



PLANNING DEPARTMENT

P.O. Box 40 • Irrigon, Oregon 97844
 (541) 922-4624 or (541) 676-9061 x 5503
 FAX: (541) 922-3472

AGENDA

Morrow County Planning Commission
Tuesday, September 27, 2022 7:00 pm
Morrow County Government Building
Irrigon, OR

For Electronic Participation See Meeting Information on Page 3

Members of Commission

Jeff Wenholz, Chair
 Stacie Ekstrom
 Mary Killion

Greg Sweek, Vice Chair
 Wayne Seitz
 Rod Taylor

Stanley Anderson
 Karl Smith
 Brian Thompson

Members of Staff

Tamra Mabbott, Planning Director
 Stephen Wrecsics, GIS Planning Tech
 Katie Keely, Compliance Planner

Stephanie Case, Planner II
 Michaela Ramirez, Office Manager

1. Call to Order

2. Roll Call

Pledge of Allegiance: I pledge allegiance to the flag of the United States of America and to the republic for which it stands: one nation under God, indivisible with liberty and justice for all.

3. Minutes: August 30, 2022 [Pg 4-6](#)

4. PUBLIC HEARINGS to begin at 7:00 pm (COMMISSION ACTION REQUIRED): [pg 7](#)

Hearing continued from August 30, 2022. Note: Applicant has requested this hearing be continued to the November 1, 2022 meeting.

Conditional Use Permit CUP-N-355-22 and Comprehensive Plan Amendment AC-140-22: OneEnergy Development, LLC., applicant, and Madison Ranches Land 4, LLC., owner.

The properties are described as Tax Lots 1701, 1101, 1400, and 1401 of Assessor's Map 3N 27E. The properties are zoned EFU and located between the Boardman Bombing Range and Highway 207, approximately 6-miles southwest of the intersection of I-84 and I-82. Request is to allow the construction and operation of a 74-Megawatt Photovoltaic Solar Array with optional battery storage. Approval criteria for the Comprehensive Plan Amendment (AC-140-22) includes Morrow County Zoning Ordinance (MCZO) Article 8 Amendments, ORS 197.732 and OAR 660-

033-0130(38) for the exception to Statewide Planning Goal 3 Agricultural Lands to allow a solar development on up to 600-acres in the EFU zone. Criteria for approval for the Conditional Use Permit (CUP-N-355-22) includes the MCZO Article 3 Section 3.010 EFU and Article 6 Conditional Uses.

Land Partition LP-N-513-22: Noe Lombera, Applicant and Owner. Presented By Stephen Wrescics, GIS Planning Tech [pg 8-14](#)

The property is described as tax lot 104 of Assessor's Map 4N 24E 13. The property is zoned Farm Residential (FR) and located on Peters Road, north of the Wilson Lane and Peters Road intersection. The request is to partition an approximately 7.91-acre parcel into three parcels. Criteria for approval includes Morrow County Zoning Ordinance (MCZO) Section 3.041 Farm Residential Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.

Replat R-S-079-22: Carol J. Ottmar and McElligott, LLC, Applicants and Owners. Presented By: Stephanie Case, Planner II [pg 15-21](#)

The properties are described as tax lot 3402, 3406, 3401, and 300 of Assessor's Map 5S 26E. The property is zoned Exclusive Farm Use (EFU) and located north of Sunflower Flat Road in the Parkers Mill area. The request is to adjust several property lines via Replat. Criteria for approval includes MCSO Article 5, Section 5.075 Replatting.

5. OTHER BUSINESS

6. Correspondence [pg 22-31](#)

Directors Update to Board of Commissioners – September 2022

Board of Commissioners letter to Energy Facility Siting Council (EFSC) on Echo Wind

Department of Land Conservation & Development (DLCD) comments to EFSC on Echo Wind and cumulative impacts

7. Public Comment

8. Adjourn

Next Meeting: Tuesday November 1st, 2022 at 7:00 p.m.
Location: Bartholomew Building, Heppner, OR

ELECTRONIC MEETING INFORMATION

Morrow County Planning is inviting you to a scheduled Zoom meeting. Topic: Planning Commission
Time: August 30th, 2022 07:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/3696517452?pwd=dm9kTG1UbWM1OUUpqRDdyVXA1TmU2dz09>

Meeting ID: **369 651 7452**

Passcode: **335454**

One tap mobile

+12532158782,,3696517452#,,,,*335454# US (Tacoma)

+13462487799,,3696517452#,,,,*335454# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 720 707 2699 US (Denver)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 369 651 7452

Passcode: 335454

Find your local number: <https://us06web.zoom.us/j/kcSPLVYIP7>

Should you have any issues connecting to the Zoom meeting, please call 541-922-4624. Staff will be available at this number after hours to assist.

This is a public meeting of the Morrow County Planning Commission, and may be attended by a quorum of the Morrow County Board of Commissioners. Interested members of the public are invited to attend. The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours before the meeting to Tamra Mabbott at (541) 922-4624, or by email at tmabbott@co.morrow.or.us.

Katie Keely

From: Tamra Mabbott
Sent: Tuesday, September 13, 2022 3:54 PM
To: Katie Keely
Cc: Stephen Wrecsics; Stephanie Case
Subject: FW: Trail Solar - Setover Request

Katie – please add this to the PC packet. We don't need to reprint/copy the Trail Solar for the September PC. Just include this.

Text or email if questions.

Thank you,

From: Blake Bjornson <Blake@oneenergyrenewables.com>
Sent: Monday, September 12, 2022 4:48 PM
To: Tamra Mabbott <tmabbott@co.morrow.or.us>; Stephen Wrecsics <swrecsics@co.morrow.or.us>
Cc: Tanner Gillespie <tanner@oneenergyrenewables.com>; Albrich, Elaine <ElaineAlbrich@dwt.com>
Subject: Trail Solar - Setover Request

STOP and VERIFY This message came from outside of Morrow County Gov

Tamra,

Thank you for the call to discuss the Trail project. Applicant would like to setover the September 27th Planning Commission hearing on the Trail CUP/Goal 3 exception to the November Planning Commission meeting. Applicant needs additional time to try to work through the issue the Port of Morrow raised during the August 30th hearing. Applicant waives the 150-day clock to accommodate this setover.

Thank you,
 Blake

Blake Bjornson
 Associate Director, Project Development

Blake@OneEnergyRenewables.com
 206.900.9931 | [Direct](#)
 Check out our website at www.OneEnergyRenewables.com



**FINAL FINDINGS OF FACT
LAND PARTITION REQUEST
LP-N-513-22**

REQUEST: To partition an approximately 7.91-acre parcel into three parcels.

APPLICANT/OWNER

Noe Lombera
78972 Peters Road
Boardman, Oregon 97818

PROPERTY DESCRIPTION:

Tax Lot 104 of Assessor's Map 4N 24E 13

PROPERTY LOCATION:

Located on Peters Road, north of the Wilson Lane and Peters Road intersection.

FINDINGS OF FACT:**I. BACKGROUND INFORMATION:**

The subject parcel is zoned Farm Residential and is located outside the Boardman Urban Growth Boundary (UGB). Subject parcel has no existing dwellings but several outbuildings are present. The applicant is proposing to create three parcels, Parcel 1 is proposed at approximately 2-acres, and Proposed Parcel 2 and 3 at approximately 2.93-acres in size. Proposed use for the new parcels is residential.

II APPROVAL CRITERIA:

Morrow County Subdivision Ordinance Article 5 Land Partitions will apply. Criteria are listed below in **bold type**, followed by a response in standard type.

MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.030. REQUIREMENTS FOR APPROVAL. No application for partitioning shall be approved unless the following requirements are met:

- 1. Proposal is in compliance with the County and affected City Comprehensive Plan and applicable Zoning.**

Finding: The proposed land partition meets the requirements of the Zoning Ordinance and Comprehensive Plan relative to minimum parcel size. The applicant will need to submit both a preliminary and final partition plat to be in compliance with this Article and ORS Chapter 92. This is recommended and listed as a Condition of Approval.

- 2. Each parcel is suited for the use intended or offered; including, but not limited to, sewage disposal approval and guaranteed access.**

Finding: The applicant has proposed three parcels in the Farm Residential Zone; each proposed parcel is of an adequate size as to satisfy the minimum 2-acre size for this zone. Applicant has identified residential as the future use for all proposed parcels.

Proposed Parcel 3 will continue to use the existing county road access point on Peters Road. Access to Proposed Parcels 1 and 2 will be via 30' easement along the north portion of Proposed Parcel 3 ending in a hammerhead for emergency vehicle turn-around. Morrow County Public Works was provided notice and a copy of these findings. The Applicant will need to receive access approval for the additional use through the Morrow County Public Works Department prior to the Planning Director signing the Final Plat. This is recommended and listed as a Condition of Approval.

Applicant will need to show all easements, existing and proposed on the Preliminary and Final Plat prior to the Planning Director's signature. This is recommended and listed as a Condition of Approval.

