's Office, headquartered in The Dalles, Oregon, is the primary provider of police service in the rural area surrounding the facility. The Applicant anticipates minimal need for police services at the Facility because the Facility will be located on private land, accessed via private service roads, and the solar arrays, BESS, collector substation, and O&M building will be secured by fencing and locked gates (see Exhibit U).
- **Sewer and Water Facilities**: During construction, sanitary wastes will be collected onsite in portable toilets obtained from a licensed contractor. During operations, the O&M building will discharge domestic wastewater to a licensed onsite septic system. The Applicant anticipates that the limited needs for sewage disposal will not require a connection to sewers or sewage treatment facilities. Therefore, the Facility will not burden local sewer systems.

  Water for construction will be supplied from an existing municipal water source with existing water rights, most likely from the City of Maupin, and trucked to the Facility site. See Exhibit O for more information regarding construction water needs. The Applicant intends to obtain this water from the City of Maupin using a bulk water agreement. The City of Maupin has confirmed that they sell bulk water (Exhibit O, Attachment O-1). The Applicant may construct either an exempt well, allowed under ORS 537.545, or obtain bulk water from a municipal water source with existing water rights (i.e., City of Maupin) for the

O&M building. Therefore, no adverse impacts to water use and supply are anticipated during Facility construction or operations.

- **Telephone and Electrical Service**: The Applicant will contract with local service providers to supply electricity and communications to the O&M building. The Applicant does not anticipate significant adverse impacts to existing telephone or electrical services.
- **Solid Waste Disposal Facilities**: Solid waste disposal for the Facility during construction and operations will be provided through a private contract with local commercial haulers and is not anticipated to disrupt services already being provided in any incorporated communities or in the larger Wasco County area. The Wasco County Landfill has confirmed that it has sufficient capacity to accommodate the Facility's solid waste (see Exhibit U). The Facility will create limited demands for solid waste disposal and will not burden existing solid waste disposal facilities.

For the reasons outlined above, the Applicant demonstrates that the Facility will not exceed the carrying capacities of the area's public facilities and services.

D. The proposed use will not unduly impair traffic flow or safety in the area.

Response: Exhibit U demonstrates that Facility operations will not unduly impair traffic flow or safety in the area. For the purpose of evaluating this standard, "area" is determined to be the site boundary plus the area within 0.5 miles of the site boundary. Facility operations will result in up to 15 full-time employees visiting the Facility site daily. These employees will travel using their personal vehicles, which may include light-duty trucks. Occasionally, additional vehicles or trucks may be required for deliveries, maintenance, and operations. Daily traffic generated by the Facility will result in minimal impacts to the existing traffic using county roads in the Facility area. As a result, adverse impacts to the transportation network and traffic safety or travel times are not anticipated.

As described in Exhibit U, approximately 200 to 300 workers will be on-site per temporary construction phase, peaking at 400 workers on-site at once per phase. For the purposes of the traffic impact analysis in this section, the Applicant uses a peak workforce of 400 people per phase when multiple disciplines of contractors complete their work simultaneously during periods of the highest activity. Truck traffic will also be generated as a result of materials and equipment delivery during the Facility's construction. This estimate is conservative and based on the maximum peak workforce. During Facility construction, it is estimated that 870 trips (435 roundtrips) will be generated daily during the peak of construction (Exhibit U). Approximately 800 of these trips are commuting trips by the workforce. The remaining 70 trips are from truck traffic generated by material and equipment deliveries and water trucks. Bakeoven Road will see the largest number of trips, as delivery of aggregate, concrete, and water may originate within the length of Bakeoven Road. Overall, construction activities may cause short-term traffic delays, but they will be temporary and can be minimized by implementing specific measures outlined in Exhibit U and in the Applicant's draft Construction Traffic Management Plan (Exhibit U, Attachment U-7). Road Approach Permits from Wasco County and ODOT will be obtained prior to construction. Prior to

construction, a Road Use Agreement with Wasco County will be obtained to mitigate for potential damage to county roads that may be caused by Facility construction and repair or restore county roads to pre-construction conditions or better. For these reasons, the Facility will not unduly impair traffic flow or safety in the area and this criterion is met.

E. The effects of noise, dust and odor will be minimized during all phases of development and operation for the protection of adjoining properties.

Response: For purposes of evaluating this standard, the "adjoining properties" are considered properties immediately adjacent to the Facility site boundary.

Exhibit Y demonstrates that prior to construction of each phase, the final Facility design, equipment specifications, and noise warranty data will be modeled and reviewed by an acoustician to demonstrate compliance with OAR 340-035-0035. Based on the results of the modeling, the Applicant will provide legally effective easements or real covenants (as available under ODEQ Noise Rules), or noise mitigation implementation, as necessary, to demonstrate compliance with OAR 340-035-0035. On this basis, the Facility will minimize the effects of noise on adjoining properties.

The Facility does not generate air emissions and no unusual odors are expected from Facility construction and operations.

Excavation and other soil-disrupting activities associated with Facility construction will result in the generation of some airborne dust particles. Exhibit I and Attachment I-2 (draft Fugitive Dust Control Plan) demonstrate that BMPs will be implemented to minimize the effects of the dust, including the application of water to disturbed ground during construction, graveling of permanent roadways, revegetation, and imposition of construction and operation speed limits on Facility service roads.

For these reasons, the Facility will minimize the effects of noise, dust and odor on adjoining properties and this criterion is met.

F. The proposed use will not significantly reduce or impair sensitive wildlife habitat, riparian vegetation along streambanks and will not subject areas to excessive soil erosion.

Response: For the purpose of evaluating this standard, "area" is determined to be the site boundary plus the area within 0.5 miles of the site boundary. The Applicant designed the Facility solar array within the solar micrositing corridor to locate Facility components at least 500 feet from Hauser Canyon and at least 1,200 feet from Buck Hollow Creek. Soil erosion prevention and mitigation methods are discussed in Exhibit I. The Applicant conducted field surveys within the solar micrositing corridor in spring and summer 2023. The Applicant did not have land access to the alternate generation-tie line corridor area during the 2023 survey season, but this area did receive a desktop review in June 2023 and will have field surveys completed prior to construction if the alternate POI is selected. An in-depth review of the field survey findings is provided in Exhibit P and a general overview is provided below.

The Applicant conducted wildlife surveys in order to locate special status species within the analysis area (Exhibit P, Attachment P-1). No surveys were conducted specifically for state listed or

candidate wildlife species, as none are expected to occur within the Facility site boundary. A total of six state sensitive species and one ODFW species of concern were observed during surveys. No federal or state threatened or endangered species were observed. Additionally, no threatened, endangered, or candidate plants were observed at the Facility during the 2023 botanical survey (Exhibit P, Attachment P-1).

Construction of the Facility will result in temporary and permanent impacts to habitat as discussed in Exhibit P; however, these will not be located within or along streambanks. Measures to avoid, reduce, and mitigate impacts within the entire micrositing corridor are provided in Section 9.0 of Exhibit P, which discusses the methods used during Facility design and micrositing, prior to construction, during construction, and during operation. The primary potential impact of Facility operations is expected to be habitat loss associated with ODFW-designated big game winter range. After avoidance and minimization measures have been implemented, some impacts to wildlife habitat will remain. Temporary and permanent habitat loss will be mitigated in accordance with ODFW Habitat Mitigation Policy goals and standards, as described in the draft Habitat Mitigation Plan (Exhibit P, Attachment P-2).

In conclusion, the Facility is designed to avoid impacts to riparian vegetation and sensitive wildlife habitat within or along stream banks associated with the Facility. The potential impacts from erosion during Facility construction are anticipated to be minimal and are addressed through erosion-control measures described in Exhibit I and in the draft Erosion and Sediment Control Plan (ESCP) (Exhibit I, Attachment I-1). Revegetation efforts identified in the draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3) will provide for long-term soil stability during Facility operations. For these reasons, the Applicant demonstrates compliance with this criterion.

G. The proposed use will not adversely affect the air, water, or land resource quality of the area.

Response: For the purpose of evaluating this standard, "area" is determined to be the site boundary plus the area within 0.5 miles of the site boundary. The Applicant does not anticipate the construction or operation of the Facility to adversely impact air, water, or land resource quality.

The proposed Facility is a solar power generating facility, that will produce clean power to be distributed to the grid. Air quality during construction of the Facility will be minimally impacted by exhaust emissions produced by trucks driving to and from the site and equipment traveling around the Facility. Only 10 to 15 operations staff are expected to commute to the Facility site from nearby communities. Operational trips include employees traveling to work in their personal vehicles, as well as specialized personnel required for periodic inspections of Facility components who may travel in light-duty trucks. The occasional delivery truck may also access the site during operations and limited trucks may visit during outages and repowering efforts annually. Other emission sources are not anticipated during Facility operations. As described above, Facility construction will result in the generation of some airborne dust particles. Exhibit I and Attachment I-2 (draft Fugitive Dust Control Plan) demonstrate that BMPs will be implemented to minimize the effects of the dust, including the application of water to disturbed ground during construction, graveling of permanent

roadways, revegetation, and imposition of construction and operation speed limits on Facility service roads.

As described in Exhibit I, the Applicant will obtain a National Pollutant Discharge Elimination System (NPDES) 1200-C permit prior to construction of the Facility. This permit will contain BMPs to keep stormwater runoff from flowing into waterbodies and to minimize potential stormwater impacts to water quality in the area. Impacts to the area's water quality will be further avoided and minimized through the implementation of the Facility's erosion control measures and BMPs. The Facility design and construction methods will minimize grading and changes to the natural drainage pattern and contain stormwater flow to the extent practicable (Exhibit I, Attachment I-1). Additionally, as described in Exhibit J, the Facility will avoid and not adversely affect wetlands and other jurisdictional waters of the state. Therefore, the Facility will not adversely affect water quality in the area.

The Facility will not adversely affect the agricultural land resources of the area, as it will not impact the ability of existing farms and ranches in the area to continue operation as discussed in Sections 4.3.1 and 4.3.2 below. The Facility will convert approximately 7,026 acres of land within the solar micrositing corridor that is currently zoned for agricultural use to use by the Facility; however, no high-value farmland is included in the solar micrositing corridor. Section 4.5 describes that up to 160 acres, or 2.3 percent, of land within the solar micrositing corridor is in active dryland crop production. The yield from these crops is not grown for sale, but instead provides supplemental feed for an on-site cattle herd during the winter. In addition, BMPs and mitigation measures to protect the soil from erosion and compaction are discussed in Exhibit I. Upon retirement of the Facility, the land within the Facility site boundary will be regraded and restored to be used for agricultural purposes in accordance with landowner agreements and as discussed in Exhibits I and X. Further, landowners will be compensated for the use of their land through lease payments. For these reasons, the Facility complies with this criterion.

H. The location and design of the site and structures for the proposed use will not significantly detract from the visual character of the area.

Response: For the purpose of evaluating this standard, "area" is determined to be the site boundary plus the area within 0.5 miles of the site boundary. The visual character of the area consists of relatively flat and gently sloping terrain, with interspersed slopes that provide intermittent topographic relief. Surrounding lands to the north and east of the Facility site boundary consist of a variety of drainage areas, creeks, tributaries and canyons (these include Hauser Canyon, Buck Hollow Creek, Finnegan Canyon, White Canyon, Bronx Canyon, Karlen Draw, Rogers Canyon). The canyon of Buck Hollow Creek is the significant topographic feature in the northern portion of the analysis area. In these areas slopes are generally too steep for crop production or cattle grazing and the land is vacant. Vegetation conditions within the area reflect the predominant use as open rangeland.

The visual character of land to the west and south of the Facility site boundary includes human development activity consisting of widely dispersed ranch homes and structures, some areas of cultivated land, fencing and roads, electrical transmission infrastructure, and solar energy

generation development. BPA's Bakeoven Substation is on the south side of Bakeoven Road and southwest of the proposed solar arrays. The substation is intersected by three major high-voltage transmission lines supported on lattice-steel structures. EFSC-approved solar energy generating facilities are directly south and west of the Facility site boundary along Bakeoven Road (Sunset Solar Project, Daybreak Solar Project, and Bakeoven Solar Project) as shown on Figure K-3. The solar development, BPA substation, and existing transmission lines are prominent features of the visual character of the area.

The Applicant is proposing a solar energy generating facility. The presence of the Facility components will not significantly change the visual character of the area. If selected, the alternate gen-tie line will occur adjacent and parallel to the existing BPA transmission corridor and the components will be similar and subordinate to existing infrastructure. The Facility components will create visual contrast and added modifications to the natural landscape on the east side of Bakeoven Road, but they will be similar in nature to existing solar development modifications and the underlying visual character of the area will remain. The landscape will continue to provide open, expansive views to the surrounding region. Based on the considerations above, the Applicant concludes that the Facility will have a limited change on the visual character of the landscape east of Bakeoven Road, the degree of visual change created will not significantly detract from the visual character of the area, and the Facility complies with this criterion.

I. The proposal will preserve areas of historic value, natural or cultural significance, including archaeological sites, or assets of particular interest to the community.

Response: As described in Exhibit S, surveys were conducted within the analysis area and identified a total of 90 cultural resources. This includes 64 archaeological sites, 2 historic built environment sites, 2 sites with both archaeological and historic built environment components, and 22 isolates. A total of 51 of the resources in the direct analysis area (27 archaeological sites, 1 archaeological/built environment site, 2 built environment sites, and 21 isolates) have been recommended not eligible for listing on the National Register of Historic Places (NRHP). The remaining 39 resources in the direct analysis area (38 archaeological sites and 1 isolate) have been left unevaluated for NRHP-listing. All NRHP-eligible cultural resources will be directly avoided by the Facility. If avoidance is not practicable in the final design, any significant resources (i.e., NRHP-eligible or unevaluated resources) will be mitigated to reduce impacts to a status of less than significant. On this basis, the Facility will preserve areas of historic value, natural or cultural significance, including archaeological sites, or assets of particular interest to the community and therefore, the Facility complies with this criterion.

J. The proposed use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use. (Revised 1-92)

K. The proposed use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to or available for farm or forest use. (Revised 1-92)

Response: These criteria are addressed in Section 4.3.1, as they are duplicates of the OAR 660-033-0130(5) criteria. Additionally, in January 2025 the Land Conservation and Development

Commission adopted clarifying language to assist in the evaluation of compliance with these criteria. This clarifying language has been added to Section 4.3.1 and addressed there.

Based on the information provided in Section 4.3.1, the County may find that the Facility will not significantly change the accepted farming practices within the surrounding area. Because the Facility will not result in significant impacts and the landowners will sign and record a Farm-Forest Management Easement, the County can draw the conclusion that the Facility will also not result in significant costs to accepted farming practices. The Facility complies with these criteria.

4.2.1.12 Section 10.020 – Applicability of Fire Safety Standards

A. Applicability of Fire Safety Standards in Different Rural Zones: County Ordinances affect all rural zones (all zones outside an Urban Growth Boundary). All rural zones are subject to fire standards but the applicability of the specific standards varies by zone and by use type. Zoning terms used to classify groups of land use designations in the Fire Safety Standard Checklist, Sections 10.110 to 10.150, are defined in the following table (any more specific distinctions based on parcel shape or specific zoning designation are also called out in the checklist):

Response: The proposed Facility is a commercial power generating facility located within the EFU (A-1) zone, which is considered a rural zone in Wasco County. Therefore, the Fire Safety Standards are applicable to the Facility and have been addressed below.

B. Applicability of Fire Standards to Different Types of Land Uses

> *1. Zones affected by Fire Standards*
>
> *Fire standards are applicable in all rural zones, but different standards may apply in different types of zones. The applicability of fire standards by zone is discussed in (A) above and noted in the fire safety standards checklist below, Sections 10.110 to 10.150. The checklist also highlights any specific differences in the applicability of the standard due to size of lot or specific zoning.*
>
> *2. Uses affected by Fire Standards*
>
> *Some fire standards are applicable only to new dwellings while others are applicable to all kinds of structures and alterations to structures. The following table lists the fire safety standards applicable to different types of development.*

Response: As previously mentioned, the proposed Facility is within the A-1 zone, a rural zone in Wasco County. Therefore, the fire safety standards are applicable to the Facility and have been addressed below.

4.2.1.13 Section 10.110 – Siting Standards – Locating Structure for Good Defensibility

Response: Under the WCLUDO, a "building" includes the O&M building whereas a "structure" includes other Facility components like the solar arrays, collector substation and alternate gen-tie line support structures. The Fire Siting Standards are specific to "buildings." A full assessment of wildfire risks and measures to reduce fire risk is provided in Exhibit V. Draft Construction and

Operations WMPs are included as Attachment V-1 and V-2, respectively. These plans describe procedures for Facility inspection and vegetation management to reduce the availability of fuels for wildfire near Facility electrical components, including both the O&M building and Facility structures.

A. Does your building avoid slopes steeper than 40% (more than 40-foot elevation gain over 100 feet horizontal distance)?

Response: Slopes within the Facility site boundary range from zero to 95 percent. The proposed O&M building will be developed on land flatter than a 40 percent slope. Therefore, this standard is satisfied.

B. Is your building set back from the top of slopes greater than 30% by at least 50 feet? Or, is your building set back from the top of slopes greater than 30% at least 30 feet? And, no structures or other extensions closer than 30 feet from top of slope?

Response: Slopes within the vicinity of the site boundary range from approximately zero to 95 percent, with an average slope of 7.6 percent. The O&M building will be set back at least 50 feet from slopes greater than 30 percent. Therefore, this standard is satisfied.

4.2.1.14 Section 10.120 – Defensible Space – Clearing and Maintaining a Fire Fuel Break

A. Is your building surrounded by a 50-foot wide fire fuel break?

B. Is dense unmanaged vegetation beyond 50 feet from the outer edges of your buildings, including any extensions such as decks or eaves, kept to a MINIMUM? If located on steeper ground, have you created and maintained some clearings beyond the 50 feet fire fuel break?

Response: The Applicant is proposing at least a 50-foot-wide fire fuel break around the proposed O&M building. Additionally, to the extent feasible, vegetation will be cleared and maintained along perimeter roads to provide a vegetation clearance area for fire safety. Use of the service roads may continue after construction, or new service roads may be removed, and the land restored to pre-construction conditions.

4.2.1.15 Section 10.130 – Construction Standards For Dwellings And Structures – Decreasing The Ignition Risks By Planning For A More Fire-Safe Structure

A. Is your building designed, built, and maintained to include the following features and materials necessary to make the structure more fire resistant?

1. Roof Materials: Do you or will you have fire resistant roofing installed to the manufacturers specification and rated by Underwriter's Laboratory as Class A, B, or its equivalent (includes but not limited to: slate, ceramic tile, composition shingles, and metal)? NOTE: To give your structure the best chance of surviving a wildfire, all structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the uniform building code.

Response: The O&M building will have fire-resistant roofing, such as a metal roof. The Applicant is not proposing any structural projections on the O&M building. Therefore, the proposed O&M building is compliant with this standard. Additionally, no other standards under this section apply.

4.2.1.16 Section 10.140 – Access Standards - Providing safe access to and escape from your home

Response: The Facility does not involve a dwelling and therefore the residential driveway standards in subsections (A)-(H) do not apply. However, as discussed in response to Section 3.216(G) above, the Facility will be accessed from Wilson Road. New service roads will be constructed within the Facility site boundary to provide access to Facility infrastructure. The Applicant is not proposing any new driveways at this time. The Facility may require improvements to existing driveways from the existing Bakeoven Road or Wilson Road. If improvements are made to existing driveways, the Applicant will obtain a Road Approach Permit, prior to construction, from the Wasco County Public Works Department or ODOT. The Facility is in compliance with access standards; therefore, this standard is satisfied.

4.2.1.17 Section 10.150 – Fire Protection or On-Site Water Required

Ensuring dwellings have some fire protection available through manned or unmanned response.

Response: Subsection (B) of WCLUDO 10.150 requires that dwellings constructed outside a structural fire protection district must provide a National Fire Protection Association-compliant sprinkler system and if located in the Forest zones, to provide an on-site water source. The Facility is not proposing any dwellings (as defined by WCLUDO 1.090). Therefore, the Facility is not subject to fire safety standards of Section 10.150. Notwithstanding the applicability of this standard, the Applicant proposes to install a sprinkler system within the O&M building based on the Applicant's standard practices for fire protection.

The Applicant understands that wildland fire is a concern for the community. Landowners involved in the Facility are members of the proposed Bakeoven-Shaniko RFPA and the Applicant has coordinated with the RFPA Chairperson regarding ways the Applicant could support fire response activity. A service letter confirmation from RFPA is included as Attachment U-4 in Exhibit U confirming that the Facility is on land owned by members of the RFPA and that wildland fire response will be provided in coordination with the Applicant and their partners.

4.2.1.18 Section 19.030 – Commercial Power Generating Facilities Review Process & Approval Standard

C. General Standards - The following standards apply to energy facilities as outlined in Section A above, in addition to meeting the Conditional Use Standards listed in Chapter 5:

1. Air Safety - All structures that are more than 200 feet above grade or, exceed airport imaginary surfaces as defined in OAR 738-070, shall comply with the air hazard rules of the Oregon Department of Aviation and/or Federal Aviation Administration. The applicant shall

notify the Oregon Department of Aviation and the Federal Aviation Administration of the proposed facility and shall promptly notify the planning department of the responses from the Oregon Department of Aviation and/or Federal Aviation Administration.

Aerial Sprayers and operators who have requested to be notified will receive all notifications associated with the energy facility as required by Chapter 2, Development Approval Procedures.

Response: All proposed structures will be less than 200 feet in height and will not exceed airport imaginary surfaces as defined under OAR 738-070. Therefore, this standard is not applicable to the Facility.

2. Interference with Communications – The energy facility shall be designed, constructed and operated so as to avoid any material signal interference with communication systems such as, but not limited to, radio, telephone, television, satellite, microwave or emergency communication systems. Should any material interference occur, the permit holder must develop and implement a mitigation plan in consultation with the planning department.

Response: The solar arrays will be no more than 12 feet tall. The tallest proposed structures are the gen-tie line support monopoles that will be approximately 160 to 180 feet in height. Each monopole will require a concrete caisson foundation. No proposed structures are anticipated to interfere with communication systems. Therefore, the Facility complies with this standard.

3. Noise - The energy facility shall comply with the noise regulations in OAR 340-035. The applicant may be required to submit a qualified expert's analysis and written report.

Response: Noise would be generated during both construction and operation of the Facility. Exhibit Y 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. Noise could result from the use of heavy machinery, such as heavy trucks, bulldozers, and graders. Pursuant to OAR 340-035-0035(5), noise from construction activities is exempt from the state Noise Standards.

Exhibit Y demonstrates that prior to construction of each phase, the final Facility design, equipment specifications, and noise warranty data will be modeled and reviewed by an acoustician to demonstrate compliance with OAR 340-035-0035. Based on the results of the modeling, the Applicant will provide legally effective easements or real covenants (as available under ODEQ Noise Rules), or noise mitigation implementation, as necessary, to demonstrate compliance with OAR 340-035-0035.

4. Visual Impact

a. Scenic Resources – To issue a conditional use permit for an energy facility, the county must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic

resources or values identified as significant or important in the Wasco County Comprehensive Plan.

Response: As discussed in Exhibit R, the analysis area for scenic resources is 2 miles from the Facility site boundary.[1] There is one scenic area within the analysis area (see Figures R-2 and R-3).

OR-216 within Sherman County is located in the middle ground distance of 1.84 miles from the gen-tie line and 4.43 miles from the solar arrays. From this scenic area, there is a greater potential for visibility of the Facility gen-tie line, though views of the gen-tie line would be similar to the other power lines in the area. Views of the solar array are at a background distance. In addition, potential Facility views from this scenic area are partially to fully screened by vegetation, terrain, and human-made structures. Therefore, the Facility will not result in a significant adverse impact to important scenic resources in Wasco County and is compliant with this standard.

b. Protected Areas - Except as provided in subsections (b) and (c) below, an energy facility shall not be located in the areas listed below:

(1) National recreation and scenic areas, including but not limited to the Columbia River Gorge National Scenic Area;

Response: According to Exhibit L, the Facility is not located in a national recreation and scenic area. Therefore, the standard does not apply.

(2) 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;

Response: As described in Exhibit L, the Facility is not located within a scenic waterway. Therefore, this standard does not apply.

(3) State parks and waysides as listed by the Oregon Department of Parks and Recreation;

Response: The Facility is not located in a state park or wayside. Therefore, this standard does not apply.

(4) State wildlife areas and management areas identified in OAR 635-008;

Response: The Facility is not located within a state wildlife area or management area. Therefore, this standard does not apply.

(5) National and state fish hatcheries or national and state wildlife refuges;

Response: The Facility is not located within a national or state fish hatchery or national or state wildlife refuge. Therefore, this standard does not apply.

(6) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;

[1] Oregon Department of Energy, Project Order for Yellow Rosebush Energy Center (January 2024), pg.48

Response: The Facility will not be located within a state natural heritage area. Therefore, this standard is not applicable.

> *(7) 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; and*

Response: The Facility will not be located within a wilderness area. Therefore, this standard does not apply.

> *(a) Exceptions to Protected Areas - Except where the following uses are regulated by federal, state or local laws, including but not limited to the Columbia River Gorge National Scenic Area Act and implement land use ordinances, the following may be approved in a protected area identified in subsection b above if other alternative routes or sites have been studied and been determined to have greater impacts*
>
> - *An electrical transmission line;*
> - *A natural gas pipeline; or*
> - *An energy facility located outside a protected area that includes an electrical transmission line or natural gas or water pipeline as a related or supporting facility located within a protected area.*
>
> *(b) Transmission Line & Pipeline Exception - The provisions of subsection b above do not apply to electrical transmission lines or natural gas pipelines routed within 500 feet of an existing utility right-of-way containing at least one transmission line or one natural gas pipeline.*

Response: The Applicant is proposing to construct a commercial power generating facility outside protected and scenic areas. Therefore, an exception to the protected and scenic area standard is not necessary.

> *(c) Additional Visual Mitigation Impacts for all Facilities - The design, construction and operation of the energy facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified in subsection (b) above. Methods to mitigate adverse visual impacts could include but are not limited to:*
>
> *(8) Building the energy facility near the edge of contiguous timber areas or using the natural topography to obscure the energy facility;*
>
> *(9) Using materials and colors that blend with the background unless otherwise required by the Federal Aviation Administration or the Oregon Department of Aviation; and*
>
> *(10) Retaining or planting vegetation to obscure views of the energy facility.*

Response: As described in Exhibit R, because the Facility would be located outside protected and scenic areas and have no significant adverse impacts on scenic resources, no additional measures would be necessary to avoid or minimize impacts.

> *5. Natural Resource/Wildlife Protection - Taking into account mitigation, siting, design, construction and operation the energy facility will not cause significant adverse impact to important or significant natural resources identified in the Wasco County Comprehensive Plan, Wasco County Land Use and Development Ordinance or by any jurisdictional wildlife agency resource management plan adopted and in effect on the date the application is submitted. As appropriate, the permit holder agrees to implement monitoring and mitigation actions that Wasco County determines appropriate after consultation with the Oregon Department of Fish and Wildlife, or other jurisdictional wildlife or natural resource agency. Measures to reduce significant impacts may include, but are not limited to the following:*

Response: Biological surveys were conducted to assess the potential impacts of the Facility on Wasco County's natural resources (Exhibit P, Attachment P-1). Habitat types and wildlife and fish species known to occur in Wasco County are identified in Tables 13, 14, and 15 of the Wasco County Comprehensive Plan. For the purposes of this analysis, Table P-4 of Exhibit P identifies state sensitive species with the potential to occur within 0.5 miles of the Facility site boundary (also referred to as the fish and wildlife habitat analysis area in Exhibit P). Big game winter range and riparian and fisheries habitat are identified as sensitive wildlife habitats in the Wasco County Comprehensive Plan. The Facility overlaps with big game winter range as designated by ODFW and as such, habitat field-categorized as Category 3, 4, or 5 has been mapped as Category 2 habitat per ODFW's recommendation. Potential impacts from the construction and operation of the Facility to important or significant natural resources identified in the Wasco County Comprehensive Plan, WCLUDO, or by ODFW will be avoided or minimized through design, micrositing, timing of construction, and other conditions that will continue to be developed in coordination with ODFW.

Measures to avoid, reduce, and mitigate impacts within the entire micrositing corridor are provided in Section 9.0 of Exhibit P. The primary potential impact of Facility operations is expected to be habitat loss associated with ODFW designated big game winter range. After avoidance and minimization measures have been implemented, some impacts to wildlife habitat will remain. Temporary and permanent habitat loss will be mitigated in accordance with ODFW Habitat Mitigation Policy goals and standards, as described in the draft Habitat Mitigation Plan (Exhibit P, Attachment P-2). The Applicant has been in consultation with ODFW and Wasco County concerning Facility plans and will continue to work with ODFW to determine appropriate monitoring and mitigation actions for the Facility.

> *a. Providing information pertaining to the energy facility's potential impacts and measures to avoid impacts on:*
>
> *(1) Wildlife (all potential species of reasonable concern);*

Response: The following wildlife reports have been completed for the Facility as follows:

- 2023 Wildlife, Habitat, and Raptor Nest Survey Report (Exhibit P, Attachment P-1)

- 2023 Botanical Survey Report (Exhibit P, Attachment P-1)
- Wetlands and Other Waters Delineation Report (Exhibit J, Attachment J-1)

Before the 2023 surveys, the Applicant conducted a desktop review to identify all potential species of reasonable concern with the potential to occur at the Facility (see Exhibit P). For this analysis "species of reasonable concern" were defined as those species listed under federal or state Endangered Species Acts or listed on ODFW's list of Species of Concern. Table P-4 of Exhibit P provides a list of sensitive species that could potentially occur at the Facility, as well as notes on whether or not they have been documented in the site boundary during the various survey efforts.

No federal or state-endangered or threatened species were documented during surveys; no field studies were conducted for fish because the construction and operation of the Facility will not result in any temporary or permanent impacts to intermittent or perennial fish-bearing streams (Exhibit Q, Figure Q-1). State sensitive species in the Columbia Plateau Ecoregion were documented in the fish and wildlife habitat analysis area (see Exhibit P, Table P-4). Bald eagles and golden eagles were not documented within the fish and wildlife habitat analysis area during surveys, but golden eagles have known nesting occurrences in Buck Hollow Canyon between 0.3 and 1.2 miles from the Facility micrositing corridor and alternate gen-tie line, respectively. Bald eagles and golden eagles are not state sensitive species but are protected under the Bald and Golden Eagle Protection Act (BGEPA). Potential Facility-related impacts to state sensitive species and to bald and golden eagles are discussed in Section 8.0 of Exhibit P. In general, potential construction-related impacts include permanent and temporary loss of habitat, introduction of noxious weeds, potential nesting and breeding disturbance, collisions, disturbance to wintering big game, and entrapment within fenced areas. These potential impacts are not anticipated to be significant and will be limited by avoidance and minimization measures described in Section 9.0 of Exhibit P.

After avoidance and minimization measures have been implemented, some impacts to wildlife habitat and sensitive species will remain (Exhibit P, Sections 9.0 and 10.0). Temporary and permanent habitat loss will be mitigated for according to the draft Habitat Mitigation Plan (Exhibit P, Attachment P-2). The Applicant will conduct revegetation monitoring as described in the draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3). The Applicant will conduct noxious weed monitoring as described in the draft Noxious Weed Control Plan (Exhibit P, Attachment P-4). Mitigation and monitoring methods will continue to be developed in coordination with ODFW.

(2) Wildlife Habitat;

Response: The Applicant mapped 10 habitat types within the micrositing corridor:

1. Seasonal ponds;
2. Intermittent or ephemeral streams;
3. Emergent wetlands;
4. Forested wetlands;
5. Eastside grasslands;

6. Shrub-steppe grassland;
7. Planted grassland;
8. Orchards, vineyards, wheat fields, other row crops;
9. Cliffs, caves, and talus; and
10. Urban and mixed environs.

These habitat types can be categorized as Category 2, 3, 4, 5, or 6 per ODFW's Fish and Habitat policy; however, the analysis area is located entirely within the ODFW Mule Deer Winter Range, and as such, all habitat field-categorized as Category 3, 4, or 5 has been mapped as Category 2 habitat regardless of habitat quality per ODFW's recommendation. Based on post-field processing of the habitat categorization field data, wetlands and waters field survey data, and the previously surveyed areas, the proposed micrositing corridor includes Category 2 through 6 habitats (see Exhibit P, Table P-2). Results from the wetland delineation surveys indicated that 17 wetlands were delineated within the Wetland Delineation Study Area. This wetland classification included vernal pools. The wetland delineation surveys also documented 59 waterways in the Wetland Delineation Study Area (Exhibit J). Except for two intermittent waterways and five ponds, other waterways were ephemeral (Exhibit J, Table J-1). The Facility will have no adverse impacts to wetlands or other jurisdictional Waters of the State. Therefore, no monitoring or mitigation is proposed.

The installation of infrastructure will cause some permanent wildlife habitat loss within the site boundary. Mitigation and monitoring methods will continue to be developed in coordination with ODFW.

No OZ-7 natural areas listed in the Comprehensive Plan overlap with the micrositing corridor or the site boundary. The closest natural area to the Facility is the Tygh Valley State Natural Area, approximately 9 miles west of the site boundary (Exhibit L, Table L-1). The Facility will have no direct impact on this or any other natural area.

As discussed in Section 4.2.1.9, Exhibit P and the Wildlife, Habitat, and Raptor Nest Survey Report (Exhibit P, Attachment P-1) confirm that no bald eagle nests occur within 5 miles of the Facility site boundary, and the two mapped golden eagle nests in the fish and wildlife habitat analysis area are either gone or no longer in use. No nests occur within 0.3 to 1.2 miles of proposed Facility components. Furthermore, the Applicant will continue to coordinate with ODFW regarding the existing nests. Therefore, no conflicts with the OZ-12 Sensitive Bird Overlay are expected.

As a result of considerations and modifications through consultation with ODFW (Exhibit P), the Applicant anticipates impacts to big game will be minimized by siting facilities set back from the canyons to maintain habitat connectivity, and unavoidable impacts will be mitigated consistent with the ODFW Fish and Wildlife Habitat Mitigation Policy goals and standards (OAR 635-415-0025).

(3) Endangered Plants; and

Response: Botanical field surveys were conducted within the majority of the proposed micrositing corridor in June 2023 for the Facility to determine the presence of endangered plants (Exhibit Q), which could include the following sensitive species that have the potential to occur near the Facility (Table K-3). None were found during field surveys.

Table K-3. Federal and State Threatened, Endangered, and Candidate Vascular Plant Species with the Potential to Occur within the Study Area

Common Name	Scientific Name	Federal Status[1]	State Status[2]	Flowering Period[3]
Tygh Valley milk-vetch	*Astragalus tyghensis*	SOC	T	Late May to mid-June. Flowering from May to early June and Fruiting in July.
Dwarf evening primrose	*Eremothera [Camissonia] pygmaea*	-	C	June - August
Henderson's ricegrass	*Eriocoma [Achnatherum] hendersonii*	-	C	May-June
Disappearing monkeyflower	*Erythranthe inflatula [Mimulus evanescens]*	-	C	May - June
Hepatic monkeyflower	*Erythranthe [Mimulus] jungermannioides*	-	C	June – August (as long as water is present)
Diffuse stickseed	*Hackelia diffusa* var. *diffusa*	-	C	May - July
Sessile mousetail	*Myosurus sessilis*	SOC	C	March-May (depending on hydrology)

Sources: ORBIC 2019, ORBIC 2023a, ORBIC 2023b, ORBIC 2023c.

1. USFWS: SOC = Species of Concern.

2. ODA: T = Threatened; C = Candidate for Listing.3. Species may bloom anytime within the range presented; peak blooming periods (i.e., prime survey periods), are included where applicable.

Surveys were conducted in June of 2023. No federal or state-listed endangered, threatened, or candidate plant species were observed within the survey area. Habitat for sessile mousetail was located within the survey area, but there was no evidence of the plant in the vicinity.

(4) Wetlands & Other Water Resources.

Response: The Facility will have no adverse impacts on wetlands or other jurisdictional Waters of the State. All fish-bearing streams are located in Buck Hollow Canyon, north of the Facility.

Results from wetland delineation surveys indicate that 17 wetlands were delineated within the Wetland Delineation Study Area. This wetland classification included vernal pools. The wetland delineation surveys also documented 59 waterways in the Wetland Delineation Study Area (Exhibit J). Except for two intermittent waterways and five ponds, other waterways were ephemeral. Exhibit J includes acres for each wetland as well as stream length and classification data. The Applicant has submitted the report to the Oregon Department of State Lands for concurrence. No state removal-

fill and federal Clean Water Act Section 404 authorization is required since there will be no impact to wetlands or waters.

b. Conducting biologically appropriate baseline surveys in the areas affected by the proposed energy facility to determine natural resources present and patterns of habitat use.

Response: The following biologically appropriate baseline surveys, conducted to determine natural resources present and patterns of habitat use, have been completed in the areas potentially affected by Facility and the survey reports are as follows:

- 2023 Wildlife, Habitat, and Raptor Nest Report (Exhibit P, Attachment P-1)
- 2023 Botanical Survey Report (Exhibit P, Attachment P-1)
- 2023 Wetlands and Other Waters Delineation Report (Exhibit J, Attachment J-1)

c. Selecting locations to reduce the likelihood of significant adverse impacts on natural resources based on expert analysis of baseline data.