Findings were provided to Boardman Rural Fire Protection District (BRFPD) for their review of the hammerhead turnaround. The applicant will need to comply with the recommendations of the BRFPD's review. Applicant will need to submit written approval from BRFPD prior to gaining the Planning Director's signature on the Final Plat, this is recommended and listed as a Condition of Approval.

To ensure buildability of the proposed parcels, the Applicant will need to obtain site suitability from Umatilla County Health (UCo. Health). This is recommended and listed as a Condition of Approval.

3. All required public service and facilities are available and adequate or are proposed to be provided by the partitioner.

Finding: Electricity and telephone services are available in the area, Applicant will need to work with local providers for future service. No other public services or facilities are available.

4. Proposal will not have any identifiable adverse impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities.

Finding: The current parcel is zoned residential and surrounding uses are residential in nature, this action will not prevent the proposed or surrounding parcels to continue to be used as such. The proposal will not have any identifiable adverse impacts on public services or natural resources of the area.

Applicant should be aware that the northern portions of Proposed Parcels 1 and 2 have wetlands that are identified in the Statewide Wetlands Inventory, these have been identified in the Applicant's Preliminary Plat. The Department of State Lands has been provided a copy of these findings for their review. It should also be noted that these wetlands are situated in the Bonneville Power Administration's (BPA) powerline

easement. Those portions of Proposed Parcels 1 and 2 within the easement would be ineligible for development and any improvements would need to happen outside the BPA easement.

5. An approved water rights diversion plan as applicable.

Finding: Preliminary Findings of Fact were referred to the County Watermaster and it is recommended that the applicant comply with any recommendations of the County Watermaster based on his review.

6. Flag lots will not be permitted when the results would be to increase the number of properties requiring direct and individual access from a State Highway or other arterial. Flag lots may be permitted to achieve planning objectives under the following conditions:

- a. When flag lot driveways are separated by at least twice the minimum frontage distance.
- b. The driveway must meet driveway standards described in Article 8, Section 8.020.V.
- c. The lot meets the minimum lot area of the zoning district, without including the driveway.
- d. Only one flag lot shall be permitted per private right-of-way or access easement.

Finding: This provision does not apply as no flag lots are proposed.

7. The depth of any lot will not be restricted as long as a buildable parcel is proposed.

Finding: The application meets this criterion as buildable parcels are being proposed and will meet the minimum acreage for the FR zone.

8. No plat of a subdivision or partition located within the boundaries of an irrigation district, drainage district, water control district, water improvement district or district improvement company will be approved unless the County has received and accepted a certification from the district or company that the subdivision or partition is either entirely excluded from the district or company or is included within the district or company for purposes of receiving services and subjecting the subdivision or partition to the fees and other charges of the district or company.

Finding: The applicant should be aware that this property is located in an area designated for water quality concerns by the Oregon Department of Environmental Quality. The subject property is in the Lower Umatilla Basin Groundwater Management Area (LUBGWMA). The Department of Environmental Quality designated the LUBGWMA in 1990 due to elevated nitrate concentrations in groundwater. It is recommended that wells used for drinking water be tested at least annually to determine nitrate concentrations. More information about the LUBGWMA can be found at <http://www.oregon.gov/deq/wq/programs/Pages/GWP-Management-Areas.aspx>

This property is within the West Extension Irrigation District (WEID) and were provided a copy of these findings.

9. **The Commission will deny an application for partitioning when it can be shown by the Commission that the partitioning is part of a plan or scheme to create more than three (3) parcels without going through subdivision, or is part of a development pattern creating more than three (3) parcels without subdividing.**

Finding: This provision does not apply to this application as no more than 3 parcels are currently being proposed.

10. **In addition to the requirements set forth above, the following factors may be considered for approval or disapproval of an application for land partitioning is a geographical or other factor identified by other, appropriate professionals or plans such as the requirements of the Comprehensive Plan, FEMA requirements, Byways rules, etc., requires it:**
- a. **Placement and availability of utilities.**
 - b. **Safety from fire, flood and other natural hazards.**
 - c. **The same improvements may be required for a partitioning as required of a subdivision, if required it will be installed by the applicant.**
 - d. **Possible effects on natural, scenic and historical resources.**
 - e. **Need for onsite or offsite improvements.**
 - f. **Need for additional setback, screening, landscaping and other requirements relative to the protection of adjoining and area land uses. If the proposed partition is located within an Urban Growth Boundary, the affected city must be given notice according to the respective Joint Management agreement.**
 - g. **In the approval of a land partition, the need for street and other improvements will be considered and may be required as a Condition of Approval at a different standard than for a subdivision.**

Finding: Planning staff would not recommend any additional requirements based on the factors above.

III LEGAL NOTICE PUBLISHED: September 06, 2022
East Oregonian

September 07, 2022
Heppner Gazette-Times

IV AGENCIES NOTIFIED: Greg Silbernagel, Watermaster; Beverly Bridgewater, WEID; Mike Hughes, Boardman Rural Fire Protection District; Justin Nelson, Morrow County Counsel; Mike Gorman, Morrow County Assessor; Eric Imes, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor; Jevra Brown, Division of State Lands

V PROPERTY OWNERS NOTIFIED: September 06, 2022

VI HEARING DATE: September 27, 2022
Morrow County Government Center
Irrigon, Oregon

VII PLANNING COMMISSION ACTION: Staff recommend approval subject to the following **Precedent Conditions of Approval**. These conditions must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

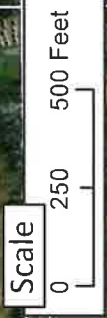
1. Submit both a preliminary and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.
2. Obtain site-suitability from Umatilla County Health for all Proposed Parcels.
3. Obtain approval and any necessary access permits from Morrow County Public Works.
4. Show any existing and proposed easements on the Final Partition Plat.
5. Obtain approval of, and comply with recommendations of the BRFPD's review of proposed hammerhead.

Jeff Wenholtz, Chair

Date

ATTACHMENTS:
Vicinity Map
Preliminary Plan

Vicinity Map



LP-N-513-22
 Noe Lombera
4N24E13 TL104

Legend

Taxlot



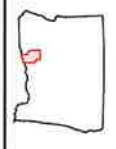
Subject Parcel



Extent

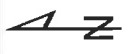


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Date Saved: 9/7/2022 12:03 PM

Cartography By: Stephen Wreccics
 Morrow County Planning Department
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 Datum: North American 1983
 Projection: Lambert Conformal Conic
File Path: \\planning\staff\wreccics\workspace\4N24E13\4N24E13.mxd



PARTITION PLAT 2022-

LOCATED IN THE N.E. 1/4 OF SECTION 23 TOWNSHIP 4 NORTH, RANGE 24 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS UNDERTAKEN IN JULY OF 2022 AT THE REQUEST OF NOE LOMBERA GONZALEZ. THIS SURVEY IS TO BE RECORDED AS INSTRUMENT NUMBER 2021-48895.

A 5/8" IRON ROD MARKING THE EAST ONE-QUARTER CORNER OF SECTION 13 WAS FOUND AND RECOVERED AT THE INTERSECTION OF ALCAL AND PETERS ROAD. SEE SURVEY NO. 07078.

A 1/2" ALUMINUM CAP MARKING THE NORTH AND WEST CORNERS OF THE ACERITE TRACT AND THE WESTERLY RIGHT-OF-WAY OF PETERS ROAD.

THE LOCATION OF THE NORTHEAST AND SOUTHWEST CORNERS OF THE ACERITE TRACT AND THE WESTERLY RIGHT-OF-WAY OF PETERS ROAD.

THE LOCATION OF THE NORTHEAST CORNER OF THE GONZALEZ/NEGRETE TRACT WAS COMPUTED AT SHORES PROPORTION. HOLDING DEED DISTANCE ALONG PETERS ROAD FROM THE 1/2" ALUMINUM CAP AND SAID 1 1/2" INCH ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SAID GONZALEZ/NEGRETE TRACT.

THE LOCATION OF THE SOUTHEAST CORNER OF PARCEL 2 OF THIS LAND PARTITION WAS COMPUTED FROM THE NORTHEAST CORNER OF SAID PARCEL 2 OF THIS PARTITION PLAT ON A BEARING OF S 89°49'44" E AND A DISTANCE OF 110.00 FEET ALONG THE RIGHT-OF-WAY OF PETERS ROAD FROM THE SOUTHWEST CORNER OF THE ACERITE TRACT ON A BEARING OF S 89°20'42" W, AND NORMAL TO THE WESTERLY RIGHT-OF-WAY OF PETERS ROAD.

THE BASIS OF BEARING OF THIS SURVEY IS THE ONE-QUARTER CORNER OF SECTION 13 AND THE NORTH ONE-SIXTEENTH CORNER AND IS BASED ON SURVEY NO. 1612C.

A 1 1/2" INCH ALUMINUM CAP STAMPED "PLS 833" MARKING THE NORTHWEST CORNERS OF THE DONAZALEZ/NEGRETE TRACT, SEE SURVEY NO. 0527C.

THE LOCATION OF THE NORTHEAST AND SOUTHWEST CORNERS OF THE ACERITE TRACT AND THE WESTERLY RIGHT-OF-WAY OF PETERS ROAD.

THE LOCATION OF THE NORTHEAST CORNER OF THE GONZALEZ/NEGRETE TRACT WAS COMPUTED AT SHORES PROPORTION. HOLDING DEED DISTANCE ALONG PETERS ROAD FROM THE 1/2" ALUMINUM CAP AND SAID 1 1/2" INCH ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SAID GONZALEZ/NEGRETE TRACT.

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THE BASIS OF BEARING OF THIS SURVEY IS THE ONE-QUARTER CORNER OF SECTION 13 AND THE NORTH ONE-SIXTEENTH CORNER AND IS BASED ON SURVEY NO. 1612C.

MONUMENT FOUND AND RECOVERED AT POSITION SET SEE SURVEY NO. 0527C

RECEIVED BY: Morrow County Surveyor

Date: _____

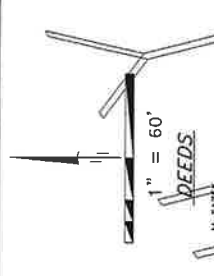
Rec'd By: _____

No. _____

Folder No. _____

LINE TABLE

RECORD	LINE	BEARING	DIST.
(R1)	L1	N 00°24'55" W	815.62'
(R2)	L1	N 00°24'54" W	815.62'
(R3)	L1	S 00°53'56" E	616.14'
(R4)	L2	N 89°49'44" E	30.00'
(R5)	L3	N 89°20'42" W	30.00'
(R6)	L4	N 89°49'44" E	30.00'
(R7)	L5	N 89°20'42" W	30.00'



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD
- FOUND RED PLASTIC CAP STAMPED "OR PLS 1106 WA PLS 17372" ON AN IRON ROD
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48490"
- COMPUTED POINT (NOT SET)
- PROPERTY BOUNDARY
- FENCE AS NOTED

SURVEYS

- (R1) WELLS 2009 PARTITION PLAT 2011-11
- (R2) EDWARDS 1979 SURVEY NO. 08B19
- (R3) EDWARDS 1979 SURVEY NO. 03708
- (R4) KRUMBEIN 1985 SURVEY NO. 07178
- (R5) KRUMBEIN 1981 SURVEY NO. 0445C
- (R6) KRUMBEIN 1982 SURVEY NO. 0527C

SURVEYOR'S CERTIFICATION

I, KEITH P. PRIMM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFY THAT I HAVE SURVEYED THE LANDS AS DESCRIBED IN LEGAL RECORDS RECORDED AS INSTRUMENT NUMBER 2021-48895 AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN JULY OF 2022 AND THAT I AM AWARE OF ALL PROPER MONUMENTS AS ESTABLISHED BY O.R.S. 208.

REGISTERED PROFESSIONAL LAND SURVEYOR

KEITH P. PRIMM

EXPIRES 12/31/22

PRIMM LAND SURVEYING, INC.

DATE: _____

CLIENT: NOE LOMBERA GONZALEZ

PROJECT: LAND PARTITION

JOB #: 2207002

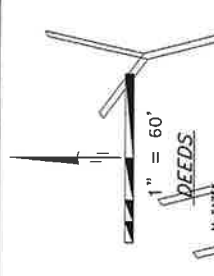
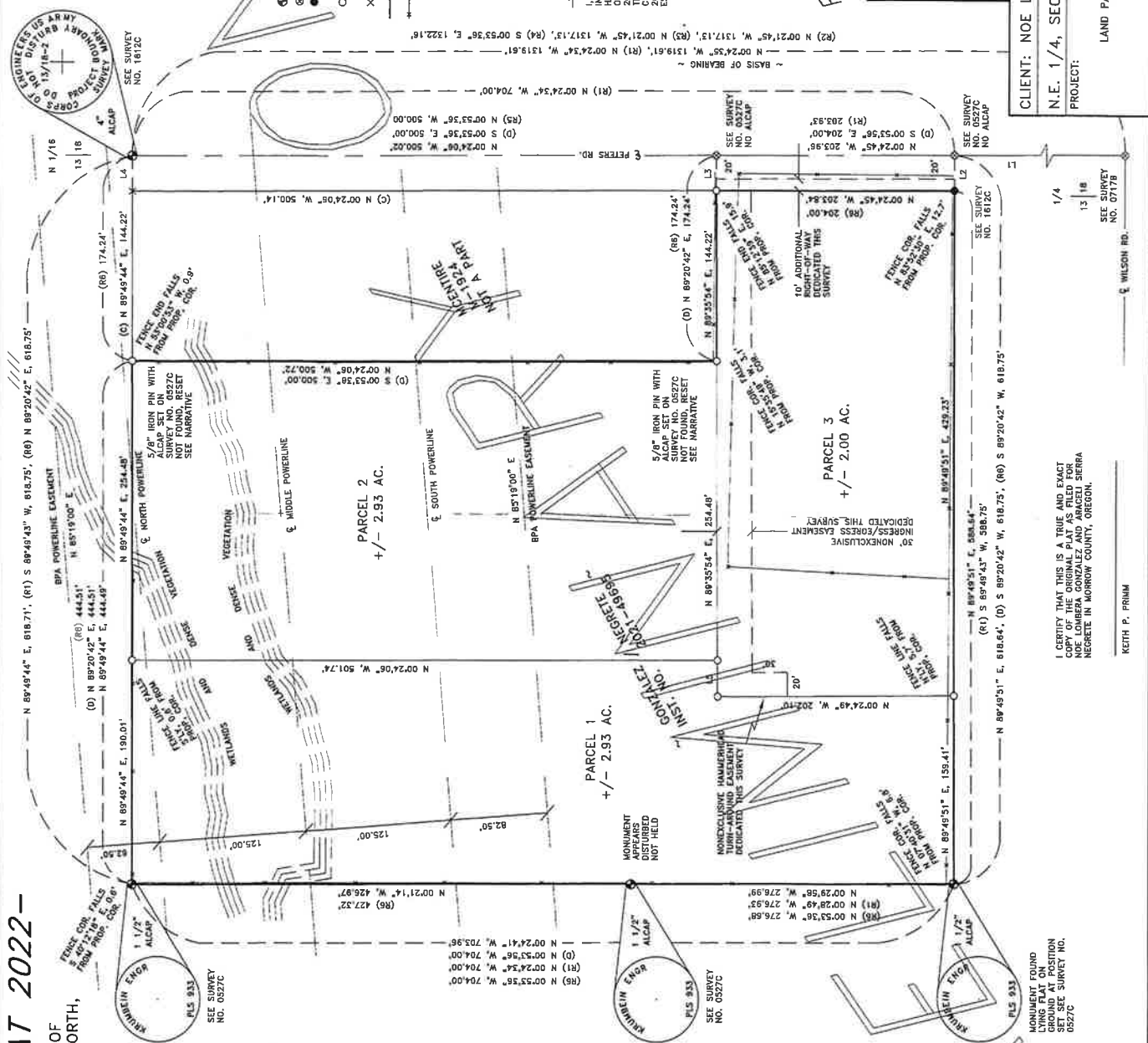
DATE: 23 JUL 22

FB/RG: 46/140

SHEET: 1 OF 2

DRAWN: KPP

APPROVED: KPP



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD
- FOUND RED PLASTIC CAP STAMPED "OR PLS 1106 WA PLS 17372" ON AN IRON ROD
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48490"
- COMPUTED POINT (NOT SET)
- PROPERTY BOUNDARY
- FENCE AS NOTED

SURVEYS

- (R1) WELLS 2009 PARTITION PLAT 2011-11
- (R2) EDWARDS 1979 SURVEY NO. 08B19
- (R3) EDWARDS 1979 SURVEY NO. 03708
- (R4) KRUMBEIN 1985 SURVEY NO. 07178
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REGISTERED PROFESSIONAL LAND SURVEYOR

KEITH P. PRIMM

EXPIRES 12/31/22

PRIMM LAND SURVEYING, INC.