Response: The micrositing corridor represents areas of the Facility site boundary with topographic features suitable for solar energy and battery storage, and areas that are technically feasible for construction. In developing the solar micrositing corridor, the Applicant considered the following factors:

- Avoidance of fish bearing waters, vernal pools, and large wetland complexes to the extent practicable;
- Spiral markers will be installed on the ground wire of the alternate generation-tie line in areas over canyons or within 2 miles of a known eagle nest;
- The Applicant will use Facility-specific measures that follow Avian Powerline Interaction Committee (APLIC) guidelines for minimizing avian electrocutions (APLIC 2006). This is expected to minimize the risk of electrocution to raptors generally, and to bald eagles, golden eagles, Swainson's hawks, and ferruginous hawks in particular;
- The Applicant will implement down-shield lighting for permanent lighting at the BESS, collector substation, and O&M building. Outdoor lighting will be sited, limited in intensity, shielded, and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. This is expected to minimize the risk of avian collision with Facility infrastructure for birds and bats in general, but to nocturnal migrant species (including Brewer's sparrows, sagebrush sparrows, grasshopper sparrows) and to the crepuscular, insectivorous common nighthawk in particular. Down-shield lighting will be in place year-round, mitigating impacts to birds and bats both during migration and while foraging for insects at any time of the year;
- The Applicant will cap or otherwise modify vertical pipes and piles to prevent cavity-dwelling and nesting birds from entering. This also prevents any perching bird from inadvertently falling into pipes. These caps are expected to minimize the risk of fatalities to

all birds (including the cavity-nesting Lewis's woodpecker), as well as small mammals and lizards such as the northern sagebrush lizard;

- Facility components will be fenced to exclude big game;
- The Applicant will microsite the Facility layout to set back from Buck Hollow and Hauser canyons where feasible to reduce impacts to Priority Wildlife Connectivity Areas and shrub-steppe Strategy Habitats;
- Avoidance of ODFW Category 1 habitat;
- To the extent feasible, siting on previously disturbed habitat, including dryland wheat and planted grassland, and minimizing impacts to sagebrush steppe, which is an ODFW conservation strategy habitat;
- Co-location of access roads and electrical lines with existing farm roads; and
- Minimize the use overhead collection lines to the extent possible.

These voluntary measures demonstrate the Applicant's interpretations of baseline surveys and application of the *Oregon Columbia Plateau Ecoregion Wind Energy: Siting and Permitting Guidelines* (CPET 2008) to minimize significant impact on wildlife. As the micrositing process continues, the Applicant will balance a number of technical and engineering factors to select locations that reduce impacts on natural resources to the extent practicable. The ultimate location of facility components within the solar micrositing corridor will be determined through a detailed environmental and engineering evaluation at pre-construction and final design, prior to the issuance of construction permits.

> *d. Utilizing turbine towers that are smooth steel structures that lack features that would allow avian perching. Where horizontal surfaces cannot be avoided, antiperching devices shall be installed where it is determined necessary to reduce bird mortality.*

Response: The Facility is a solar power generating facility. Therefore, no turbine towers are proposed and this standard does not apply.

> *e. Designing and installing all aboveground transmission line support structures following the current suggested practices for avian protection on power lines published by the Avian Power Line Interaction Committee.*

Response: As discussed in Exhibit P, the Applicant will use Facility-specific measures that follow APLIC guidelines for minimizing avian electrocutions (APLIC 2006). This is expected to minimize the risk of electrocution to raptors generally, and to bald eagles, golden eagles, Swainson's hawks, and ferruginous hawks in particular. The proposed transmission line and gen-tie line will follow committee guidelines. Therefore, this standard is satisfied.

> *f. Utilizing towers and transmission line support structures designed so the foundation area and supports avoid the creation of artificial habitat or shelter for raptor prey.*

Response: After construction, the restored area around each transmission structure will be designed to avoid creation of artificial habitat or shelter for raptor prey. Temporarily impacted areas within non-agriculture and non-developed habitat types will be replanted with a native, low-growing seed mix that is compatible with adjacent land uses. Seed mixes and techniques are described in the Draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3).

g. Controlling weeds to avoid the creation of artificial habitat suitable for raptor prey such as spreading gravel on turbine pad.

Response: As mentioned above, the Facility is a solar power generating facility and will not have turbine pads onsite. However, a draft Noxious Weed Control Plan is included in Exhibit P, Attachment P-4. The plan describes the noxious weed control measures that will be implemented during construction and operation of the Facility. Overall, the Applicant will follow the measures and prevention procedures outlined within the draft Noxious Weed Control Plan throughout the lifetime of the Facility. The standard is satisfied.

h. Avoiding construction activities near raptor nesting locations during sensitive breeding periods and using appropriate no construction buffers around known nest sites.

Response: As described in Exhibit P, the Applicant has worked with ODFW to establish the following buffers and seasonal restrictions listed in Table K-4 below. These buffers will help to avoid disturbance to nesting raptors as practicable. The Applicant will consult with ODFW for prior approval for exceptions to nest buffers during construction.

Table K-4. ODFW Raptor Nest Buffers and Seasonal Restrictions

Species	Spatial Buffer	Seasonal Restriction	Release Date if Unoccupied
western burrowing owl	0.25 mile	April 1 to Aug 15	May 31
golden eagle	0.5 mile	Feb 1- Aug 15	May 15
red-tailed hawk	300-500 feet	Mar 1- Aug 15	May 31
ferruginous hawk	0.25 mile	Mar 15- Aug 15	May 31
Swainson's hawk	0.25 mile	April 1- Aug 15	May 31
prairie falcon	0.25 mile	Mar 15- Jul 1	May 15
peregrine falcon	0.25 mile	Jan 1- Jul 1	May 15
American kestrel	0.25 mile	Mar 1- Jul 31	May 15

i. Locating transmission lines or associated transmission lines with the energy facility to minimize potential impacts (e.g., 50 feet from the edge of the nearest wetland or water body except where the line is required to cross the wetland or water body; or separating transmission lines or associated transmission lines with the energy facility from the nearest wetland or water body by topography or substantial vegetation to

the extent practical, except where the line is required to cross the wetland or water body).

Response: The Facility was sited to avoid wetlands and other waterbodies. Therefore, the Facility will have no adverse impacts to wetlands or other jurisdictional Waters of the State. In conclusion, no monitoring or mitigation is proposed. The standard is satisfied.

j. Locating transmission towers or associated transmission towers outside of Class I or II streams unless:

(1) Adjoining towers and conductors cannot safely and economically support the line(s) that span the stream without an in stream tower; and

(2) The lines cannot be safely and economically placed under the water or streambed.

Response: As mentioned above, the Facility (including associated transmission towers for the alternate gen-tie line) will avoid wetlands and jurisdictional waters within the Facility site boundary. Therefore, these standards are met.

(3) Developing a plan for post-construction monitoring of the facility site using appropriate survey protocols to measure the impact of the project on identified natural resources in the area.

Response: The Applicant will conduct revegetation monitoring as described in the draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3). Monitoring related to mitigation success is described in the draft Habitat Mitigation Plan (Attachment P-2). If recommended by ODFW, the Applicant will conduct post-construction monitoring as described in a Wildlife Post-construction Monitoring Plan, which would be provided at final design prior to construction.

6. Protection of Historical and Cultural Resources - The applicant shall complete a cultural resources survey of areas where there will be temporary or permanent disturbance. During construction, cultural resources included in the Wasco County Comprehensive Plan shall be flagged and avoided in areas of potential temporary or permanent disturbance, and construction activities monitored to ensure all cultural resources in such areas are avoided, unless appropriate permits are obtained from the Oregon State Historic Preservation Office. Prior to construction an Inadvertent Discovery Plan (IDP) shall be developed that must outline the procedures to be followed in the case previously undiscovered archeological, historical or cultural artifacts are encountered during construction or operation of the energy facility, in compliance with ORS 358.905-358.955 and any other applicable local, state and federal law.

Response: As described in Exhibit S, surveys were conducted within the analysis area and identified a total of 90 cultural resources. This includes 64 archaeological sites, 2 historic built environment sites, 2 sites with both archaeological and historic built environment components, and 22 isolates. A total of 51 of the resources in the direct analysis area (27 archaeological sites, 1 archaeological/built environment site, 2 built environment sites, and 21 isolates) have been recommended not eligible for listing on the NRHP. The remaining 39 resources in the direct analysis area (38 archaeological sites and 1 isolate) have been left unevaluated for NRHP-listing. If

the resources or any other NRHP-eligible or unevaluated resources cannot be avoided the final design, they will be mitigated in consultation with ODOE, the State Historic Preservation Office (SHPO), and Tribes to reduce impact significance to the extent practicable. Therefore, the Facility complies with this standard.

> *7. Fire Protection & Emergency Response - A fire protection and emergency response plan shall be developed and implemented in consultation with the applicable fire district or department and/or land management agency to minimize the risk of fire and respond appropriately to any fire or emergency that occurs onsite for all phases of the life of the facility. In developing the plan the applicant shall take into account, among other things, the terrain, dry nature of the region, address risks on a seasonal basis, and identify the locations of fire extinguishers, nearby hospitals, telephone numbers for emergency responders, and first aid techniques.*

Response: As discussed in Exhibit V, draft Construction and Operations WMPs are included with this ASC (Exhibit V; Attachments V-1 and V-2, respectively). Exhibit V assesses the wildfire risk for the Facility and within the site boundary. The WMPs discuss wildfire prevention and protection measures. The final plans will be developed with input from the Bakeoven-Shaniko RFPA. The Applicant's employees and contractors will be trained on the procedures for wildfire outlined in the plans. A copy of the plans will remain onsite to be used in the event of an emergency.

> *8. Public Safety - A public safety plan shall be developed and implemented to exclude members of the public from hazardous areas within the Energy Facility Project Area.*

Response: The Applicant will develop an Emergency Response Plan (ERP) for the Facility prior to construction of the Facility. The ERP will consist of procedures for Facility employees to follow in the event of an emergency. A copy of the ERP will be kept onsite at all times.

The solar array areas, BESS, collector substation, and BPA's switchyard will be appropriately fenced to restrict public access during construction and operations. A chain-link security fence will be installed around these areas requiring controlled access. The security fence around the BESS, collector substation, O&M building and BPA's switchyard is anticipated to be up to 8 feet in height (6 to 7 feet of fence, crowned with 1 foot of barbed wire [three strands]), mounted on 45-degree extension arms facing outwards. The solar arrays will be enclosed by fixed-knot (or a similar wildlife-friendly option) or chain-link perimeter fencing up to 8 feet in height. The fence posts will be set in concrete and/or driven into the ground. Fencing may be raised off the ground approximately 6 to 8 inches to accommodate small animal movement under the fence. The Facility site will be locked and gated. If first responders needed to access the site for any reason, a key will be available in a lock box or some other approved method. The perimeter fence will have 24-foot-wide security gates installed at various locations for ingress and egress. Controlled access gates will be located at the entrances to the Facility. Site access gates will be swing- or rolling-type. Access through the main gates will require an electronic swipe card to prevent unaccompanied visitors from accessing the Facility. Facility personnel, contractors, agency personnel, and visitors will be logged in and out at the O&M building during normal business hours. Visitors and non-Facility employees (except agency personnel on government business) will be allowed entry only with approval from a staff member at the Facility. Additional security may be provided by closed-circuit

video surveillance cameras and anti-intrusion systems, as required, for protection of the Facility as well as for the safety of visitors. These Facility design features will help to ensure public safety and therefore, the Facility complies with this standard.

9. Transportation Plan - A transportation plan shall be developed and implemented in consultation with the Wasco County Road Department and/or the Oregon Department of Transportation (ODOT). The plan shall be consistent with any applicable requirements from the Wasco County Transportation System Plan and shall also provide or address:

a. The size, number, and location of vehicle access points off of public roads.

Response: Transportation routes used for construction and operation of the Facility are discussed in Exhibit U. The route for construction vehicles and workforce traffic will be via I-84 and exit southbound on US-97 (Sherman Highway) at Biggs Junction, southbound through the town of Shaniko, and continue west and north on Bakeoven Road to the proposed site boundary. As previously mentioned, the Facility will take access from Wilson Road, a public right-of-way. No other vehicle access points are proposed for the Facility.

b. Use of existing roads to the extent practical to minimize new access roads.

Response: Existing roads will be used to the extent practical to minimize construction of new access roads. As previously mentioned, the Facility will take access from Wilson Road, an existing public right-of-way. The Applicant is proposing to construct 24.8 miles of new access roads to provide connection to facility components and existing roads. Overall, employees will use existing roads to the extent practical.

c. Restoring the natural grade and revegetating all temporary road cuts, used during construction of the energy facility. The applicant shall specify the type and amount of native seed or plants used to revegetate the disturbed areas and a timeline to complete this work.

Response: After construction is completed, the Applicant will restore temporary access roads to their pre-construction condition. As discussed in the draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3), revegetating temporarily disturbed areas will occur post-construction. The Applicant will use an approved seed mix for revegetation efforts. Therefore, the Facility complies with this standard.

d. A Road Impact Assessment/Geotechnical Report for roads to be used by the project. Said report should include an analysis of project-related traffic routes to be used during phases of construction, project operation and decommissioning. The report and any subsequent amendments shall be used as a discipline study and shall be incorporated into the Road Use Agreement between the Applicant and the County.

Response: The Applicant provided an overview of the transportation route that will be used for construction, operation, and decommissioning of the Facility in Exhibit U. Additionally, a Road Use Agreement will be developed in coordination with the Wasco County Public Works Department for the Facility. Therefore, the Applicant complies with this standard.

10. Road Use Agreement - Where applicable, the Wasco County Road Department shall require the applicant to enter into a Road Use Agreement with the County to ensure that project construction traffic is mitigated and any damage to county roads that is caused by the construction of the energy facility or its related or supporting facilities is repaired by the applicant, and such county roads are restored to pre-construction conditions or better (this includes a weed plan and providing for re-vegetation).

- *General design standards for roads shall, in general, conform to policies set forth in Chapter 21.*
- *As part of the Road Use Agreement the applicant shall also obtain a utility permit for all project utility installation and approach permits for road approach access to county roads.*

Response: As previously mentioned, a Road Use Agreement will be developed in coordination with the Wasco County Public Works Department for the Facility. The Applicant will comply with the terms of the agreement that will require the Applicant to make any improvements to County roads that are damaged during construction of the Facility. Prior to construction the Applicant will obtain a utility permit and Road Approach Access permit. Therefore, the Applicant will comply with this standard.

11. Onsite Access Roads and Staging Areas - The impact of onsite access roads and staging areas within the Energy Facility Project Area shall be limited by:

a. Constructing and maintaining onsite access roads for all-weather use to assure adequate, safe and efficient emergency vehicle and maintenance vehicle access to the site;

b. Using existing onsite access roads to the extent practical and avoiding construction of new on-site access roads as much as possible; and

c. Restoring the natural grade and revegetating all temporary access roads, road cuts, equipment staging areas and field office sites used during construction of the energy facility. The applicant shall specify the type and amount of native seed or plants used to revegetate the disturbed areas and a timeline to complete this work.

Response: As mentioned above, the Facility will use existing access roads to the extent practicable. New service roads will be constructed within the Facility site boundary to provide access to Facility infrastructure. The interior roads within the solar array will be 20-feet wide with up to 48-foot turning radius to be consistent with Oregon Fire Code requirements and applicable standards (i.e., access for first-responder apparatus), which conform to the 2018 International Fire Code. The surface will be composed of gravel, compacted aggregate base, or another commercially available suitable surface and be able to support 75,000 pounds. The roads will accommodate Facility construction and O&M activities, such as cleaning the photovoltaic panels and facilitating on-site circulation and adequate turnarounds for emergency vehicles. Facility roads will be treated to create a durable, generally dustless surface for use during construction and operation. Dust

abatement treatments will involve surfacing interior roads with gravel combined with the use of an approved dust palliative or water. To the extent feasible, vegetation will be cleared and maintained along perimeter roads to provide a vegetation clearance area for fire safety. Use of the service roads may continue after construction, or new service roads may be removed, and the land restored to pre-construction conditions. Therefore, the Facility complies with these standards.

> *12. Dust Control - All approved non-paved temporary or permanent roads and staging areas within the Energy Facility Project Area shall be constructed and maintained to minimize dust, which may be addressed through the Road Use Agreement. If roads and staging areas are not construct with material that would prevent dust, the permit holder must regularly water roads and staging areas as necessary or apply an approved dust suppression agent such as Earthbind 100 to minimize dust and wind erosion.*

Response: As discussed in Exhibit I and Attachment I-2, the Applicant will implement BMPs to control any dust generated by construction activities. BMPs that may be implemented include appropriate dust abatement measures such as restricting vehicle speeds; watering active areas, stockpiles, and roadways; track-out control at site exits; tackifiers to reduce and avoid water use; and/or other measures may be used. The standard is satisfied.

> *13. Erosion and Sediment Control - All ground disturbing activities shall be conducted in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as may be required by Oregon Department of Environmental Quality. Where applicable, an NPDES permit must be obtained. The plan must include best management practices for erosion control during construction and operation and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to minimize sediment run-off into waterways.*

Response: As discussed in Exhibit I, the Applicant will obtain a NPDES 1200-C permit from ODEQ prior to construction of the Facility. As part of the NPDES 1200-C permit application, the Applicant will submit an ESCP for the Facility. The Applicant will follow the BMPs listed in the 1200-C permit to ensure construction and operation of the Facility will comply with erosion control measures. The standard is satisfied.

> *14. Weed Control - A weed plan shall be developed in consultation with the Wasco County Weed Department and implemented during construction and operation of the energy facility.*

Response: As discussed in Exhibit P, the Applicant has developed a draft Noxious Weed Control Plan (Exhibit P; Attachment P-4) using the County's weed list and classifications (Wasco County Weed Department 2008). This Plan was submitted to the Wasco County Weed Department on August 7, 2024, for review and comment. No comments have been received at the time of submission of this ASC. The standard is satisfied.

> *15. Signs - Outdoor displays, signs or billboards within the energy facility project boundary shall not be erected, except:*

a. Signs required for public or employee safety or otherwise required by law; (e.g., OSHA or compliance with the Manual of Uniform Traffic Control Devices (MUTCD) administered through the County Road Department); and

b. No more than two signs relating to the name and operation of the energy facility of a size and type to identify the property for potential visitors to the site, but not to advertise the product. No signs for advertising of other products are permitted.

Response: As discussed in Section 3.216(D) of this narrative, the Applicant is proposing up to three temporary signs during construction and one permanent sign. The permanent sign will be attached to the perimeter fence adjacent to the entrance driveway at Wilson Road and will include the site name and emergency contact information. Additional signage for public or employee safety will be located every 750 feet along the perimeter fencing of the site and the substation. This signage will provide Facility-related warning and safety information. All proposed signage will comply with this standard.

16. Underground Systems - Where reasonably practicable, power collector and communication systems shall be installed underground, at a minimum depth of 3 feet. Shallower depths may be authorized where notification and safety measures are taken and wires are placed in schedule 40 conduit. The cable collector system shall be installed to prevent adverse impacts on agriculture operations and natural resources.

Response: As discussed in Exhibit B, the proposed 34.5-kv collector lines will run underground for improved reliability. The underground collector lines will be directly buried at a depth of approximately 3 feet. The underground collector lines will generally be within the solar array fence line area, including at road crossings (see Exhibit C, Figure C-2). Additionally, cables used for the solar array inverters will be underground. These cables will be installed to transmit the direct current electricity from the panels via combiner boxes throughout the solar array to inverters. No other underground systems are proposed at this time. The Facility complies with this standard.

17. Operation & Maintenance Buildings - Permanent maintenance/operations buildings shall be located in the same zone as the principal energy facility, except that such buildings may be constructed in a separate zone if:

a. The building is designed and constructed generally consistent with the character of similar buildings used in the surrounding area; and

b. The building will be removed or converted to another approved use upon decommissioning of the energy facility consistent with the provisions of this ordinance.

Response: The majority of the Facility is located within the A-1 zone in Wasco County, except for a portion of the proposed gen-tie line which is located in Sherman County. However, the proposed O&M building is located within the Facility site boundary within Wasco County and therefore is also within the A-1 zone. These standards are satisfied.

18. Coordination and Documentation - Prior to commencement of any construction, all other necessary permits shall be obtained, e.g. building permit, rural address, road approach, utility

and other permits from the Wasco County Public Works Department, and/or from ODOT as well as any other applicable local, state or federal permits or approvals.

Response: Exhibit E lists all potential permits required for the proposed Facility. Prior to construction of the Facility, the Applicant will obtain all necessary local, state, and federal permits. The Facility will comply with this standard.

19. Termination and Decommissioning. For an energy facility sited through EFSC, compliance with EFSC's financial assurance and decommissioning standards shall be deemed to be in compliance with these requirements.

a. The applicant shall prepare a decommissioning plan that describes the actions to restore the site to a useful, non-hazardous condition, including options for postdismantle or decommission land use, information on how impacts on fish, wildlife and the environment would be minimized during the dismantling or decommissioning process, and measures to protect the public against risk or danger resulting from post-decommissioning site conditions in compliance with the requirements of this section.

b. The applicant shall provide a detailed cost estimate, a comparison of that estimate with funds to be set aside, in the form of a financial assurance (bond, letter of credit, insurance policy other such form of guarantee acceptable to Wasco County), and a plan for assuring the availability of adequate funds for completion of dismantling or decommissioning. The cost estimate and financial assurance may take into account salvage value associated with the project, and can be requested for review and update by Wasco County at their discretion (e.g., every 5 years).

c. The following shall be required as conditions of the Wasco County approval:

(1) If operation of the energy facility ceases or begins construction of the project, but does not complete it, the permit holder shall restore the site according to a plan approved by Wasco County. A plan shall be submitted that ensures the site will be restored to a useful, non-hazardous condition without significant delay, including but not limited to the following:

(a) Removal of aboveground and underground equipment, structures and foundations to a depth of at least three feet below grade (four feet if cropland). Underground equipment, structures and foundations need not be removed if they are at least three feet below grade and do not constitute a hazard or interfere with agricultural use or other resource uses of the land. Restoration of the surface grade and soil after removal of aboveground structures and equipment.

(b) Removal of graveled areas and access roads and restoration of surface grade and soil.

(c) Revegetation of restored soil areas with native seed mixes, plant species suitable to the area, consistent with Wasco County's weed control plan.

(d) For any part of the energy facility on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or buildings in place or regarding restoration of agricultural crops or forest resource land. Said landowner will be responsible for maintaining said facilities for purposes permitted under applicable zoning.

(e) The underground power collector and communication lines need not be removed if at a depth of three feet or greater. These cables can be abandoned in place if they are deemed not a hazard or interfering with agricultural use or other consistent resource uses of the land.

(f) The plan must provide for the protection of public health and safety and for protection of the environment and natural resources during site restoration.

(g) The plan must include a schedule for completion of site restoration work.

(2) Before beginning construction of the energy facility, the permit holder must submit in a form and amount satisfactory to Wasco County, assuring the availability of adequate irrevocably committed funds to restore the site to a useful, non-hazardous condition naming Wasco County as beneficiary or payee. The form may include posting a bond, issuing an irrevocable letter of credit, purchasing a paid up insurance policy or by other means acceptable by Wasco County and shall ensure continuity between owners.

(3) The amount of the financial assurance (bond or other such form of guarantee) shall be annually adjusted for inflation using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast," or by any successor agency (the "Index"). The permit holder (including possible successor if sold or transferred) shall increase the amount of the financial assurance annually by the percentage increase in the Index and shall pro-rate the amount within the year to the date of retirement. If at any time the Index is no longer published, Wasco County shall select a comparable index for adjusting the amount. The amount of the financial assurance shall be prorated within the year to the date of decommissioning.

(4) Per the request of Wasco County, the permit holder (including possible successor if sold or transferred) shall describe the status of the financial assurance in a report (e.g., annual update report submitted to Wasco County).

(5) The financial assurance shall not be subject to revocation or reduction before retirement of the energy facility site.

Response: Exhibit X includes the Facility retirement plan. The plan addresses WCLUDO 19.030(C)(19) provisions and the applicable OAR standards. Therefore, the Facility complies with these standards.

20. Final Location - The actual latitude and longitude location or Oregon State Plane NAD83 HARN (international feet) coordinates of the energy facility and related or supporting facilities shall be provided to the County GIS Department once commercial electrical power production begins. Alternatively, this information could be provided in GIS layer consistent with the datum referenced above or any other datum deemed acceptable by the Wasco County GIS Department.

Response: Within 90 days of operation, the Applicant will provide the Facility's final latitude and longitude or Oregon State Plan NAD83 HARN coordinates to the Wasco County GIS Department. The standards will be satisfied.

21. Power Production Reporting - The County may require a report of nonproprietary power production for any time frame after the energy facility first begins production if permitted through the County. If requested, the permit holder shall have 180 days to produce said report.

Response: If required by Wasco County, the Applicant will provide a nonproprietary power production report prior to operation of the Facility.

D. Specific Standards - The following standards apply to specific types of energy facilities as described, in addition to the General Standards in Section C above.

1. Solar Energy Facilities

a. Ground Leveling – The solar energy facility shall be designed and constructed to minimize ground leveling and to the extent reasonably practicable, limit ground leveling to those areas needed for effective solar energy collection.

Response: As previously mentioned, slopes within the Facility site boundary range from 0 to 95 percent. Therefore, the Facility will require grading prior to construction of the Facility components. All clearing and grading activities will follow the BMPs listed in the NPES 1200-C permit that will be obtained from ODEQ prior to construction to help with erosion control. In areas that are flatter, grading will not be necessary. The Applicant will attempt to limit the amount of ground leveling needed for construction of the Facility. Therefore, this standard is satisfied.

b. Misdirection of Solar Radiation - The solar energy facility shall be designed, constructed, and operated to prevent the misdirection of concentrated solar radiation onto nearby properties, public roadways or other areas accessible to the public, or mitigated accordingly.

Response: The Facility will use solar panels to produce energy. No concentrated solar radiation equipment is proposed for the site. Therefore, this standard is not applicable.

c. Glare - The solar energy facility shall be designed, constructed and operated such that any significant or prolonged glare is directed away from any nearby properties or public roadways, or mitigated accordingly.

Response: As discussed in Exhibit R, to the extent practicable, reflectivity of the solar arrays will be minimized. Anti-reflective 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. Additionally, the solar panels will be on tracker systems which will help ensure the panels are faced towards the sun at all times. Overall, the Applicant does not anticipate a significant amount of glare to be produced from the Facility due to the antireflective coating on the panels. Any minimal amount of glare produced will be directed back towards the sun. Therefore, the standard is satisfied.

> *d. Cleaning Chemicals and Solvents - During operation of the solar energy facility, all chemicals or solvents used to clean solar panels or heliostats shall be low in volatile organic compounds and to the extent reasonably practicable, the permit holder shall use recyclable or biodegradable products.*

Response: While not anticipated, the Applicant may need to complete annual panel washing for portions of the solar array during Facility operations. The Applicant will use non-toxic and recyclable products to clean the panels to the extent reasonable. The Facility will comply with this standard.

> *e. Wildlife - Measures to reduce wildlife impact may include using suitable methods such as coloration or sound producing devices to discourage birds from entering areas of concentrated solar energy near solar-thermal mirrors or other devices that concentrate solar radiation.*

Response: The Facility will generate energy by using solar panels. Solar thermal mirrors or other solar concentration devices will not be used. Therefore, this standard is not applicable.

4.2.1.19 Chapter 20 – Site Plan Review

Section 20.040 – Approval Standards

Upon completion of the Site Plan Review, the Approving Authority shall approve, approve with conditions, or disapprove the site plan. In approving the plan, the Approving Authority shall find that:

A. All provisions of this ordinance and other applicable ordinances are complied with.

B. Elements of the site plan are arranged so that:

1. *Traffic congestion is avoided.*
2. *Pedestrian and vehicular safety and welfare are protected.*
3. *Significant features and public amenities are preserved and maintained.*
4. *There will be minimal adverse effect on surrounding property.*

C. Proposed lighting is arranged to direct light away from adjoining properties.

D. Proposed signs will not interfere with traffic or limit visibility by size, location or illumination.

Response: See the responses to WCLUDO Chapter 3.216 and Chapter 19.030 standards for evidence that the Facility meets the approval standards under Section 20.040. A site plan compliant

with WCLUDO 20.030 has not been included with this application as this provision is procedural and not applicable substantive criteria to the ASC.

Section 20.050 - Off Street Parking

At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, off street parking spaces shall be provided in accordance with this Section. In an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this Section. Where square feet are specified the area measured shall be the gross floor area necessary to the functioning of the particular use of the property but shall exclude space devoted to off street parking or loading. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season, including proprietors. The following are the uses and minimum standards provided for off street parking:

> *G. Industrial*
>
> *1. Storage warehouse, manufacturing establishment, rail or trucking freight terminal: One space per employee.*
>
> *2. Wholesale establishment: One space per employee plus one space per 700 square feet of patron serving area.*

Response: As previously described, commercial energy facilities are not a listed use under WCLUDO 20.050. The O&M building area is approximately 350 feet by 480 feet and will contain up to 20 parking stalls. The Applicant anticipates 10-15 employees during operation. The proposed number of parking spaces exceeds that required for industrial storage warehouses, manufacturing establishments, and rail or trucking freight terminals. An all-weather gravel surface will be used for the parking area. Therefore, off-street parking standards are met.

Section 20.055 - Bicycle Parking Requirements

At the time of erection of a new structure or at the time of enlargement or change in use of an existing structure, bicycle parking shall be provided in accordance with the following standards:

A. Number of Bicycle Parking Spaces - A minimum of two bicycle parking spaces per use is required for all uses with greater than ten vehicle parking spaces. The following additional standards apply to specific types of development:

> *1. Multi-Family Residences - Every residential use of four or more dwelling units provides at least one sheltered bicycle parking space for each dwelling unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the bicycle parking spaces may be sheltered from sun and precipitation under an eave, overhang, an independent structure, or similar cover.*
>
> *2. Parking Lots - All public and commercial parking lots and parking structures provide a minimum of one bicycle parking space for every ten motor vehicle parking spaces.*

. . . [criteria omitted as they are not applicable]

B. Exemptions - This Section does not apply to single family, two-family, and three-family housing (attached, detached or manufactured housing), home occupations, agriculture and livestock uses, or other developments with fewer than ten vehicle parking spaces.

C. Location and Design - Bicycle parking shall be conveniently located with respect to both the road right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). It should be incorporated whenever possible into building design and coordinated with the design of street furniture when it is provided. Street furniture includes benches, street lights, planters and other pedestrian amenities.

D. Visibility and Security - Bicycle parking shall be visible to cyclists from roadway sidewalks or building entrances, so that it provides sufficient security from theft and damage;

E. Options for Storage - Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;

F. Lighting - Bicycle parking shall be least as well-lit as vehicle parking for security.

G. Reserved Areas - Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

H. Hazards - Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located to avoid conflict with vision clearance standards (Section 4.090 Vision Clearance).

Response: The Applicant proposes to provide secure storage space for two bicycles within the O&M building.

Section 20.070 - Off Street Loading

I. Merchandise, materials or supplies: Buildings or structures to be built or substantially altered to receive and distribute materials or merchandise by truck shall provide and maintain off street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off street parking areas used to fulfill the requirements of this Ordinance shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.

Response: The Applicant does not anticipate trucks will be visiting the site daily during operation of the Facility. Up to 10 trucks may visit during outages and repowering efforts annually. The interior roads within the solar array will be 20-feet wide with an up to 48-foot turning radius to be consistent with Oregon Fire Code requirements and applicable standards (i.e., access for first-responder apparatus), which conform to the 2018 International Fire Code. The surface will be

composed of gravel, compacted aggregate base, or another commercially available suitable surface and be able to support 75,000 pounds. The access roads have been designed to allow for trucks carrying construction materials to access the site. Therefore, the proposed access roads will be able to accommodate off-street loading during construction and operation of the Facility.

Section 20.080 - General Provisions - Off Street Parking and Loading

Response: As described above, the Facility will comply with the general provisions for off-street parking and loading.

4.2.2 Wasco County Comprehensive Plan

WCLUDO 5.020.A requires a proposal under a conditional use review to be consistent with the goals and objectives of the Comprehensive Plan (Wasco County 2010). The following section provides the Comprehensive Plan provisions that are applicable to the Facility followed by a response describing the Facility's consistency with the provisions.

4.2.2.1 Goal 1: Citizen Involvement

To ensure opportunities for citizens to be involved in the development of public policies and all phases of the planning process.

Policy 1.1.1 Encourage involvement of citizens and property owners in the land use planning process.

Response: The Applicant has elected to seek a Council determination of compliance under ORS 469.504(1)(b). ODOE provides several opportunities for citizens to partake in the application review process for new EFSC applications. Once an Applicant submits a project Notice of Intent (NOI) to EFSC, ODOE sends out a public notice to affected landowners, reviewing agencies, and parties on EFSC's general mailing list. Then, a public informational meeting is held where parties are allowed to attend, ask questions, and give their input on the proposed Facility. The NOI Project Order includes comments from both the public notice and informational meeting. The Applicant is responsible for incorporating and addressing these comments in the ASC. The Yellow Rosebush NOI public information meeting was held on November 2, 2023. Sixteen reviewing agency comment letters, including the Wasco County Board of Commissioners, were received during the NOI comment period, and the Final Order was issued on January 26, 2024. Seven members of the public also provided comments. Responses to comments presented in these letters are incorporated in the Applicant's analysis presented in this application.

Once the ASC has been submitted, ODOE schedules a public hearing for the draft proposed order. During the public hearing, members of the public and reviewing agencies have the opportunity to testify at the hearing or submit written comments by the comment deadline.

Therefore, Wasco County Goal 1 and policies are satisfied because the public has several opportunities to participate in the application and decision process for EFSC applications.

4.2.2.2 Goal 3: Agricultural Lands

To preserve and maintain agricultural lands.

Policy 3.1.1 Maintain Exclusive Farm Use zoning consistent with state law for continued preservation of lands for resource uses.

Response: The Facility does not require adjustments to any existing property line locations nor the creation of any new parcels or lots within the EFU zone. All minimum lot sizes will remain unchanged. No zone change is requested as part of the Facility proposal.

The "Commercial Power Generating Facility (Utility Facility for the Purpose of Generating Power)" use category under WCLUDO 3.215.M is a non-farm use permitted through a conditional use review, which was locally adopted pursuant to ORS 215.283(2)(g). The micrositing corridor, within the Facility site boundary allows for siting and design that minimizes footprint and impacts to the greatest extent possible. Crop cultivation and ranching activities may occur on undeveloped portions of the site and on adjacent lands. As shown on Figure K-4 and discussed in the landowner letter and surveys (Section 4.5.1.2, Attachment K-1 and Table K-5), only 160 acres of land (80 acres fallow rotation) located within Tract 3 are currently cultivated within the solar micrositing corridor. A portion of Tract 2 is also cultivated, but this land is located outside the solar micrositing corridor on the east side of Hauser Canyon. Further, following decommissioning, the site can be used for agricultural activities at the end of the Facility's useful life. Therefore, to the extent it applies, the Facility is consistent with this policy.

4.2.2.3 Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

To conserve open space and protect scenic, historic and natural resources.

Riparian Corridor Policies

Policy 5.1.1 Preserve riparian areas to provide for productive ecological function.

Response: As discussed in Exhibit J, the Facility will have no adverse impacts to wetlands or other jurisdictional Waters of the State. A total of 17 wetlands and vernal pools, 52 ephemeral waterways, two intermittent waterways, and five livestock ponds were found within the wetland and waters survey area (also the micrositing corridor). Pedestrian surveys to delineate wetlands and other waters were performed on June 26 and 30, and July 17-21, 2023, and November 6, 2024. As mentioned in Exhibit P, no perennial streams or fish-bearing streams occur within the proposed micrositing corridor, and no riparian areas associated with fish-bearing streams will be impacted. For these reasons detailed above, the Facility is consistent with Goal 5 and Policy 5.1.1.

Table K-5. Overview of Landowner Farmland Characteristics

Landowner & Tract Acreage	USDA Farmland and CRP/Marginal Pastureland (MPL) Acreage	Irrigation Water Rights	Crop Practices	Crop Schedule	Cattle Ranching & Grazing	Direct Jobs Currently Supported by Operations	Spending on Labor, Supplies, and Services for Agricultural Operations (estimated reductions)	Range of Crop Yields over the Past 5-10 Years	Plans for Land Outside of Site Boundary during Facility Operation
STEVEN L ASHLEY ET AL (aka A&K RANCHES) (Tract 1) **4,985 Tract acres** **881 acres inside micrositing corridor**	Current Tract Land in • CRP: 2,037.75 acres • MPL: 240.4 acres • 46% of land in CRP/MPL	None	No crops are grown. Approximately half of land is in CRP and 1,200 acres are in Sunset Solar Project.	None. CRP land is minimally mowed and sprayed infrequently as needed.	~100 head of livestock graze within Tract 1 for 5 months each year. Grazing land is leased for the remainder of the year.	Two ranch employees	No reductions are expected.	None	Winter cattle grazing will continue on land outside the Facility site boundary within Tract 1.
LEVI CHRISMAN FAMILY LLC (Tract 2) **2,548 Tract acres** **1,799 acres inside micrositing corridor**	Current Tract Land in • CRP: 1,181.25 • 46% of land in CRP	None	None by the Levi Chrisman Family LLC and none have been grown since the early 1980s. 240 acres are subleased to the Carver Family Ranches LLC. Approximately 70 acres of these acres grow dryland wheat/barley or support intermittent cattle grazing when vegetation is available.	None	None	One manager	None	None	Land currently being subleased will continue to be farmed by the Carver Family Ranches LLC.
DON W PHILLIPS ET AL (Tract 3) **4,940 Tract acres** **4,331 acres inside micrositing corridor**	1989-2022 Tract Land in • CRP: 2,388.4 acres • 48% of land in CRP Current Tract Land in • CRP: 30.11 acres (reduced due to Facility lease) • MPL: 51.62 acres	None	80 acres dryland wheat and triticale/barley (160 acres with 80 acres summer fallow rotation) to feed on-site cattle herd during winter.	Planted November Harvested June No fertilizer or spraying	~217 livestock grazing year-round	Family members only	No reductions are expected.	No crops have been grown for sale only for cattle operation feed. All tillable acreage has been in CRP since 1989.	Crop production will cease. Cattle grazing will be moved outside of Facility site boundary or discontinued.

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Wetland Policies

Policy 5.2.1 Preserve wetland areas to provide for productive ecological function.

Response: As discussed above in Section 19.030, the wetland and waters survey area identified 17 wetlands within the Wetland Delineation Study Area. This wetland classification included vernal pools. The wetland delineation surveys also documented 59 waterways in the Wetland Delineation Study Area (Exhibit J). Except for two intermittent waterways and five ponds, other waterways were ephemeral (Exhibit J, Table J-1). The Facility will have no adverse impacts to wetlands or other jurisdictional Waters of the State. Therefore, no monitoring or mitigation is proposed and the Facility is consistent with Goal 5 and Policy 5.2.1.

Wildlife Habitat Policies

Policy 5.3.1 Preserve wildlife habitat to provide for productive ecological function.

Response: This policy is implemented, in part, in section WCLUDO 19.030.C.5, which is addressed in Section 4.2.1.18. The Applicant demonstrates in the response to WCLUDO 19.030.C.5 that avoidance and minimization of impacts to fish and wildlife were considered in developing the solar micrositing corridor, after the completion of substantial resource surveys to identify fish, wildlife, and associated habitat and habitat use. In addition, the response to WCLUDO 19.030.C.5 provides design features and other measures to protect fish and wildlife species and habitat. On this basis, and in consideration of the complete response to WCLUDO 19.030.C.5, the Facility is consistent with Policy 5.3.1.