DATE: _____

CLIENT: NOE LOMBERA GONZALEZ

PROJECT: LAND PARTITION

JOB #: 2207002

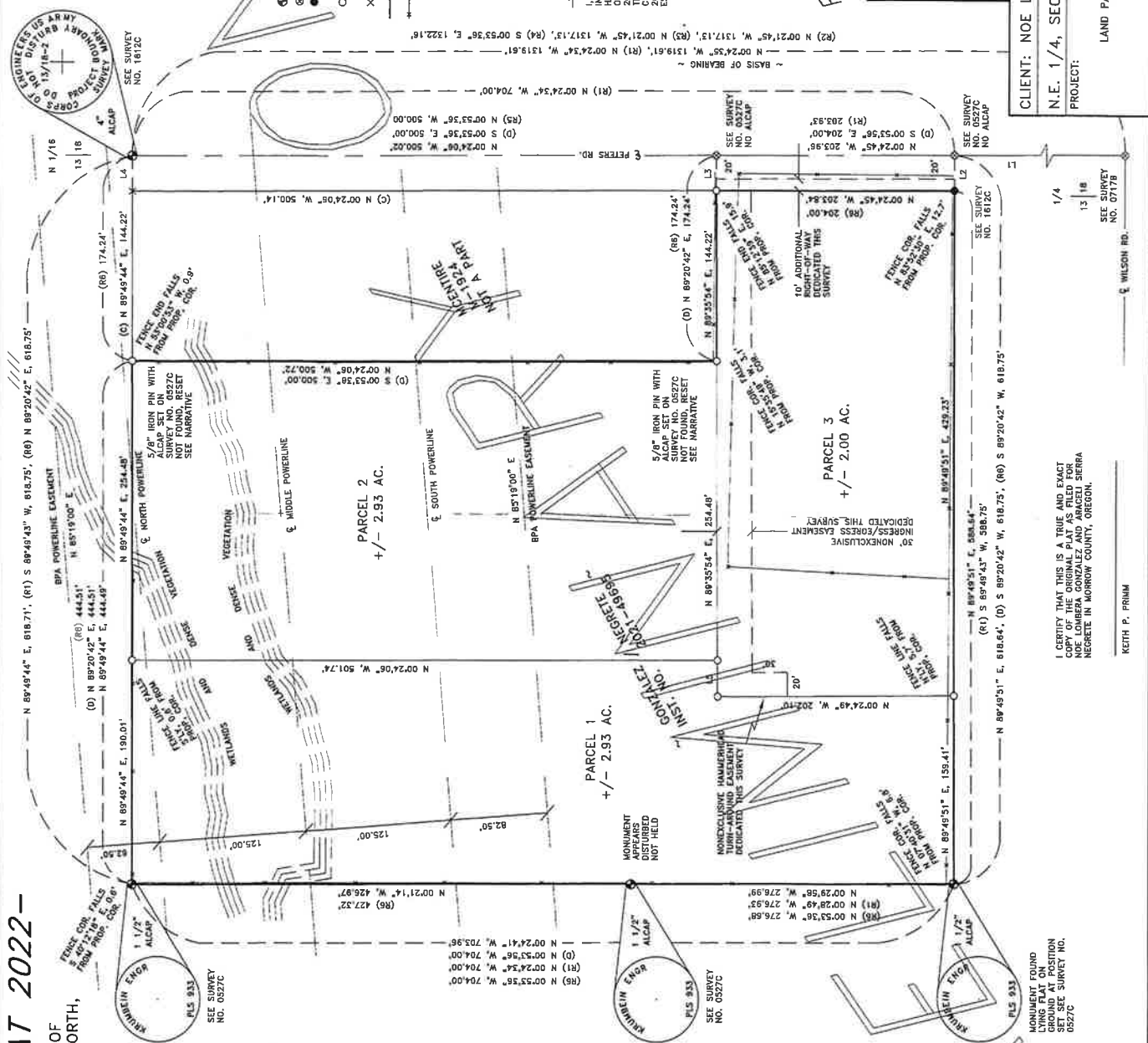
DATE: 23 JUL 22

FB/RG: 46/140

SHEET: 1 OF 2

DRAWN: KPP

APPROVED: KPP



**PRELIMINARY FINDINGS OF FACT
REPLAT REQUEST
R-S-079-22**

REQUEST: Adjust property lines and reconfiguring parcels 1 and 2 of Partition Plat 2006-2.

APPLICANTS/OWNERS: Carol J. Ottmar
PO Box 25
Hermiston, OR 97838

McElligott, LLC
PO Box 4
Ione, OR 97843

PROPERTY DESCRIPTION: Tax Lots 3402, 3406, 3401 and 300 of Assessor's Map 5S 26E.

PROPERTY LOCATION: South of Heppner near Canyon Road.

I. FINDINGS OF FACT:

These property line adjustments have been applied for concurrently with PLA-S-212-22 and PLA-213-22. This replat will adjust shared property lines between tax lots 3401, 3402 and 3406 which are part of Partition Plat 2006-2. Please see the tentative plan for the resulting configuration. The land is presently bare and is zoned Exclusive Farm Use (EFU).

II. APPROVAL CRITERIA:

Morrow County Subdivision Ordinance Article 5 Replatting will apply. Criteria are listed below in **bold type**, followed by a response in standard type.

MORROW COUNTY SUBDIVISION ORDINANCE ARTICLE 5 LAND PARTITIONS SECTION 5.075. REPLATting. A reconfiguration of a recorded subdivision or partition plat or a change in the number of lots in the subdivision or partition may be approved by the Planning Commission or as defined in ORS 92.180. Replats will act to vacate the platted lots or parcels and easements within the replat area with the following conditions:

1. **A replat will apply only to a recorded plat.**
A replat is required as the applicant is proposing to reconfigure a partition affecting Partition Plat 2006-2.
2. **Notice shall be provided when the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225.**
This provision does not apply as this is not a replat of an undeveloped subdivision. However, notice was provided under the requirements of the Morrow County Subdivision Ordinance.
3. **Notice shall be provided to the owners of property adjacent to the exterior boundaries of the tentative subdivision replat.**

Notice has been provided to adjoining property owners and affected agencies.

- 4. **When a utility easement is proposed to be realigned, reduced in width or omitted by a replat, all affected utility companies or public agencies shall be notified, consistent with a governing body’s notice to owners of property contiguous to the proposed plat. Any utility company that desires to maintain an easement subject to vacation under this section must notify the Planning Department in writing within 14 days of the mailing or other service of the notice.**

No changes to utility easements are proposed. This replat is at the request of the land owners.

- 5. **A replat will not serve to vacate any public street or road.**

No streets or roads are proposed to be vacated.

- 6. **A replat will comply with all subdivision provisions of this Article and all applicable Ordinances.**

This requirement is met as the parcels were subject to provisions of this Article with both the previous partition and this proposal. The applicant will need to submit both a preliminary and final partition plat to be in compliance with this Article and ORS Chapter 92. This is recommended and listed as a Condition of Approval.

III. **AGENCIES NOTIFIED:** Ken Thiemann, Watermaster; Steve Rhea, Heppner Rural Fire Protection District; Mike Gorman, Morrow County Assessor; Eric Imes, Morrow County Public Works Director; Matt Kenny, Morrow County Surveyor.

IV. **LEGAL NOTICE PUBLISHED:** East Oregonian
September 6, 2022

Heppner Gazette Times
September 7, 2022

V. **PROPERTY OWNERS NOTIFIED:** September 7, 2022

VI. **HEARING DATES:** September 27, 2022
Morrow County Government Center
Irrigon, Oregon

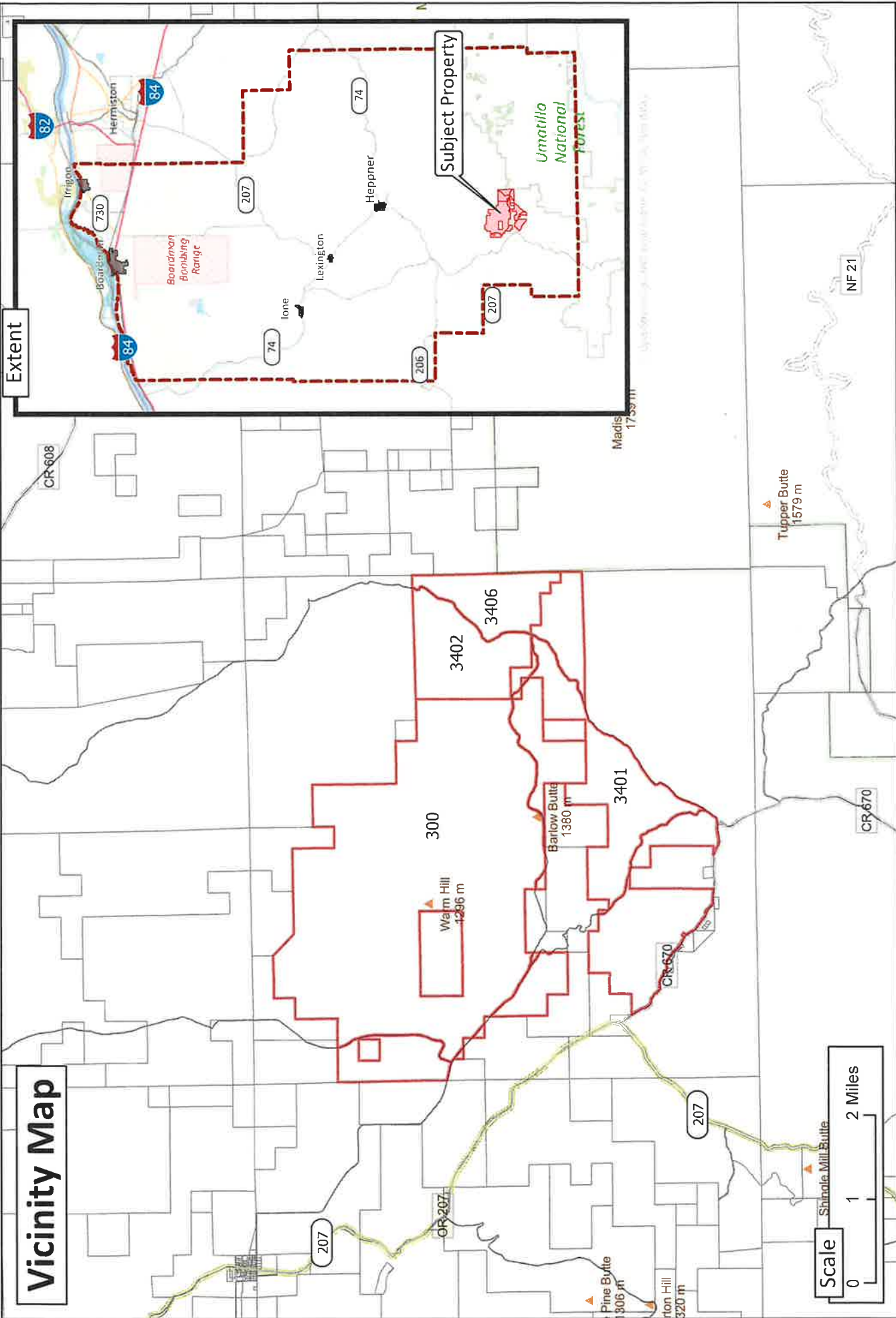
VII. **PLANNING COMMISSION ACTION:** Approval subject to the following **Precedent Condition(s) of Approval**. This condition must be completed before the Planning Director may sign the final partition plat or before the land may be deeded to a third party.

- 1. Submit both a **preliminary** and final partition plat to be in compliance with Article 5 of the Morrow County Subdivision Ordinance and ORS Chapter 92.

Jeff Wenholz, Chair Date

ATTACHMENTS:
Vicinity Map
Preliminary Plat
Survey Map – Final Adjusted Lines

Vicinity Map



R-S-079-22
 McElligott, LLC.
5S26E13 TL3402, 3406,
3401, & 300

Legend

Tax Lots

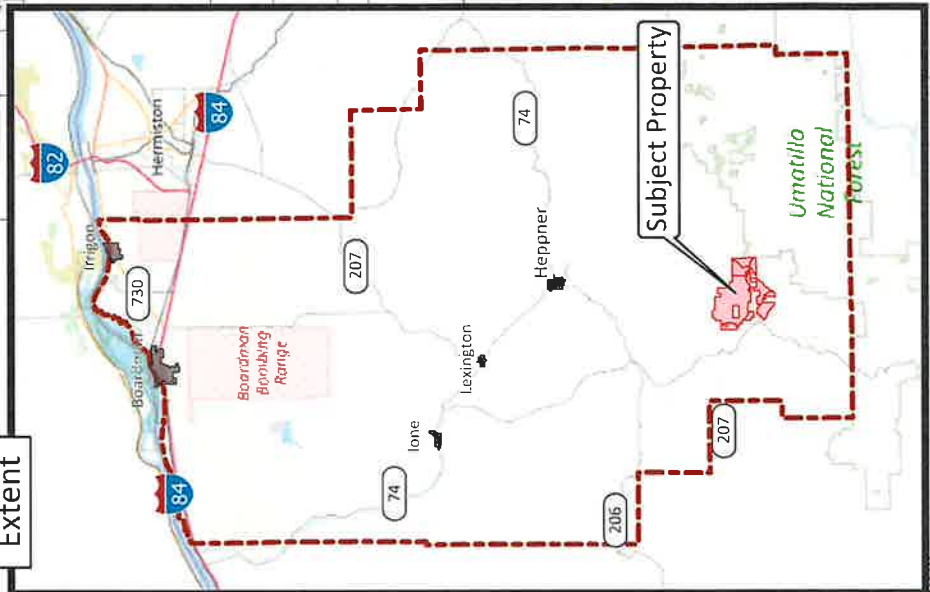
Subject Parcels



Date Saved: 9/7/2022 11:14 AM

Cartography By: Stephen Wreccics
 Morrow County Planning Department
 Coordinate System: NAD83 Oregon GIC Lambert II
 Datum: North American 1983
 Projection: Lambert Conformal Conic
 File: \\pdp\pdp\ofa\5526E13\2022\17 of 31.mxd

Extent



OTTAWA REPLAT
MORROW COUNTY
PARTITION PLAT NO. 2022-

A REPLAT OF PARCELS AND ALUM. PIPE MONUMENTS IN MORROW COUNTY, OREGON, THE SOUTHERLY SIDES, NO. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 AND 24, TOWNSHIP 5 SOUTH, RANGE 26 EAST, W.M., MORROW COUNTY, OREGON.

SHEET 1 OF 2

EASEMENT AND ENCUMBRANCE NOTES:

- 1. RIGHTS OF THE PUBLIC IN COUNTY ROADS.
- 2. JOINT ACCESS EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN PIONEER RESOURCES I, LLC, AN OREGON LIMITED LIABILITY COMPANY, AND GEORGE L. DEER, RECORDED APRIL 12, 1999 UNDER CONTRACT NO. 325 DATED JUNE 4, 1979. THE JOINT ACCESS EASEMENT IS ALONG EXISTING ROADS AND IS DEPICTED: (2)
- 3. NON-EXCLUSIVE EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, AS DISCLOSED IN DEED RECORDED OCTOBER 16, 2002, AS MICROFILM M-2002-5740, MORROW COUNTY MICROFILM RECORDS. THE EASEMENT IS 40' WIDE, 20' ON EACH SIDE OF ROAD AND IS CENTERED ON EXISTING ROADS AND IS DEPICTED: (3)

- FOUND 2 1/2" BRASS CAP ON 1" GALV. IRON PIPE SET BY PLS 1636 FROM INDICATED CORNER RECORD ON FILE IN MORROW COUNTY SURVEYOR'S OFFICE.
- FOUND 2 1/2" INCH BRASS CAP ON 2" GALV. IRON PIPE SET FROM EXISTING ORIGINAL EVIDENCE ON SURVEY NO. C-847-K.
- OTHER MONUMENT OF RECENT RECORD, AS NOTED.
- MONUMENTS MONUMENTED AS A FORCE LINE AND SOUTHERLY BOUNDARY LINE FOR PARCELS 1 AND 2 OF THIS REPLAT, SEE SHEET 2 OF 2 FOR ANNOTATION.
- INDICATES SURVEY NUMBER OF SURVEY FILED IN MORROW COUNTY SURVEY RECORDS.
- R/W - INDICATES COUNTY ROAD RIGHT-OF-WAY.
- (XXXX) - RECORD DIMENSION FROM ORIGINAL, OLD SURVEY BY EVERETT A. HATCHER UNDER CONTRACT NO. 325 DATED JUNE 4, 1979.

SURVEYOR'S CERTIFICATE AND NARRATIVE

CERTIFY THAT I HAVE CAREFULLY SHOWN AND PARTLY MONUMENTED WITH LEGAL MONUMENTS, PARCELS 1 AND 2 OF THIS PARTITION REPLAT IN ACCORDANCE WITH OREGON CHARTER 92, AS REVISED AND THIS MORROW COUNTY DEVELOPMENT ORDINANCE. PARCELS 1 AND 2 ARE GENERALLY "UNINSURED" EXCEPT FOR THE SOUTHERLY BOUNDARY WHICH WAS MONUMENTED PER RECORD MORROW COUNTY SURVEY NO. C-847-K.

REAL PROPERTY DESCRIPTION

That portion of the Sections 13, 14, the Northeast Quarter of Section 23, Section 24 and the Northeast Quarter of the Northeast Quarter of Section 25, Township 5 South, Range 26 East, W.M., Morrow County, Oregon, described as follows:

Beginning of the "INITIAL POINT", add initial point being monumented with a 2 1/2 inch brass cap on 1 inch galvanized iron pipe with a 1/2 inch diameter by 27 inch long government iron pipe which is set in a hole 24 inches deep, more or less, to the Southeast corner of said Section 13, thence North along the East line of said Section 13, a distance of 5280 feet, more or less, to the "INITIAL POINT", thence West along the North line of said Section 13, a distance of 5280 feet, more or less, to the Northeast corner of said Section 14, thence West along the North line of said Section 14, a distance of 2640 feet, more or less, to the East line of said Section 14, thence South along the North-South centerline of said Section 14, a distance of 5280 feet, more or less, to the one-quarter section corner common to Sections 14 and 23, thence North along the East line of said Section 14, a distance of 5280 feet, more or less, to a point which bears North 77°17'47" West a distance of 13.84 feet, more or less, from a 5/8 inch rebar, thence South 77°17'47" East a distance of 13.84 feet, more or less, to a 5/8 inch rebar, thence South 35°57'08" East a distance of 379.69 feet to a 5/8 inch rebar, thence South 35°57'08" East a distance of 379.69 feet to a 5/8 inch rebar, thence South 50°32'44" East a distance of 353.25 feet to a 5/8 inch rebar, thence North 49°10'30" East a distance of 355.53 feet to a 5/8 inch rebar, thence North 17°21'17" East a distance of 13.26 feet to a 5/8 inch rebar, thence South 84°31'30" East a distance of 372.56 feet to a 5/8 inch rebar, thence South 84°31'30" East a distance of 559.25 feet to a 5/8 inch rebar, thence South 84°31'30" East a distance of 559.25 feet to a 5/8 inch rebar, thence North 87°02'00" East a distance of 507.17 feet to a 5/8 inch rebar, thence North 87°02'00" East a distance of 465.58 feet to a 5/8 inch rebar, thence South 89°02'00" East a distance of 451.67 feet to a 5/8 inch rebar which