Oregon Scenic Waterways

Policy 5.5.1 The Deschutes and John Day Scenic Waterways shall be maintained and protected consistent with respective management plans and OAR 660-023-0130.

Response: No portion of the site boundary is located in the Deschutes or John Day Scenic Waterway. The Lower Deschutes River Scenic Waterway is located 9.0 miles NW of the gen-tie/collector lines and 9.9 miles northwest of the solar array. The John Day River Scenic Waterway is located 16.5 east of the Facility's alternate gen-tie line and 13.3 miles east of the solar array. Therefore, to the extent it applies, the Facility is consistent with this policy.

Groundwater Resources

Policy 5.6.1 Maintain quantity and quality of water in compliance with state and federal standards.

Response: As discussed in Exhibit O, water used during construction is anticipated to be obtained from an existing municipal water source with existing water rights, most likely from the City of Maupin, and trucked to the site. The Applicant anticipates either constructing an exempt well allowed under ORS 537.545 or obtain bulk water from a municipal water source with existing water rights for the O&M building. The City of Maupin has confirmed they sell bulk water that can be used for operation of the Facility (Exhibit O, Attachment O-1). Prior to construction, as discussed

in Exhibit I, the Applicant will obtain a NPDES 1200-C permit from ODEQ prior to construction of the Facility. As part of the NPDES 1200-C permit application, the Applicant will submit an ESCP for the Facility. While not anticipated, the Applicant may conduct annual panel washing for portions of the solar array during Facility operations. The Applicant will use non-toxic products to clean the panels to the extent reasonable. Wastewater generated during construction will be disposed of by a portable toilet subcontractor, and during operation will be discharged into a licensed onsite septic system. For the reasons outlined above, the Facility is not anticipated to have an impact on quantity and quality of groundwater resources within the Facility site boundary and is, therefore, consistent with Policy 5.6.1.

Natural Areas

Policy 5.8.1 Protect identified natural areas from conflicting uses and activities.

Response: No designated OZ-7 Comprehensive Plan Natural Areas are located within the Facility site boundary and none are anticipated to be impacted by construction and operation of the Facility, as it will be located within the site boundary. Therefore, the Facility is consistent with Policy 5.8.1.

Mineral Resources

Policy 5.9.1 Protect and utilize appropriately the mineral and aggregate resources of Wasco County, and minimize conflict between surface mining and surrounding land uses.

Response: No Facility structures or activities are proposed within the OZ-5 overlay, which denotes County-designated significant or mineral aggregate sites. "County ID: 154," a County-designated mineral aggregate site, is located southeast of the Facility site boundary, on two adjacent parcels. However, since no Facility structures or activities are proposed within this aggregate site, construction and operation of the Facility will not impact the future use of resources on these two parcels. Therefore, the Facility is consistent with Policy 5.9.1.

Energy Sources

Policy 5.10.1 Promote energy conservation and limit conflicting uses of significant energy source sites.

Response: Once constructed, the Facility will generate clean renewable solar energy and be considered a new significant energy source. The Facility site boundary is primarily undeveloped and does not contain an existing significant energy source; therefore, construction and operation of the Facility will not result in a new conflicting use. Therefore, the Facility is consistent with Policy 5.10.1.

Historic, Cultural, And Archeological Resources

Policy 5.11.1 Preserve the historical, archaeological, and cultural resources of the County.

Response: This policy is implemented in response to WCLUDO 5.020(I), which is addressed in Section 4.2.1.12. As discussed in response to WCLUDO 19.030(C)(6), all NRHP-eligible cultural

resources will be directly avoided by the Facility. If avoidance is not practicable in the final design, any significant resources (i.e., NRHP-eligible or unevaluated resources) will be mitigated to reduce impacts to a status of less than significant. Therefore, the Facility is consistent with this policy.

Scenic Views and Sites

Policy 5.13.1 Protect scenic views and areas identified in the 1983 Comprehensive Plan inventory.

Response: This policy is implemented in response to WCLUDO 19.030(4). As previously mentioned, the Facility would not have a significant adverse impact on scenic resources. Therefore, no mitigation measures are necessary to avoid or minimize impacts. The Facility is consistent with Policy 5.13.1.

4.2.2.4 Goal 6: Air, Water, and Land Resources Quality

To maintain and improve the quality of the air, water, and land resources of the County.

Policy 6.1.1 Encourage land uses and land management practices which preserve both the quantity and quality of air, water and land resources.

Response: The Facility will have little impact to air, water, and land resources. Solar energy provides air quality and greenhouse gas emission benefits, as it reduces reliance on combustion-based electricity generation. In addition, following the end of the Facility's useful life and completion of decommissioning, agricultural activities can resume on the land within the site boundary. The Applicant will obtain the proper permits for the onsite septic system supporting the O&M building. Solar arrays and other Facility components, such as the collector substation and O&M building, will be set back to the extent practicable a minimum distance of 50 feet for water bodies designated as non-fish bearing, and 25 feet for all other water bodies (seasonal or permanent) not identified on any federal, state or local inventory. In addition, the Facility will require minimal water use, and is being sited to avoid impacts to water resources to the extent practicable. For the reasons outlined above, the Facility is consistent with Policy 6.1.1.

Policy 6.1.3 Maintain quantity and quality of water in compliance with state and federal standards.

Response: The proposed Facility will not impact quantity or quality of water within the Facility site boundary. As described in Exhibit I, the Applicant will obtain a NPDES 1200-C permit prior to construction of the Facility. This permit will contain BMPs to help ensure any stormwater runoff is managed and will not flow into any waterbodies and affect water quality in the area. Additionally, as described in Exhibit J, the Facility will not adversely affect Waters of the State. The Facility will avoid impacting any wetlands or waters and a Wetland and Waters Report has been submitted to ODSL for concurrence.

4.2.2.5 Goal 7: Areas Subject to Natural Hazards

To protect life and property from natural disaster and hazards

Policy 7.1.1 Mitigate flood hazards through active management of water resources, soil and water conservation techniques, and flood plain identification.

Response: As described in Exhibit H, areas of the 100-year floodplain are mapped along Buck Hollow Creek and within the tributary located in the eastern portion of the site boundary. The transmission line corridor crosses Buck Hollow Creek. Other portions of the Facility would avoid the 100-year floodplain. The mapped floodplain was compared to the temporary and permanent disturbance areas in the site boundary to evaluate flood hazards. No temporary or permanent disturbance areas associated with the Facility are located in areas of mapped floodplains. The Facility will be designed and engineered to comply with applicable zoning ordinances and building codes that establish flood protection standards for all construction to avoid dangers to the infrastructure, as well as human safety and the environment, including criteria to ensure that the foundation will withstand flood forces. The engineered service roads and drainages will direct stormwater runoff away from structures and into drainage ditches and culverts as required in the ESCP. Therefore, the risks and potential impacts to the Facility, human safety, and the environment from flood hazards are expected to be low. The Facility is consistent with the above flood hazard policy.

Policy 7.1.2 Mitigate geologic hazards through active management of development and landform alterations in identified geologic hazard prone areas.

Response: As described in Exhibit H, the Applicant's geologist completed a limited geological site reconnaissance on July 8, 2023, to observe the existing features at the site and look for evidence of past or potential geologic hazards. The site reconnaissance did not bring up any specific concerns, although steep slopes were observed along drainages. As previously mentioned, the steepest slopes are located along the drainages on the northern and eastern boundaries along Buck Hollow Creek and Hauser Canyon. The Applicant will perform site-specific geotechnical work along the alternate gen-tie line where potential geologic hazards have been identified to inform the final design of the proposed Facility and POI.

Other geologic hazards identified in Exhibit H are historic earthquake locations and magnitudes, and landslide susceptible areas (Exhibit H, Figures H-2 and H-3). The Facility solar micrositing corridor was adjusted to locate Facility components outside of landslide susceptible areas. Further, all structures will be built as required by Oregon building codes and recommended by the geotechnical report to ensure their ability to withstand earthquake activity. No other geologic hazards were identified within the Facility site boundary; therefore, no other mitigation measures are proposed. The Facility is consistent with WCCP Goal 7, Policy 7.1.2.

Policy 7.1.3 Mitigate wildfire hazards through enhanced fire safety development standards.

Response: As discussed in Exhibit V, the Facility has been designed to mitigate wildfire hazards. Draft Construction and Operations WMPs are included with this ASC (Exhibit V, Attachments V-1 and V-2, respectively). The WMPs discuss wildfire prevention and protection measures for the Facility. The final plans will be developed with input from the Bakeoven-Shaniko RFPA. The

Applicant's employees and contractors will be trained on the procedures for wildfire that are outlined in the plans. A copy of the plans will remain onsite to be used in the event of an emergency. Therefore, the Facility is consistent with Policy 7.1.3.

4.2.2.6 Goal 9: Economic Development

To diversify and improve the economy of Wasco County

Policy 9.1.1 Maintain commercial agriculture as the basis for the County's rural economy.

Response: The Facility is entirely located within the EFU zone. No portion of the micrositing corridor contains high-value farmland as defined by ORS 195.300(10) or irrigation water rights. There are three property owners within the Facility site boundary. The following description of agricultural activities within the Facility site boundary comes from landowner letters (Attachment K-1) and Table K-5. Cattle ranching operations occur on both Tracts 1 and 3 (approximately 100 and 217 head of cattle, respectively). Up to 160 acres (80-acres summer fallow rotation) of Tract 3 are used to grow dryland wheat and triticale/barley to supplement feed the on-site herd during the winter. The landowners of Tract 2 do not operate a cattle ranch or crop growing operation. Two hundred and forty acres of Tract 2 are subleased to an adjacent landowner to the east; 70 of these 240 acres are used for dryland crop production with intermittent cattle grazing when vegetation is available (Section 4.5.1.2, Table K-5). As provided by the landowner surveys, the cattle ranching operation on Tract 1 and the crop production on Tract 2 will continue unaffected during construction and operation of the Facility. The cattle ranching operation on Tract 3 may be reduced, moved or discontinued depending on the final design of the Facility and other business factors at the time of Facility construction. In 2022, there were 17,134 head of cattle and calves in Wasco County (USDA 2022). Using the number of cattle on Tract 3 (217 head), that ranch operation would have contributed approximately 1.3 percent of the total cattle in Wasco County. The reduction or discontinuation of this herd would be de minimus to the county's agricultural economy.

Crop production and cattle operations are limited within the Facility site boundary due to a lack of irrigation water rights and the poor productivity of the soils according to the landowners (Section 4.5.1.2, Attachment K-1, Table K-5). All three landowners have relied on the Conservation Reserve Program (CRP) to produce income from the portions of their land that qualify.

According to landowner surveys (Section 4.5.1.2, Attachment K-1, Table K-5), only 70 acres on Tract 2 and up to 160 acres on Tract 3 for a total of 230 acres of the 8,075 acres, or 2.8 percent, of land within the Facility site boundary is in dryland wheat and other dryland crop cultivation. Within the solar micrositing corridor, dryland crop cultivation reduces to a maximum of 160 acres. Within the 160 acres on Tract 3, 80 acres follows a summer fallow rotation to provide feed for their cattle during the winter. As a result of the Facility, the cattle operation on Tract 3 will be moved to a different location or discontinued. A&K Ranches (Tract 1) does not use the land within the Facility site boundary for their cattle operation due to its enrollment in the CRP and the rockiness of the soil. Instead, they run their cows on their land outside the Facility site boundary for about five months of the year and then lease pastureland for the remainder of the year. The Levi Chrisman Family LLC does not farm their land and instead leases 240 acres on their land on the east side of

Hauser Canyon to a neighboring property owner. Of the 240 acres, approximately 70 acres is used for dryland crop production and, when vegetation is available, cattle grazing. These 70 acres are not located within the micrositing corridor, and the farming activities will remain unchanged due to operation of the Facility.

As discussed above, due to no irrigation rights and the low productivity of the soil[2] in the Facility site boundary, the landowners primarily leave their land fallow, use it to support cattle operations or enroll it in the CRP. The landowners reported that no jobs within their agricultural businesses would be lost as a result of the Facility; instead, it would allow them to maintain current staffing and potentially increase wages. The Facility will help maintain agricultural uses in Wasco County by providing stable revenue for Facility landowners, who will receive lease payments for use of their land. The additional revenues received by the ranchers from Facility lease payments will supplement or bolster farm/ranch revenues beyond what low-density grazing, fallow fields, or CRP income are currently providing. With the additional revenue, the landowners will be able to reinvest in their agricultural and ranching operations, complete delayed capital improvement projects, move cattle to more productive fields, and remain viable in years with lower crop and cattle yields or prices.

Further, at the end of the Facility's life, Facility components will be removed and the land will be returned to farmable condition as provided by Exhibits I and X. As a result, the County's rural economy will continue to be based on commercial agriculture.

Policy 9.1.2 *Encourage commercial and industrial development compatible with the County's agricultural based economy.*

Response: The Facility is a commercial use that will benefit Wasco County's agriculturally based economy by providing a net benefit to the agricultural incomes of the farmers and ranchers involved with the Facility. As described above in response to Policy 9.1.1, the income from agricultural activities is minimal with a large percentage of that income coming from CRP-enrolled land. The landowners state that they do not anticipate any farm management jobs will be lost as a result of the Facility, and any grazing activities will continue at alternate locations (Section 4.5.1.2, Attachment K-1, Table K-5). Any loss of CRP or agricultural income due to establishment of the Facility will be more than offset by revenue to local farmers from land leases. Also, the Facility supports Wasco County's Goal #13, which identifies the county's policy to identify, protect, and develop potential renewable energy resources within the county boundaries. The Facility supports this goal by developing an energy facility that is renewable and nonpolluting.

Policy 9.1.3 *Wasco County will support the expansion and increased productivity of existing industries and businesses as a means to strengthen local and regional economic development.*

[2] Don Phillips states in Wasco County average yields reported by OSU Extension Service are: Barley 40-80 bu per acre and wheat 60-70 bu per acre. His land has a USDA rated yield base of Barley 45 bu per acre and Wheat 49 per acre. 100 percent of the tillable property has been enrolled in CRP for 33 years of his 34-year ownership.

Response: Through the Facility's lease payments, landowners will receive a stable, long-term income for their farming operations. As described in response to Policy 9.1.1, the low productivity of the soils has resulted in the landowners growing crops on less than 3 percent of the Facility site boundary and relying instead on income from CRP-enrolled land and/or low density cattle grazing. Lease payments are dependable sources of income and improve the ability for landowners and farm operators to purchase additional equipment and hire staff, as needed, to support their existing operations and potentially expand or lease or purchase more productive land within the county. This directly supports the local economy.

The Facility will benefit the local economy in the short term by providing short-term construction-related employment. During construction, workers and their employers will purchase goods and supplies, stay in area hotels, and eat at local restaurants, all of these providing an economic benefit to the local and regional economy by supporting area businesses. Development of the Facility will increase economic diversity within Wasco County and offer nonagricultural employment opportunities for local residents. When operational, the Facility will add approximately 10 to 15 full-time jobs within Wasco County; preference will be given to local candidates.

Facility operations are also anticipated to produce additional revenue for Wasco County through the community service fee the Facility will pay directly to Wasco County under a tax abatement agreement (see Attachment K-2). This additional revenue will contribute to improved local services such as roads, schools, police, and fire that benefit Wasco County and the region. This also provides predictable and reliable income to farmers and ranchers. While the recipients of these funds are unknown at this time, the Project will take reasonable efforts to direct these revenues to direct funds back into supporting local agricultural efforts. The Applicant will also coordinate with Wasco County and supporting associations to identify appropriate sponsorships, donations and financial agreements to benefit local organizations.

4.2.2.7 Goal 11: Public Facilities and Services

To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Policy 11.1.1 Ensure development is concentrated in areas with appropriate levels of fire and emergency services.

Response: The Facility is located within the Bakeoven-Shaniko RFPA. RFPAs operate as independent associations of landowners volunteering to provide their own local wildfire protection. The cities of Bakeoven and Shaniko both have fire departments; however, these fire departments are small, with limited resources (WCPD 2022). The Applicant will work with the Bakeoven-Shaniko RFPA and the Bakeoven and Shaniko fire departments to determine which entity will be willing to assist with fire protection for the Facility. The Applicant will notify the RFPA and fire departments of construction plans and phasing, identify the location of and access to Facility structures, and provide mutual assistance in the case of fire in or around the Facility site boundary. The Facility will be equipped with fire protection equipment in accordance with the Oregon Fire Code. Draft Construction and Operations WMPs (Exhibit V; Attachments V-1 and V-2, respectively)

have been developed to reduce the causes of fire, prevent loss of life and property by fire, and to comply with the Wasco County Fire Safety Standards in WCLUDO Chapter 10. Section 4.2.1.13 of this application further addresses the Facility's compliance with the additional Wasco County Fire Safety Standards under WCLUDO 10.020. For the reasons detailed above, the Facility is consistent with Policy 11.1.1.

Policy 11.1.3 Minimize adverse impacts resulting from power line corridor and utility development.

Response: The alternate gen-tie line required for interconnection to the BPA Buckley substation qualifies as an "associated transmission line" as defined by ORS 469.300(3) and subject to ORS 215.274. To minimize adverse impacts that would result from this gen-tie line, it will be constructed parallel to BPA's existing 500-kV transmission line corridor with the minimum separation necessary for safety. The proposed gen-tie line is evaluated further in Section 4.3.3 of this exhibit.

4.2.2.8 Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Policy 12.1.1 Plan for and maintain an interconnected system of roads that will link communities for all users and that will provide for the existing and future needs for transportation of goods and people in the region.

Response: The Applicant will ensure Wasco County roads used for construction and operation of the Facility will be maintained in as good or better quality than prior to the Facility's construction. As discussed in Section 4.2.1.4, the primary transportation corridor to the Facility is Bakeoven Road, and the Facility will be accessed from Wilson Road (see Figure C-2 in Exhibit C). New service roads will be constructed within the Facility site boundary to provide access to Facility infrastructure. The Applicant is not proposing any new driveways at this time. The Facility may require improvements to existing driveways from the existing Bakeoven Road. Prior to construction, the Applicant will coordinate with the Wasco County Planning Department to vacate the portion of the road right-of-way associated with Wilson Road that occurs within the Facility site boundary. If improvements are made to existing driveways, the Applicant will obtain a Road Approach Permit, prior to construction, from the Wasco County Public Works Department or ODOT.

If deemed necessary by Wasco County, the Applicant will enter into a Road Use Agreement and will implement the Construction Traffic Management Plan (Exhibit U, Attachment U-7). This plan will be finalized in consultation with the Wasco County Road Department and ODOE. For these reasons, the Facility is consistent with this policy.

4.2.2.9 Goal 13: Energy Conservation

To conserve energy, reduce waste, and increase self-sufficiency.

Policy 13.1.1 The County will work with appropriate State and Federal agencies to identify and protect, and if feasible, develop potential energy resources, especially renewable energy resources.

Response: This policy is a directive to Wasco County and is not directly applicable to the Facility. However, the policy does identify the importance that Wasco County places on developing renewable energy resources within the county boundaries. The Facility supports this goal by developing an energy facility that is renewable and nonpolluting.

Policy 13.1.2 Reduce the consumption of non-renewable sources of energy whenever possible.

Response: The Facility is a renewable solar energy generating facility, and while it does not propose to convert nonrenewable energy sources to renewable energy, the Facility will provide additional capacity from renewable energy sources so that non-renewables, such as coal and fossil fuels, may be needed less than if the Facility were not constructed. For these reasons, the Facility is consistent with this policy.

Policy 13.1.6 Use of renewable energy shall be encouraged.

Response: The Facility is a solar energy generating facility and once operational will generate clean renewable energy. Therefore, the Facility is consistent with this policy.

Policy 13.1.7 New energy facilities shall meet the requirements in State Law.

Response: The Facility is being permitted through the EFSC process. The Applicant has demonstrated the Facility's compliance with applicable state laws through responses to the criteria included within this exhibit, specifically Sections 4.3, 4.4 and 4.5, and throughout the broader ASC. Therefore, the Facility is consistent with this policy.

4.2.3 Sherman County Zoning Ordinance

As described in Exhibit B, the majority of the Facility is located in Wasco County and if the alternate POI is selected, a portion of the proposed alternate gen-tie line is located in Sherman County. As a result, when the "Facility" is referenced in the responses to the criteria in this section, the findings will be specific to the development associated with the portion of the alternate gen-tie line proposed in Sherman County.

The SCZO does not contain provisions adopting "utility facilities necessary for public service" ORS 215.283(1)(c). As discussed below, given the lack of County code provisions implementing the statute, ORS 215.283(1)(c) and ORS 215.274 are directly applicable to the gen-tie line of the Facility proposed under these provisions.

4.2.3.1 Article 3 Use Zones

Section 3.1 – Exclusive Farm Use, F-1 Zone

Section 3.1(2) – Uses Permitted

Response: The only portion of the Facility that may be located in Sherman County is approximately 1.9 miles of the alternate gen-tie line, connecting the Facility's collector substation (located in Wasco County) to the BPA's existing Buckley Substation located directly northeast of the Facility in Sherman County. The alternate gen-tie line is proposed to start in Wasco County, adjacent to the collector substation, and travel east of and parallel to the existing BPA's 500-kV transmission line corridor where it will connect to the Buckley Substation. The alternate gen-tie line will be constructed on approximately 160 to 180-foot-tall steel structures that will be spaced approximately 1,000 feet apart. As a result, the alternate gen-tie line does not meet the SCZO definitions or use categories for a *commercial utility facility* (SCZO 3.1(3)(q)) or a *transmission tower over 200 feet in height* (SCZO 3.1(3)(x)).

The Applicant proposes the alternate gen-tie line be considered a permitted use under ORS 215.283(1)(c) [statute text provided below].

ORS 215.283(1)(c)

Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in:

(A) ORS 215.275; or

(B) If the utility facility is an associated transmission line, as defined in ORS 215.274 and 469.300.

The alternate gen-tie line required for interconnection to the BPA Buckley substation is considered part of the related and supporting facilities category, but is evaluated separately under ORS 215.283(1)(c), as determined by EFSC. ORS 215.283(1)(c) provides for "Utility facilities necessary for public service…not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in…If the utility facility is an associated transmission line, as defined in ORS 215.274 and 469.300." Since the transmission support structures will not be over 200 feet in height, they fall within the ORS 215.283(1)(c) threshold and not the SCZO 3.1(3) threshold.

Therefore, the Facility's alternate gen-tie line falls within the "utility facility necessary for public service," use category and more specifically meets the definition of an "associated transmission line" subject to ORS 215.274. The standards of ORS 215.274 are addressed in Section 4.3.3 below.

Section 3.1(4) – Dimensional Standards

In an F-1 (EFU) Zone, the following dimensional standards shall apply:

(a) New farm parcels shall be a minimum of 80 acres.

(b) MINIMUM LOT SIZE-NON-FARM PARCELS. Non-farm parcels allowed pursuant to the provisions of this Ordinance and more specifically this Section, shall meet the following standards:

(1) Shall be of adequate size and dimensions to meet applicable setback requirements.

(2) Shall be of the minimum size necessary to accommodate the intended use and provide for subsurface sewage disposal thereof.

(3) Each such parcel shall contain a minimum of I Net Buildable Acre as defined in section 1.4 of this Ordinance.

Response: The Applicant is not proposing to create any new parcels nor proposing to construct the Facility components on non-farm parcels. Therefore, these dimensional standards are not applicable to the proposed Facility.

(c) SETBACK (YARD) REQUIREMENTS. In an F-l (EFU) Zone, the minimum setback requirements shall be as follows:

(1) The front and rear yard setbacks from the property line shall be 30 feet, except that the front yard setback from the right-of-way line of an arterial or major collector road or street shall be 50 feet unless approved otherwise by the Planning Commission.

(2) Each side yard setback from a property line shall be a minimum of 25 feet, and for parcels or lots involving a non-farm residential use with side yard(s) adjacent to farm lands, said adjacent side yards shall be a minimum of 50 feet unless approved otherwise by the Planning Commission.

Response: The proposed alternate gen-tie line will meet the setback requirements listed above. Therefore, the setback criterion is satisfied.

Section 3.7 – Natural Hazards Combining Zone (NH)

In any Zone that is combined with the (NH) Combining Zone, the requirements and standards of this Section shall apply in addition to those set forth in the primary zone, provided that if a conflict occurs, the more restrictive provisions shall govern.

1. *Purpose - The purpose of the (NH) Combining Zone is to promote and protect the public health, safety and general welfare and to minimize potential losses by providing guidelines for development in hazard areas. Development limitations are applicable to developments in areas of surface water accumulations and high groundwater, unstable or fragile soils, geological hazards, and steep slopes, generally those of 30 percent or greater.*

Response: The Natural Hazards (NH) Combining Zone associated with Buck Hollow Canyon is crossed by the proposed alternate gen-tie line corridor (Figure K-2). The support structures for the

alternate gen-tie line will be located on the plateau above the canyon with slopes less than 30 percent rather than on the steep slopes and valleys where the NH zone is located. These structures will also be located outside of the high landslide susceptibility areas shown on Figure H-3 in Exhibit H. The Applicant will perform site-specific geotechnical work along the alternate gen-tie line where potential geologic hazards have been identified to inform the final design of the proposed Facility. See also Exhibit H, which indicates that the gen-tie line has been sited to avoid potential geologic hazard areas that could become destabilized by a seismic event (Exhibit H, Figures H-1 and H-2). In addition, rock is present at shallow depths, and the groundwater table is deep. Considering these site conditions, the potential for earthquake-induced landslides, lateral spreading, liquefaction and settlement/subsidence at the site are low. Moreover, Exhibit H also concludes that non-seismic geologic hazards, including slope instability and landslides, are not geologic hazards that will impact the Facility due to site conditions. Therefore, it is assumed that the Facility will not be built on any identified hazard area and the NH zone would not apply. If it is determined that the Facility cannot avoid the NH zone, the Applicant will apply for a Permit for Use or Development in an NH Zone to Sherman County, subject to SCZO Section 3.7.

4.3 Directly Applicable Rules, Statutes, and Goals – OAR 345-021-0010(1)(k)(C)(iii)

OAR 345-021-0010(1)(k)(C)(iii) Identify all Land Conservation and Development Commission administrative rules, statewide planning goals and land use statutes directly applicable to the facility under ORS 197.646(3) and describe how the proposed facility complies with those rules, goals and statutes;

Pursuant to OAR 660-033-0120, photovoltaic solar power generation facilities must comply with the standards set forth in OAR 660-033-0130(5) and (38). The standards of OAR 660-033-0130(5) are discussed in Section 4.2.1.11 in response to WCLUDO 5.020. The standards of OAR 660-033-0130(38) are discussed in Section 4.3.2. The alternate gen-tie line is an "associated transmission line" pursuant to ORS 215.274 and is discussed under Section 4.3.3. For a use located within an EFU zone, the applicable statewide planning goal is Goal 3, which is the State's Agricultural Lands goal. As provided in Section 4.5, a goal exception is being requested from this goal.

4.3.1 OAR 660-033-0130(5)

OAR 660-033-0130 Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

(5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:

(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

(c) For purposes of subsection (a) and (b), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

(A) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;

(B) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices; and

(C) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.

(D) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.

(E) For purposes of subsection (a) and (b), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsections (a) and (b).

(F) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (a) and (b).

Response:

The criteria of OAR 660-033-0130(5) are only applied to certain uses identified in the 660-033-0120 table. Pursuant to this table, the OAR 660-033-0130(5) criteria are applicable to the photovoltaic solar power generation facility (660-033-130[38]), but not the alternate gen-tie line (660-033-130[16][b]). As a result, for purposes of evaluating OAR 660-033-0130(5), "surrounding lands" are defined as parcels within Wasco County immediately adjacent to the Facility site boundary excluding the gen-tie line corridor, plus tax lots within an area 0.5 miles from the Facility site boundary (see "Surrounding Lands" within Wasco County on Figure K-9). The surrounding lands consist of approximately 7,388 acres. Of these 7,388 acres, approximately 605 acres are cultivated, primarily in dryland wheat with a fallow rotation.

As shown on Figure K-9, much of the surrounding lands to the north and east of the Facility site boundary consist of drainage areas, creeks, tributaries, and canyons (Hauser Canyon, Buck Hollow Creek, Finnegan Canyon, White Canyon, Bronx Canyon, Karlen Draw, Rogers Canyon) where slopes are generally too steep for crop production or cattle grazing (USGS 2024). No forest operations exist within the surrounding lands. As identified in Table K-6 below, A & K Ranches, Vicki Ashley, Blaine Carver, and Carver Family Ranches LLC have portions of their farm operations within the surrounding lands. A maximum of approximately 605 acres, or 8.1 percent, of the surrounding lands are under cultivation by these farm operations. Due to the dryland wheat fallow practice each year of only cultivated approximately half of the dryland wheat land, less than 605 acres of land is in cultivation each year within the surrounding lands. The place of use for identified water rights is shown on Figure K-9.

Table K-6. Landowners within Surrounding Lands

Landowner	Map and Tax Lot (MTL)	MTL in Lease Agreement with Facility	Farm Operations within Surrounding Lands
Steven L Ashley et al. (aka A & K Ranches)	5S 15E 0 100 5S 15E 0 101 4S 15E 0 1500	Yes No Yes	**Farm Operation: Cattle.** A portion of the surrounding lands within this tract (Tract 1 on Figure K-3) has been approved for the siting of the Sunset Solar Project. As provided by landowner testimony, cattle ranching may occur within portions of the surrounding land that have suitable slopes and vegetation and are not located within CRP. As discussed in Section 4.2.1.11, these cattle only graze on Tract 1 for five months during the year. The landowner has stated that this farming operation will continue unaffected by the Facility. As provided by landowner testimony and as shown on Figure K-9 and 2023 aerial photography, the surrounding lands do not contain crop production. Irrigation water rights: Permit G17321.
United States of America	5S 15E 0 200	No	**Farm Operation: None.** Bakeoven Substation, no crop production or cattle. No irrigation water rights.
Betty J Odom et al.	4S 15E 0 100 4S 16E 0 100	No (both)	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with Buck Hollow Canyon. No irrigation water rights.
Douglas Bibby	4S 16E 0 200	No	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with Buck Hollow Canyon. Figure K-9 and 2023 aerial photography do not show crop production activity. Irrigation water rights: Certificate 42677.
Don Phillips et al.	4S 16E 0 300 4S 16E 0 900	Yes No	**Farm Operation: None.**

Landowner	Map and Tax Lot (MTL)	MTL in Lease Agreement with Facility	Farm Operations within Surrounding Lands
	5S 16E 0 900	Yes	Ranching occurs within the Don Phillips tract within the Facility site boundary but not within the surrounding lands due to slopes and CRP. No irrigation water rights.
United States of America	4S 16E 0 400	No	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with Buck Hollow Canyon. No irrigation water rights.
Douglas Bibby	4S 16E 0 500	No	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with Buck Hollow Canyon. Figure K-9 and 2023 aerial photography do not show crop production activity. Irrigation water rights: Certificate 42677.
United States of America	4S 16E 0 700	No	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with Buck Hollow Canyon. No irrigation water rights.
United States of America	4S 16E 0 600	No	**Farm Operation: None.** Vacant, undeveloped. Primarily consists of steep slopes associated with a tributary of Buck Hollow Canyon. No irrigation water rights.
A & K Ranches	5S 16E 0 800	No	**Farm Operation: None.** This tax lot is vacant and primarily consists of steep slopes associated with a tributary of Buck Hollow Canyon. Ranching occurs within A & K Ranches Tract 1 (see Figure K-9). No irrigation water rights.
Levi Chrisman Family LLC	5S 16E 0 1300 5S 16E 0 2600	Yes No	**Farm Operation: Leased to Carver Family Ranches LLC for Cattle & Crop Production.** As provided by landowner testimony, the landowner does not have a farm operation; 240 acres of these tax lots are leased by Carver Family Ranches LLC for their farming operation (see row below). No irrigation water rights.
Carver Family Ranches LLC	5S 16E 0 600 5S 16E 0 2800	No (both)	**Farm Operation: Cattle & Crop Production.** As provided by landowner testimony and as shown on Figure K-9 and 2023 aerial photography, dryland wheat production and cattle ranching occur within the surrounding lands of these tax lots. No irrigation water rights.
United States of America	5S 16E 0 1400	No	**Farm Operation: None.**

Landowner	Map and Tax Lot (MTL)	MTL in Lease Agreement with Facility	Farm Operations within Surrounding Lands
			Vacant and undeveloped. Figure K-9 and 2023 aerial imagery indicate no crop cultivation. No irrigation water rights.
Bakeoven I LLC	5S 16E 0 2500 5S 16E 0 3200	No (both)	**Farm Operation: None.** Vacant and undeveloped. Majority (61 percent) Class 7 soils. Figure K-9 and 2023 aerial imagery indicate no crop cultivation. No irrigation water rights.
Kenneth W Clark et al.	5S 16E 0 2501 5S 16E 0 2502	No (both)	**Farm Operation: None.** Vacant and undeveloped. Figure K-9 and 2023 aerial imagery indicate no crop cultivation. No irrigation water rights.
Blaine D Carver	5S 16E 0 3300	No	**Farm Operation: Crop Production.** Active farming of irrigated and dryland wheat crops in surrounding lands. Irrigation water rights: Certificate 68500 and Permit G12480.
A & K Ranches	5S 16E 0 2000 5S 16E 0 2300	No (both)	**Farm Operation: None.** No agricultural activities. A majority of these tax lots are identified as containing Class 8 soils. They also contain a mineral aggregate site (#154). Cattle ranching occurs within a separate A & K Ranches tract (Tract 1 on Figure K-3). No irrigation water rights.
Vicki Ashley	5S 16E 0 1201 5S 16E 0 2200 5S 15E 0 1100	No (all)	**Farm Operation: Leased for Crop Production.** The portion of these tax lots located within the surrounding lands is used for both the siting of solar energy facilities and crop production. Figure K-9 and 2023 aerial imagery indicate dryland wheat cultivation alongside Bakeoven and Daybreak solar facilities. No irrigation water rights.
Lawson Place Partners LLC	5S 15E 0 102	No	**Farm Operation: None.** The portion of this property located within the surrounding lands is used for a solar energy facility. Figure K-9 and 2023 aerial imagery indicate no crop cultivation. No irrigation water rights.
A & K Ranches	5S 16E 0 1200	No	**Farm Operation: Crop Production.** The portion of this property located within the surrounding lands has been approved for the siting of the Sunset Solar Project. Figure K-9 and 2023 aerial imagery indicate a small area of dryland wheat cultivation within the Sunset Solar Project boundary. No irrigation water rights.

Potential Impacts to Farm Operations

The Facility will be constructed and operated in a manner that avoids or minimizes potential impacts. The following paragraphs address each of the potential impacts from construction and operation of the Facility (as required by OAR 660-033-0130(5)(c)(E)) listed in OAR 660-033-0130(5)(c)(D), with the addition of fire risks and litigation.

Traffic

The Wasco County Sheriff's Office has provided comment about traffic during construction.[3] As discussed in Exhibit U, construction activities may cause short-term traffic delays, but they will be temporary and can be minimized by implementing specific measures outlined in Exhibit U and in the Applicant's draft Construction Traffic Management Plan (Exhibit U, Attachment U-7). Additionally, the Applicant has identified two transportation routes to help disperse construction traffic. Primary and secondary transportation routes are provided on Appendix A of Attachment U-7. The Applicant will implement the BMPs identified in the draft Construction Traffic Management Plan to reduce impacts along transportation routes and to minimize traffic through the City of Maupin during construction. The Applicant will continue to coordinate with the Wasco County Sheriff's Office prior to construction to verify these concerns are addressed.

The Applicant will complete consultation with Project landowners to minimize disruptions to ranching and farming operations due to construction activities such as equipment delivery. The Applicant or its contractor will also provide advance notification to adjacent landowners and farmers through mailing, informal meeting, open house, or other similar methods when construction takes place in the vicinity of their homes and farms to help minimize access disruptions. The Applicant or its contractor will specify timing of deliveries of heavy equipment and building materials to the extent feasible. After construction is complete, 10 to 15 full-time employees are anticipated to be visiting the site daily. This will result in minimal impacts to the existing traffic using the roads in the vicinity of the Facility and any impacts to ongoing agricultural activities would be insignificant.

Water Availability and Delivery

While there are no irrigation place of use water rights authorized for use on land within the Facility site boundary, there are three that are located within the surrounding lands (see Figure K-5). As discussed in Exhibit O, the Applicant intends to obtain water for construction from one or more of the municipal water sources[4] using a bulk water agreement (see Attachments O-1, O-4, and O-5 in Exhibit O). Two landowners (one participating, one adjacent) have also offered to provide water during construction using existing wells. If the Applicant opts to secure water from the landowners, the Applicant will work with the landowners to secure all necessary authorizations, such as a limited license, from OWRD. The limited licenses would be obtained from the Oregon Water Resources Department (OWRD) by the landowners (see Attachments O-2 and O-3 in Exhibit O).

[3] Wasco County Board of Wasco Commissioners/Planning Division. "Comments on the Preliminary Application for Site Certificate for the Yellow Rosebush Solar Project," submitted to ODOE, January 8, 2025.
[4] Deschutes Valley Water District (DVWD), City of Wasco, and/or City of Maupin.

Each landowner believes their well(s) would be able to provide sufficient water to meet the entire Facility's water needs during construction. The productivity of the wells would be confirmed as part of the limited license application review process conducted by OWRD and specific flow rates would be established. Water use is most likely to occur during the dry season as discussed in Exhibit O. The majority of this water will evaporate. Any water that infiltrates into the ground has the potential to contribute to groundwater supply.

The cultivated land within the surrounding lands is primarily dryland wheat, with the exception of the irrigated crop circles operated by Blaine Carver. Mr. Carver is one of the landowners willing to provide water for the Facility construction. A & K Ranches owns a water right located within the surrounding lands and has also offered to provide water for the Facility construction. Since two landowners with farm operations within the surrounding lands are willing to sell their excess water, this indicates there is sufficient water to support these farm operations and the Facility. The remaining water right located within the surrounding lands is owned by Douglas Bibby and is authorized for use in the ravine on the banks of Buck Hollow Creek. It does not appear that this water right is in current use. Due to the significant difference in elevation between the Facility and Mr. Bibby's place of use water right, it is unlikely that water use at the Facility will significantly impact this water right.

As a result, there are no known impacts to water availability or delivery to farming operations within the surrounding lands.

Weeds or Pests

A draft Noxious Weed Control Plan is included in Exhibit P (Attachment P-4). This plan provides the steps the Applicant will take to prevent, minimize, and control the establishment and spread of noxious weed species during both construction and operation of the Facility. Measures to minimize the spread of noxious weeds were developed to address the noxious weeds identified by both the Wasco County Weed Department and the Sherman County Weed District. Weed control measures will follow the Applicant's Noxious Weed Control Plan.

As a result, noxious weeds and pests will be prevented from impacting farming operations within the surrounding lands.

Damage to Crops or Livestock

Approximately 605 acres of the 7,388 acres within the surrounding lands are identified as cultivated land. The crops grown within the surrounding lands are dryland or irrigated wheat or similar crops. The livestock raised by the ranches are bovine. Potential impacts to crops could result from increased traffic, impacts to water availability, spread of weeds, or wildfire; however, Applicant will implement measures to minimize these potential impacts. These topics are discussed in the topic paragraphs of *Traffic, Water Availability and Delivery, Weeds and Pests*, and *Wildfire* above and below. Damage to crops or livestock could also occur from damaged fences or open gates, failed stormwater controls or improper site grading; however, Applicant will implement measures to minimize these potential impacts. Soil analysis and BMPs and erosion-control measures during construction and operation are described in Exhibit I and in the draft ESCP

(Attachment I-1). Revegetation efforts are identified in the Draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3) to provide for long-term soil stability during operation. Restricting operational activity to permanent roads will minimize erosion. The Facility will comply with the ODEQ erosion control measures, and the Applicant will obtain a NPDES 1200-C permit from ODEQ through the submittal and approval of the ESCP. These measures reduce the likelihood of impacts to agricultural activities within the surrounding lands.

The only known livestock operations within the surrounding lands are operated by A & K Ranches and the Carver Family Ranches LLC. Mr. Krein of A & K Ranches has stated that the cattle operation will continue without significant impacts during construction and operation of the proposed Facility (see Attachment K-1). Based on the continued operation of the Carver Family Ranches LLC farm operation during the construction of Bakeoven and Daybreak facilities and the topographical separation from the solar micrositing corridor, there is no indication that Carver Family Ranches LLC farming operation would be disrupted or experience a negative significant impact from the Facility. While minor delays to traffic could occur during construction, adverse impacts to harvesting and transport of goods to market would be minimized through the implementation of traffic control and communication measures identified in the Draft Construction Traffic Management Plan (Exhibit U, Attachment U-7).

As a result, construction and operation of the Project are not expected to cause damage to crops or livestock.

Litter or Trespass

Generation of construction waste will be minimized through the detailed estimating of materials and implementation of efficient construction BMPs. As discussed in Exhibit W, materials will be recycled as feasible. The Applicant will comply with the Wasco County Solid Waste Collection and Disposal Ordinances, as discussed in the following sections. Waste from the O&M building and other solid waste generated at the Facility will be collected and recycled as practicable. Non-recyclable wastes will be collected and transported to a local landfill. Disposal of materials for routine maintenance and housekeeping, such as lubrication oils and cleaning supplies, will be managed according to the pertinent BMPs, regulations, and the guidelines outlined in Exhibit G.

The Applicant has coordinated and will continue to coordinate with the Wasco County and Sherman County sheriff's offices to verify they will be able to provide law enforcement services to the Facility in the event of an emergency without impacting services to other areas under their jurisdiction (Attachments U-3 and U-4). The Wasco County Sheriff's Office has recent experience with the construction of Bakeoven and Daybreak solar facilities and did not express concerns regarding trespass or litter.[5] The Facility site boundary will be entirely fenced with security gates at vehicle entry points. After construction is complete, 10 to 15 full-time employees are anticipated to be visiting the site daily.

[5] Wasco County Board of Wasco Commissioners/Planning Division. "Comments on the Preliminary Application for Site Certificate for the Yellow Rosebush Solar Project," submitted to ODOE, January 8, 2025.

As a result, farming operations within the surrounding lands are not expected to experience litter or trespass.

Reduction in Crop Yields

Reduction in crop yields is typically due to too little or too much water, extremes in temperature beyond the acceptable range for a crop, poor soil management, pests, or diseases. As evidenced by the active crop cultivation adjacent to the Bakeoven and Daybreak solar facilities during their construction shown on Google Earth imagery dated August 10, 2023, the remaining crops cultivated within the surrounding lands are unlikely to experience a significant impact. Water availability is discussed above. The Project will not cause temperature extremes in the surrounding area to differ from current conditions, nor will it alter soil management or introduce pests or crop diseases to the area. Soil management through erosion and sediment control will be implemented as discussed in Exhibit I.

As a result, farming operations within the surrounding lands are not expected to experience a reduction in crop yields.

Fire Risks

As discussed in Exhibit V, the Facility will be equipped with fire protection equipment in accordance with the Oregon Fire Code. Construction and operations at the Facility will be performed in accordance with the respective Wildfire Mitigation Plans (WMPs; Exhibit V, Attachments V-1 and V-2). See the response to WCLUDO Chapter 10 (Section 4.2.1.12 above) regarding the Facility's compliance with fire safety standards. Through compliance with fire safety standards and the implementation of the WMPs, the Applicant will minimize the risk of wildland fire during Facility construction and operations.

Litigation

In further support of the Facility not causing significant change in accepted farm practices or increase the cost of accepted farm operations on surrounding lands, a Farm-Forest Management Easement will be signed and recorded by each landowner with property within the Facility site boundary, as required per WCLUDO 3.218. This easement requires the landowners to acknowledge that farm and forest operations are allowed to occur on land located within the exclusive farm use zone and prevents them from requesting compensation from adjacent property owners due to damages resulting from accepted farm and forest practices.

Impacts to Individual Farm Operations

Blaine Carver Farm Operation

Blaine Carver owns a large tract of land (~900 acres) south of the Facility site boundary and is a non-Project landowner. The approximately 57-acre portion of this tract located within the surrounding lands contains part of an irrigation place of use water right and appears to be cultivated with wheat or similar crops, both irrigated and dryland (see Figure K-9). In addition to being a farm operator, Mr. Carver is a representative of the Bakeoven-Shaniko Rangeland Fire Protection Association and has been in communication with the Applicant regarding fire protection

coordination for the Facility (Attachment U-5). He has also offered to provide water to the Facility during construction (Attachment U-11). Mr. Carver has not indicated to the Applicant that the Facility will impact his ability to operate his farming operations. As discussed above in *Potential Impacts to Farm Operations* in this section, the Applicant will minimize and mitigate for any potential traffic, noxious weed, or fire risks that would otherwise impact the farm operation.

In summary, there is no evidence indicating this farm operation would experience significant change to farm practices nor an increase in the cost of accepted farm practices.

Carver Family Ranches Farm Operation

Landowner testimony (Attachment K-1) has stated that Carver Family Ranches LLC leases 240 acres of land within Tract 2 (owned by Levi Chrisman Family LLC) located on the east side of Hauser Canyon that is adjacent to land owned by Carver Family Ranches LLC. Carver Family Ranches LLC owns a large tract of land (>10,000 acres) east and southeast of the Facility site boundary and is a non-Project landowner. According to the landowner of Tract 2, Carver Family Ranches LLC uses approximately 70 of the 240 acres for dryland crop production with intermittent cattle grazing when vegetation is available. These farming activities are located within the surrounding lands and are expected to continue and remain unaffected by the proposed Facility. Google Earth imagery dated August 10, 2023, indicates that the approximately 70 acres farmed by Carver Family Ranches LLC on Tract 2 is part of a much larger farming operation occurring on the Carver Family Ranches LLC tract. Based on the continued operation of this farm during the construction of Bakeoven and Daybreak solar facilities and the physical separation of the farm activities from the solar micrositing corridor, there is no indication that Carver Family Ranches LLC's farm operation would be disrupted or experience a significant impact from the Facility.

In summary, there is no evidence indicating this farm operation would experience significant change to farm practices nor an increase in the cost of accepted farm practices.

Vicki Ashley Farm Operation

Ms. Ashley leases approximately 89 acres of her land for dryland crop production and for solar facility siting. As discussed in Table K-6 above, portions of both Bakeoven and Daybreak solar facilities are located within the surrounding lands owned by Ms. Ashley. Based on Google Earth imagery dated August 10, 2023, dryland farming continued alongside the Bakeoven and Daybreak solar facilities during construction between the project perimeter fencing and Bakeoven Road (see *Dryland Wheat and Other Dryland Crops* on Figure K-4). In summary, there is no evidence indicating this farm operation would experience significant change to farm practices nor an increase in the cost of accepted farm practices as a result of construction or operation of the Facility.

A & K Ranches Farm Operation

A & K Ranches (including Steven L Ashley et al.) runs a farm operation over several tracts that contain a mixture of cattle ranching, crop cultivation, and approved solar facilities (see Figure K-9 and Table K-6). Approximately 45 acres of the cultivated areas on the approximately 1,500 acres[6] of

[6] Map and Tax Lots 4S15E01500, 5S15E0100, and 5S16E01200

A & K Ranches land shown on Figure K-9 located within 0.5 miles of the lease boundary are also within the site boundary of the approved Sunset Solar Project. It is unclear if these cultivated areas will continue to be cultivated once the Sunset Solar Project is in operation; however, based on Google Earth imagery dated August 10, 2023, dryland farming continued during the construction of the Bakeoven and Daybreak solar facilities. By August 2023, the fencing around the facilities had been installed as well as the posts and trackers for the solar panels. All of the cultivated areas are dryland wheat or a similar crop.

As evidenced by landowner letter for Tract 1 (Attachment K-1), Table K-5 and Figure K-3, cattle ranching may occur within portions of the surrounding land that have suitable slopes and vegetation and are not located within CRP. A & K Ranches also grazes their cattle on their lands outside of the surrounding lands, particularly the land south of Bakeoven Road within Tract 1. Their soils are not fertile enough to support grazing for more than five months out of the year and requires that land be leased elsewhere for grazing the remainder of the year (Section 4.5.1.2, Table K-5). According to the landowner (see Attachment K-1 and Table K-5), the cattle operation will be unaffected by the proposed Facility. In summary, there is no evidence indicating this farm operation would experience significant change to farm practices nor an increase in the cost of accepted farm practices as a result of the Facility.

Cumulative Impacts to Farm Operations

None of the impacts discussed above rise to the level of significant. As previously stated, the surrounding lands consist of approximately 7,388 acres. There are cultivated portions of four farm operations within the surrounding lands totaling approximately 605 acres, or approximately 8.1 percent of the surrounding lands. Landowner letters (Attachment K-1) and visual evidence of crops growing adjacent to solar facilities during construction indicate that existing farm operations will be able to continue to operate. As previously discussed, there are no unique crops being grown within the surrounding lands.

OAR 660-033-0130(5)(c)(F) is directed to the County/EFSC and does not require findings from the Applicant.

Conclusion

The proposed use will be compatible with adjacent agricultural uses, as it will not limit or impact current or future farm activities on the surrounding land and will not diminish the opportunity for neighboring parcels to expand, purchase, or lease any vacant land available for agricultural uses. Based on the above analysis, there is no evidence to suggest that construction or operation of the Facility will limit or adversely impact existing farming operations within the surrounding lands or force a significant change in accepted farm or forest practices or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

4.3.2 OAR 660-033-0130(38)

OAR 660-033-0130 Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses

(38) A proposal to site a photovoltaic solar power generation facility shall be subject to the following definitions and provisions:

(a) "Arable land" means land in a tract that is predominantly cultivated or, if not currently cultivated, predominantly comprised of arable soils.

(b) "Arable soils" means soils that are suitable for cultivation as determined by the governing body or its designate based on substantial evidence in the record of a local land use application, but "arable soils" does not include high-value farmland soils described at ORS 195.300(10) unless otherwise stated.

(c) "Dual-use development" means developing the same area of land for both a photovoltaic solar power generation facility and for farm use.

(d) "Nonarable land" means land in a tract that is predominantly not cultivated and predominantly comprised of nonarable soils.

(e) "Nonarable soils" means soils that are not suitable for cultivation. Soils with an NRCS agricultural capability class V–VIII and no history of irrigation shall be considered nonarable in all cases. The governing body or its designate may determine other soils, including soils with a past history of irrigation, to be nonarable based on substantial evidence in the record of a local land use application.

Table K-7. Tract Analysis Predominance Test of Arable Land

Tract	Owner	Total Tract Acreage	Acreage of Arable Soils[1]	Acreage of Cultivated Land and Arable Soils[2]	Percent of Tract Area
1	ASHLEY L STEVEN ET AL	4,985	3,548	3,548	71%
2	CHRISMAN LEVI FAMILY LLC	2,548	1,392	1,449	55%
3	PHILLIPS DON W ET AL	4,940	3,261	3,289	66%

1. Per OAR 660-033-0130(38)(b), "'arable soils' means soils that are suitable for cultivation as determined by the governing body or its designate based on substantial evidence in the record of a local land use application, but 'arable soils' does not include high-value farmland soils described at ORS 195.300(10) unless otherwise stated." Per the USDA Soil Conservation Service, NRCS Class I through IV soils are considered suitable for cultivation or arable soils while Class V and higher are considered non-arable soils (Helms 1992). As Class I and II soils are considered high-value farmland soils per ORS 195.300(10) and the definition of arable soils per OAR 660-033-0130(38)(b) excludes high-value farmland soils, the predominance test included only NRCS Class III and IV soils.
2. OAR 660-033-0130(38)(a) defines arable land as "land in a tract that is predominantly cultivated, or if not cultivated, predominantly comprised of arable soils.

Response: The above definitions are used to determine the land categories for the Facility site boundary. Table K-7 above, shows that each tract associated with the Facility site boundary is predominantly comprised of arable soils. Figure K-4 shows some currently cultivated lands are located within tracts 2 and 3. As a result, the Facility is located on "arable land." No dual-use

development is proposed as part of the Facility. While some nonarable soils exist within the site boundary, there is no "nonarable land."

> *(f) "Photovoltaic solar power generation facility" includes, but is not limited to, an assembly of equipment that converts sunlight into electricity and then stores, transfers, or both, that electricity. This includes photovoltaic modules, mounting and solar tracking equipment, foundations, inverters, wiring, storage devices and other components. Photovoltaic solar power generation facilities also include electrical cable collection systems connecting the photovoltaic solar generation facility to a transmission line, all necessary grid integration equipment, new or expanded private roads constructed to serve the photovoltaic solar power generation facility, office, operation and maintenance buildings, staging areas and all other necessary appurtenances. For purposes of applying the acreage standards of this section, a photovoltaic solar power generation facility includes all existing and proposed facilities on a single tract, as well as any existing and proposed facilities determined to be under common ownership on lands with fewer than 1320 feet of separation from the tract on which the new facility is proposed to be sited. Projects connected to the same parent company or individuals shall be considered to be in common ownership, regardless of the operating business structure. A photovoltaic solar power generation facility does not include a net metering project established consistent with ORS 757.300 and OAR chapter 860, division 39 or a Feed-in-Tariff project established consistent with ORS 757.365 and OAR chapter 860, division 84.*

Response: The proposed solar array and associated facilities meet the definition of "photovoltaic solar power generation facility." This includes the BESS, Facility collector substation and interconnection equipment (including overhead cables connecting the substation to the existing BPA switchyard or proposed alternate gen-tie line within the site boundary), and O&M building. The Facility's aboveground components will be within the fence line of the solar facility (with possible exception of interconnection cables extending over the collector substation fence line to the proposed BPA switchyard and the alternate gen-tie line). In addition, the 34.5-kV collector lines are part of the Facility as they will collect the energy from the solar panels and transfer it to the Facility collector substation.

> *(g) For high-value farmland described at ORS 195.300(10), a photovoltaic solar power generation facility shall not use, occupy, or cover more than 12 acres unless:*
>
> *(A) The provisions of paragraph (h)(H) are satisfied; or*
>
> *(B) A county adopts, and an applicant satisfies, land use provisions authorizing projects subject to a dual-use development plan. Land use provisions adopted by a county pursuant to this paragraph may not allow a project in excess of 20 acres. Land use provisions adopted by the county must require sufficient assurances that the farm use element of the dual-use development plan is established and maintained so long as the photovoltaic solar power generation facility is operational or components of the facility remain on site. The provisions of this subsection are repealed on January 1, 2022.*

Table K-8. Tract Analysis Predominance Test of High-Value Farmland Soils

Tract	Owner	Water Right[1]	Total Tract Acreage	Acreage of High Value Soils (HVS; NRCS Soils Class I, II, Prime, or Unique)			
				Irrigated Acreage of Tract[2]	Non-Irrigated Acreage of Tract	Total	Percent of Tract Area
1	ASHLEY L STEVEN ET AL	Permit: G 17321 * IR[3]	4,985	0	0	0	0%
2	CHRISMAN LEVI FAMILY LLC		2,548	0	0	0	0%
3	PHILLIPS DON W ET AL	Cert: 42677 OR * IR[4]	4,940	0	73	73	1%

1. The locations of the place of use of these water rights are not located within the Facility site boundary (OWRD 2024b).
2. According to the definition of "irrigated" in OAR 660-033-0020(9).
3. This water right place of use is located outside the Facility site boundary. This is confirmed by the tract owner (Section 4.5.1.2, Table K-5).
4. This certificate is associated with the Estate of Joseph Bibby (OWRD 2024b). George Bibby owns land along Buck Hollow Creek adjacent to the Don Phillips tract. The OWRD water rights map shows overland between this water right and Tract 3; however, Mr. Phillips has confirmed that no portion of his property contains water rights (Section 4.5.1.2, Table K-5).

Table K-9. High-Value Farmland in and around the Site Boundary

Land Type	Analysis Area		Site Boundary		Estimated Permanent Disturbance of HVF within Site Boundary (Acres/%)	
	Acres	Percent	Acres	Percent	Acres	Percent
High-value farmland Per ORS 195.300(10)(a) (i.e., Class 1 or 2 soils)[1]	336.68	2%	0.00	0%	0.00	0%
High-value farmland Per ORS 195.300(10)(c) (i.e., within place of use water right or irrigation district)	111.44	1%	0[2]	0%	0.00	0%
High-value farmland Per ORS 195.300(10)(f) (i.e., within AVA and meets slope, elevation, aspect criteria.	0.00	0%	0.00	0%	0.00	0%
High-value farmland/high-value soils (merged all 3 HVFs)[2]	416.39	2%	0	0%	0.00	0%

1. ORS 195.300(10)(a) cites ORS 215.710, which defines high-value farmland as land within a tract comprised predominantly of soils that are irrigated or not irrigated, and classified as prime, unique, Class I, or Class II. This row shows high-value farmland as result of predominance test that examines soils across tracts that intersect the site boundary. Portions of the analysis area may not include the high-value farmland soils tract analysis per ORS 195.300(10)(a) if the tract boundary does not extend fully across the analysis area. In this case, the analysis area column accounts for the raw acreage of Class 1 and 2 soils present regardless of predominance throughout the tracts that extend further beyond the analysis area boundary.
2. This certificate is associated with the Estate of Joseph Bibby (OWRD 2024b). George Bibby owns land along Buck Hollow Creek adjacent to the Don Phillips tract. The OWRD water rights map shows overland between this water right and Tract 3, however, Mr. Phillips has confirmed that no portion of his property contains water rights (Section 4.5.1.2, Table K-5).
3. High-value farmland designations per ORS 195.300(10)(a), (c), and (f)

Response: When determining how much Facility land meets the definition of high-value farmland described in ORS 195.300(10), there are six categories to consider. Of these six, only ORS 195.300(10)(a) and (c) are applicable due to no wine grape cultivation and the location of the Facility. As shown in Table K-8 above, none of the tracts associated with the Facility site boundary meet the definition of high-value farmland under ORS 195.300(10)(a). The Facility site boundary is not located in an irrigation district nor a diking district. As provided by Table K-9 above, no land within the Facility site boundary qualifies as high-value farmland under ORS 195.300(10)(c). As a result, no land within the Facility site boundary qualifies as high-value farmland pursuant to ORS 195.300(10); therefore, the criteria of OAR 660-033-0130(38)(g) and (h) do not apply.

> *(i) For arable lands, a photovoltaic solar power generation facility shall not use, occupy, or cover more than 20 acres. The governing body or its designate must find that the following criteria are satisfied in order to approve a photovoltaic solar power generation facility on arable land:*

Response: As discussed above and as shown in Table K-7, the area within the Facility site boundary is predominantly composed of arable soil and therefore qualifies as arable land. As the Facility will use more than 20 acres of arable land for a commercial solar energy facility, the Applicant seeks a Goal Exception to Goal 3. However, because the Facility falls under EFSC's jurisdiction, it is EFSC's statutes and rules that govern the goal exception process, ORS 469.504(2) and OAR 345-022-0030(4), rather than ORS 197.732 (see Section 4.5).

> *(A) Except for electrical cable collection systems connecting the photovoltaic solar generation facility to a transmission line, the project is not located on those high-value farmland soils listed in OAR 660-033-0020(8)(a);*
>
> > *OAR 660-033-0020(8)(a) "High-Value Farmland" means land in a tract composed predominantly of soils that are:*
> >
> > *(A) Irrigated and classified prime, unique, Class I or II; or*
> >
> > *(B) Not irrigated and classified prime, unique, Class I or II.*

Response: None of the landowners associated with the Facility have irrigation water rights within the Facility site boundary or micrositing corridor that is subject to the Goal 3 exception request. The water rights shown on Figure K-5 occur within the land use analysis area but do not apply to land within the Facility site boundary (OWRD 2024a). As noted in Table K-8, the water right along Buck Hollow Creek (Cert: 42677 OR * IR) is associated with the Estate of Joseph Bibby (OWRD

2024b). George Bibby owns land along Buck Hollow Creek adjacent to the Don Phillips tract. The OWRD water rights map shows overlap between this water right and Tract 3; however, Mr. Phillips has confirmed that no portion of his property contains water rights (Section 4.5.1.2, Table K-5). As a result, there are no irrigated soils that are classified as prime, unique, Class I or II. In addition, no portion of the Facility will be located on non-irrigated prime, unique, Class I or II soils. As identified on Table K-9 and shown on Figure K-6, Class II soils listed in OAR 660-033-0020(8)(a) are mapped adjacent to Buck Hollow Creek, within a few patches near the northern end of the alternate gen-tie line and in the land use analysis area, but are outside the Facility site boundary. The micrositing corridor is set back from both Buck Hollow Creek and Hauser Canyon to prevent encroachment into the high-value soils. For these reasons, the Facility is not located on the high-value farmland soils listed in OAR 660-033-0020(8)(a) and complies with these criteria.

> *(B) The project is not located on those high-value farmland soils listed in OAR 660-033-0020(8)(b)-(e) or arable soils unless it can be demonstrated that:*
>
> *(i) Nonarable soils are not available on the subject tract;*
>
> *(ii) Siting the project on nonarable soils present on the subject tract would significantly reduce the project's ability to operate successfully; or*
>
> *(iii) The proposed site is better suited to allow continuation of an existing commercial farm or ranching operation on the subject tract than other possible sites also located on the subject tract, including those comprised of nonarable soils;*

Response: OAR 660-033-0020(8)(c) through (e) are for land located within the Willamette Valley, west of the summit of the Coast Range, or west of U.S. Highway 101 and, therefore, do not apply to the Facility. OAR 660-033-0020(8)(b) is for land that grew "specified perennials," which means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees or vineyards <u>but not including seed crops, hay, pasture or alfalfa</u>[7][underline added]. As provided by the landowners (Section 4.5.1.2, Table K-5), only 230 acres of dryland crops are currently grown within the Facility site boundary and of those acres only 160 are grown within the solar micrositing corridor. These crops consist of dryland wheat, triticale and barley crops, which do not qualify as "specified perennials." As a result, the Facility will not be located on those high-value farmland soils listed in OAR 660-033-0020(8)(b)-(e).

As shown on Figure K-7, the Facility is located on both arable and nonarable soils. The nonarable soils are generally located along the creeks, canyons, and drainages where the slopes are not conducive to solar panel placement (see slopes on Figure H-3 in Exhibit H). This figure also shows significant portions of the nonarable soils as having a high or moderate susceptibility to landslides. Figure P-4 in Exhibit P shows the nonarable soils as either primarily shrub-steppe or cliffs, caves and talus, with some portions as eastside grasslands and all non-cultivated lands as habitat Category 2. Due to the topographical restrictions and geologic instability of a majority of the nonarable soils within the Facility site boundary, siting the Facility on only nonarable soils would

[7] As defined by ORS 215.710(2).

shrink the Facility's energy generating capability by more than half. It would also fracture the Facility components in such a way as to significantly reduce the Facility's ability to operate successfully.

> *(C) No more than 12 acres of the project will be sited on high-value farmland soils described at ORS 195.300(10);*

Response: As discussed previously, the Facility will not use high-value farmland soils described under ORS 195.300(10) for a commercial solar energy facility.

> *(D) A study area consisting of lands zoned for exclusive farm use located within one mile measured from the center of the proposed project shall be established and:*
>
> *(i) If fewer than 80 acres of photovoltaic solar power generation facilities have been constructed or received land use approvals and obtained building permits within the study area, no further action is necessary.*
>
> *(ii) When at least 80 acres of photovoltaic solar power generation facilities have been constructed or received land use approvals and obtained building permits, either as a single project or as multiple facilities within the study area, the local government or its designate must find that the photovoltaic solar power generation facility will not materially alter the stability of the overall land use pattern of the area. The stability of the land use pattern will be materially altered if the overall effect of existing and potential photovoltaic solar power generation facilities will make it more difficult for the existing farms and ranches in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights, or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area; and*

Response: Approximately 39 acres of the Sunset Solar Project are located within the one-mile study area (see Figure K-8). The Sunset Solar Project is an EFSC-approved photovoltaic solar power generation facility.[8] No other photovoltaic solar power generation facilities have been constructed or received land use approvals, or obtained building permits within the study area. No further action is necessary.

> *(E) The requirements of OAR 660-033-0130(38)(h)(A), (B), (C) and (D) are satisfied. OAR 660-033-0130(38)(h):*
>
> *(A) The proposed photovoltaic solar power generation facility will not create unnecessary negative impacts on agricultural operations conducted on any portion of the subject property not occupied by project components. Negative impacts could include, but are not limited to, the unnecessary construction of roads dividing a field or multiple fields in such a way that creates small or isolated pieces of property that are more difficult to farm, and placing photovoltaic solar power generation facility*

[8] Project Order Issued December 23, 2001, https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2021-12-23-SSP-Project-Order.pdf

project components on lands in a manner that could disrupt common and accepted farming practices;

Response: See the response to the Wasco County Conditional Use Review (WCLUDO 5.020, Section 4.2.1.11 of the exhibit) for an analysis of potential impacts to the agricultural uses within the micrositing corridor. Specifically, see the response to WCLUDO 5.020 subparts (G), (J), and (K). Therefore, the Facility will comply with this standard.

(B) The presence of a photovoltaic solar power generation facility will not result in unnecessary soil erosion or loss that could limit agricultural productivity on the subject property. This provision may be satisfied by the submittal and county approval of a soil and erosion control plan prepared by an adequately qualified individual, showing how unnecessary soil erosion will be avoided or remedied. The approved plan shall be attached to the decision as a condition of approval;

Response: The potential impacts from erosion during construction are anticipated to be minimal, due to construction primarily happening in the dry months and the majority of the soils within the Facility site boundary having a moderate to low susceptibility to wind erosion. Additional soil analysis and BMPs and erosion-control measures during construction and operation are described in Exhibit I and in the draft ESCP (Attachment I-1). Revegetation efforts outside of the Facility's fence line are identified in the Draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3) to provide for long-term soil stability during operation. Restricting operational activity to permanent roads will minimize erosion. The Facility will comply with the ODEQ erosion control measures, and the Applicant will obtain a NPDES 1200-C permit from ODEQ through the submittal and approval of the ESCP. Therefore, the Facility will comply with this standard.

(C) Construction or maintenance activities will not result in unnecessary soil compaction that reduces the productivity of soil for crop production. This provision may be satisfied by the submittal and county approval of a plan prepared by an adequately qualified individual, showing how unnecessary soil compaction will be avoided or remedied in a timely manner through deep soil decompaction or other appropriate practices. The approved plan shall be attached to the decision as a condition of approval;

Response: Impacts to soils during construction are described in Exhibit I, Section 5.1. These impacts include mass grading to result in a balanced cut-fill quantity of earthwork for the establishment of new service roads, solar arrays, the BESS, the O&M building, the staging areas, and the collector substation. Along the alternate gen-tie line, the Applicant will minimize grading to the extent practicable but localized grading may be needed at pole locations or portions of access routes. Whenever possible, construction activities will be scheduled in the dry season when soils are less susceptible to compaction. Similarly, soil disturbance will be postponed when soils are excessively wet (e.g., following a precipitation event). Driving routes for construction vehicles will be limited to access roads and approved routes, and off-road travel outside the fence line will be prohibited.

By limiting the extent of grading to specific areas needed for construction and performing work during the dry season, the Facility will not result in unnecessary soil compaction that would reduce the productivity of soils for crop production or grazing. Maintenance activities will be limited to Facility components within the fence line with maintenance vehicles using existing roads whenever practicable. During both construction and maintenance, soil compaction in agricultural areas outside the fence line will be avoided or remedied in a timely manner through deep soil decompaction or other appropriate practices agreed upon with the landowner. Therefore, the Facility will comply with this standard.

> *(D) Construction or maintenance activities will not result in the unabated introduction or spread of noxious weeds and other undesirable weed species. This provision may be satisfied by the submittal and county approval of a weed control plan prepared by an adequately qualified individual that includes a long-term maintenance agreement. The approved plan shall be attached to the decision as a condition of approval;*

Response: A draft Noxious Weed Control Plan is included in Exhibit P (Attachment P-4). This plan provides the steps the Applicant will take to prevent, minimize, and control the establishment and spread of noxious weed species during both construction and operation of the Facility. Measures to minimize the spread of noxious weeds were developed to address the noxious weeds identified by both the Wasco County Weed Department and the Sherman County Weed District. Weed control measures will follow the Applicant's Noxious Weed Control Plan. Therefore, the Facility will comply with this standard.

4.3.3 ORS 215.274

215.274 Associated transmission lines necessary for public service; criteria; mitigating impact of facility.

(1) As used in this section, "associated transmission line" has the meaning given that term in ORS 469.300.

ORS 469.300(3): "Associated transmission lines" means new transmission lines constructed to connect an energy facility to the first point of junction of such transmission line or lines with either a power distribution system or an interconnected primary transmission system or both or to the Northwest Power Grid.

(2) An associated transmission line is necessary for public service if an applicant for approval under ORS 215.213(1)(c)(B) or 215.283(1)(c)(B) demonstrates to the governing body of a county or its designee that the associated transmission line meets:

(a) At least one of the requirements listed in subsection (3) of this section; or

. . .

(3) The governing body of a county or its designee shall approve an application under this section if an applicant demonstrates that the entire route of the associated transmission line meets at least one of the following requirements:

(a) The associated transmission line is not located on high-value farmland, as defined in ORS 195.300, or on arable land;

(b) The associated transmission line is co-located with an existing transmission line;

(c) The associated transmission line parallels an existing transmission line corridor with the minimum separation necessary for safety; or

(d) The associated transmission line is located within an existing right of way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground.

Response: The alternate gen-tie line required for interconnection to the BPA Buckley substation qualifies as an "associated transmission line" as defined by ORS 469.300(3) and subject to ORS 215.274. The proposed gen-tie line will be a new transmission line constructed solely for the purpose of connecting an energy facility to the first point of junction (BPA Buckley substation) connected to the Northwest Power Grid.

The alternate gen-tie line will be (c) parallel to the existing BPA 500-kV transmission line corridor with the minimum separation necessary for safety. The existing transmission line corridor consists of three 500-kV transmission lines (John Day 2 to Grizzly; John Day 2 to Grizzly; and Grizzly to Buckley [United States 2024]). The proposed alternate gen-tie line centerline is within 60 to 250 feet of the easternmost of the three existing BPA 500-kV transmission lines. If the alternate POI is selected, the Applicant will work with BPA to ensure that design for the entire route of the alternate gen-tie line maintains a minimum safe separation from BPA infrastructure. Therefore, the alternate gen-tie line will meet ORS 215.274(3)(c) and no additional analysis in needed under ORS 215.274.

4.3.4 ORS 215.283

(1) The following uses may be established in any area zoned for exclusive farm use:

(c) Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in:

(A) ORS 215.275; or

(A) If the utility facility is an associated transmission line, as defined in ORS 215.274 and 469.300.

Response: As discussed above in Section 4.3.3, the alternate gen-tie line qualifies as an "associated transmission line" and is addressed under the requirements of ORS 215.274.

4.4 Non-compliance with Applicable Substantive Criteria – OAR 345-021-0010(1)(k)(C)(iv)

OAR 345-021-0010(1)(k)(C)(iv) If the proposed facility might not comply with all applicable substantive criteria, identify the applicable statewide planning goals and describe how the proposed facility complies with those goals;

Response: As discussed in Section 4.3.2, the Facility does not meet the standards under OAR 660-033- 0130(38)(g) and (i) as the Facility will permanently occupy more than 20 acres of arable land for the commercial solar energy facility. Because the Facility does not comply with all applicable local land use criteria, Section 4.0 provides analysis, under ORS 469.504(1)(b)(B), on whether the proposed Facility "does otherwise comply with the applicable statewide planning goals." For a use located within an EFU zone, the applicable statewide planning goal is Goal 3, which is the state's Agricultural Lands goal. Thus, the Facility requires an exception to Statewide Planning Goal 3 pursuant to ORS 469.504(2) and OAR 345-022-0030(4). The justification for an exception to Statewide Planning Goal 3 is set forth in Section 4.5 below.

4.5 Statewide Planning Goal Exceptions – OAR 345-021-0010(1)(k)(C)(v)

OAR 345-021-0010(1)(k)(C)(v) If the proposed facility might not comply with all applicable substantive criteria or applicable statewide planning goals, describe why an exception to any applicable statewide planning goal is justified, providing evidence to support all findings by the Council required under ORS 469.504(2);

The Applicant demonstrates below that a reason exception is warranted under ORS 469.504(2)(c) and OAR 345-022-0030(4)(c). Further, the Applicant demonstrates that locating the solar array anywhere within the solar micrositing corridor, subject to the proposed conditions, will be compatible with adjacent farm uses. The solar micrositing corridor consists of approximately 7,026 acres within the 8,075-acre Facility site boundary. The Applicant is requesting maximum flexibility of site design within the solar micrositing corridor. As a result, while the actual footprint of the Facility will likely be less than the solar micrositing corridor (estimated as 5,012.9 acres in Exhibit C), the Goal 3 exception analysis assumes the entire micrositing corridor can be developed and removes 7,026 acres of arable land from Goal 3 protection.[9]

4.5.1 Demonstration that a "Reasons" Exception is Appropriate

ORS 469.504(2)(c)(A); OAR 345-022-0030(4)(c)(A) Reasons justify why the state policy embodied in the applicable goal should not apply;

In accordance with OAR 660-015-0000(3), the policy of Goal 3 is:

[9] Based on permanent impact calculations (see Exhibit C; Table C-2), the Applicant anticipates impacting less than 7,026 (estimated as 5,012.9 acres in Exhibit C) acres of arable lands in the final design and the final acreage requested to be removed from Goal 3 protection will be provided with the Facility's as-built drawings.

To preserve and maintain agricultural lands.

In the following discussion, the Applicant provides the following reasons to justify why Goal 3 should not apply to the agricultural lands that will be impacted by the Facility:

1. The Facility is locationally dependent because of its proximity to the regional grid for interconnection, energy supply end users, and major transportation corridors.

2. The Facility does not impact any high-value farmland or irrigated crops and imposes minimal direct impacts to agricultural activities.

3. The Facility creates local economic benefit.

4. The Facility imposes minimal impacts to resources protected by Council standards.

5. The Facility responds to important state and county goals and priorities.

4.5.1.1 The Facility is Locationally Dependent

Locational dependency refers to the unique proximity and interrelatedness of operations of the proposed solar facility and components or facilities necessary to construct and operate the project (ODOE 2021a). EFSC has previously found that locational dependency is a "reason" to justify why Goal 3 should not apply, including for solar and hybrid projects.[10] Specifically, a solar project is locationally dependent when it is sited in "proximity to" other key project components (like substations and transmission lines) and "share[d] energy infrastructure," and avoids impacts to agriculture, and when it provides unique suite of geographic features that support the project's specific goals.[11]

Proximity to the Regional Transmission Grid.

Higher transmission line voltage allows for more efficient energy movement across long distances without significant energy loss (TANC 2023). Of the 38 power authorities in the Western Interconnection Balancing Authorities group, Bonneville Power Administration Transmission (BPAT) covers the majority of Oregon and Washington in addition to portions of California, Idaho and Wyoming (WECC 2017). 230-kV or 500-kV transmission lines are the most commonly used in the United States to transport energy through the different regions. Of the available high powered transmission lines managed by BPAT, the two available generally north-south running corridors are

[10] See Final Orders on Boardman Solar (ODOE 2018a), Carty Generating Station Amendment 1 (ODOE 2018b), Montague Wind Amendment 4 (Pachwaywit Fields and Oregon Trail) (ODOE 2019a), Wheatridge Wind Energy Facility Amendment 4(ODOE 2019b), Bakeoven Solar (ODOE 2020), Madras Solar (ODOE 2021b), West End Solar (ODOE 2023a), and Nolin Hills Wind (ODOE 2023b).

[11] Nolin Hills Wind (ODOE 2023b); see also Madras Solar (ODOE 2021b) (facility was locationally dependent based on proximity to transmission interconnection) and Bakeoven Solar (ODOE 2020) (facility was locationally dependent based on proximity to transmission interconnection and because site "provide[d] unique geographic features including slopes below 15 percent and sufficient space away from objects or landforms that would cause shading").

along the Willamette Valley (I-5) and between The Dalles, Bend and Klamath Falls (US-97) (U.S. Energy Atlas 2024).