CONTINUED FROM LEFT.....
bears North 87°02'00" West a distance of 5.37 feet, more or less, from the West 1891'-old-way line of Board Creek County Road No. 703; thence South 57°59'27" East a distance of 63.35 feet to a 5/8 inch rebar which bears North 89°59'02" West a distance of 61.7 feet, more or less, from the East right-of-way line of Board Creek County Road No. 703; thence South 57°59'27" East a distance of 312.23 feet to a 5/8 inch rebar, thence South 49°29'46" East a distance of 285.32 feet to a 5/8 inch rebar, thence South 44°32'04" East a distance of 284.64 feet to a 5/8 inch rebar, thence South 43°05'45" East a distance of 148.12 feet to a 5/8 inch rebar, thence South 59°27'40" East a distance of 201.50 feet to a 5/8 inch rebar, thence South 65°29'14" East a distance of 316.43 feet to a 5/8 inch rebar, thence South 65°29'14" East a distance of 262.58 feet to a 5/8 inch rebar, thence South 33°31'24" East a distance of 86.55 feet to a 5/8 inch rebar, thence South 33°31'24" East a distance of 272.56 feet to a 5/8 inch rebar, thence South 33°31'24" East a distance of 272.56 feet to a 5/8 inch rebar, thence South 45°59'31" East a distance of 241.67 feet to a 5/8 inch rebar, thence South 45°59'31" East a distance of 241.67 feet to a 5/8 inch rebar, thence South 32°25'10" East a distance of 355.97 feet to a 5/8 inch rebar, thence South 32°25'10" East a distance of 355.97 feet to a 5/8 inch rebar, thence South 32°25'10" East a distance of 355.97 feet to a 5/8 inch rebar, thence South 32°25'10" East a distance of 355.97 feet to a 5/8 inch rebar, thence South 59°23'18" East a distance of 149.56 feet to a 5/8 inch rebar, thence South 59°23'18" East a distance of 149.56 feet to a 5/8 inch rebar, thence South 82°06'33" East a distance of 414.56 feet to a 5/8 inch rebar, thence South 82°06'33" East a distance of 414.56 feet to a 5/8 inch rebar, thence South 46°48'53" East a distance of 113.85 feet to a 5/8 inch rebar, thence South 55°59'45" East a distance of 170.42 feet to a 5/8 inch rebar, thence South 55°59'45" East a distance of 170.42 feet to a 5/8 inch rebar, thence South 35°57'08" East a distance of 14.52 feet, more or less, to a point which bears North 77°17'47" West a distance of 14.52 feet, more or less, to a point which bears North 77°17'47" West a distance of 14.52 feet, more or less, to the "INITIAL POINT".

EXCEPTING THEREFROM, any portion lying within County Road right-of-way.

WILLIAM R. WELLS, PLS 1108

PRELIMINARY

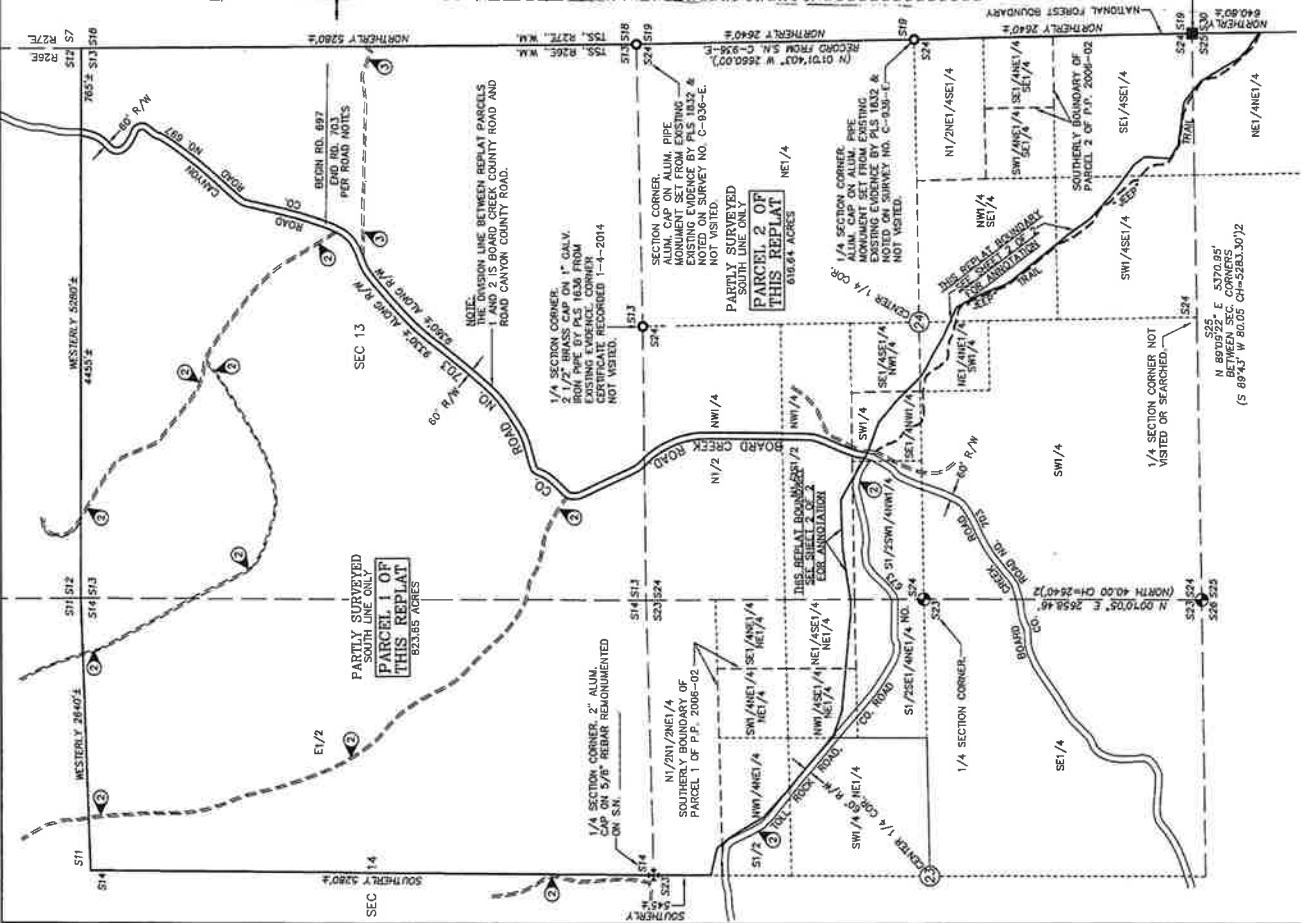
REVISIONS
MORROW COUNTY
LAND SURVEYOR
JULY 27, 1977
WILLIAM R. WELLS
1108
REVISORS 9/20/24

PROJECT: (ATTORNEY REPLAT)
WELLS SURVEYING
200 SE HAILLEY SUITE 108
P.O. BOX 1696
PENDLETON, OR 97801
PHONE: (541) 276-6362

DATE: 06-22 DR. BY: WRW
CK. BY: WRW NO: 21-1784

I CERTIFY THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL

WILLIAM R. WELLS, PLS 1108



**OTTMAR REPLAT
MORROW COUNTY
PARTITION PLAT NO. 2022--**

A REPLAT OF PARCELS 1 AND 2 OF MORROW COUNTY PARTITION PLAT NO. 2006-02, TO INCLUDE ADDITIONAL LANDS ON THE SOUTHERLY SIDES SITUATED IN SECTION 13, THE EAST HALF OF SECTION 14, THE NORTHEAST QUARTER OF SECTION 23 AND SECTION 24, TOWNSHIP 36S, RANGE 12E, W4E, MORROW COUNTY, OREGON, JUNE, 2022

SHEET 2 OF 2

REFERENCE DOCUMENTS

- MORROW COUNTY PARTITION PLAT NO. 2006-02.
- REMONUMENTATION RECORDS FOR VARIOUS PUBLIC LAND SURVEY CORNERS.
- S.N. C-936-E
- S.N. THE MONUMENTATION SURVEY OF OLD FENCE LINE ALONG SOUTHERLY LINES OF PARCELS 1 AND 2 OF THIS REPLAT.
- ORIGINAL G.D.O. SURVEY OF T.S.S. POBE, W4E, BY EVERETT A. THATCHER UNDER CONTRACT NO. 225 DATED JUNE 4, 1879.

APPROVALS

I, **MORROW COUNTY SURVEYOR**, CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS REPLAT ON THIS _____ DAY OF _____, 2022.

MORROW COUNTY SURVEYOR

I, **MORROW COUNTY PLANNING DEPARTMENT**, CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS REPLAT ON THIS _____ DAY OF _____, 2022.

MORROW COUNTY PLANNING DIRECTOR

I, **MORROW COUNTY ASSESSOR/TAX COLLECTOR**, CERTIFY THAT I HAVE EXAMINED THE EXISTING RECORDS RELATIVE TO THE LANDS COVERED IN THE ACCOMPANYING REPLAT, AND THAT ALL VALUABLE TAXES AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED THIS _____ DAY OF _____, 2022.

MORROW COUNTY ASSESSOR/TAX COLLECTOR

OFFICE OF COUNTY RECORDS

I CERTIFY THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL

WILLIAM R. WELLS, PLS 1108

PROJECT:

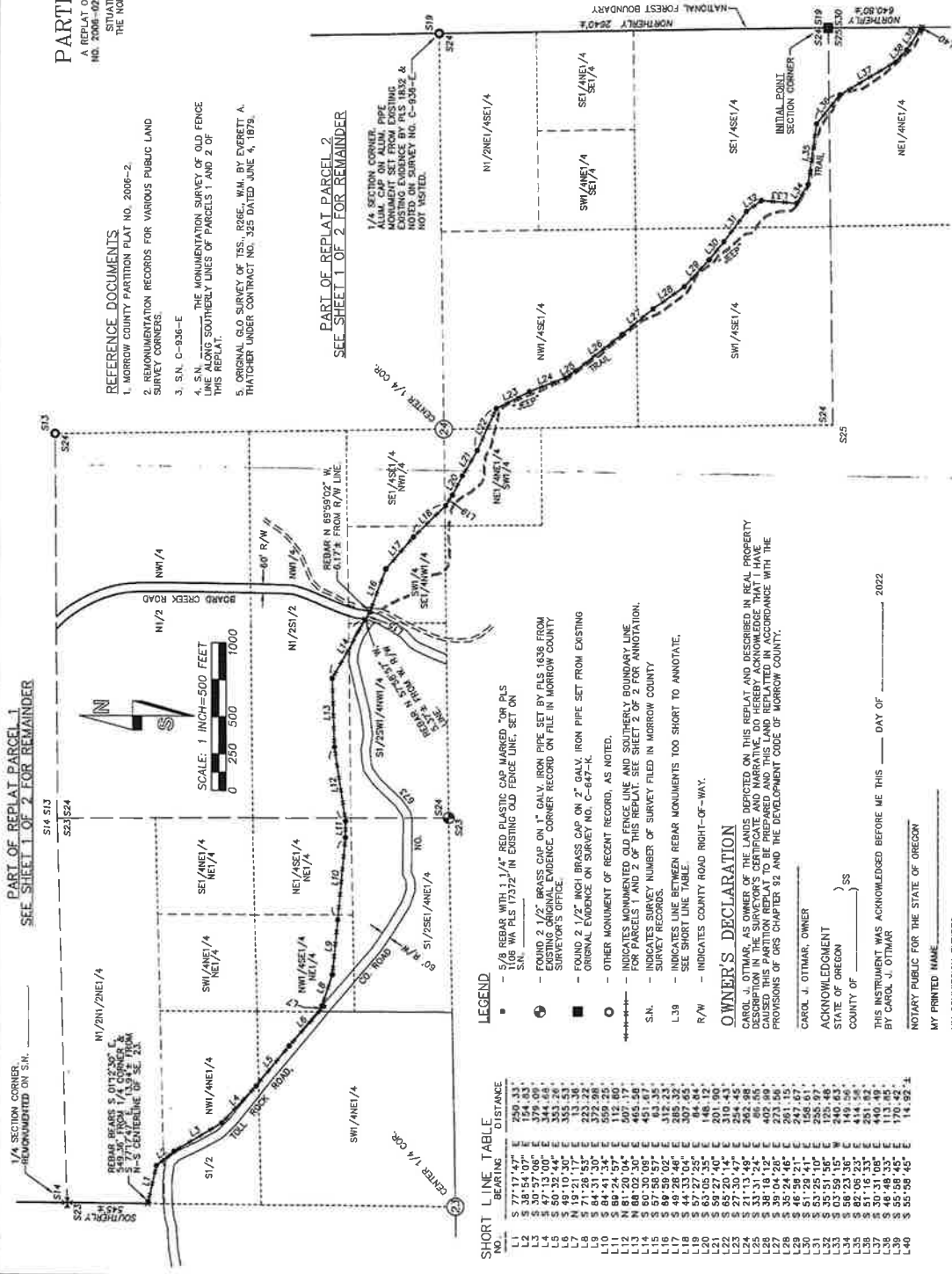
WELLS SURVEYING
200 SE HALLEY SUITE 108
P.O. BOX 1696
PENDLETON, OR 97801
PHONE: (541) 276-6362

OTTMAR REPLAT
A REPLAT OF PARCELS 1 AND 2
OF MORROW COUNTY
PARTITION PLAT NO. 2006-02

DATE: 06-22 DR. BY: WRW
CK. BY: WRW NO: 21-1794

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY
OREGON
WILLIAM R. WELLS
PLS 1108
RENEWED 5/30/24



SHORT LINE TABLE

NO.	BEARING	DISTANCE
L1	S 77°17'47"	E 250.33
L2	S 35°54'07"	E 154.83
L3	S 47°13'00"	E 344.68
L4	S 60°32'44"	E 353.21
L5	S 60°32'44"	E 353.21
L6	S 71°26'53"	E 223.72
L7	N 19°21'17"	E 333.38
L8	S 71°26'53"	E 223.72
L9	S 84°31'30"	E 225.28
L10	S 89°24'57"	E 115.80
L11	N 81°20'04"	E 207.17
L12	S 67°58'57"	E 64.35
L13	S 67°58'57"	E 64.35
L14	S 80°30'00"	E 451.67
L15	S 80°30'00"	E 451.67
L16	S 80°30'00"	E 451.67
L17	S 80°30'00"	E 451.67
L18	S 44°33'04"	E 307.85
L19	S 87°27'25"	E 164.91
L20	S 87°27'25"	E 164.91
L21	S 89°27'40"	E 201.90
L22	S 89°20'14"	E 310.43
L23	S 27°33'44"	E 254.45
L24	S 33°31'24"	E 466.55
L25	S 35°18'12"	E 405.89
L26	S 35°24'46"	E 261.15
L27	S 46°39'21"	E 247.67
L28	S 51°25'41"	E 155.91
L29	S 51°25'41"	E 155.91
L30	S 35°51'56"	E 135.48
L31	S 03°59'15"	E 240.63
L32	S 03°59'15"	E 240.63
L33	S 02°06'29"	E 414.54
L34	S 02°06'29"	E 414.54
L35	S 31°16'33"	E 281.83
L36	S 30°31'05"	E 410.49
L37	S 25°48'45"	E 170.47
L38	S 25°48'45"	E 170.47
L39	S 55°48'45"	E 14.92
L40	S 55°48'45"	E 14.92

TRUST DEED BENEFICIARY'S CONSENT

NEED COPY OF TRUST DEED, IF ANY, TO SET UP CONSENT SIGNATURE BLOCK.