An objective of BPA's 2024-2028 Strategic Plan is to support regional carbon reduction efforts (BPA 2024a and 2024b). "Going forward, BPA will strive to complement the existing system by acquiring additional cost-effective carbon-free resources and enabling delivery of increasingly decarbonized power to the region." Since 2018, BPA has been focused on increasing available transmission service by joining the Western Energy Imbalance Market and increasing energy efficiency of its existing transmission system. Through these efforts BPA has been able to offer 11,000 MW of transmission service, of which almost half has been used by customers to start new service. One of BPA's many grid improvement and de-carbonization projects is a rebuild of the Buckley Substation, which is estimated for completion in 2027. This rebuild will involve the retirement of the existing gas-insulated substation and replace it with an air-insulated 500-kV substation. Additional projects in the vicinity of the Facility are upgrades to the Rock Creek-John Day 500-kV transmission line (estimated completion 2029) and Big Eddy-Chemawa 500-kV transmission line (estimated completion 2031/2032).

In concert with obtaining an interconnection agreement with BPA, the Applicant sited the proposed Facility to be directly adjacent to an existing BPA 500-kV transmission line corridor and to be within close vicinity to a BPA substation that will be receiving reinvestment. The Facility is locationally dependent on the existing 500-kV BPA transmission line corridor (and specifically BPA's John Day to Grizzly 500-kV transmission line) that runs north-south connecting the Bakeoven Substation in Wasco County to the Buckley Substation in Sherman County. This transmission line corridor, which contains three high powered 500-kV transmission lines, is a major piece of energy infrastructure with the combined ability of transmitting 1500-kV. For the alternate POI, the Facility is locationally dependent on developing a new 500-kV gen-tie line adjacent and parallel to the existing transmission line corridor for connection with the BPA Buckley Substation.

This transmission corridor along US-97 is a critical path for BPA to move renewable energy from Central Oregon to the Columbia River Gorge. Not only is there substantial existing transmission that moves this energy from generation areas to load centers like Portland and Seattle, but there are growing power demands for clean energy. The Facility was sited in order to move power to the Columbia River corridor, where it can support these power demands and contribute towards Oregon's renewable energy goals by providing clean energy to major cities on the western slope of the Cascades. The amount of power the Facility will be adding to the corridor at full build-out will be equivalent to powering cities the size of Eugene and Salem (approximately 180,000 homes).

Proximity to Existing Energy Infrastructure.

This portion of Wasco County contains three EFSC-approved solar energy generating facilities directly south of the Facility (Sunset Solar Project, Daybreak Solar Project, and Bakeoven Solar Project) as shown on Figure K-3. The Facility is locationally dependent upon the existing BPA John Day to Grizzly 500 kV transmission line and the Buckley substation to allow for efficient use of existing transmission infrastructure.

Proximity to Major Transportation Corridors.

The Facility is locationally dependent on existing transportation corridors and infrastructure. Bakeoven Road runs alongside the Facility site boundary and connects the Facility to US-97 (Sherman Highway), which connects to I-84.[12] This transportation route has been tested and vetted through the construction of the adjacent solar projects. Roads have been improved where necessary to support construction material weight and trucks. Wilson Road provides direct access from Bakeoven Road into the center of the Facility. Private unpaved farm roads provide access throughout the Facility site boundary, and these existing roads will be used to the greatest extent practical.

Locating the Facility next to this existing energy infrastructure and transportation corridors consolidates potential impacts to a specific area, rather than spreading those impacts in a dispersed manner throughout the county. This preserves higher-quality agricultural soils elsewhere in the county for agricultural use. Additionally, potential impacts to habitat and sensitive species are also minimized by consolidating energy facility components and supporting infrastructure to a specific area.

4.5.1.2 The Facility does not impact any high-value farmland or irrigated crops and imposes minimal direct impacts to agricultural activities.

High-Value Farmland

As discussed above in Section 4.3.2 in response to OAR 660-033-0130(38)(g), no high-value farmland defined by ORS 195.300(10) is located within the Facility site boundary and, therefore, is not within the solar micrositing corridor. Non-irrigated soil capability classes are shown in Figure K-6 and discussed in detail in Sections 4.2.1.11, 4.2.2.2, 4.2.2.6, and 4.3.2. There is no high-value farmland in the Facility site boundary under any of the applicable tests under ORS 195.300(10). Table K-8 demonstrates that none of the tracts associated with the Facility site boundary meet the definition of high-value farmland under ORS 195.300(10)(a). The Facility site boundary is not located in an irrigation district nor a diking district and does not contain irrigation water rights. As provided by Table K-9, no land within the Facility site boundary qualifies as high-value farmland under ORS 195.300(10)(c). The Facility site boundary is not located within an American Viticulture Area. Further, the soil classifications within the Facility site boundary do not reach the threshold of high-value farmland pursuant to ORS 195.300(10)(a). The small areas of Class II soils shown on Figure K-6 are not located within the solar micrositing corridor. The lack of high-value farmland within the micrositing corridor distinguishes the Facility from eight solar projects that contained

[12] The Facility is also located near US-197, however, in consultation with Wasco County, construction traffic will be routed through US-97 due to tight turns and traffic concerns through Maupin. Limited workforce travel may occur on US-197 traveling south and turning east on to Bakeoven Road to the Facility.

high-value farmland and were approved by and received Goal 3 exceptions from EFSC.[13] As a result, the Facility does not impact high-value farmland.

Water Availability

None of the landowners associated with the Facility have irrigation water rights within the micrositing corridor that is subject to the Goal 3 exception request (Table K-5). The water rights shown on Figure K-5 occur within the land use analysis area and on Tract 1. Water right G17321 is located on Tract 1, while no water rights are located within Tracts 2 or 3 (OWRD 2024a). In addition to irrigation, Permit G17321 is authorized for pond maintenance for six reservoirs (OWRD 2024a). As stated by the landowner for Tract 1, no crops are currently being grown, irrigated or otherwise (see Attachment K-1 and Table K-5).

There are no known pending or planned water right transfers by the participating landowners of the Facility. Obtaining a new surface water right for irrigation within the site boundary is also not feasible. OWRD's Water Availability Analysis data for the areas within the site boundary indicate that no surface water is available for new appropriations from Buck Hollow Creek at any time during the year, when irrigation water would be needed (OWRD 2024a). As a result, the Facility does not impact water availability, irrigation water rights, or irrigated crops.

Active Crop Production

As shown in Table K-5, the landowners enrolled between 46 and 48 percent of their lands in CRP.[14] According to the landowners and as confirmed by the Farm Service Agency, much of the soil on these tracts qualified for CRP because it has been deemed as Highly Erodible Land (HEL) by USDA. According to the Natural Resources Conservation Service (NRCS), HEL "is land that can erode at an excessive rate because of soil properties, leading to long-term decreased productivity" (NRCS 2024). Fields within a farm ownership are designated as HEL if "33.3 percent or more of the total field acreage has HEL soils, or 50 acres or more of the field has HEL soils" (NRCS 2024). Levi Chrisman Family LLC (Tract 2) says their land has not been farmed since early 1980s, and Don Phillips (Tract 3) enrolled his tillable acreage in CRP as soon as it was eligible after he purchased the land in 1989 due to the poor productivity of the soils (Table K-5). Levi Chrisman Family LLC has primarily left their land fallow, while leasing 240 acres of their land east of Hauser Canyon[15] to an adjacent property owner, Carver Family Ranches LLC, which is not involved with the Facility. Carver Family Ranches LLC cultivates approximately 70 of these 240 acres with dryland crops, with intermittent cattle grazing when vegetation allows. As shown on Figure K-4, this cultivated area is

[13] See Final Orders on Boardman Solar (ODOE 2018a), Carty Generating Station Amendment 1 (Carty Solar Farm) (ODOE 2018b), Montague Wind Amendment 4 (Pachwaywit Fields and Oregon Trail) (ODOE 2019a), Wheatridge Wind Energy Facility Amendment 4 (ODOE 2019b), Madras Solar (ODOE 2021b), West End Solar (ODOE 2023a), and Nolin Hills Wind (ODOE 2023b).

[14] Don Phillips unenrolled most of his CRP as a result of the proposed Facility lease agreements with the Applicant as of 2022.

[15] These 240 acres include the 70 acres in cultivation discussed earlier in this paragraph.

within the Facility site boundary but outside the solar micrositing corridor and will not be disturbed by the Facility.

Up to 160 acres (all located on Tract 3), or 2.3 percent, of land within the micrositing corridor is in active dryland crop production (Table K-5, Don Phillips). The yield from these crops is not grown for sale, but instead provides supplemental feed for an on-site cattle herd during the winter. The 70 acres of land in active dryland crop production by Carver Family Ranches LLC on the east side of Hauser Canyon (within the Facility site boundary outside the micrositing corridor) will remain in production during the life of the Facility. A&K Ranches and Levi Chrisman Family LLC do not grow crops on their land.

As described in Section 4.2.2.6, the low productivity of the soil and the lack of irrigation water rights has made it unprofitable to grow dryland crops, which is the cause for enrollment in CRP and operation of cattle ranches to bring in income. As a result, construction of the Facility imposes minimal direct impacts to active crop production.

Cattle Ranching and Grazing

Cattle ranch operations exist on Tracts 1 and 3 with approximately 100 and 217 head of cattle, respectively. According to the landowner of Tract 1, the quality of the soil is poor enough and the climate dry enough that cattle can only be supported for up to five months of the year (Table K-5, A&K Ranches). The rest of the year grazing land is leased elsewhere to support the herd. The cattle operation on Tract 1 will continue during construction and operation of the Facility. The cattle on Tract 3 remain on the tract year-round and are fed through an intensive grazing rotation, with the addition of the supplemental feed grown on-site as discussed above (Table K-5, Attachment K-1 [see Don Phillips]). Due to the majority of Tract 3 being located within the solar micrositing corridor, the cattle ranching operation may be reduced, moved or discontinued depending on the final design of the Facility and other business factors at the time of Facility construction. In 2022, there were 17,134 head of cattle and calves in Wasco County (USDA 2022). Using the current number of cattle on Tract 3 (217 head), that ranch operation would have contributed approximately 1.3 percent of the total cattle in Wasco County. As a result, the Facility imposes minimal direct impacts to cattle ranching and grazing.

Economic Analysis for Surrounding Agricultural Lands

Surrounding lands and any potential impacts to agricultural operations within them is discussed above in Section 4.3.1. This analysis concluded that all agricultural operations within the surrounding lands would be able to continue operating with minimal to no impact. Within the Facility site boundary there is only one farm operation: the cattle operation on Tract 3. As discussed in the Economic and Agricultural Impacts Memorandum (Attachment K-2), the participating landowner's cattle operation is primarily self-sustaining, with very few purchases of agricultural inputs made from within Wasco County. The amount of estimated indirect employment from the cattle operation is roughly zero at 0.04 full-time equivalent (FTE), with an annual indirect labor income of $800 and an annual indirect economic output of $7,000. The services and supplies

needed to support the cattle operation on Tract 3, such as winter supplemental feed and equipment and material purchases, are primarily made in Madras in Jefferson County, Terrebonne in Deschutes County, or Christmas Valley in Lake County. The crops on Tract 3 are grown as feed for the cattle and, as stated by the landowner, the operation is self-sustaining; any required purchases are made primarily outside of Wasco County due to proximity. Cattle sales are also primarily made outside of Wasco County in Jefferson County. Based on this information, the relocation, reduction, or discontinuation of the cattle operation would account for just 0.005 percent of total agricultural economic output in Wasco County, which would be a de minimus change to the county's agricultural economy.

In conclusion, the Facility will not occur on high value farmland or soils or irrigated crops, will not displace water rights, and will have minimal impact on agricultural activities due to the lack of dryland crop production and minimal cattle grazing occurring within the Facility site boundary. The potential loss of the cattle operation that is occurring within Tract 3 will have a de minimus impact to agricultural activities as explained above and in detail in the Economic and Agricultural Impacts Memorandum (Attachment K-2).

4.5.1.3 The Facility creates local economic benefit.

Landowners

Facility construction will result in a net benefit to the landowners' agricultural incomes, as the revenue generated from the Facility leases will more than compensate for the minimal loss of agricultural income from the removal of the micrositing corridor from ranching and grazing uses. All three landowners have previously enrolled significant portions of their land in CRP due to the low crop productivity of their soils (Table K-5).

Local Government

Construction and operation of the Facility promotes rural economic development by creating jobs and adding to the tax base of Wasco County. Based on tax assessments of similar solar energy generation facilities, it is anticipated that estimated tax revenues would be significantly higher than the estimated tax revenues generated by the Facility's underlying agricultural lands over the same period if a solar facility was not established. A conservative estimate of property taxes that would be paid to Wasco County for the Facility comes to approximately $258 million over the operational life of the Facility (40 years), which is approximately $4.4 million in annual property tax payments during the first 20 years, rising to $11.1 million in year 20 and gradually decreasing thereafter (Economic and Agricultural Impacts Memorandum Attachment K-2). Currently, the land within the micrositing corridor receives a farm exemption from property taxes, which greatly reduces the yearly property taxes paid by the landowners. Approval of the Facility and the Goal 3 exemption would remove this tax exemption and result in higher property taxes such as those estimated in

Attachment K-2. In comparison, the current annual property taxes for the 7,026 acres within the micrositing corridor is estimated at roughly $12,000 per year.

Construction and operation of the Facility will also generate local economic benefits through direct expenditures for materials and services in the local area and new payroll income. For example, the Facility will need products like herbicide to manage noxious weeds, fuel to supply vehicles and machinery, and machinery to mow and remove vegetation. These estimated benefits are anticipated to be a significant gain compared to the current agricultural activities outlined in Table K-5. Facility construction, including both Phase 1 and Phase 2, will support an estimated $218.3 million in secondary (indirect and induced) economic output in the Wasco County economy over the entire construction period, or $36.4 million annually (Attachment K-2). Facility operation will support between 10 and 15 employees, which in turn is estimated to support 33 indirect and induced jobs. The total average annual output of direct, indirect and induced economic benefits during operations is estimated at $60.6 million (Attachment K-2).

It is also anticipated that Wasco County's rural economy will benefit from the Facility under a tax abatement agreement (see Attachment K-2). Although the Applicant has not yet entered into a tax abatement agreement with Wasco County or Sherman County, it anticipates doing so. The tax abatement agreement will likely provide a property tax incentive to the Facility while requiring payment of a community service fee to the participating county. While the recipients of these funds are unknown at this time, the Project will take reasonable efforts to direct these revenues to direct funds back into supporting local agricultural efforts. In addition, the availability of reliable renewable energy produced by the Facility will help attract, recruit, and retain energy-dependent businesses to Oregon that have renewable energy procurement policies. The Applicant will provide supplemental information supporting the Facility's economic benefit to the local economy.

Local Agricultural Economy

According to ODOE staff's guidance memorandum presented to EFSC on December 13, 2024, if local economic benefits are part of Goal 3 exception reason, the Applicant must "demonstrate not just benefits to the local economy in general but to demonstrate how the local agricultural economy will benefit as a result of conversion of the use for agriculture to an energy facility over the life of the proposed facility" (Esterson 2024). This analysis typically includes an economic impact report detailing the direct and indirect economic impacts to the local agricultural economy from removal of land within the solar facility footprint from agricultural production. And in certain examples, the Council has come to rely on a mitigation fund or voluntary payment to support the local agricultural community supplied by the Applicant/Certificate Holder as evidence of economic benefits to the local agricultural economy as justification for this reason (Esterson 2024).[16] The recent examples that involved mitigation funds or voluntary payments involved projects that were estimated to

[16] These projects include Sunstone Solar Project and Wagon Trail Solar; https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Facilities-Under-EFSC.aspx

result in at least $200,000 in annual indirect economic impacts and include the following impacts to:

- Thousands of acres of dryland wheat cropland,
- Thousands of acres of high-value farmland, and
- Areas with irrigation water rights.

The Yellow Rosebush Energy Center will not have these impacts to the local agricultural economy. The Applicant has performed surveys of Project landowners (see Attachment K-1 and Table K-5) and has completed the recommended economic analysis, included as Attachment K-2. Based on the findings from Attachments K-1 and K-2 and as described below, operation of the Facility will provide a net benefit to the local agricultural economy rendering a mitigation fund not necessary.

The Facility solar micrositing corridor contains one self-sufficient cattle operation, which is supported by a rotating crop of approximately 80 acres (within a 160-acre area) of dryland wheat. No other dryland or irrigated crops exist within the solar micrositing corridor. The estimated indirect impact by the Facility on the agricultural economy is $7,000 (Attachment K-2). In contrast, the annual indirect impacts to the agricultural economy for Sunstone Solar Project and Wagon Trail Solar Project were estimated at $478,566 and $205,659, respectively, resulting from removal of 9,400 acres and 3,684 acres of dryland wheat from production, respectively.[17][18] In both cases, almost the entire Project area was in agricultural crop production, primarily dryland wheat, and contained one or more irrigation water rights. The Sunstone Solar Project impact area also included 4,414 acres of land classified as high-value farmland,[19] while the Wagon Trail Solar Project impact area included 3,350 acres of land classified as high-value farmland.[20] The Facility solar micrositing corridor has no irrigation water rights or high-value farmland. The indirect economic impacts of removing one small cattle operation is not the same as taking thousands of acres of dryland wheat out of production, and the results of the economic analysis demonstrate that mitigation is not necessary.

As with land managed by local farm or ranch operations, the land management effort within the solar micrositing corridor will involve paying for mowing, herbicide chemicals for noxious weed management, fuel, and service providers to maintain mechanical equipment. Where practicable, the Applicant agrees to make these purchases from businesses and individuals within Wasco County. Noxious weed management will be most frequent and cover the largest areas in the first several years after each construction phase to support revegetation efforts and then continue on a regular

[17] https://www.oregon.gov/energy/facilities-safety/facilities/Facility%20Exhibits/SSP/2024-05-16-SSPAPPDoc25-11-ASC-Exhibit-K-Land-Use.pdf
[18] https://www.oregon.gov/energy/facilities-safety/facilities/Facility%20Exhibits/WTS/WTS-Exhibit-K-Land-Use.pdf
[19] https://www.oregon.gov/energy/facilities-safety/facilities/Facility%20Exhibits/SSP/2024-05-16-SSPAPPDoc25-11-ASC-Exhibit-K-Land-Use.pdf (p. 58)
[20] https://www.oregon.gov/energy/facilities-safety/facilities/Facility%20Exhibits/WTS/WTS-Exhibit-K-Land-Use.pdf (p. 13)

spot control basis throughout the life of the Facility as described in the draft Revegetation and Reclamation Plan (Exhibit P, Attachment P-3) and the draft Noxious Weed Control Plan (Exhibit P, Attachment P-4). Mechanical vegetation removal, such as mowing or clipping, will be an on-going maintenance activity within the solar array area, around Facility components and along fence lines throughout the life of the Facility as well. The Wasco County Soil and Water District maintains labor rate tables that they use for estimating cost sharing with local farmers (see Attachment K-3). Although a full cost estimate for the cost of vegetation and weed management during operations has not yet been developed, it is reasonable to assume that at least 20 percent of the fenced area will require weed treatment each year. The cost share reimbursement rate for ground spraying in 2025-2026 is $11/acre. If 1,000 acres per year require treatment, this would amount to $11,000 per year. In addition, mowing will be required at least twice per season. The area to be mowed will be less than the full 5,000 fenced acres because roads and other obstructions will not require mowing, so a conservative estimate is that 4,500 acres would require mowing twice per season. At the cost share reimbursement rate of $17 per acre for mowing or clipping, the estimated total annual spend on this activity is $150,000. This spending will range from a minimum of $8,000 to over $100,000 each year. While the exact total spending on annual vegetation and weed maintenance may differ from this amount, it is certain that it will be greater than the $7,000 in indirect economic impact that will be lost from removal of crop land from the local agricultural economy. In this manner, the Facility will provide a net benefit to the local agricultural economy.

Furthermore, as discussed in Attachment K-2, the Facility is estimated at supporting $218.3 million in secondary (indirect and induced) economic output in the Wasco County economy, or $36.4 million annually, during both phases of construction. Then, during Facility operations, the Facility will support $12.6 million (on average) in secondary economic output annually, exclusively in the Wasco County economy. The total estimated loss of secondary economic output only rises to $7,400 annually. As a result, the Facility's economic secondary benefits far exceed the estimated loss of secondary economic output from the single cattle operation. Due to the rural and agricultural nature of Wasco County, much of the $12.6 million spent in Wasco County will likely result in additional financial benefits to the local agricultural economy.

4.5.1.4 The Facility imposes minimal impacts to resources protected by Council standards.

The Goal 3 exception does not seek to permanently remove land from agricultural use. Per the terms of the lease, the land will be returned to agricultural use following decommissioning of the solar array and restoration of the site. The Facility is also sited to avoid sensitive environmental features, including FEMA 100-year floodplains, U.S. Fish and Wildlife Service-designated critical habitat, and jurisdictional wetlands or waters. The Facility's environmental consequences are discussed primarily in Exhibit I (Soils), Exhibit J (Wetlands), Exhibit P (Fish and Wildlife Habitats and Species), Exhibit Q (Threatened and Endangered Plant and Animal Species), Exhibit R (Scenic Resources), and Exhibit S (Cultural Resources). These exhibits demonstrate that the Facility will

avoid or minimize impacts to such resources. The Applicant has paid particular attention to habitat and cultural resource protection, avoidance, and mitigation.

The Applicant will mitigate for impacts to ODFW-designated big game winter ranges as is required under ODFW policy through the conservation of 6,675 acres of habitat (see Exhibit P and Attachment P-2). The habitat mitigation plan was created in close consultation with ODFW and received concurrence by ODFW on May 15, 2025. The Applicant has committed to conserve 6,675 acres of habitat at two locations on the Columbia Plateau in proximity to the Facility (Tygh Ridge Ranch and land within the Facility boundary). Mitigation areas will be designated within the Facility site boundary to support wildlife movement in adjacent canyons. As stated by the Habitat Mitigation Plan, "a net benefit in habitat quantity will be achieved through a 2:1 ratio for key habitats and a net benefit in quality will be achieved through appropriate enhancement actions."

To identify and protect cultural resources, the Applicant conducted a cultural resources survey, which included Tribal outreach, a records review, and field survey for archaeological and aboveground resources within the micrositing corridor as well as an aboveground survey within 1 mile of the micrositing corridor. All resources protected by OAR 345-021-0010(1)(A) in the direct analysis area are avoided by the Facility design. The resources will be flagged during construction to ensure avoidance by a minimum distance of 10 meters. As a result, the Facility is not expected to result in significant impacts to resources that are listed or would likely be eligible for listing on the NRHP.

SPHO has concurred with the Applicant's 2023 archaeological survey report (Attachment S-1) that concluded the proposed avoidance buffers will prevent physical impacts to recorded resources. The Applicant will continue to seek a final design that continues to allow for avoidance of unevaluated and NRHP-eligible resources, while remaining within the direct analysis area. If impacts to any NRHP-eligible or unevaluated resources cannot be avoided by the final design, they will be mitigated in consultation with ODOE, SHPO, and Tribes as appropriate. A preliminary draft Inadvertent Discovery Plan (IDP) is included and provided as Attachment S-2 of Exhibit S. This draft will be revised in consultation with ODOE, SHPO, and Tribes prior to construction.

A supplemental analysis of visual impacts to aboveground resources within one mile of the Facility site boundary has been prepared. If interested Tribes consider that there is an unavoidable adverse visual impact to resources of concern to them, the Applicant will seek to minimize or mitigate the adverse impact as appropriate. The analysis found no adverse impact to historic structures within one mile of the site boundary. As a result, impacts to cultural resources will be minimal.

The Facility, as proposed, is not anticipated to have significant adverse impacts to soils, wetlands, protected areas, water resources, threatened and endangered species, scenic and aesthetic resources, recreational opportunities, or historic, cultural, and archaeological resources.

4.5.1.5 The Facility responds to important state and county goals and priorities.

The Facility supports Wasco County's Comprehensive Plan Goal 13 that states the County's intent to facilitate and support the development of renewable energy resources within their jurisdictions. By

being a solar energy generating facility that is renewable and nonpolluting, the Facility intrinsically supports these goals.

Oregon's Renewable Portfolio Standard (RPS) establishes a requirement for how much of Oregon's electricity must come from renewable resources like solar. The current RPS is set at 50 percent by 2040 (ODOE 2024).

In addition to Oregon's RPS, private companies, such as PacifiCorp, have their own renewable energy procurement policies, which increase the demand for renewable energy in Oregon (PacifiCorp 2024). These public and private policies are intended to reduce greenhouse gas emissions, mitigate climate impact, and reduce reliance on carbon-based fuels. Solar generation, like the proposed solar array, helps further these public and private policies and outweigh temporarily removing up to 7,026 acres from Goal 3 protection.

4.5.2 Evidence that Environmental, Socioeconomic, and Energy Consequences Favor the Exception

ORS 469.504(2)(c)(B); OAR 345-022-0030(4)(c)(B) The significant environmental, economic, social and energy consequences anticipated as a result of the proposed facility have been identified and adverse impacts will be mitigated in accordance with rules of the Council applicable to the siting of the proposed facility;

4.5.2.1 Environmental

Environmental consequences result from factors such as (1) water quality, (2) environmental safety and spill prevention, (3) soil erosion, (4) stormwater and wastewater management, (5) air emissions, and (6) habitat management. These factors have been analyzed and discussed in Exhibit I (Soils), Exhibit J (Wetlands), Exhibit P (Fish and Wildlife Habitats and Species), Exhibit Q (Threatened and Endangered Plant and Animal Species), and Exhibit U (Public Services, related to wastewater and stormwater) to confirm that the potential environmental adverse impacts associated with the solar array and associated components have been identified and will be mitigated.

Since 1895, Oregon's average annual temperature has risen 2.2 degrees Fahrenheit (°F) per century and is projected to increase by 5 °F by the 2050s (Dalton et al. 2021). This warming reduces snowpack and increases regional surface water temperatures that affect both river and coastal ecosystems, threatening salmon runs and other important marine and freshwater species. The number of days with temperatures over 90 °F is increasing in frequency and magnitude with overnight temperatures also increasing (Dalton et al. 2021). Specifically in eastern Oregon, large mountain areas have been hit by mountain pine beetle infestations, wildfires, or both, causing widespread shifts in forest ecosystems (Dalton et al. 2021). A mission of Oregon's Climate Action Plan is to achieve a reduction in greenhouse gas emissions levels to at least 45 percent below 1990 emissions levels by 2035, and at least 80 percent below 1990 emissions levels by 2050. One of the measures identified to accomplish this is through supporting renewable energy development such

as solar facilities (Oregon Environmental Council 2020). Therefore, the Facility may contribute to the reduction of greenhouse gas emissions, which thereby may result in a beneficial environmental impact.

4.5.2.2 Socioeconomic

When considering the economic consequences, EFSC takes into consideration actors such as (1) any increased burden on public services, (2) benefits to the rural tax base (3) job creation, and (4) revenue for area landowners. Exhibit U contains a discussion on the potential impacts on public services, including fire, safety, and transportation. It also provides information on job creation during construction and operation. Exhibit W discusses retirement and restoration of the Facility and demonstrates that no burden will be placed on the area landowners or the County because the Applicant is obligated to retire and restore the site and will have a financial assurance in place to guarantee such work.

When considering the social consequences, EFSC takes into consideration factors such as access and impact to resources of importance to the public such as protected areas, recreation, cultural resources, and scenic areas. EFSC also takes into consideration impacts to public and community services. Exhibit L demonstrates that the Facility will not adversely impact protected areas within the analysis area and, similarly, Exhibits R, S, and T demonstrate the same for scenic resources, cultural resources, and recreation, respectively. Exhibit U demonstrates that the solar array will not result in adverse impacts on public or community services such as health care, education, housing, water supply, waste disposal, transportation, or fire and safety.

4.5.2.3 Energy

The energy consequence resulting from the Facility will be the influx of up to 800 MW of renewable energy entering the regional power grid and available for consumption by the public. It will do so using existing an energy interconnection point and either an existing transmission line or new gen-tie line parallel to an existing corridor.

4.5.3 Compatibility with Adjacent Land Uses

ORS 469.504(2)(c)(C); OAR 345-022-0030(4)(c)(C) The proposed facility is compatible with other adjacent uses or will be made compatible through measures designed to reduce adverse impacts.

Uses on the surrounding land, including abutting properties, are generally agricultural ranching with some mixed residential/agricultural uses associated with ranch homesites. Adjacent uses include solar energy generation facilities and ongoing farming operations. Section 4.2.1.11, in response to WCLUDO 5.020, discusses the Facility's compatibility with adjacent uses including efforts to avoid, minimize, and mitigate adverse impacts to farm uses within the land use analysis area. The solar array will remove up to 7,026 acres from agricultural use for the life of the Facility but will not adversely impact ongoing adjacent cattle ranching and dryland crop cultivation operations.

5.0 Federal Land Management Plans

5.1 Identification of Applicable Land Management Plans – OAR 3450-021-0010(1)(k)(D)

OAR 345-021-0010(1)(k)(D) If the proposed facility will be located on federal land:

(i) Identify the applicable land management plan adopted by the federal agency with jurisdiction over the federal land;

(ii) Explain any differences between state or local land use requirements and federal land management requirements;

(iii) Describe how the proposed facility complies with the applicable federal land management plan;

(iv) Describe any federal land use approvals required for the proposed facility and the status of application for each required federal land use approval;

(v) Provide an estimate of time for issuance of federal land use approvals; and

(vi) If federal law or the land management plan conflicts with any applicable state or local land use requirements, explain the differences in the conflicting requirements, state whether the applicant requests Council waiver of the land use standard described under paragraph (B) or (C) of this subsection and explain the basis for a waiver.

There are no applicable federal management plans. Therefore, these standards do not apply.

6.0 Summary

The information provided in this exhibit demonstrates the Facility's compliance with all applicable substantive criteria. Therefore, EFSC may find that the Facility, as proposed, meets the land use standard set forth in OAR 345-022-0030.

7.0 Submittal Requirements and Approval Standards

7.1 Submittal Requirements

Table K-10. Submittal Requirements Matrix

Requirement	Location
OAR 345-021-0010(1)(k) Information about the proposed facility's compliance with the statewide planning goals adopted by the Land Conservation and Development Commission, providing evidence to support a finding by the Council as required by OAR 345-022-0030. The applicant must state whether the applicant elects to address the Council's land use standard by obtaining local land use approvals under ORS 469.504(1)(a) or by obtaining a Council determination under ORS 469.504(1)(b). An applicant may elect different processes for an energy facility and a related or supporting facility but may not otherwise combine the two processes. Once the applicant has made an election, the applicant may not amend the application to make a different election. In this subsection, "affected local government" means a local government that has land use jurisdiction over any part of the proposed site of the facility. In the application, the applicant must:	Section 1.0, Section 2.0
(A) Include a map showing the comprehensive plan designations and land use zones in the analysis area;	Section 2.0
(B) If the applicant elects to obtain local land use approvals:	Section 3.0
(i) Identify the affected local governments from which land use approvals will be sought;	N/A
(ii) Describe the land use approvals required in order to satisfy the Council's land use standard;	N/A
(iii) Describe the status of the applicant's application for each land use approval;	N/A
(iv) Provide an estimate of time for issuance of local land use approvals.	N/A
(C) If the applicant elects to obtain a Council determination on land use:	Section 4.0
(i) Identify the affected local governments;	Section 4.1
(ii) Identify the applicable substantive criteria from the affected local government's acknowledged comprehensive plan and land use regulations that are required by the statewide planning goals and that are in effect on the date the application is submitted and describe how the proposed facility complies with those criteria;	Section 4.2
(iii) Identify all Land Conservation and Development Commission administrative rules, statewide planning goals and land use statutes directly applicable to the facility under ORS 197.646(3) and describe how the proposed facility complies with those rules, goals and statutes;	Section 4.3
(iv) If the proposed facility might not comply with all applicable substantive criteria, identify the applicable statewide planning goals and describe how the proposed facility complies with those goals;	Section 4.4

Requirement	Location
(v) If the proposed facility might not comply with all applicable substantive criteria or applicable statewide planning goals, describe why an exception to any applicable statewide planning goal is justified, providing evidence to support all findings by the Council required under ORS 469.504(2); and	Section 4.5
(D) If the proposed facility will be located on federal land:	Section 5.0
(i) Identify the applicable land management plan adopted by the federal agency with jurisdiction over the federal land;	N/A
(ii) Explain any differences between state or local land use requirements and federal land management requirements;	N/A
(iii) Describe how the proposed facility complies with the applicable federal land management plan;	N/A
(iv) Describe any federal land use approvals required for the proposed facility and the status of application for each required federal land use approval;	N/A
(v) Provide an estimate of time for issuance of federal land use approvals; and	N/A
(vi) If federal law or the land management plan conflicts with any applicable state or local land use requirements, explain the differences in the conflicting requirements, state whether the applicant requests Council waiver of the land use standard described under paragraph (B) or (C) of this subsection and explain the basis for a waiver.	N/A

7.2 Approval Standards

Table K-11. Approval Standards

Approval Standard	Location
OAR 345-022-0030 Land Use	
(1) To issue a site certificate, the Council must find that the proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission.	Section 4.0
(2) The Council shall find that a proposed facility complies with section (1) if:	–
(a) The applicant elects to obtain local land use approvals under ORS 469.504(1)(a) and the Council finds that the facility has received local land use approval under the acknowledged comprehensive plan and land use regulations of the affected local government; or	N/A
(b) The applicant elects to obtain a Council determination under ORS 469.504(1)(b) and the Council determines that:	Section 4.0
(A) The proposed facility complies with applicable substantive criteria as described in section (3) and the facility complies with any Land Conservation and Development Commission administrative rules and goals and any land use statutes directly applicable to the facility under ORS 197.646(3);	Sections 4.2 through 4.5

Approval Standard	Location
(B) For a proposed facility that does not comply with one or more of the applicable substantive criteria as described in section (3), the facility otherwise complies with the statewide planning goals or an exception to any applicable statewide planning goal is justified under section (4); or	Section 4.4, Section 4.5
(C) For a proposed facility that the Council decides, under sections (3) or (6), to evaluate against the statewide planning goals, the proposed facility complies with the applicable statewide planning goals or that an exception to any applicable statewide planning goal is justified under section (4).	Section 4.5
(3) As used in this rule, the "applicable substantive criteria" are criteria from the affected local government's acknowledged comprehensive plan and land use ordinances that are required by the statewide planning goals and that are in effect on the date the applicant submits the application. If the special advisory group recommends applicable substantive criteria, as described under OAR 345-021-0050, the Council shall apply them. If the special advisory group does not recommend applicable substantive criteria, the Council shall decide either to make its own determination of the applicable substantive criteria and apply them or to evaluate the proposed facility against the statewide planning goals.	Sections 4.1 through 4.5
(4) The Council may find goal compliance for a proposed facility that does not otherwise comply with one or more statewide planning goals by taking an exception to the applicable goal. Notwithstanding the requirements of ORS 197.732, the statewide planning goal pertaining to the exception process or any rules of the Land Conservation and Development Commission pertaining to the exception process, the Council may take an exception to a goal if the Council finds:	Section 4.5
(a) The land subject to the exception is physically developed to the extent that the land is no longer available for uses allowed by the applicable goal;	N/A
(b) The land subject to the exception is irrevocably committed as described by the rules of the Land Conservation and Development Commission to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or	N/A
(c) The following standards are met:	
(A) Reasons justify why the state policy embodied in the applicable goal should not apply;	Section 4.5
(B) The significant environmental, economic, social and energy consequences anticipated as a result of the proposed facility have been identified and adverse impacts will be mitigated in accordance with rules of the Council applicable to the siting of the proposed facility; and	Section 4.5
(C) The proposed facility is compatible with other adjacent uses or will be made compatible through measures designed to reduce adverse impacts.	Section 4.5
(5) If the Council finds that applicable substantive local criteria and applicable statutes and state administrative rules would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the Council cannot waive any applicable state statute.	N/A

Approval Standard	Location
(6) If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(11)(a)(C) to (E) or for a related or supporting facility that does not pass through more than one local government jurisdiction or more than three zones in any one jurisdiction, the Council shall apply the criteria recommended by the special advisory group. If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(11)(a)(C) to (E) or a related or supporting facility that passes through more than one jurisdiction or more than three zones in any one jurisdiction, the Council shall review the recommended criteria and decide whether to evaluate the proposed facility against the applicable substantive criteria recommended by the special advisory group, against the statewide planning goals or against a combination of the applicable substantive criteria and statewide planning goals. In making the decision, the Council shall consult with the special advisory group, and shall consider:	N/A
(a) The number of jurisdictions and zones in question;	N/A
(b) The degree to which the applicable substantive criteria reflect local government consideration of energy facilities in the planning process; and	N/A
(c) The level of consistence of the applicable substantive criteria from the various zones and jurisdictions.	N/A

8.0 References

APLIC (Avian Powerline Interaction Committee). 2006. Suggested Practices for Avian Protection on Power Lines: the state of the art in 2006. Edison Electric Institute, APLIC, and the California Energy Commission. Washington D.C. and Sacramento, California.

BPA (Bonneville Power Administration). 2024a. 2024-2028 Strategic Plan, Reliable, responsive and resilient as we power our clean energy future. https://www.bpa.gov/-/media/Aep/about/who-we-are/strategic-plan/2024-2028-strategic-plan.pdf.

BPA. 2024b. Transmission Business Model. Accessed July 2024. https://www.bpa.gov/energy-and-services/transmission/business-model.

CPET (Columbia Plateau Ecoregion Taskforce). 2008. Oregon Columbia Plateau Ecoregion Wind Energy: Siting and Permitting Guidelines. Report by Oregon Department of Energy. Published September 29, 2008. https://www.dfw.state.or.us/conservationstrategy/docs/OR_wind_siting_guidelines.pdf.

Dalton, M., and E. Fleishman, editors. 2021. Fifth Oregon Climate Assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon. https://blogs.oregonstate.edu/occri/oregon-climate-assessments/.

Davis, S. J., J. Gonzalez Tepetla, K. Freeman, J. Tuck, E. Ryan, L. Provost, and E. K. Ragsdale. 2023. DRAFT Cultural Resources Investigations for the Yellow Rosebush Energy Facility, Wasco

County, Oregon. December 2023. Historic Research Associates, Inc., Portland, Oregon. Submitted to Tetra Tech and Savion, LLC. SHPO Case #23-1821.

Esterson, Sarah. 2024. Agenda Item C (Information Item): Land Use Standard (OAR 345-022-0030) – Goal 3 Exceptions (Part I) for the December 13, 2024 EFSC Meeting presented to EFSC. November 27, 2024. https://www.oregon.gov/energy/facilities-safety/facilities/Council%20Meetings/2024-12-13-Item-C-Land-Use-Standard-Goal-Exception-Staff-Report.pdf.

Leal, David. 2020. 2019 Oregon Golden Eagle Nest Locations (Shapefile). Received by Julie Garvin (Tetra Tech) from David Leal (USFWS) November 17, 2020, via email.

NRCS (National Resources Conservation Service). 2024. Highly Erodible Land Determination. Accessed August 2024. https://www.nrcs.usda.gov/resources/guides-and-instructions/highly-erodible-land-determinations.

ODOE (Oregon Department of Energy). 2018a. In the Matter of the Application for Site Certificate for the Boardman Solar Energy Facility, Final Order On Application for Site Certificate. February 2018.

ODOE. 2018b. In the Matter of Request for Amendment 1 of the Carty Generating Station Site Certificate, Final Order On Amendment 1 of the Site Certificate. December 2018. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2018-12-14-CGS-AMD1-Final-Order-AMD1.pdf.

ODOE. 2019a. In the Matter of Request for Amendment 4 for the Montague Wind Power Facility Site Certificate. Final Order on Request for Amendment 4 to the Site Certificate. August 2019. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-09-06-MWP-AMD4-Final-Order.pdf.

ODOE. 2019b. In the Matter of Request for Amendment 4 for the Wheatridge Wind Energy Facility. Final Order on Request for Amendment 4 to the Site Certificate. November 2019. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2019-11-22-WRWAMD4-Final-Order-on-Request-for-Amendment-4.pdf.

ODOE. 2020. In the Matter of the Application for Site Certificate for the Bakeoven Solar Energy Facility, Final Order On Application for Site Certificate. April 2020. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2020-04-24-BSP-ASC-Final-Order.pdf.

ODOE. 2021a. Reasons Exception Requests for Statewide Planning Goal 3, Agricultural Lands, for Proposed Solar Photovoltaic Energy Facilities. Memorandum. October 5, 2021.

ODOE. 2021b. In the Matter of the Application for Site Certificate for the Madras Solar Energy Facility, Final Order On Application for Site Certificate. June 2021. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2021-08-02-MSEF-Final-Order-SIGNED-Attachments.pdf.

ODOE. 2023a. In the Matter of the Application for Site Certificate for the West End Solar Project, Final Order On Application for Site Certificate. March 2023. Available online at: oregon.gov/energy/facilities-safety/facilities/Facilities library/2023-03-24-WES-APP-Final-Order-on-ASC.pdf.

ODOE. 2023b. In the Matter of the Application for Site Certificate for the Nolin Hills Wind Power Project, Final Order On Application for Site Certificate. July 2023. Available online at: https://www.oregon.gov/energy/facilities-safety/facilities/Facilities%20library/2023-08-30-NHW-APP-Final-Order.pdf.

ODOE. 2024. Renewable Portfolio Standard. Accessed June 2024. https://www.oregon.gov/energy/energy-oregon/Pages/Renewable-Portfolio-Standard.aspx.

ORBIC (Oregon Biodiversity Information Center). 2019. Rare, Threatened and Endangered Species of Oregon- Vertebrate Animal List with Drops and Name Changes. Institute for Natural Resources, Portland State University, Portland, Oregon.

ORBIC. 2023a. Element Occurrence Record Digital Data Set for rare, threatened or endangered species for the Yellow Rosebush Project in Wasco County. ORBIC, Institute for Natural Resources, Portland State University. Portland, OR. Received May 2023.

ORBIC. 2023b. Rare, Threatened and Endangered Species of Oregon- 2023 Vascular Plant List. Institute for Natural Resources, Portland State University, Portland, Oregon.

ORBIC. 2023c. Rare, Threatened and Endangered Species of Oregon- 2023 Non-Vascular Plant and Fungi List. Institute for Natural Resources, Portland State University, Portland, Oregon.

Oregon Environmental Council. 2020. Oregon Climate Action Plan. Accessed August 2024. https://oeconline.org/oregon-climate-action-plan/.

OWRD (Oregon Water Resources Department). 2024a. Water Availability Analysis for Watershed ID #30710301. Available online at: https://apps.wrd.state.or.us/apps/wars/wars_display_wa_tables/display_wa_complete_report.aspx?ws_id=30710301&exlevel=80&scenario_id=1.

OWRD. 2024b. Water Rights Mapping Tool. Accessed June 2024. https://apps.wrd.state.or.us/apps/gis/wr/Default.aspx.

PacifiCorp. 2024. PacifiCorp Green Initiatives and Investments. Accessed June 2024. https://www.pacificorp.com/about/green-initiatives-investments.html.

Sherman County. 2003. Sherman County Zoning, Subdivision, Partitioning, and Land Development Ordinance. Adopted June 1, 1994. Amended July 2003. https://www.co.sherman.or.us/documents/sherman-county-zoning-ordinance/. Accessed August 26, 2024.

TANC (Transmission Agency of Northern California). 2023. The Western US Power System. Copyright © 2023 Transmission Agency of Northern California. https://www.tanc.us/understanding-transmission/the-western-us-power-system/

United States. 2024. U.S. Electric Power Transmission Lines. Homeland Infrastructure Foundation-Level Data (HIFLD). Published August 16, 2022, updated March 11, 2024. Accessed May 2024. https://hub.arcgis.com/datasets/fedmaps::u-s-electric-power-transmission-lines/explore.

U.S. Energy Atlas. 2024. Electricity Energy Infrastructure and Resources. Accessed August 2024. https://atlas.eia.gov/apps/895faaf79d744f2ab3b72f8bd5778e68/explore.

USDA (United States Department of Agriculture). 2022. Table 11. Cattle and Calves - Inventory and Sales: 2022 and 2017. 2022 Census of Agriculture - County Data. National Agricultural Statistics Service. Accessed 2024. https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_2_County_Level/Oregon/st41_2_011_011.pdf.

USGS (United States Geologic Survey). 2024. The National Map Download (v2.0). Accessed August 2024. https://apps.nationalmap.gov/downloader/#/.

Wasco County Weed Department. 2008. Weed List and Classifications. Merle A Keys, Superintendent. Wasco County Weed Department. Revised 3/1/2008. https://cms5.revize.com/revize/wascocounty/document_center/Public%20Works/wdlist08.pdf.

Wasco County. 2010. Wasco County Comprehensive Plan. Effective June 1, 2010. Accessed August 2024. https://cms5.revize.com/revize/wascocounty/Planning/Comp_Plan/titlePage.pdf.

Wasco County. 2022. Wasco County Land Use & Development Ordinance. Adopted June 1985. Effective December 5, 2022. Accessed August 2024. https://cms5.revize.com/revize/wascocounty/docs/Planning%20Ordinances/FULL_LUDO_12.05.22_UPDATED_05.15.23.pdf.

Wasco County. 2024. Wasco County Public Basemap. Accessed June 2024. https://public.co.wasco.or.us/gisportal/apps/webappviewer/index.html?id=80a942ec81da4dd2bcc16032cc329459.

WCPD (Wasco County Planning Department). 2022. Wasco County 2022 Community Wildfire Protection Plan. Accessed June 2023. https://www.co.wasco.or.us/departments/planning/long_range/community_wildfire_protection_plan_update/index.php.

WECC (Western Electricity Coordinating Council). 2017. Western Interconnection Balancing Authorities. January 5, 2017. Accessed July 2024. https://www.wecc.org/Administrative/Balancing_Authorities_JAN17.pdf. his page intentionally left blank

Figures

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Yellow Rosebush Energy Center

Figure K-1
Land Use Analysis Area

SHERMAN AND WASCO COUNTIES, OR

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- City/Town
- County Boundary
- US Highway
- Local Roads
- Existing 500kV Transmission Line
- Existing Substation

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N 0 1 2 4 Miles

NOT FOR CONSTRUCTION

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Yellow Rosebush Energy Center

Figure K-2 Zoning and Comprehensive Plan Designations

SHERMAN AND WASCO COUNTIES, OR

Sherman County

Wasco County

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- City/Town
- County Boundary
- US Highway

Wasco County

- Exclusive Farm Use Zone A-1 (160), Comprehensive Plan Designation-Agriculture
- Mineral Aggregate Overlay
- Military Airspace Overlay – 5000' Mean Sea Level (2000' + AGL)
- Sensitive Wildlife Overlay

Sherman County

- Exclusive Farm Use Zone F-1, Comprehensive Plan Designation – Cropland
- Natural Hazards Combining Overlay

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N

0 1 2 4 Miles

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Yellow Rosebush Energy Center

Figure K-3
Tracts and Adjacent Facilities

SHERMAN AND WASCO COUNTIES, OR

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- City/Town
- County Boundary
- US Highway
- Local Roads
- Existing 500kV Transmission Line
- Existing Substation

Tract ID, Landowner

- 1, ASHLEY L STEVEN ET AL
- 2, CHRISMAN LEVI FAMILY LLC
- 3, PHILLIPS DON W ET AL

Energy Facilities

- Bakeoven Solar Project
- Daybreak Solar Project
- Sunset Solar Project

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N

0 1 2 4 Miles

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Yellow Rosebush Energy Center

Figure K-4
Existing Land Use

SHERMAN AND WASCO COUNTIES, OR

1
2
3
HAUSER CANYON
Sherman County
Wasco County

- Facility Site Boundary (Gen-tie removed)
- Surrounding Lands (0.5-mile Buffer)
- Micrositing Corridor
- Tract Boundary
- County Boundary
- Local Roads
- Transmission Corridor
- Closed Oil and Gas Pipeline (BLM ROW)
- Residences
- Residence Demolished Prior to Facility Construction
- Existing Substation

Existing Land Use

- Wheat Fields, Other Row Crops
- Planted Grasslands

Oregon EFSC Facilities

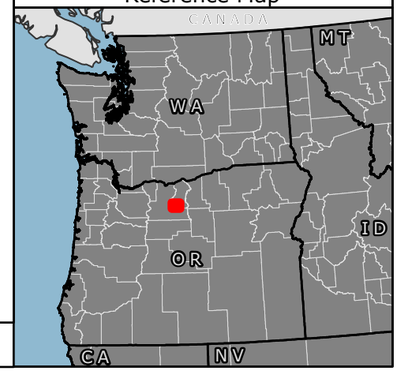
- Bakeoven Solar Project
- Daybreak Solar Project
- Sunset Solar Project

Exisiting Transmission Line Voltage Classifications

- 100-161 kV
- 220-287 kV
- 500 kV
- < 100 kV

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map



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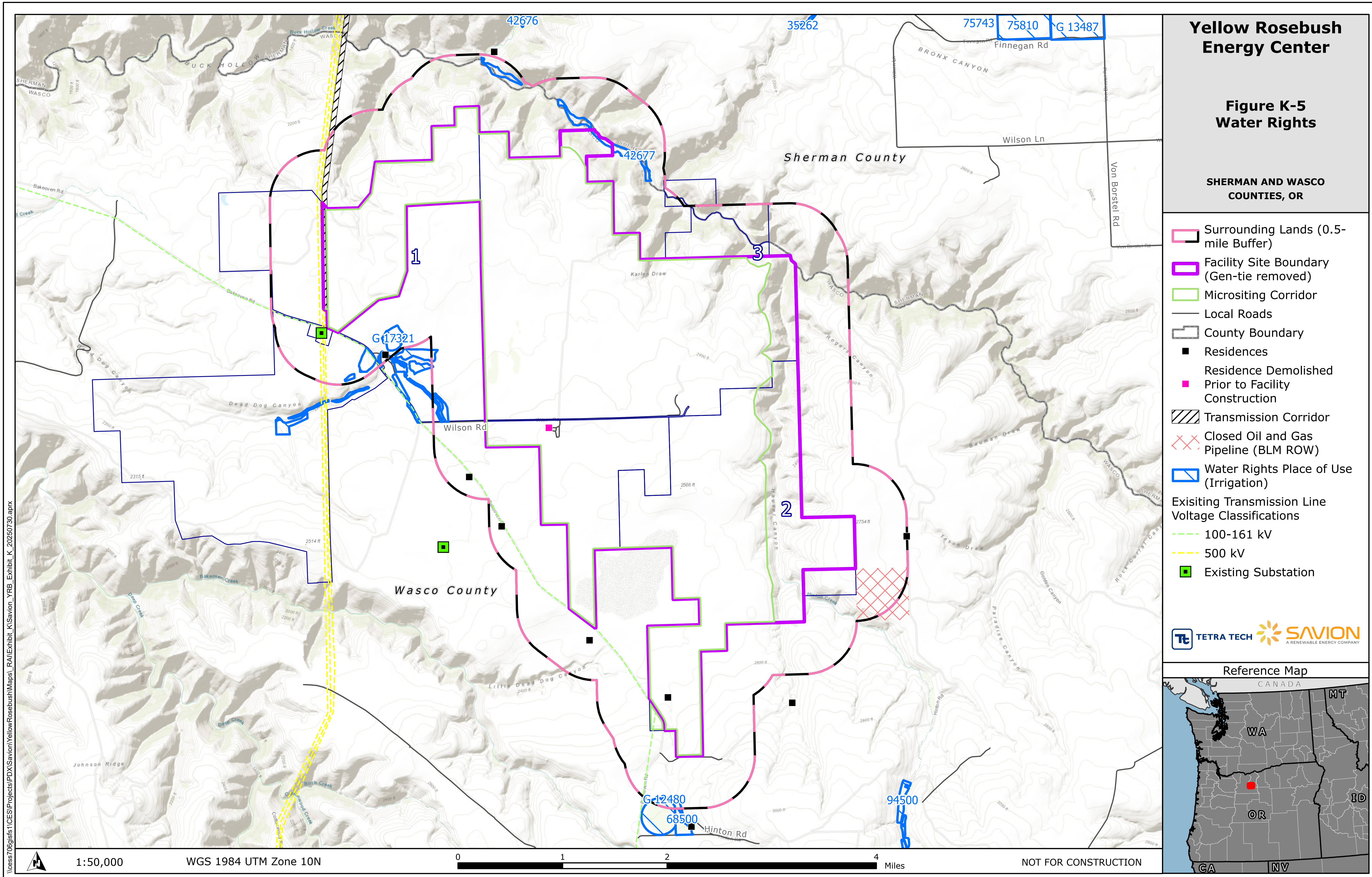

Yellow Rosebush Energy Center
Figure K-5
Water Rights
SHERMAN AND WASCO COUNTIES, OR
Surrounding Lands (0.5-mile Buffer)
Facility Site Boundary (Gen-tie removed)
Micrositing Corridor
Local Roads
County Boundary
Residences
Residence Demolished Prior to Facility Construction
Transmission Corridor
Closed Oil and Gas Pipeline (BLM ROW)
Water Rights Place of Use (Irrigation)
Exisiting Transmission Line Voltage Classifications
100-161 kV
500 kV
Existing Substation
TETRA TECH
SAVION
Reference Map
Sherman County
Wasco County
Wilson Rd
Wilson Ln
Finnegan Rd
Hinton Rd
Von Borstel Rd
Dead Dog Canyon
Little Dead Dog Canyon
42676
42677
35262
75743
75810
G 13487
G 17321
G 12480
68500
94500
1
2
3
1:50,000
WGS 1984 UTM Zone 10N
0 1 2 4 Miles
NOT FOR CONSTRUCTION

Yellow Rosebush Energy Center

Figure K-6
NRCS Soil Capability Classifications

SHERMAN AND WASCO COUNTIES, OR

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- Tract Boundary
- City/Town
- County Boundary
- US Highway
- Local Roads
- Existing 500kV Transmission Line
- Existing Substation

NRCS Non-Irrigated Capability Soil Class

- Class II
- Class III
- Class IV
- Class VI
- Class VII
- Class VIII

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N

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Yellow Rosebush Energy Center

Figure K-7
Arable and Non-Arable Soils

SHERMAN AND WASCO COUNTIES, OR

Sherman County

Wasco County

Kent

97

1

2

3

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- City/Town
- County Boundary
- US Highway
- Local Roads
- Existing 500kV Transmission Line
- Existing Substation
- Tract Boundary
- Arable Soils
- Non-Arable Soils

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N

0 1 2 4 Miles

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Yellow Rosebush Energy Center

Figure K-8
One-mile Study Area

SHERMAN AND WASCO COUNTIES, OR

- Facility Site Boundary
- Analysis Area (0.5-mile Buffer)
- 1-Mile Study Area
- City/Town
- County Boundary
- US Highway
- Local Roads
- Existing 500kV Transmission Line
- Existing Substation

Energy Facilities

- Bakeoven Solar Project
- Daybreak Solar Project
- Sunset Solar Project

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:70,000 WGS 1984 UTM Zone 10N 0 1 2 4 Miles

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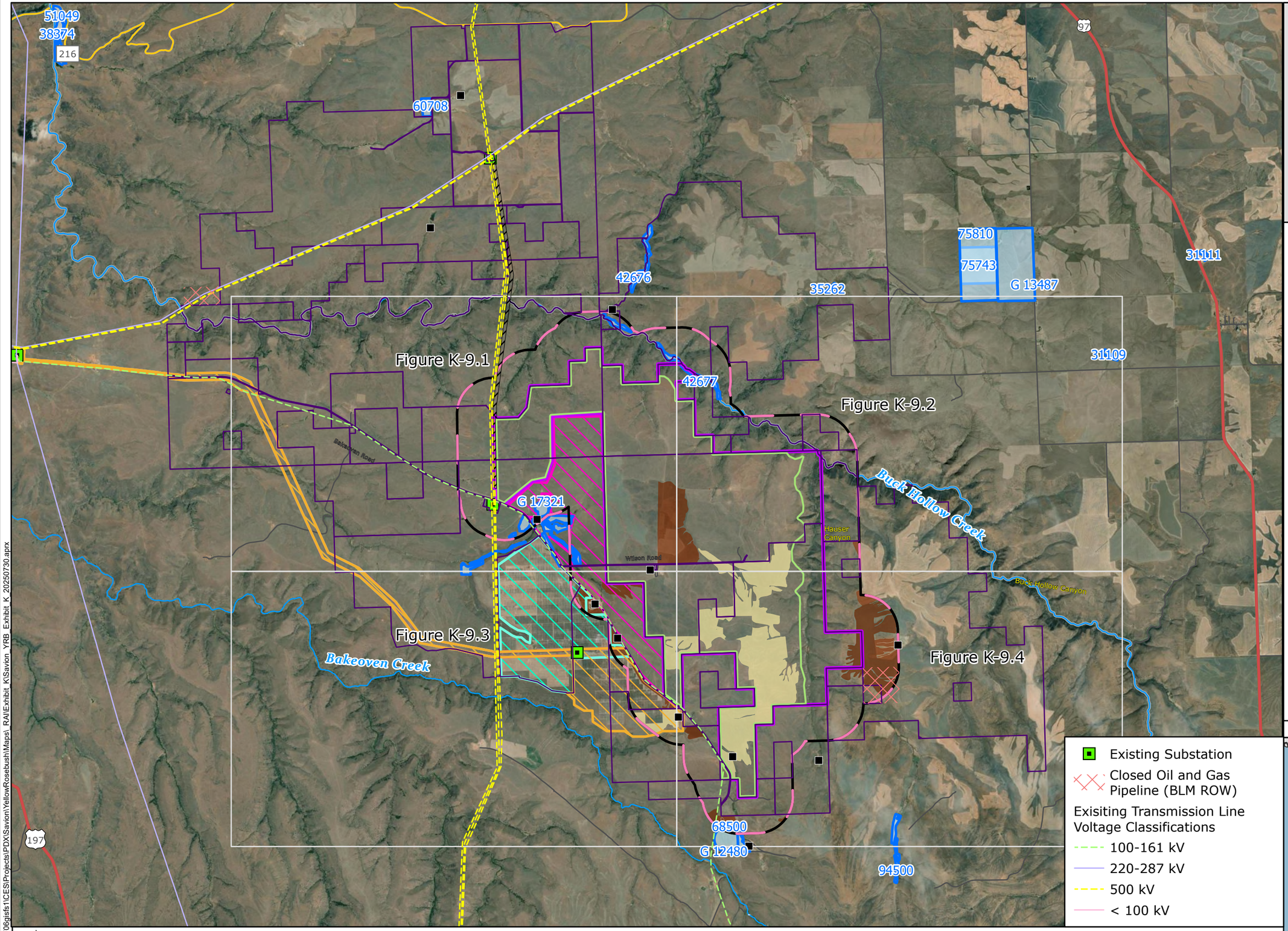
Yellow Rosebush Energy Center

Figure K-9 Surrounding Lands Index

SHERMAN AND WASCO COUNTIES, OR



Surrounding Lands (0.5-mile Buffer)
Facility Site Boundary (Gen-tie removed)
Micrositing Corridor
Transmission Corridor
Grid Index
Tax Lot Boundary
County Boundary
US Highway
State Highway
Local Roads
Residences
Bakeoven Solar Project
Daybreak Solar Project
Sunset Solar Project
Water Rights Place of Use (Irrigation)

Existing Land Use

Wheat Fields and Cultivated Crops
Planted Grasslands

Existing Substation
Closed Oil and Gas Pipeline (BLM ROW)

Exisiting Transmission Line Voltage Classifications

100-161 kV
220-287 kV
500 kV
< 100 kV

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map

1:80,000 WGS 1984 UTM Zone 10N 0 1 2 4 Miles

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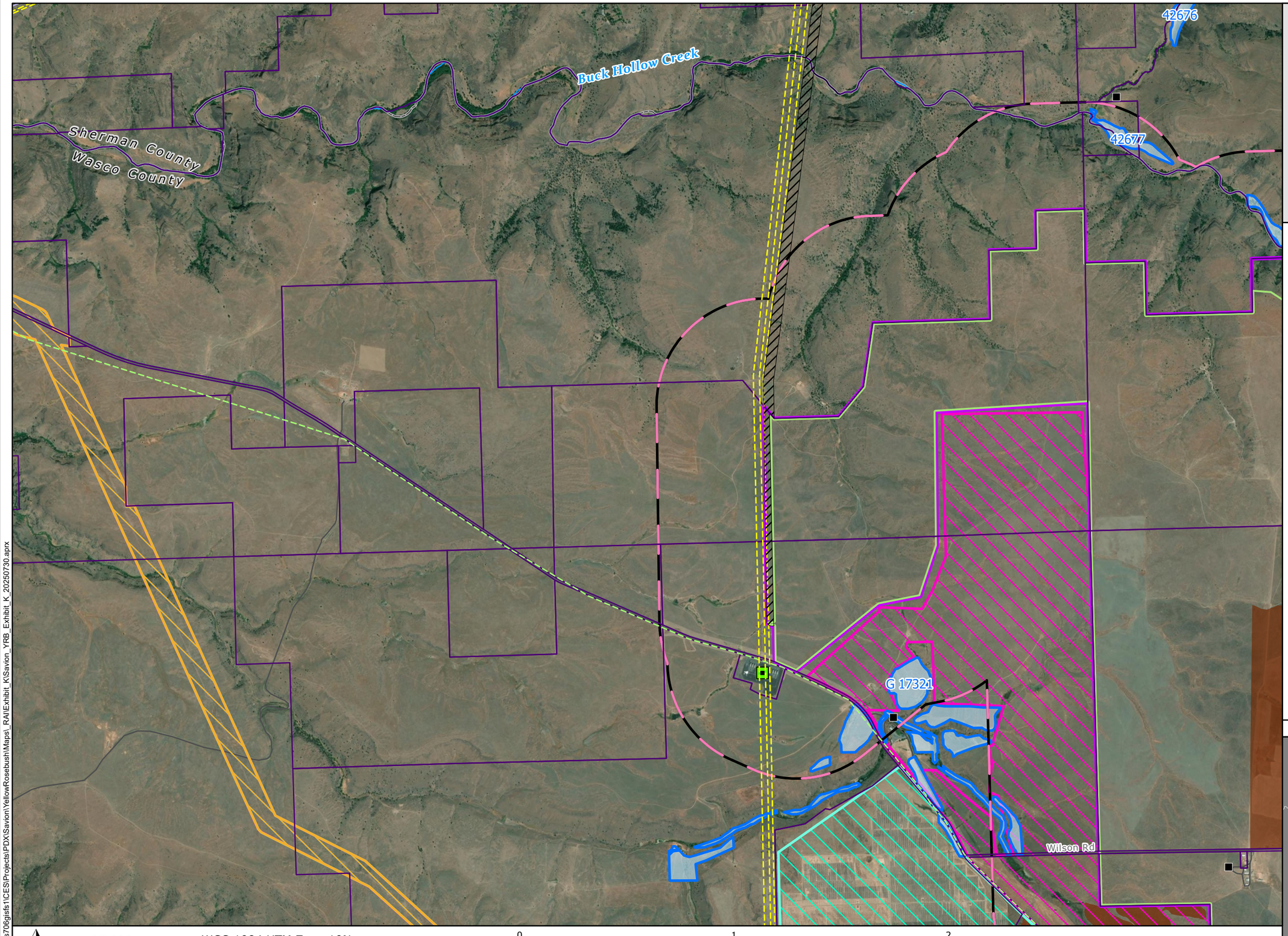
Yellow Rosebush Energy Center

Figure K-9.1 Surrounding Lands Details

SHERMAN AND WASCO COUNTIES, OR



- Surrounding Lands (0.5-mile Buffer)
- Facility Site Boundary (Gen-tie removed)
- Micrositing Corridor
- Transmission Corridor
- Tax Lot Boundary
- Local Roads
- Residences
- Bakeoven Solar Project
- Daybreak Solar Project
- Sunset Solar Project
- Water Rights Place of Use (Irrigation)

Existing Land Use

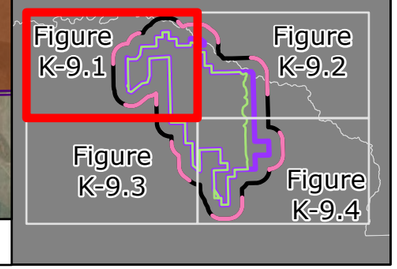
- Wheat Fields and Cultivated Crops

Exisiting Transmission Line Voltage Classifications

- 100-161 kV
- 220-287 kV
- 500 kV

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map



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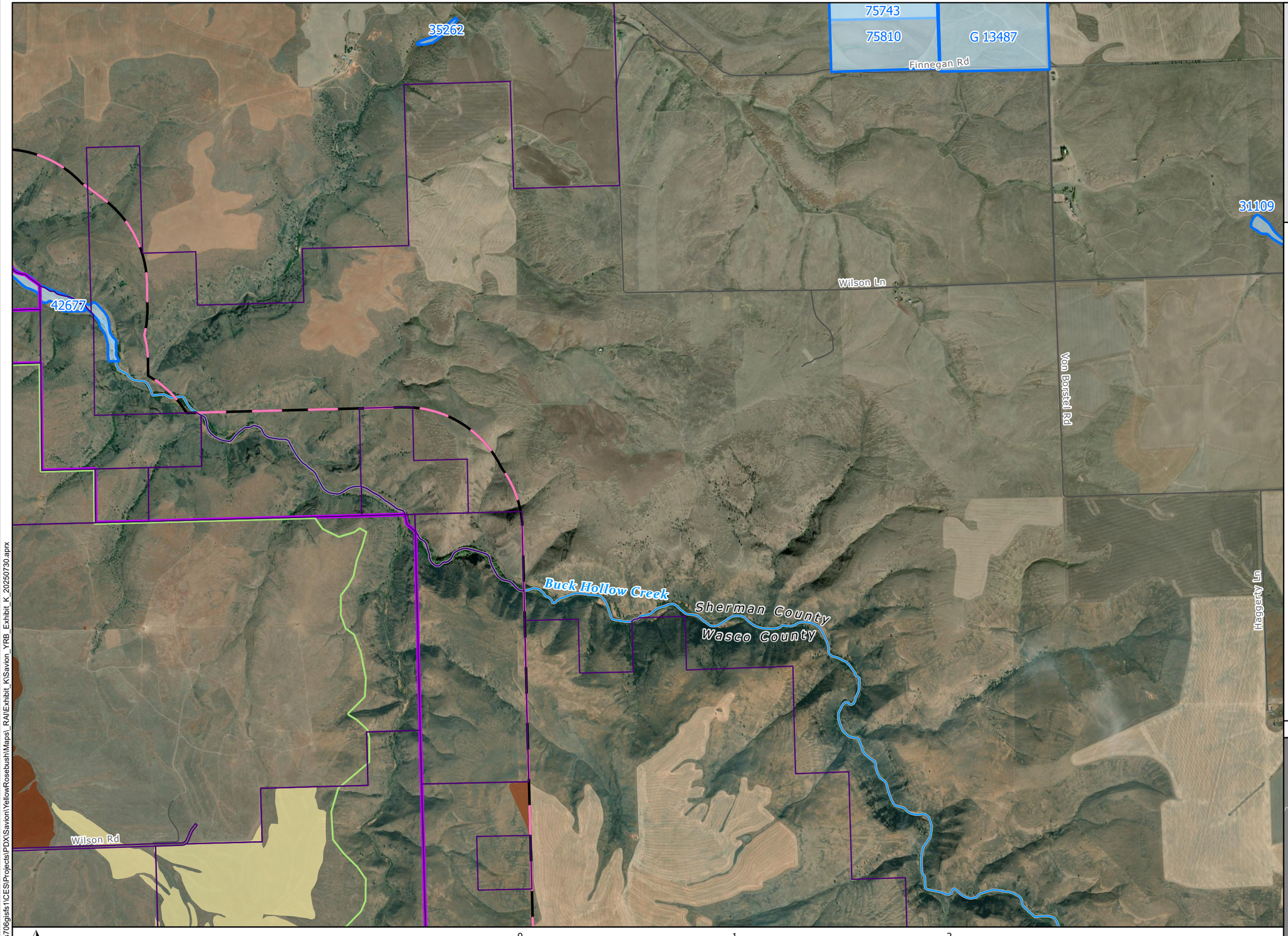
Yellow Rosebush Energy Center

Figure K-9.2 Surrounding Lands Details

SHERMAN AND WASCO COUNTIES, OR



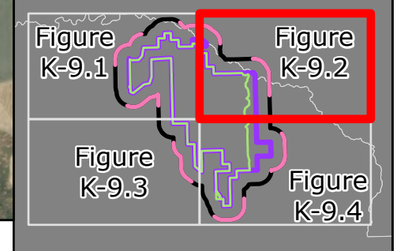
- Surrounding Lands (0.5-mile Buffer)
- Facility Site Boundary (Gen-tie removed)
- Micrositing Corridor
- Tax Lot Boundary
- Local Roads
- Water Rights Place of Use (Irrigation)

Existing Land Use

- Wheat Fields and Cultivated Crops
- Planted Grasslands

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map



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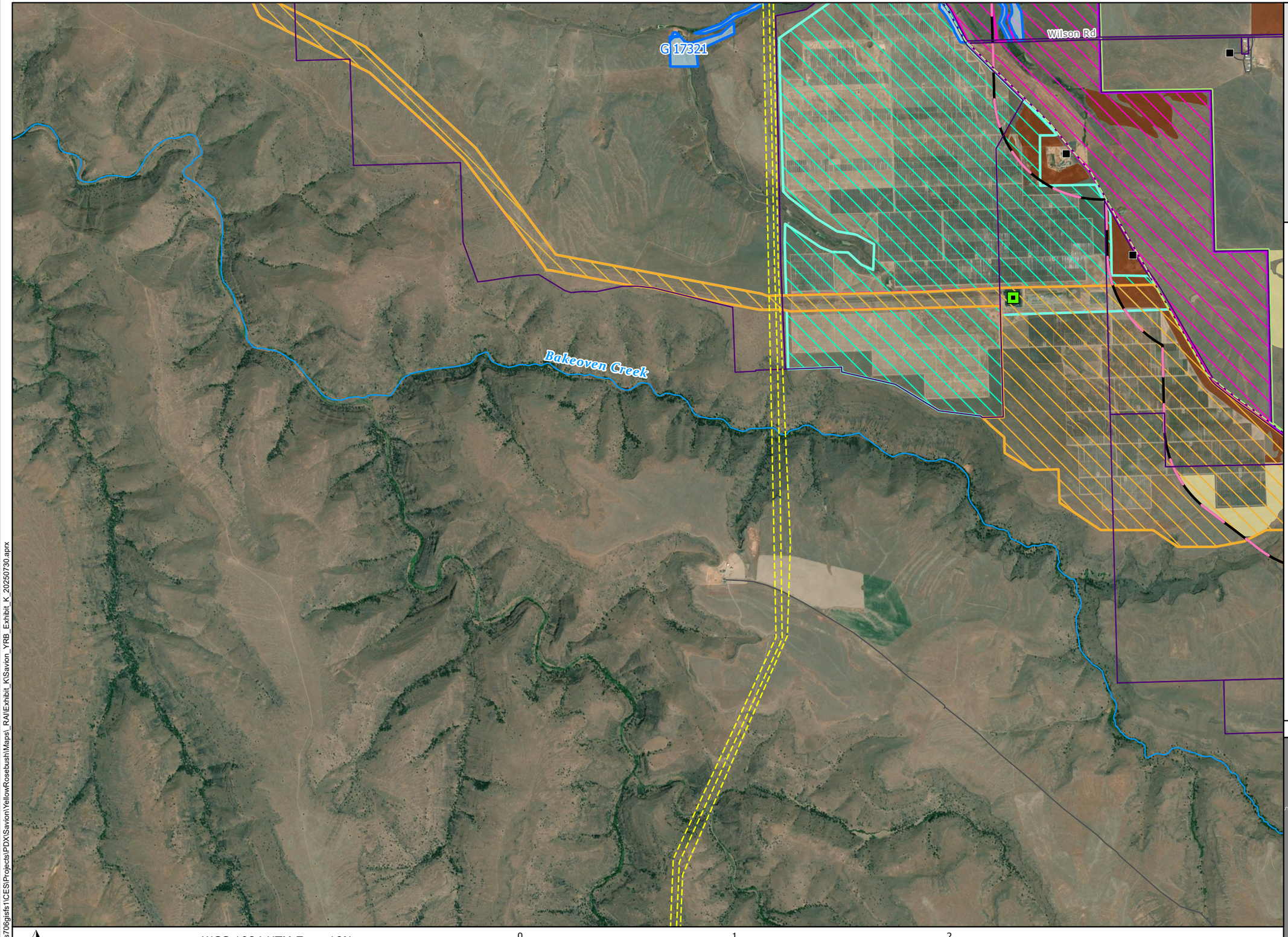
Yellow Rosebush Energy Center

Figure K-9.3 Surrounding Lands Details

SHERMAN AND WASCO COUNTIES, OR



- Surrounding Lands (0.5-mile Buffer)
- Facility Site Boundary (Gen-tie removed)
- Micrositing Corridor
- Tax Lot Boundary
- Local Roads
- Residences
- Existing Substation
- Bakeoven Solar Project
- Daybreak Solar Project
- Sunset Solar Project
- Water Rights Place of Use (Irrigation)

Existing Land Use

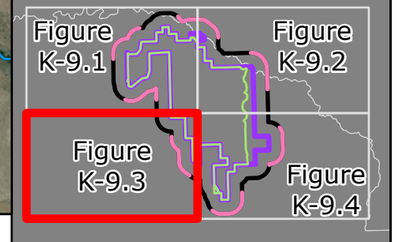
- Wheat Fields and Cultivated Crops
- Planted Grasslands

Exisiting Transmission Line Voltage Classifications

- 100-161 kV
- 500 kV

TETRA TECH SAVION A RENEWABLE ENERGY COMPANY

Reference Map



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Yellow Rosebush Energy Center

Figure K-9.4
Surrounding Lands Details

SHERMAN AND WASCO COUNTIES, OR

Wilson Rd

Buck Hollow Creek

Sherman County

Wasco County

G 12480

68500

Hinton Rd

Bakeoven Creek

94500

- Surrounding Lands (0.5-mile Buffer)
- Facility Site Boundary (Gen-tie removed)
- Micrositing Corridor
- Tax Lot Boundary
- Local Roads
- Residences
- Water Rights Place of Use (Irrigation)
- Closed Oil and Gas Pipeline (BLM ROW)

Existing Land Use

- Wheat Fields and Cultivated Crops
- Planted Grasslands

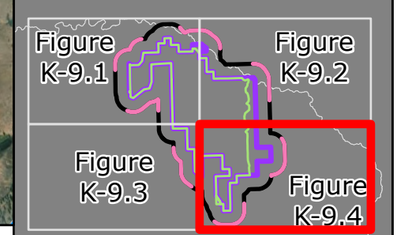
Exisiting Transmission Line Voltage Classifications

- 100-161 kV

TETRA TECH

SAVION
A RENEWABLE ENERGY COMPANY

Reference Map



1:27,000

WGS 1984 UTM Zone 10N

0 1 2 Miles

NOT FOR CONSTRUCTION

\\cess706gisfs1\CES\Projects\PDX\Savion\YellowRosebush\Maps_RAI\Exhibit_K\Savion_YRB_Exhibit_K_20250730.aprx

Attachment K-1. Landowner Letters

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July 21, 2025

Kathleen Sloan
Senior Siting Analyst
Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301

RE: Yellow Rosebush Energy Center

Dear Ms. Sloan:

Savion LLC, through a subsidiary, proposes to construct and operate the Yellow Rosebush Energy Center, partially on our privately owned farmland in Wasco County, Oregon. The project would build a solar energy generation and battery energy storage system and supporting facilities on land in both Wasco and Sherman counties.

Our ranch operation, A & K Ranches, has signed lease options with the Project subsidiary for up to 4,985 acres of our land. A & K Ranches owns about 9,300 acres in Wasco County. Our lands are in use for a solar farm, the Conservation Reserve Program (CRP), and cattle ranching. Over 4,000 acres are classified as farm ground, and most of that land has been in CRP since 2004. We currently have 1,200 acres (previously in CRP) converted to a solar farm.

Our ground is not productive; we run cows on about 1,200 acres at a density of about 50 acres per cow for the year. Good ground you can run 1 cow per acre for a year. Think Willamette valley. Our ground is 50 times less productive than the Willamette valley. The leased area for the project is almost all rock draws (unfarmable area or in CRP). We do not run cows in our leased portion of the project. The Project lease area will not reduce our cattle operations, since operation of the project will not affect the current 1,200 acres being used for grazing. We also do not lease our land to other ranchers for pasture, so the project will not have an impact. When not on our farm, cattle are moved to other farms in other areas for grazing on rented land.

No crops have been farmed on this land since 2004. Wheat yields in this area are extremely low and below breakeven. Previous yield rates were under 25-30 bushels, maybe a little higher, but previous farm practices reduced productivity of the soil. Our ground is 50 times less productive than the Willamette Valley, with Bakeoven complex soils that are poor, rocky and shallow. None of our land that is in the Project site boundary is irrigated or has irrigation water rights.

The leased area currently takes very little management and contributes very little to the local economy with low taxes. We spray to remove noxious weeds and mow along roads and to provide fire suppression. Costs are about $1,000 in chemicals a year; labor is provided by ranch staff. These expenses will continue

regardless of the project. Lease payments from the project will allow us to reinvest in our ranching operations for infrastructure and equipment, and our employees. We currently have two employees at the ranch. The project will most likely increase jobs or at least provide job security for the current employees: renting equipment to solar projects for mowing (mowers and tractors), performing maintenance, and fueling of equipment. As part of the construction process, the project will improve gravel and ranching roads, which benefits the ranch.

While we expect some impacts to our operations from project construction, they are all things that can be addressed and managed. When the project is operating, most likely it will increase our spending as solar project income will allow for deferred capital improvements to be made. For example, before the existing solar farm, we only had one tractor, then added two more to support both ranch and solar projects.

In conclusion, we consider renewable power generation at the Facility site a better use of the land that will have minimal impact to agricultural resource lands and will provide a net economic benefit to our ranch operations and to the County.

Sincerely,

DocuSigned by:
Bob Krein
E99A94B46F0E422...

Bob Krein

A & K Ranches
89881 Bakeoven Road
PO Box 158
Maupin, OR 97037

July 21, 2025

Kathleen Sloan
Senior Siting Analyst
Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301

RE: Yellow Rosebush Energy Center

Dear Ms. Sloan:

Savion LLC, through a subsidiary, proposes to construct and operate the Yellow Rosebush Energy Center, a solar energy generation and battery energy storage system and supporting facilities in Wasco County, Oregon. Our Levi Chrisman Family LLC has 2,548 acres in Wasco County. We have signed lease options with Savion's subsidiary to include approximately 2,467 acres of those acres in the project boundary.

About half of our 2,548 acres are enrolled in the Conservation Reserve Program (CRP). Our family does not actively farm the property; instead, we run recreational hunting operations and sublease a small area to Carver Family Ranches LLC (about 240 acres total). The Carvers plant about one-fourth of the land with dryland wheat/barley crops, with intermittent grazing on uncultivated areas based on available vegetation. The Carvers only use the portion of the 240 acres located on the east side of Hauser Canyon. It is our understanding this portion of the leased area is not likely to be included in the solar development area, and this area will continue to be farmed by Carver. There are no water rights or irrigation on the property, with previous farming depending on seasonal rainfall.

Most of the land west of Hauser Canyon is under a CRP contract because it is poor land for farming and the CRP contract is its most reliable source of income. The land is rocky, with shallow soil depths; the area is not suitable for farming. The land west of Hauser Canyon is not agriculturally worked in any way, with the exception of periodic requirements that may be imposed by the CRP contract. Our family has no intention to farm the property.

We do not expect existing agricultural operations to be impacted by the construction or operation of Yellow Rosebush Energy Center. No jobs will be eliminated due to the project. Data on dryland wheat farming suggests that farming the remaining property is cost prohibitive due to the low yields anticipated. Due to all of these factors, we consider renewable power generation at the Facility site a better use of the land that will have minimal impact to agricultural resource lands and will provide a net economic benefit.

Sincerely,

Brad Chase

62261 Deer Trail Rd

Bend, OR 97701

July 21, 2025

Kathleen Sloan
Senior Siting Analyst
Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301

RE: Yellow Rosebush Energy Center

Dear Ms. Sloan:

I am writing in regard to the Yellow Rosebush Energy Center, which Savion LLC, through a subsidiary, proposes to construct and operate in Wasco and Sherman counties, Oregon. The project would build a solar energy generation and battery energy storage system and supporting facilities partially on our private farmland (owned by Don W Phillips et al). Our family-owned commercial livestock operation has signed lease options with Savion's subsidiary to allow for solar development on up to 4,940 acres of our land in Wasco County for the Facility.

4,500 acres of the leased area is in cattle grazing with a small portion in dryland farming. Triticale/barley is grown annually on approximately 160 acres with 80 acres in summer fallow rotation. No crops have been grown for sale, only for cattle operation feed during winter. We do not spray any chemicals; we practice organic farming. We do periodic mowing on different sections each year of grazing lands. Annual costs estimate $2,500 for this practice. All tillable acreage, approximately 2,900 acres, has been in the Conservation Reserve Program (CRP) since 1989 due to the soils being classified as Highly Erodible Land (HEL) and their below average proven yield production for dryland crops such as wheat and barley. There are no water rights designated for irrigation to my knowledge. The property has three drilled wells, for domestic and livestock watering uses. We have not expanded their use for irrigation because it would not be economically viable due to the HEL soil types, low base rate productivity, and the high capital investment requirements for an irrigation system. The remaining acreage is used for livestock grazing and/or unused. The cattle graze year-round, rotated through pastures on an intensive grazing program, and receive hay supplemental feeding November through March each year.

No agricultural jobs will be created, nor lost, as a result of this project. Current livestock operations are family owned and operated and can be continued on alternate properties. Any spring/summer grazing of the property outside of the project boundaries would not be impacted by the construction. The topographic features of the property will provide satisfactory isolation from construction activities. In the project area, all farming activities in will be discontinued. Livestock grazing may be continued for early year, spring, on the remaining, non-project leased, property. There will be no impact on adjacent

properties, as they are already involved in a Solar Farm, or are participating in this project, or are geographically separated by terrain and distance.

In conclusion, we consider renewable power generation at the Facility site a better use of the land that will have minimal impact to agricultural resource lands and will provide a net economic benefit and possible new agricultural applications for our ranch operations and to the County.

Sincerely,

Signed by:
Don Phillips
7F5E78CA3FED491...

Don Phillips
On behalf of Don W Phillips et al
90806 Wilson Rd
Maupin Oregon, 97037

Attachment K-2. Economic and Agricultural Impacts Memorandum

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DATE:	July 7, 2025
TO:	Chris Powers, Yellow Rosebush Energy Center, LLC
FROM:	ECOnorthwest
SUBJECT:	Yellow Rosebush Energy Center Economic and Agricultural Impacts

Executive Summary

Yellow Rosebush Energy Center, LLC (Applicant), a wholly-owned subsidiary of Savion LLC, is proposing to construct an 800 megawatt (MW) solar energy generation facility and an up to 800 MW battery energy storage system (BESS) and associated components in Sherman and Wasco counties, Oregon. The Yellow Rosebush Energy Center (Facility) is sited on roughly 8,075 acres (or 7,026 within the micrositing corridor) of Exclusive Farm Use (EFU) zoned land within Wasco County.

This memo prepared on behalf of the Applicant assesses the economic and agricultural impacts of the Facility. Economic impacts are assessed for Wasco County in terms of employment, labor income, and economic output using the IMPLAN economic model, with separate analyses presented for construction and operation. The memo also addresses the potential for impacts to the agricultural economy due to a potential reduction in family livestock operations at the Facility, with impacts assessed using the IMPLAN model at the county level for Wasco County.

Economic Impact Analysis

Construction

Construction of the Facility is anticipated to take place over two phases with 400 megawatts (MW) completed in each phase. Phase 1 construction is anticipated to take place from 2027 to 2030, and Phase 2 construction will take place from 2030 to 2033. The Applicant expects construction and capital expenditures to total $2.2 billion for the 800MW Facility. The solar component is anticipated to cost $1.3 billion and the BESS component $871 million. For modelling purposes, the same level of construction spending is assumed for both Phase 1 and Phase 2. The Applicant anticipates that between 200 and 300 workers will be employed during construction, peaking at 400 workers. Job estimates are presented in FTEs, with each identified job representing a full-time job over 12 months (or 2,080 hours) of employment.

Economic impacts from construction represent one-time economic activity that would occur over the anticipated construction period. The economic impacts of Facility construction are provided in Table ES 1. Construction of the Facility would directly support an estimated 300 jobs annually with an associated labor income of $40.9 million for six years, across Phase 1 and Phase 2. Overall, construction is estimated to support a total (direct, indirect, and

inducted in Table ES 1) of approximately 499 jobs and $314.7 million in labor income. Facility construction is anticipated to $2.4 billion in economic output or $399.0 million annually.

Table ES 1. Economic Impacts of Facility Construction in Wasco County

Impact Measure	Impact Type	Annual Average Project Construction Impacts	Total Project Construction Impacts
Jobs	Direct	300	300
	Indirect	74	74
	Induced	125	125
	Total	**499**	**499**
Labor Income	Direct	$40,910,000	$245,440,000
	Indirect	$4,710,000	$28,250,000
	Induced	$6,840,000	$41,050,000
	Total	**$52,460,000**	**$314,740,000**
Output	Direct	$362,660,000	$2,175,950,000
	Indirect	$15,490,000	$92,920,000
	Induced	$20,900,000	$125,380,000
	Total	**$399,040,000**	**$2,394,240,000**

Notes: Jobs for the Total Facility Construction Impacts are presented as annual FTE jobs, so the average annual and total jobs estimates are the same. All monetary values presented in 2024 dollars. Values may not sum due to rounding.
Source: IMPLAN, 2023; Savion, 2025; ECOnorthwest analysis

Operation

Operation of the Facility would provide long-term economic benefits to Wasco County. Economic impacts of Facility operations are presented in Table ES 2. At full-build out, the Facility is estimated to directly employ an average of 13 workers annually with an associated annual direct labor income totaling $1.5 million. Local operations-related expenditures and employment support an estimated 33 secondary (indirect and induced) jobs and $2.9 million in secondary labor income. In total, Facility operations are expected to support 46 jobs and approximately $4.4 million in labor income annually. Facility operations is anticipated to generate $60.6 million in economic output annually.

Table ES 2. Economic Impacts of Facility Operation in Wasco County

Impact Type	Jobs	Labor Income	Output
Direct	13	$1,520,000	$47,960,000
Indirect	22	$2,320,000	$10,830,000
Induced	11	$580,000	$1,790,000
Total	**46**	**$4,420,000**	**$60,580,000**

Note: All monetary values presented in 2024 dollars. Values may not sum due to rounding.
Source: IMPLAN, 2023; Savion, 2025; ECOnorthwest analysis

Agricultural Impact Analysis

Construction and operation of the Facility may potentially impact one family livestock operation within the micrositing corridor. The cattle operation sells 80 head of calves annually for between $800 and $1,200 per head. Assuming an average price of $1,000 per head, the operation would generate $80,000 of sales annually (direct output in Table ES 3). The economic activity resulting from livestock production within the micrositing corridor is presented in Table ES 3). The operation's annual sales represent 0.6 percent of annual Wasco County cattle sales.

The participating operation is primarily self-sustaining, with very few purchases of agricultural inputs made from within Wasco County. However, a reduction in livestock production at the participating operation would lead to a small reduction in spending in sectors related to agriculture including support actives for agriculture and forestry. This change in spending would affect roughly 0 jobs in the Wasco County economy, an estimated $800 in labor income annually and $7,000 in economic output (indirect impacts in Table ES 3).

Table ES 3. Economic Impacts of current Livestock Operations in the Micrositing Corridor

Impact	Employment	Labor Income	Output
1 - Direct	1.50	$0	$80,000
2 - Indirect	**0.04**	**$800**	**$7,000**
3 - Induced	0.00	$100	$400
Total	1.54	$900	$87,400

Note: Employment represents proprietor labor at the participating livestock operation. The operation's proprietors do not take labor income. Instead, proprietor profit is modeled as part of output.
Source: IMPLAN 2024

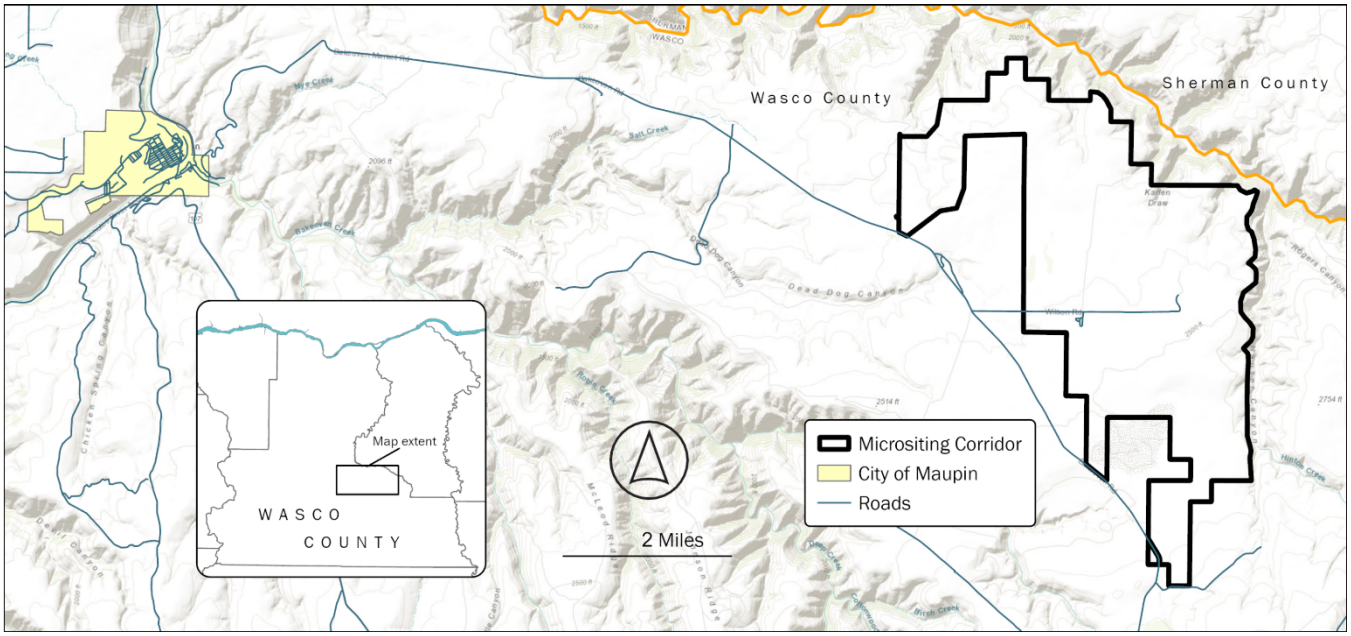
While the economic activity represented in Table ES 3 results from agricultural production within the micrositing corridor, the indirect impacts (#2 in Table ES 3) most closely reflect annual economic activity in the agricultural sector in Wasco County supported by this agricultural production, which would be lost when the Facility is built. Thus, the economic activity in the agricultural sector of Wasco County that may be affected when the Facility is built is roughly 0 jobs, an estimated $800 in labor income annually and $7,000 in economic

output (indirect impacts in Table ES 3). This potential reduction in livestock production accounts for just 0.005 percent of total agricultural economic output in Wasco County. Due to the self-sustaining nature of the agricultural operation affected by the Facility, no indirect jobs are solely supported by participating landowner-related agricultural expenditures.

Introduction

Yellow Rosebush Energy Center, LLC, a wholly-owned subsidiary of Savion LLC (Applicant), is proposing to construct an 800 megawatt (MW) solar energy generation facility and an up to 800 MW battery energy storage system (BESS) and associated components in Sherman and Wasco counties, Oregon (see Figure 1).[1] The Yellow Rosebush Energy Center (Facility) is sited on roughly 8,075 acres (or 7,026 within the micrositing corridor) of Exclusive Farm Use (EFU) zoned land within Wasco County. This memo evaluates the economic impacts of Facility construction and operations on the Wasco County economy and assesses the potential for impacts to the agricultural economy due to a potential reduction in family livestock operations at the Facility.

Figure 1: Yellow Rosebush Energy Center Facility Micrositing Corridor



Economic Impact Analysis

The Facility will generate jobs, income and economic output during the construction and operations phases. This section outlines the framework for estimating the economic impacts of the Facility including the input-output modelling methodology, impact types, and impact measures and presents the estimation of economic impacts related to Facility construction and operation.

[1] The Facility micrositing corridor where the solar and BESS components will be constructed is completely within Wasco County though a portion of the Facility's 500 kV transmission line will be located in Sherman County. Since the Facility's solar and BESS components, the focus of this study, will be constructed completely within Wasco County, the economic and agricultural analyses focus on Wasco County only.

Economic Impact Modeling

An economic impact analysis estimates the economic activity that project spending would support in the local economy by tracing the flow of dollars. Economic activity is measured in terms of changes in employment, income, and economic output (a measure of economic productivity). This analysis estimates impacts across two dimensions:

- impacts arising from spending during the initial construction phase, and
- impacts from annual project spending during the operations phase.

Construction and operation of the Facility would support economic activity in the selected region by employing people to work on the Facility and by purchasing materials and services to build and maintain the Facility. Secondary economic impacts associated with the Facility are generated through local purchases of goods and services.

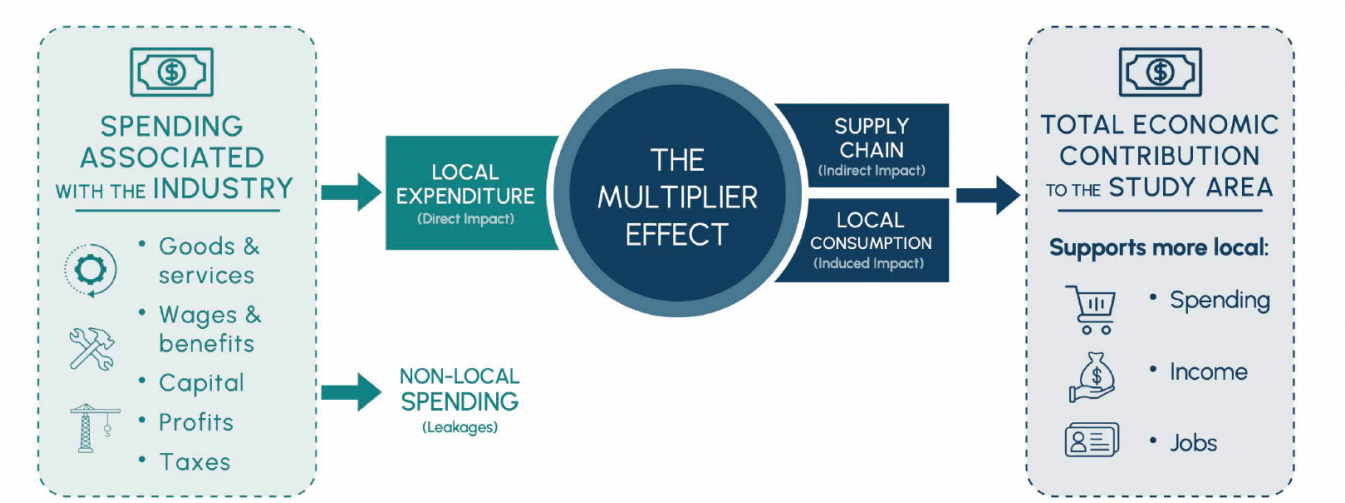
The economic impact analysis for the construction and operation phases of the Facility measures the economic activity generated within the local economy as money is spent to construct and operate the Facility leading to jobs, income and economic output within the local community.

IMPLAN: Input/Output Modelling Methodology

IMPLAN is a regional input-output (I/O) model widely used to assess the economic impacts of renewable energy developments and many other types of projects. The IMPLAN model divides the economy into 528 sectors, and models the linkages between the various sectors, including accounting for government and household spending. Using national industry and county-level economic data from the U.S. Bureau of Economic Analysis, U.S. Census, and other government sources, IMPLAN models how spending in one sector of the economy is spent and re-spent in other sectors of the economy. The linkages are modeled through I/O tables that account for all dollar flows between different sectors of the economy.

The economic relationships modeled by IMPLAN allow the user to estimate the overall change in the economy that would result from construction and operation of a proposed project (see Figure 2). The dollars spent on a project's construction and operation are analyzed to determine the total economic impact within the selected geography. The direct investments in a project's construction and operation trigger successive rounds of spending that result in an overall increase in employment, labor income, and economic output in the local economy.

Figure 2. Overview of Economic Impact Analysis Framework



Source: ECOnorthwest, 2025

IMPACT TYPES

Economic multipliers derived from the model are used to estimate total economic impacts. Total economic impacts consist of three components: direct, indirect, and induced impacts.

- **Direct impacts** consist of expenditures made specifically for the proposed project, such as construction labor and materials. These direct impacts generate economic activity elsewhere in the local economy through the multiplier effect, as initial changes in demand "ripple" through the local economy and generate indirect and induced impacts.
- **Indirect impacts** are generated by expenditures on goods and services by suppliers who provide goods and services to the construction project. Indirect effects are often referred to as "supply-chain" impacts because they involve interactions among businesses.
- **Induced impacts** are generated by the spending of households associated either directly or indirectly with the proposed project. Workers employed during construction, for example, will use their income to purchase groceries and other household goods and services. Workers at businesses that supply the project during construction or operation will do the same. Induced effects are also referred to as "consumption-driven" impacts.

IMPACT MEASURES

Impacts are assessed using the following measures that are reported by the IMPLAN model:

- **Jobs** are measured as the average number of employees engaged in full- or part-time work. Model outputs are adjusted to full-time equivalents (FTEs) using coefficients provided by IMPLAN.[2]
- **Labor income** is expressed as the sum of employee compensation and proprietor income. Employee compensation (wages) includes workers' wages and salaries, as well as other benefits such as health, disability, and life insurance; retirement payments; and non-cash compensation; expressed as total cost to the employer. Proprietor income (business income) represents the payments received by small-business owners or self-employed workers.
- **Output** is the total value of an industry's production and includes all components of the production function: labor income, taxes, profit, and intermediate inputs.

LIMITATIONS OF INPUT-OUTPUT MODELS

I/O models are static models used to measure an economy's inputs and outputs based on data that represents the relationships within an economy at a specific point in time. This analysis will use data from the 2023 model year, which is the most recent year for which data is available. The model then estimates how specific changes in inputs to an economy result in changes throughout the economy. This approach—known as a "partial equilibrium analysis" works well when the modeled changes don't radically reshape the relationships within an economy or affect the fundamental characteristics of labor markets, prices, or property values. Given what we know of the area economy, the scale of the project, and other considerations, the IMPLAN model is an appropriate tool to perform this analysis.

Construction Economic Impacts

FACILITY CONSTRUCTION MODELING AND INPUT ASSUMPTIONS

Construction of the Facility is anticipated to take place over two phases with 400 megawatts (MW) completed in each phase. Phase 1 construction is anticipated to take place from 2027 to 2030 and Phase 2 construction will take place from 2030 to 2033. The Applicant expects construction and capital expenditures to total $2.2 billion for the 800MW Facility. The solar component is anticipated to cost $1.3 billion and the BESS component $871 million. The Applicant anticipates that between 200 and 300 workers will be employed during construction, peaking at 400 workers. For this analysis, we utilize an annual average of 300 workers. The Applicant is in preliminary planning stages and has not yet developed detailed Facility costs and labor by phase. Due to this, ECOnorthwest utilized publicly available data to impute labor costs and assumes phasing to be linear. Thus, the results presented in this

[2] Each FTE job equates to one full-time job for one year or 2,080-hour units of labor. Part-time or temporary jobs constitute a fraction of a job.

section assume the same level of construction spending annually for both Phase 1 and Phase 2.

To derive the estimated payroll costs for the 300 workers on site annually, ECOnorthwest first estimated the portion of construction costs that would be allocated to wages and benefits (referred to as labor income) based on the National Renewable Energy Laboratory (NREL) 2023 Cost Benchmarking Report (Ramasamy, et al., 2023). Fully loaded payroll costs, or labor income, assumed to be $236 per kilowatt, or $245 million in total for the 800MW Facility. This equates to roughly $136,000 of payroll costs per worker.

ECOnorthwest estimates the economic contributions of Facility construction based solely on construction-related purchases in the local economy. Due to uncertainty around where the Applicant will source construction materials and services, ECOnorthwest assumed that specialized materials and equipment, including solar modules, switchyard, BESS equipment, and other items would be sourced outside of Wasco County. ECOnorthwest assumed that construction materials related to the foundations and solar racking could be sourced within Wasco County and allowed IMPLAN to estimate the percentage of these costs that are attributable to businesses within Wasco County. In total, ECOnorthwest estimates that approximately $658 million of construction costs could be purchased within the Wasco County economy. Specific estimates of local spending were assumed within the IMPLAN model utilizing IMPLAN's Regional Purchase Coefficients (RPC) to estimate the portion of those purchases made within the local economy.[3]

ECONOMIC IMPACTS OF FACILITY CONSTRUCTION

The estimated economic impacts of local construction-related expenditures are summarized for Wasco County in Table 1. Economic impacts from construction represent one-time economic activity that would occur over the anticipated construction period. Job estimates are presented in FTEs, with each identified job representing a full-time job over 12 months (or 2,080 hours) of employment.

Construction of the Facility would directly support an estimated 300 jobs annually for six years, across Phase 1 and Phase 2. Local construction-related expenditures and employment would support an estimated 74 indirect jobs and 125 induced jobs annually. Indirect jobs supported within Wasco County include workers employed in retail building materials, truck transportation, and other professional service industries. Induced jobs are primarily comprised of workers in healthcare, restaurant, and general retail industries within the county. The total employment impact from the construction of the Facility is estimated to be 499 annual jobs. Labor income associated with direct Facility construction jobs is approximately $40.9 million annually, or $245.4 million total across the entire Facility construction period.

[3] This analysis uses preliminary Facility specifications at an early planning stage. The IMPLAN model estimates local economic dynamics and calculates economic impacts based on available data. Since the model relies on preliminary specifications, results may change based on final Facility specifications.

Secondary labor income (indirect and induced) totals approximately $11.6 million annually, or $69.3 million over the entire Facility construction.

The direct economic output of the Facility for the purposes of this analysis equals the total cost of construction (including payroll) and capital expenditures, or approximately $2.2 billion total, across Phase 1 and Phase 2, or $362.7 million annually. This value includes spending both inside and outside of the Wasco County economy, allowing for the computation of an economic output multiplier. Facility construction, including both Phase 1 and Phase 2, supports an estimated $218.3 million in secondary (indirect and induced) economic output in the Wasco County economy over the entire construction period, or $36.4 million annually. ECOnorthwest uses an economic output multiplier to understand the magnitude of the economic effect within Wasco County. The multiplier is calculated by dividing the total output by the direct output. The output multiplier is 1.10, meaning that for every $1 of direct output, an additional $0.10 of output will be supported in the Wasco County economy.

Table 1. Economic Impacts of Facility Construction in Wasco County

Impact Measure	Impact Type	Annual Average Project Construction Impacts	Total Project Construction Impacts
Jobs	Direct	300	300
	Indirect	74	74
	Induced	125	125
	Total	**499**	**499**
Labor Income	Direct	$40,910,000	$245,440,000
	Indirect	$4,710,000	$28,250,000
	Induced	$6,840,000	$41,050,000
	Total	**$52,460,000**	**$314,740,000**
Output	Direct	$362,660,000	$2,175,950,000
	Indirect	$15,490,000	$92,920,000
	Induced	$20,900,000	$125,380,000
	Total	**$399,040,000**	**$2,394,240,000**

Notes: Jobs for the Total Facility Construction Impacts are presented as annual FTE jobs, so the average annual and total jobs estimates are the same. All monetary values presented in 2024 dollars. Values may not sum due to rounding.
Source: IMPLAN, 2023; Savion, 2025; ECOnorthwest analysis

Operations Economic Impacts

FACILITY OPERATIONS MODELING AND INPUT ASSUMPTIONS

Facility operations would provide long-term economic benefits to Wasco County. Phase 1 operations are anticipated to begin in 2030, followed by Phase 2 operations beginning in 2033. The Applicant expects employing between 10 and 15 workers for operations annually, which we average to arrive at 13 workers for this analysis. Cost estimates for operations have yet to be developed. ECOnorthwest estimates operations costs based on National Renewable Energy Laboratory (NREL) 2023 Cost Benchmarking Report (National Renewable Energy Laboratory, 2023) and the Oregon Employment Department (OED) wage estimates for the Columbia Gorge region (Oregon Employment Department, 2024).

ECOnorthwest assumes annual operations costs will total approximately $48.0 million derived from NREL cost estimates, scaled to the 800MW Facility and average annual property tax paid provided by Cirrus Advisors. Operations costs, as reported by NREL, include equipment, materials, and labor costs. ECOnorthwest assumes that new equipment will be sourced from outside of Wasco County and will not support economic activity within the local economy. However, from the NREL estimates, ECOnorthwest assumes that approximately $11.3 million could be spent within the Wasco County economy on other materials for operations based on IMPLAN estimates of the share of those expenditures purchased within the local economy.

Preliminary estimates of Facility property taxes were estimated by Cirrus Advisors in April 2025. A Payment in Lieu of Taxes (PILOT) property tax scenario generates conservative estimates of property taxes and was therefore selected for the economic impact analysis.[4] Cirrus Advisors estimates property taxes under the PILOT scenario using the minimum payment allowed of $5,500 per MW, for the 20-year period resulting in annual property taxes estimates of $4.4 million. Upon the expiration of the PILOT agreement, Cirrus Advisors applies the Oregon Department of Revenue's solar valuation model for the remaining 20 years. Annual property taxes paid for the Facility under the solar valuation model range from $11.1 million in year 20 to $1.7 million in year 40. Cirrus Advisors estimates that the Facility would generate approximately $258.0 million in property taxes over the operational life (40 years). ECOnorthwest utilizes the average annual property taxes paid over the anticipated operational life of the Facility, or $6.3 million in annual property tax payments, within the economic impact model.

[4] Property taxes for renewable energy projects in Oregon can be estimated through multiple pathways. The preliminary property tax estimate presented here is based on a PILOT scenario using the lowest available rate of $5,500 per megawatt (MW) of nameplate capacity for the first 20 years of the Facility followed by the solar valuation model for the remaining 20 years. The property tax estimate includes solar resources only and does not include property taxes generated from the BESS. This approach is intended to provide a conservative estimate of property tax revenue for the economic impact analysis and does not represent a commitment to this tax structure, nor does the estimate presented here guarantee the total fiscal benefits of the Facility on state and local government revenues.

To estimate fully-loaded payroll, or labor income, ECOnorthwest utilizes the annual median wage for electricians in the Columbia Gorge region, $78,900, and then adjusts the wage to include employee benefits and employer costs based on the Bureau of Labor Statistics estimate for installation, repair, and maintenance industry.

ECONOMIC IMPACTS OF FACILITY OPERATIONS

At full-build out, the Facility would directly employ an average of 13 workers annually with an associated total annual direct labor income of $1.5 million. Local operations-related expenditures and employment support an estimated 33 secondary (indirect and induced) jobs and $2.9 million in secondary labor income. In total, Facility operations could support 46 jobs and approximately $4.4 million in labor income annually (see Table 2).

The direct economic output of the Facility equals the total cost of operations-related goods and services and payroll. At full-build out, the direct economic output equals $48.0 million, representing spending both inside and outside of Wasco County. Facility operations at full-build out would support $12.6 million in secondary economic output, exclusively in the Wasco County economy, indicating an economic output multiplier of 1.26 (see Table 2).

Table 2. Average Annual Economic Impacts for Facility Operations, Wasco County

Impact Type	Jobs	Labor Income	Output
Direct	13	$1,520,000	$47,960,000
Indirect	22	$2,320,000	$10,830,000
Induced	11	$580,000	$1,790,000
Total	**46**	**$4,420,000**	**$60,580,000**

Note: All monetary values presented in 2024 dollars. Values may not sum due to rounding.
Source: IMPLAN, 2023; Savion, 2025; ECOnorthwest analysis

Agricultural Impact Analysis

The solar and BESS components of the Facility are within Wasco County with a small portion of an alternate 500-kilovolt generation-tie line option potentially extending into Sherman County. Since the solar and BESS Facility components occur within only Wasco County, the economic and agricultural analyses focus on Wasco County only.

Agricultural Overview

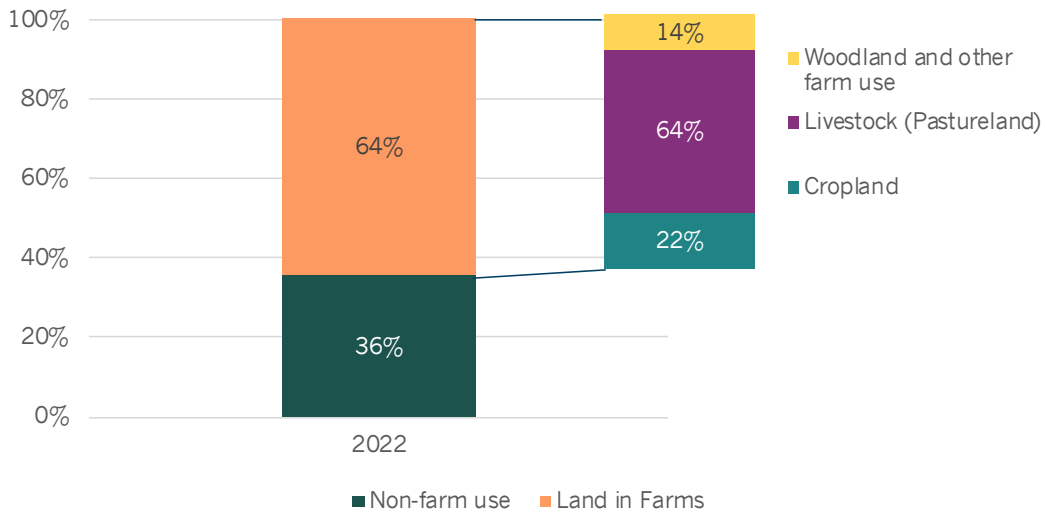
The agricultural economy in Wasco County is primarily focused on crop production with fruit and tree nut sales accounting for 60 percent of total agricultural sales in 2022.[5] From a land

[5] The USDA National Agricultural Statistics Service (NASS) Census of Agriculture provides a snapshot of agricultural production every five years providing an overview of the County's agricultural activities, with the most recent published data representing 2022.

use perspective, farmland within the County is primarily focused on pastureland accounting for 64 percent of farmland.

In 2022, farmland covered 64 percent of land within the County, compared with 25 percent statewide. Wasco County farmland represents six percent of Oregon's total agricultural land and seven percent of the state's 8.8 million acres of pastureland (USDA-NASS, 2024). As illustrated in Figure 3, 64 percent of Wasco County farmland is pastureland, while cropland comprises just 22 percent of the County's farmland (USDA-NASS, 2024) (United States Census Bureau, 2020).

Figure 3. Wasco County Land Use in 2022



Source: (USDA-NASS, 2024)

Wasco County is home to 458 farms in 2022, just over one percent of Oregon's farms. An overview of the County's farms is presented in Table 3. The average farm size in the County is 2,137 acres, almost five times larger than the statewide average of 430 acres. The majority of farms in the County (91 percent) are family owned and only 34 percent hire farm labor. About a third of the farms in the county report less than $2,500 in annual sales, while 27 percent report sales more than $100,000 (USDA-NASS, 2019) (USDA-NASS, 2024). Farms within the micrositing corridor are generally consistent with Countywide farm trends (see the Facility Site Overview section for more information).

Table 3. Land in Farms and Selected Crops Harvested in Wasco County, 2017 and 2022

	2017		2022	
	Number of Farms	Acres	Number of Farms	Acres
Total Farms and Farm Acres	**595**	**1,388,988**	**458**	**978,577**
Land in Farms by use				
Cropland	431	237,719	333	217,603
Pastureland[1/]		1,000,071		621,906
Acres irrigated	266	21,503	212	23,082
Selected Crops Harvested				
Wheat, total for grain	73	74,358	62	71,121
Winter wheat for grain	69	72,226	60	69,372
Spring wheat for grain	6	2,132	5	1,749
Barley, Total for grain[2/]	6	866	2	ND
Forage	129	8,603	83	8,343
Orchards	124	10,780	99	9,097

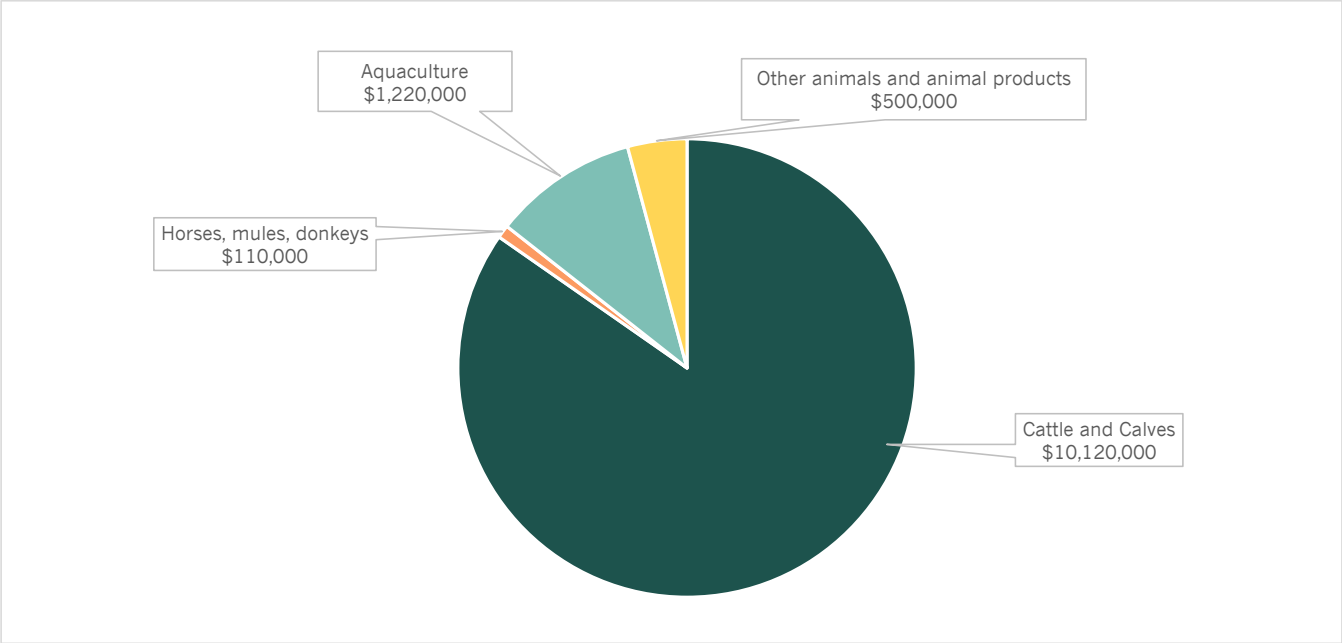
Source: (USDA-NASS, 2019) (USDA-NASS, 2024) (USDA-NASS Table 1, 2024)
1/ The numbers of farms for pastureland is not available from NASS.
2/ 2022 Acres for Barley was withheld to avoid disclosing data for individual operations

LIVESTOCK AND ANIMAL SALES

Although pastureland accounts for 64 percent of farmland, livestock and animal operations in Wasco County account for just nine percent of the County's total agricultural sales value. Sales from total livestock and animal products were slightly under $12 million in 2022. Wasco County's inventory of 17,000 cattle and calves represent less than two percent of Oregon's statewide inventory of cattle and calves and less than one percent of the state's revenue from their sales (USDA-NASS, 2024).

Livestock production in Wasco County is primarily focused on cattle and calves sales contributing $10.1 million in agricultural in 2022. Aquaculture (farmed fish) is the other significant contributor to Wasco County's livestock and animal product sales, with $1.2 million in agricultural sales in 2022 (USDA-NASS, 2024) (USDA-NASS, 2014-2023). Figure 4 presents the value of livestock and animal product sales in Wasco County in 2022.

Figure 4. Livestock and Animal Product Sales for Wasco County, 2022

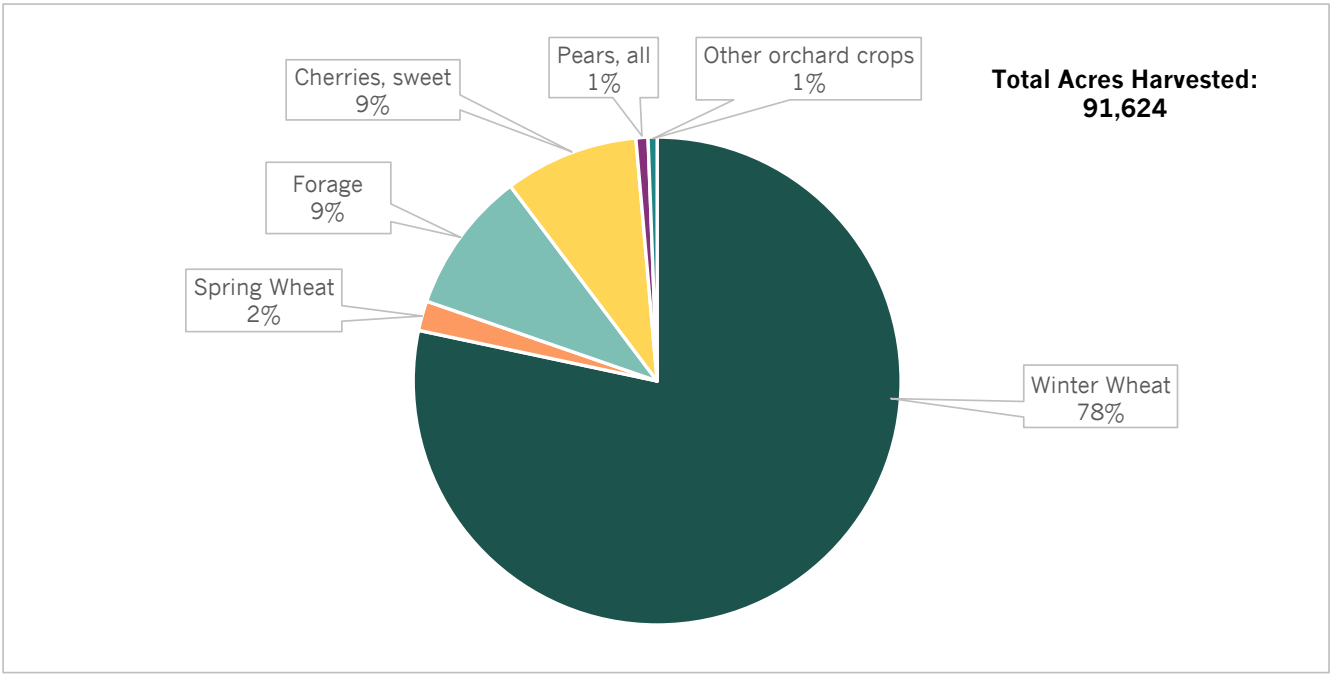


Source: (USDA-NASS, 2024)

HARVESTED CROP ACREAGE AND SALES

Wasco County had 217,603 acres of cropland with a market value of $126 million in 2022, most of which was non-irrigated. Dryland winter wheat is the County's primary crop covering 71,121 acres and accounting for 78 percent of harvested cropland. Spring wheat occupies two percent of the county's farmland. In 2022, seven percent of Oregon's wheat production was from Wasco County. Fruit, particularly cherries, is the second-largest crop grown in the County, with orchards spanning 9,097 acres (11 percent) of Wasco County's harvested acreage. Forage crops (hay, haylage, grass silage, and greenchop) make up the remaining harvested cropland in the County. Figure 5 presents crops harvested in Wasco County in 2022 (USDA-NASS, 2024) (USDA-NASS, 2014-2023).

Figure 5. Harvested Cropland by Crop Type in Wasco County, 2022



Source: (USDA-NASS, 2024)

Irrigated acreage accounts for 25 percent of the total harvested crop acres in Wasco County. The majority of hay and haylage (forage) harvest is produced under irrigation, while less than one percent of the harvested winter wheat acres are irrigated (see Table 4).

Table 4. Harvested Cropland and Irrigated Crops, Wasco County 2022

Harvested Cropland	Harvested Acres	Irrigated Acres	Percet of Harvested Acres under Irrigation
All crops	91,624	23,082	25%
Selected Irrigated Crops			
Hay and haylage (forage)	8,343	5,083	61%
Winter Wheat	69,372	265	< 1%

Source: (USDA-NASS, 2024)

CRP in Wasco County

The Conservation Reserve Program (CRP) is a voluntary USDA program encouraging farmers to convert farmland into conservation vegetation, in exchange for annual rent payments. CRP rental rates are based on area cropland lease rates so routinely fluctuate across geography and timeframe. According to CRP statistics, five percent of Wasco County's farmland (52,707 acres) was enrolled in the program at the end of the 2022 fiscal year.[6] Between 2016 and 2020, CRP enrollment in the County declined, while average rental payments increased. In

[6] USDA CRP fiscal year ends September 30th

2022, landowners in Wasco County received $2.7 million in CRP rental payments, with an average rental rate of $54 per acre, closely matching Oregon's state average of $56 per acre. After the decline from 2020 to 2022, average rental payments in Wasco County began to increase and in 2024, the average dryland rental rate increased from $60 per acre to $71.[7] Starting in 2025, 9,500 acres of CRP contracts in the county are set to expire by September 2029, but could be re-enrolled (USDA-FSA, 2022) (USDA-FSA, 2020-2031).

Economic Output and Employment

In 2022, Wasco County generated $138.0 million in agricultural sales, accounting for two percent of Oregon's total agricultural revenue. The County ranked fourth statewide for sales from berries, fruit, and nut trees, contributing $83.4 million or 60 percent of the County's agricultural sales, while accounting for just 10 percent of the County's harvested acreage. Wheat was the second-largest contributor to Wasco County's agricultural sales, generating $36.7 million or 27 percent of the County's agricultural sales, while accounting for 80 percent of the County's harvested acreage. On a per acre basis, berry, fruit, and nut tree sales generated $9,168 per harvested acre compared with $516 per harvested acre for wheat within Wasco County. Crops accounted for 91 percent of the County's agricultural revenue, with the remaining nine percent ($12.0 million) comprised of livestock and animal sales (see Table 5). Within the livestock and animal sales, 85 percent came from cattle and calves sales (USDA-NASS, 2024) (USDA-NASS, 2014-2023).

[7] 2024 County average rate includes alternative rates that were submitted and approved by FSA. This does not include any adjustments.

Table 5. Agricultural Sales for Wasco County, 2022

Agricultural Product	Sales	Percent of Total Sales	Percent of Crop/Livestock Sales
Crops			
Wheat	$36,700,000	27%	29%
Fruit & Tree Nuts	$83,170,000	60%	66%
Berries	$210,000	<1%	<1%
Vegetables	$550,000	<1%	<1%
Other field crops and hay	$4,760,000	3%	4%
Crop Total	$126,010,000	91%	
Livestock			
Cattle and Calves	$10,120,000	7%	85%
Horses, mules, donkeys	$110,000	<1%	1%
Aquaculture	$1,220,000	<1%	10%
Other animals and animal product	$500,000	<1%	4%
Livestock Total	$11,950,000	9%	
Total Sales	$137,970,000	100%	

Source: (USDA-NASS, 2024)

As displayed in Table 6, agriculture directly supports an estimated 632 jobs in Wasco County and generates $29.4 million in labor income for the County (IMPLAN, 2024). Note this figure does not include support activities for agriculture and forestry jobs and income as captured in IMPLAN sector 19, which contributes 73 jobs and $4.81 million in labor income to Wasco County. Fruit farming provides 82 percent of the agricultural employment jobs in Wasco County's agricultural sector and $79.9 million in economic output, while grain farming, including winter wheat, provides just one percent of jobs in the County's agricultural sector and $23.1 million in economic output (see Table 6). Livestock operations (beef cattle ranching and farming, other animal production, and poultry and egg production) contribute roughly nine agricultural jobs in Wasco County and $22.1 million in economic output.

Table 6. Employment, Labor Income and Economic Output by Agricultural Sector in Wasco County, 2023"

IMPLAN Sector	Description	Total Employment[1/]	Labor Income	Total Output
4	Fruit farming	580	$22,443,634	$79,930,916
19	Support activities for agriculture and forestry	73	$4,813,332	$6,370,510
6	Greenhouse, nursery, and floriculture	25	$2,391,427	$6,076,864
2	Grain farming	7	$1,414,041	$23,090,908
11	Beef cattle ranching and farming	7	$513,146	$18,572,073
10	Other crops[2/]	6	$1,694,641	$5,853,263
5	Tree nut farming	3	$351,250	$545,818
14	Other animal production	2	$319,141	$1,640,870
3	Vegetable and melon farming	1.8	$95,541	$518,775
13	Poultry and egg production	<1	$192,460	$1,856,772
	Total	**705**	**$34,228,614**	**$144,456,768**

Source: (IMPLAN, 2024)
1/ IMPLAN jobs include all full-time, part time and temporary positions.
2/ IMPLAN Sector 10 - Other crop farming includes hay farming (e.g. alfalfa, clover, grass), hops, mint and tea farming.

According to IMPLAN estimates, data processing, hosting and related services is the largest contributor[8] to economic output in Wasco County, likely driven by the large Google data center located in the Dalles. Fruit farming is the fifth largest contributor to economic output in the county and the only agricultural sector in the top sector contributors to economic output in the county (see Table 7). Together, the sectors in the IMPLAN agricultural industry category produce $144.5 million in economic output or six percent of the County's total economic output. Statewide, the agricultural industry category contributes under two percent of the state's total economic output (IMPLAN, 2024).

[8] Excluding contributions from owner-occupied housing, which is treated by IMPLAN as an industry because home-ownership generates wealth and is counted in GDP.

Table 7.Top Ten IMPLAN Industry Sectors by Contribution to Economic Output in Wasco County, 2023

IMPLAN Industry Sector	Total Output in 2023
Data processing, hosting, and related services	$127,214,928
Hospitals	$126,411,716
Other real estate	$96,520,082
Federal electric utilities	$82,128,454
Fruit farming	$79,930,916
Secondary smelting and alloying of aluminum	$74,664,730
Other local government enterprises	$68,340,034
Employment and payroll of local govt, education	$64,610,409
Limited-service restaurants	$57,299,965
Offices of physicians	$56,144,109

Source: (IMPLAN, 2024)
Note: Excludes contribution from owner-occupied housing which is treated by IMPLAN as an industry because home-ownership generates wealth and is counted in GDP.

Livestock Production

Cattle and calves were the third largest agricultural commodity in Oregon in 2022. In 2022, cow and calf inventory was 1.2 million head in Oregon with an associated sale of 921,839 head representing $1.2 billion in sales value. Cow and calf inventory in Wasco County was 17,134 head (or 1.5 percent of the State total), with sales of 9,424 head representing $10.1 million in sales value (see Table 8). The average per head value in Wasco County is $1,074, below the statewide value $1,321 per head.

Table 8. Livestock Inventory and Cattle Sales in Wasco County and Statewide, 2022

	Oregon	Wasco County
Cattle Sales		
Cow and Calf Inventory (in head)	1,200,296	17,134
Cow and calf sales (in head)	920,839	9,424
Cow and calf sales	$1,216,500,000	$10,120,000
Average cow and calf sales (in $ / head)	$1,321	$1,074

Source: (USDA-NASS, 2024) (USDA-NASS, 2024)

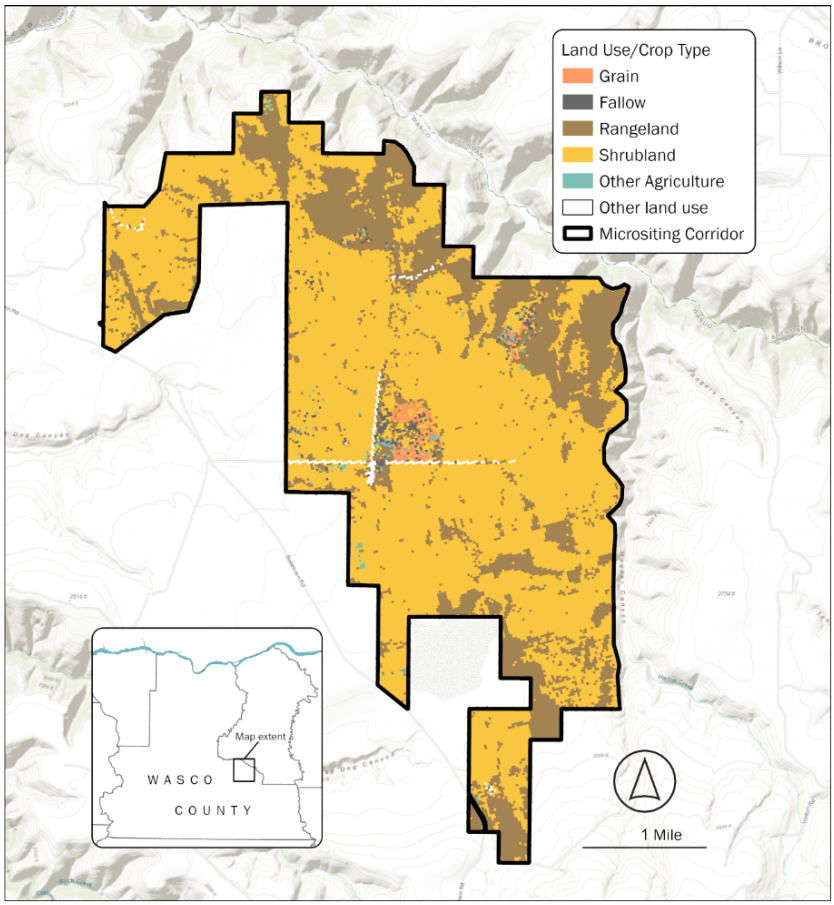
A $1.50 per head fee is collected at the time of sale for all cattle sold within Oregon as part of the Beef Checkoff Program. The Oregon Beef Council, supervised by the Oregon Department of Agriculture, is responsible for collecting the fee. The fee includes $1.00 per-head for the National Beef Checkoff Program, of which 50 cents is sent to the Cattlemen's Beef Board located in Denver to fund national programs of promotion, education, and research and 50 cents is spent on Oregon programs for advertising, promotional programs and partnerships. The remaining $0.50 is collected for the State Checkoff program and is required to be divided

equally between rangeland research, animal science research, positive producer image, study legislation, and administration (Oregon Beef Council, 2025).

Facility Site Overview

Land cover in the Facility micrositing corridor is presented in Figure 6 based on data from the USDA Cropland Data Layer (CDL). Using satellite imagery, the Cropland Data Layer Program provides a geo-referenced, crop specific land cover map for the United States. The land cover map is updated annually, with data from 2023 presented in Figure 6. This data shows that in 2023, there was little crop production inside the Facility micrositing corridor. This finding is consistent with information provided by the landowners discussed below, which stated that 160 acres were in wheat/triticale/barley production (80 acres fallow each year) in Tract 3. Conservatively, these crops account for about 2 percent of the Facility micrositing corridor and are not sold to market. The largest agricultural land use is grassland/rangeland (approximately 2,200 acres) which is consistent with the grazing activities identified in the landowner surveys discussed below.

Figure 6. Yellow Rosebush Facility Micrositing Corridor Land Cover, 2023



Source: (USDA NASS CDL, 2024)

Landowner Survey

The Facility micrositing corridor includes three landowners. In support of the Application for Site Certification (ASC) process, the Applicant surveyed these landowners, who together own the land where the solar and BESS components will be developed within the micrositing corridor (Yellow Rosebush Energy Center, 2024). The survey consisted of questions designed to elicit data to inform the agricultural land use analysis in Exhibit K of the ASC. The survey confirmed that as suggested by the CDL information there is very little crop production, and the largest agricultural land use in the Facility site boundary is grassland/rangeland which supports livestock grazing activities (Yellow Rosebush Energy Center, 2024).

TRACT 1

Tract 1 is 4,985 acres (881 acres within the micositing corridor) and is owned by A&K Ranches. There are no crops grown on this tract of land with 46 percent under CRP or Marginal Pastureland (MPL) and 1,200 acres in the previously approved Sunset Solar Project. There are no irrigation water rights associated with this land. Approximately 100 head of livestock graze on Tract 1 outside the Facility site boundary for 5 months each year, the livestock are then moved to grazing land elsewhere leased by the landowner for the remainder of the year. The ranching operation includes two employees, and employment is expected to continue during Facility operations. The Facility is not anticipated to impact agricultural operations on Tract 1. Winter cattle grazing is expected to continue uninterrupted within Tract 1 outside of Facility site boundary (Yellow Rosebush Energy Center, 2024).

TRACT 2

Tract 2 is 2,548 acres (1,799 acres within the micositing corridor) and is owned by Levi Chrisman Family LLC. The landowner does not operate a farm and has not farmed the land since the 1980s. Approximately 46 percent of the land in Tract 2 is under CRP. There are no irrigation water rights associated with this land. The landowner retains a non-farm related land manager, who manages the land remotely and this is not expected to change with Facility operation. 240 acres of Tract 2 are leased to an adjacent landowner, Carver Family Ranches LLC. Of the 240 acres leased, Carver Family Ranches LLC grows dryland wheat/barley on 70 of these acres and grazes cattle on the uncultivated areas when vegetation is available. Carver Family Ranches LLC is expected to continue farming the subleased land during facility construction and operation (Yellow Rosebush Energy Center, 2024).

TRACT 3

Tract 3 is 4,940 acres (4,331 acres within the micositing corridor) and is owned by Don W. Phillips et al. There are 160 acres of crop production in Tract 3 with 80 acres of dryland wheat/triticale/barley and 80 acres of summer fallow rotation. The crops grown on this land are not sold and are instead used as feed for the landowner's cattle operation. Prior to the

facility lease, land under CRP accounted for 48 percent of Tract 3 acres. The majority of these acres were removed from CRP once the landowner signed the Facility lease agreement. As a result, there are now only 30 acres of land under CRP and 52 acres of MPL. There are no irrigation water rights associated with this land. The operation grazes approximately 217 cattle year-round and sells approximately 80 head of calves annually for between $800 and $1,200 per head. The landowner does not hire any additional labor, and the operation is done with caretaker and family labor. The landowner states that 1.5 FTE would be required if they did hire labor and would make the cattle operation economically non-viable. The operation is self-sustaining, and any required purchases are made primarily outside of Wasco County due to proximity. These purchases include winter supplemental feed and equipment and material purchases and are primarily made in Madras, Jefferson County, Terrebonne, Deschutes County, or Christmas Valley, Lake County (Phillips, 2025). Cattle sales are primarily through Central Oregon Livestock Auction Yard, with occasional sales by private treaty to Norton Cattle Co, both are located in Madras, Jefferson County (Phillips, 2025). The only purchases made in Wasco County are minor, such as repair parts or materials that would be available in Maupin (Phillips, 2025). There are no expected reductions in family farm labor with facility operation. It is expected that the crop production will cease, and the cattle operation may continue outside of the Facility site or cease operation all together (Phillips, 2025) (Yellow Rosebush Energy Center, 2024).

Agricultural Impacts

Based on the landowner surveys and available land cover data, there is one cattle farm operation within the Facility micrositing corridor. As the crops grown on Tract 3 are for the operation's cattle consumption-only and not for sale on the market, no direct impacts would occur to crop production, either irrigated or non-irrigated. Further no direct impacts would occur to aquaculture or other livestock operations. This section will provide a conservative estimate of impacts on the agricultural economy to the extent that it is associated with a reduction in local spending resulting from the discontinuation of the cattle operation on Tract 3. Information developed from landowner surveys is used to create assumptions about potential future agricultural production changes during Facility construction and operation. Actual agricultural operations on and related to the affected parcels and operations may differ from these assumptions, but they are intended to represent a most likely worst-case scenario. Thus, this analysis assumes that the livestock operation on Tract 3 of the Facility site, with average sales of 80 head of calves annually would cease completely following construction of the Facility. This reduction in production would directly contribute to a small reduction in spending in the agricultural economy of Wasco County. To estimate the magnitude of this loss and the potential impact to the agricultural economy, the agricultural impact analysis models

the participating livestock operation utilizing on-site crop production and grazing land as inputs to the livestock operation.[9]

Livestock Production Value

This section describes the value of livestock production that the Facility could potentially displace. The Facility (Tract 3) will impact one cattle operation that has 217 head of cattle. The impacted operation sells 80 head of calves annually for between $800 and $1,200 per head (Phillips, 2025). The operation's cattle sales are primarily through Central Oregon Livestock Auction or private treaty with Norton Cattle Company; both located in Jefferson County. Assuming an average price of $1,000 per head, the operation would generate $80,000 of sales annually. The operation's annual sales are 0.6 percent of annual Wasco County cattle sales ($12.6 million) and 0.01 percent of annual Oregon cattle sales ($1.2 billion) (USDA-NASS, 2024).

In Oregon, the average cow and calf sales value is estimated as $1,321 per head statewide, and in Wasco County, this figure is $1,074 per head (as reported in Table 8). The impacted operation reports an average calf sales value of $1,000 per head (Phillips, 2025), which is consistent with the average value reported in Wasco County. This agricultural impact analysis utilizes a calf sales value of $1,000 per head as reported by the impacted operation through the landowner survey.

Economic Output and Employment

Total sales by agricultural commodity group are summarized in preceding sections and in Table 5. These data from 2022 Agricultural Census identify agricultural sales in Wasco County for that year, representing the most recent agricultural census data (USDA-NASS, 2024). In addition, employment, labor income, and economic output are summarized by agricultural sector in Table 6. This second set of data are from the 2023 IMPLAN model for Wasco County and information is summarized by IMPLAN economic sector, as indicated in Table 6. These two sources of information each provide a comprehensive picture of the agricultural economy in Wasco County and are both used as a baseline for the following assessment.

As shown in Table 3, the 2022 Agricultural Census estimated total sales of $137.9 million in Wasco County, with livestock accounting for 9 percent of the total value. Crops made up the remaining 91 percent of sales. Removing the area within the Facility micrositing corridor from agricultural production will have a small impact on the local agricultural economy due to the associated reduction in local spending.[10] The participating landowner impacted by the Facility

[9] The Facility may result in a small reduction in livestock production, which would include a correlating decrease in the direct effects related to grain production and grazing land. Thus, to avoid double counting of agricultural impacts, the model focuses exclusively on final livestock production.

[10] Based on long-term land use in the Facility site as described by landowners in the landowner survey (Exhibit K to the ASC), this analysis assumes that in the absence of the Facility, current land use and agricultural operations would continue (i.e. current and historical land use is assumed to represent future land use in this model).

currently purchases minimal goods and services from businesses within Wasco County. The economic impacts of the reduction in annual livestock output of $80,000 in the Wasco County livestock sector are modelled using IMPLAN. This estimated reduction is based on an average market value of $1,000 per calf as cited in the landowner survey.

Table 9 presents the local economic activity supported by current the affected livestock operation based on estimated output of $80,000 and employment information provided by the participating landowners in the landowner survey. These impacts are annual, and removal of agricultural operations in the Facility micrositing corridor would result in a corresponding small annual reduction in economic activity in the following ways:

- The direct impact represents the gross value of production that the farmer would no longer receive from livestock production, and the associated employment. The direct employment number shown in Table 9 is based on information provided by the participating operation. The participating operator, Don Phillips, has indicated that they may cease crop and livestock production due to the Facility. The participating landowner stated that if labor was hired, 1.5 FTE would be needed. However, the landowner's caretakers and family provide the labor for agriculture operations and do not collect an income on that work. Therefore, the 1.5 FTE is modeled in the direct impact, but it is assumed that there is no labor income.
- The indirect impact represents economic activity supported by the agricultural production within the Facility site. Since the impacted agricultural operation is primarily self-sustaining and minimal inputs are purchased within Wasco County, indirect economic activity supported by the impacted agricultural operation includes spending on inputs like utilities and equipment repairs. Agricultural production within the micrositing corridor supports 0.04 indirect jobs associated with $800 in labor income. When livestock operation within the micrositing corridor stops, this analysis presumes that the spending no longer occurs and this amount of FTE, labor income, and output would be lost. Based on the small impact identified in Table 9, the evidence does not suggest that these indirect impacts will result in reductions to individual employment positions in Wasco County.
- Induced impacts are generated by the spending of households associated either directly or indirectly with ongoing agricultural operations within the Facility site boundary. If this income is no longer earned, it is not available to spend and would also represent lost economic activity when agricultural production on site stops. The direct spending from the impacted agricultural operation does not support a full FTE and only impacts $100 of labor income.

Table 9. Economic Impacts of current Livestock Operations in the Micrositing Corridor

Impact	Employment	Labor Income	Output
1 - Direct	1.50	$0	$80,000
2 - Indirect	**0.04**	**$800**	**$7,000**
3 - Induced	0.00	$100	$400
Total	1.54	$900	$87,400

Note: Employment represents proprietor labor at the participating livestock operation. The operation's proprietors do not take labor income. Instead, proprietor profit is modelled as part of output.
Source: IMPLAN 2024

While the economic activity represented in Table 9 results from agricultural production within the micrositing corridor, **the indirect impacts (#2) most closely reflect annual economic activity in the agricultural sector in Wasco County supported by this agricultural production, which would be lost to the agricultural economy of Wasco County when the Facility is built**. Although the participating landowner will experience the loss of direct agricultural production revenue due to the removal of agricultural operations in the Facility micrositing corridor, they gain lease payment revenue assumed to be equal or greater in value. Thus, the economic activity in Wasco County's agricultural economy that may be affected when the Facility is built is roughly 0 jobs, an estimated $800 in labor income and $7,000 in economic output (indirect impacts in Table 9).

The IMPLAN sectors impacted by this small indirect effect are Sector 2 - Grain farming and Sector 19 – Support activities for agriculture and forestry, which were the fourth and second largest agricultural employers in Wasco County in 2023, with an estimated 80 workers (see Table 6). A potential reduction of $7,000 in economic output represents approximately 0.02 percent of existing economic output in these sectors and about 0.005 percent of total agricultural economic output in Wasco County. Due to the self-sustaining nature of the agricultural operation affected by the Facility, no indirect jobs are solely supported by participating landowner-related agricultural expenditures.

The reduction in livestock sales of 80 head would reduce Beef Checkoff Program fees by an estimated $120 annually over the operational life of the Facility, representing less than 0.01 percent of estimated annual Oregon program fees.[11]

[11] Total annual Oregon fees are estimated based on annual cow and calf sales as reported by USDA NASS and may not represent all fees collected through the Beef Checkoff Program.

References

Bigelow, D. (2024). *Unpacking the 2022 Census of Agriculture*. Retrieved from Oregon State University, Applied Economics: https://blogs.oregonstate.edu/appliedeconomics/2024/06/26/unpacking-the-2022-census-of-agriculture/

IMPLAN. (2024). County Industry Detail. Wasco County.

IMPLAN. (2024). State Industry Detail. Oregon.

National Renewable Energy Laboratory. (2023, March). *U.S. Solar Photovoltaic System and Energy Storage Cost Benchmarks, With Minimum Sustainable Price Analysis: Q1 2023.* Retrieved from National Renewable Energy Laboratory: https://www.nrel.gov/docs/fy23osti/87303.pdf

Oregon Beef Council. (2025, 02 24). *About Us*. Retrieved from Oregon Beef Council: https://www.orbeef.org/about-us

Oregon DLCD. (2024). *OREGON FARM & FOREST LAND USE REPORT 2022-23.* Retrieved from Oregon Department of Land Conservation and Development: https://www.oregon.gov/lcd/FF/Documents/Farm_Forest_Report_2022_2023.pdf

Oregon Employment Department. (2024). *East Cascades Occupational Wage Information.* Retrieved from QualityInfo: https://www.qualityinfo.org/data

Phillips, D. W. (2025). Landowner. (Savion, Interviewer)

Ramasamy, V., Zuboy, J., Woodhouse, M., O'Shaughnessy, E., Feldman, D., Desai, J., . . . Basore, P. (2023). *U.S. Solar Photovoltaic System and Energy Storage Cost Benchmarks, With Minimum Sustainable Price Analysis: Q1 2023.* Retrieved from NREL: https://docs.nrel.gov/docs/fy23osti/87303.pdf

Rennison, J. (2022, Aug 1). *War, Climate Change, Energy Costs: How the Wheat Market Has Been Upended*. Retrieved from New York Times: https://www.nytimes.com/2022/08/01/business/wheat-ukraine-war-market.html

U.S. Wheat Associates. (2021). *Wheat Letter Blog*. Retrieved from U.S. Wheat Associates: https://www.uswheat.org/wheatletter/2021-soft-white-wheat-crop-faced-challenging-growing-conditions/

United States Census Bureau. (2020). *2020 US Census Quick Facts for Sherman County, Oregon.* Retrieved from United States Census Bureau: https://www.census.gov/quickfacts/fact/table/shermancountyoregon/LND110220#LND110220

USDA ERS. (2025, 01). *Farm Household Well-being - Glossary.* Retrieved from ERS: https://www.ers.usda.gov/topics/farm-economy/farm-household-well-being/glossary

USDA NASS. (2024). *Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land use: 2022 and 2017.* Retrieved from https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_2_County_Level/Oregon/st41_2_008_008.pdf

USDA NASS CDL. (2024). *Cropland Data Layer.* Retrieved from USDA NASS: https://www.nass.usda.gov/Research_and_Science/Cropland/SARS1a.php

USDA-Ag Census FAQ. (2024, November 6). *Census of Agriculture - Thank You/Data Coming Phase*. Retrieved from AskUSDA: https://ask.usda.gov/s/article/Thank-You-Data-Coming-Phase

USDA-FSA. (2020-2031). *Conservation Reserve Program Statistics, CRP Contract Expirations by County, 2020-2031.* Retrieved from Farm Service Agency U.S. Department of Agriculture: https://www.fsa.usda.gov/resources/programs/conservation-reserve-program/statistics

USDA-FSA. (2022). *Conservation Reserve Program (CRP) Statistics, CRP Enrollment and Rental Payments by County, 1986-2022.* Retrieved from Farm Service Agency U.S. Department of Agriculture: https://www.fsa.usda.gov/resources/programs/conservation-reserve-program/statistics

USDA-NASS. (2014-2023). *Quick Stats*. Retrieved from National Agricultural Statistics Service: https://quickstats.nass.usda.gov/

USDA-NASS. (2019). *2017 Wasco County Profile.* Retrieved from National Agricultural Statistical Service: https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Oregon/cp41055.pdf

USDA-NASS. (2024). *2022 Wasco County Profile.* Retrieved from National Agricultural Statistics Service: https://www.nass.usda.gov/Publications/AgCensus/2022/Online_Resources/County_Profiles/Oregon/cp41065.pdf

USDA-NASS. (2024). *Oregon State Profile.* Retrieved from National Agricultural Statistics Service: https://www.nass.usda.gov/Publications/AgCensus/2022/Online_Resources/County_Profiles/Oregon/cp99041.pdf

USDA-NASS Table 1. (2024). Table 1. County Summary Highlights: 2022. Oregon, Wasco.

Yellow Rosebush Energy Center. (2024). Retrieved from Yellow Rosebush Energy Center : https://www.oregon.gov/energy/facilities-safety/facilities/Pages/YRB.aspx

Attachment K-3. Wasco County Soil and Water District Cost-Share Reimbursement Rates 2025-2026

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Wasco County District Cost Share Reimbursement Rates

Maximum total cost accepted for landowner using own equipment and completing the work. Compensation for contracted work will be reimbursed per DCS policy of no more than half the total project cost up to $7,500

Assume 1/2 the cost is direct fuel related and 1/2 is the base rate.

Revised rate = Base + Base X (Current Fuel/4.68)

REVIEW PERIODICITY: Annually. Update at the June Board mtg. for next fiscal year

$4.68 was diesel pump price in August 2008 when recommended rates were first developed.

Equipment Diesel pump price index value:			**$4.68**			
CODE	ITEM		Adopted 11/05/08	**Base Cost**	3.5% increase for 24-25	2.5% Increase 25-26
	Farm truck & operation 1.5 ton+	per mile	$ 1.50	**$ 0.75**	$ 1.70	$ 1.70
	Standard vehicle - No trailer	per mile			$ 0.67	$ 0.67
	Tractor & Implements w/op <40hp	per hour	$ 67.50	**$ 33.75**	$ 68.00	$ 70.00
	Tractor & Imp. w/op 40-60hp	per hour	$ 69.50	**$ 34.75**	$ 68.00	$ 70.00
	Tractor & Imp. w/op 60-100hp	per hour	$ 93.00	**$ 46.50**	$ 91.00	$ 93.00
	Tractor & Imp. w/op 100-125hp	per hour	$ 122.00	**$ 61.00**	$ 120.00	$ 123.00
	Tractor & Imp. w/op 125-150hp	per hour	$ 130.00	**$ 65.00**	$ 125.00	$ 128.00
	Tractor & Imp. w/op 150-200hp	per hour	$ 158.00	**$ 79.00**	$ 154.00	$ 158.00
	D-2 Equivalent /hr	per hour	$ 69.00	**$ 34.50**	$ 68.00	$ 70.00
	D-4 Equivalent /hr	per hour	$ 99.00	**$ 49.50**	$ 97.00	$ 99.00
	D-5 Equivalent /hr	per hour	$ 117.00	**$ 58.50**	$ 114.00	$ 117.00
	D-6 Equivalent /hr	per hour	$ 133.00	**$ 66.50**	$ 131.00	$ 134.00
	D-7 Equivalent /hr	per hour	$ 146.00	**$ 73.00**	$ 142.00	$ 146.00
	D-8 Equivalent /hr	per hour	$ 182.00	**$ 91.00**	$ 176.00	$ 180.00
	Grader	per hour			$ 171.00	$ 175.00
	Backhoe (full size)	per hour	$ 101.00	**$ 50.50**	$ 97.00	$ 99.00
	Mini excavator (6-7klbs)	per hour	$ -	**$ 26.25**	$ 51.00	$ 52.00
	Mid-sized Excavator	per hour		**$ 37.60**	$ 74.00	$ 76.00
	Excavator (32-54Klbs GVW)	per hour	$ 160.00	**$ 80.00**	$ 160.00	$ 164.00
	Dump Truck (10 YD)	per hour	$ 90.00	**$ 45.00**	$ 85.00	$ 87.00
	4 yd. Front End Loader	per hour	$ 90.00	**$ 45.00**	$ 85.00	$ 87.00
Ops	PLOW	per ac wTr	$ 51.00	**$ 25.50**	$ 51.00	$ 52.00
Ops	DISC (COVER CROP)	per ac wTr	$ 40.00	**$ 20.00**	$ 40.00	$ 41.00
Ops	DISC (TANDEM)	per ac wTr	$ 21.00	**$ 10.50**	$ 23.00	$ 24.00
Ops	SPRINGTOOTH HARROW	per ac wTr	$ 23.00	**$ 11.50**	$ 23.00	$ 24.00
Ops	SPRINGTOOTH CULTIVATING	per ac wTr	$ 20.00	**$ 10.00**	$ 23.00	$ 24.00
Ops	HARROWING	per ac wTr	$ 2.70	**$ 1.35**	$ 2.85	$ 2.90
Ops	DRILLING (CONVENTIONAL)	per ac wTr	$ 23.80	**$ 11.90**	$ 23.00	$ 24.00
Ops	CHISEL PLOW	per ac wTr	$ 41.50	**$ 20.75**	$ 40.00	$ 41.00
Labor and Operations			**$ 4.68**			
	Hand Labor / Hour	per hour	$ 16.00		$ 28.50	$ 29.20
	Family labor (under 18 yrs)/hr (state minimum wage)	per hour	$ 7.95		$ 14.70	$ 15.05
	Labor w/power Eq (chain saw,etc)	per hour	$ 21.52		$ 34.00	$ 35.00
	Welding (NOTE 1)	per hour	-	**-**	$ 80.00	$ 82.00
Ops	DIRECT SEEDING (NOTE 2)	per ac wTr	$ 66.00	**$ 33.00**	$ 28.00	$ 29.00
Ops	GROUND SPRAYING cropland	per ac wTr	$ 13.00	**$ 6.50**	$ 11.00	$ 11.00
Ops	ROTARY MOWING	per ac wTr	$ 38.00	**$ 19.00**	$ 40.00	$ 41.00
Ops	Sagebrush beating	per ac wTr	$ 83.00	**$ 41.50**	$ 80.00	$ 82.00
Ops	ROD WEEDING	per ac wTr	$ 32.50	**$ 16.25**	$ 34.00	$ 35.00
Ops	Range seeding	per ac wTr	$ 52.00	**$ 26.00**	$ 51.00	$ 52.00
Mgt pra	light disking	per ac wTr	$ 12.00	**$ 6.00**	$ 11.00	$ 11.00
Mgt pra	mowing or clipping	per ac wTr	$ 16.00	**$ 8.00**	$ 17.00	$ 17.00
Ops	Hand Labor / Acre			**2020**	**24-25**	**25-26**
Ops	Juniper Cutting - medium - light	per acre		**$ 100.00**	$ 113.00	$ 116.00
	Juniper Cutting - heavy	per acre		**$ 150.00**	$ 170.00	$ 174.00
	Fencing	per foot		**$3.00**	$ 3.50	$ 3.50

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