OWNER'S DECLARATION

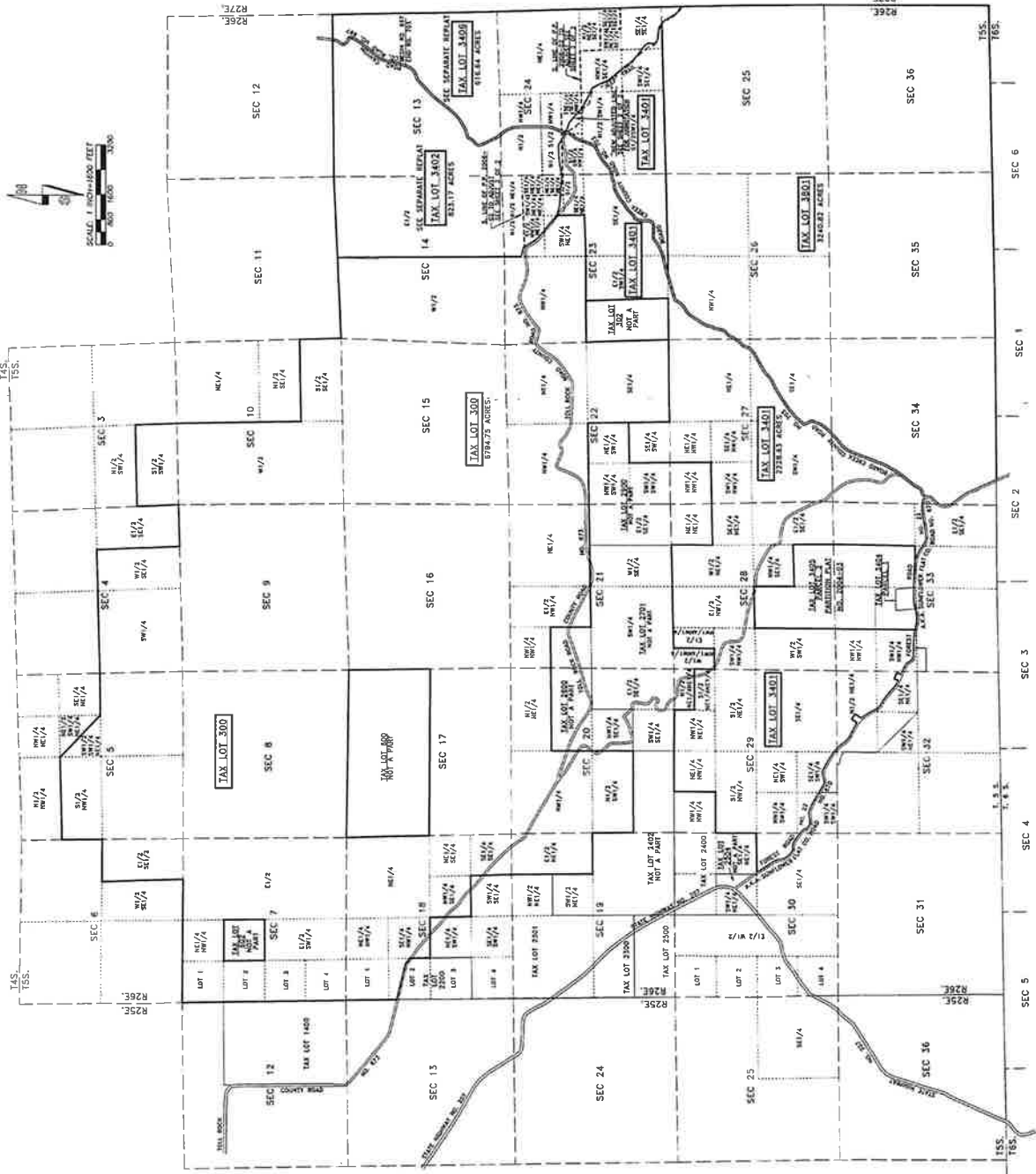
CAROL J. OTTMAR, AS OWNER OF THE LANDS DEPICTED ON THIS REPLAT AND DESCRIBED IN REAL PROPERTY DESCRIPTION IN THE SURVEYOR'S CERTIFICATE AND NARRATIVE, DO HEREBY ACKNOWLEDGE THAT I HAVE CAUSED THIS PARTITION REPLAT TO BE PREPARED AND THIS LAND REPLATED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92 AND THE DEVELOPMENT CODE OF MORROW COUNTY.

CAROL J. OTTMAR, OWNER
STATE OF OREGON
COUNTY OF _____) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022
BY CAROL J. OTTMAR

NOTARY PUBLIC FOR THE STATE OF OREGON
MY COMMISSION EXPIRES _____
MY COMMISSION NUMBER _____

CAROL J. OTTMAR/McELLIOTT, LLC SURVEY
 MAP SHOWING FINAL ADJUSTED
 TAX LOT LINES AND AREAS AFTER
 PROPERTY LINE ADJUSTMENTS
 SHEET 1 OF 2
 MAY, 2022



BOUNDARY TAX LOT OWNERS - FINAL MEASURED AREAS
 TAX LOT 300: McELLIOTT, LLC 0.79475 ACRES
 TAX LOT 301: McELLIOTT, LLC 0.79475 ACRES
 TAX LOT 302: McELLIOTT, LLC 0.79475 ACRES
 TAX LOT 303: McELLIOTT, LLC 0.79475 ACRES
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 TAX LOT 338: McELLIOTT, LLC 0.79475 ACRES
 TAX LOT 339: McELLIOTT, LLC 0.79475 ACRES
 TAX LOT 340: McELLIOTT, LLC 0.79475 ACRES

SECTION 3408, FORMERLY KNOWN AS PARCELS 1 OF PARTITION PLAT NO. 2008-02 AND TAX LOT 3408, FORMERLY KNOWN AS PARCELS 2 OF PARTITION PLAT NO. 2008-02, ARE BEING ADJUSTED TO THE CORRECTED AREA OF THE "NEW ADJUSTED LINE" OF THE "NEW ADJUSTED LINE".

REGISTERED PROFESSIONAL LAND SURVEYOR
PRELIMINARY
 DATE: MAY 22, 2022
 TIME: 10:00 AM
 PROJECT: WELLS SURVEYING 200 SW HAILLEY SUITE 108 FRENDELTOWN, OR 97801 PHONE: (541) 279-6362
 DATE: 06/25 DR. BY: DR. BY: 201-7354
 C.S. BY: 201-7354

MAP OF SURVEY LINE MONUMENTED FENCE LINE SHEET 2 OF 2

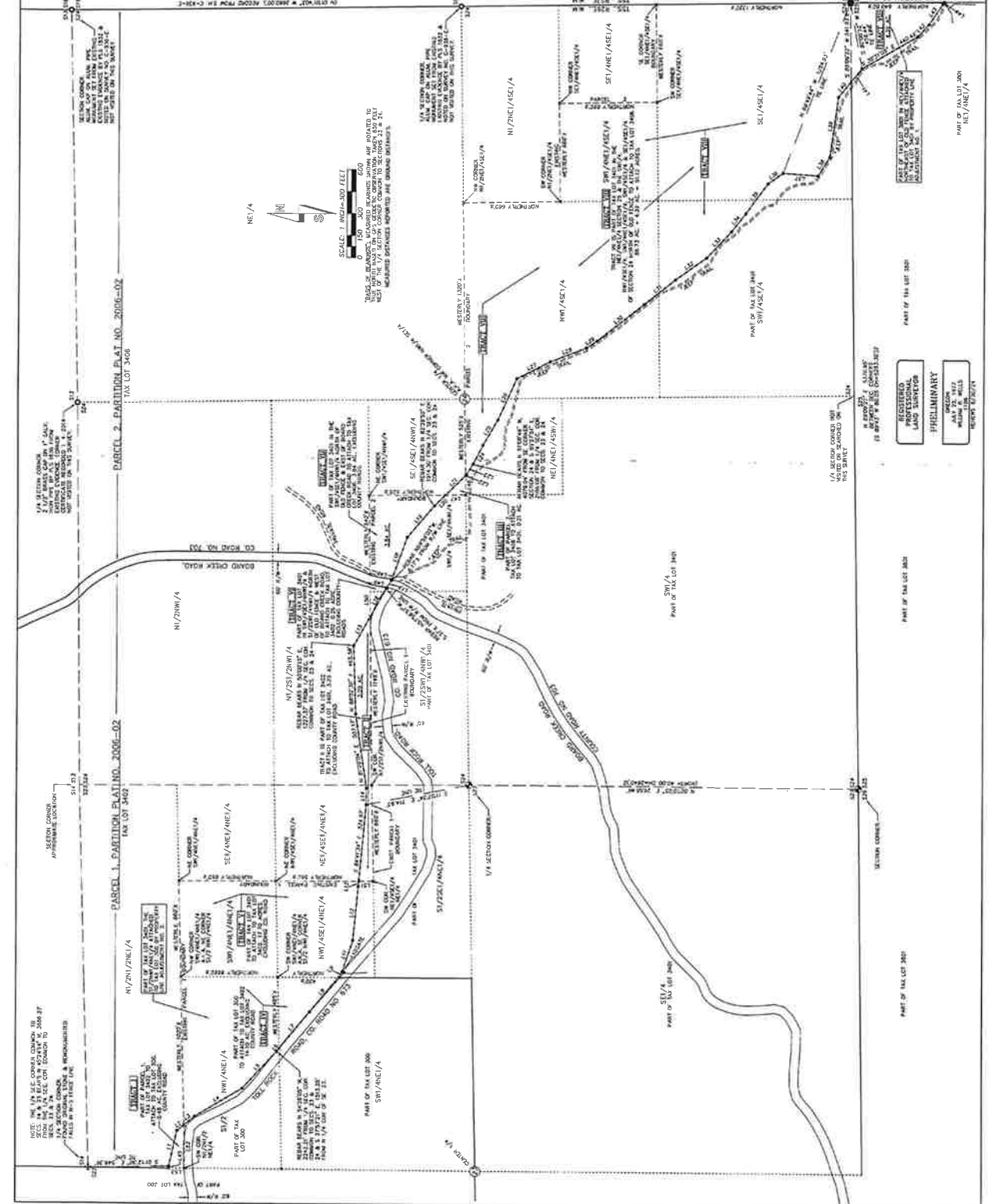
MAY, 2022

Table with 3 columns: SHORT LINE TABLE, LONG LINE TABLE, and SHORT LINE TABLE. It lists bearings and distances for various survey points.

LEGEND:
- THIS IS A RE-PLACEMENT OF THE ORIGINAL CAP MARKED 'B' AND 'C'...
- ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10

REMARKS:
- THE 3/4" SECTION CORNER...
- THIS SURVEY...
- ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10...

PROJECT: SURVEY FOR WELLS SURVEYING 200 SE HAILEY SUITE 108 P.O. BOX 1000 WYOMING 83001 PHONE (304) 274-6622 DATE: 05/11/2022 SHEET: 21 OF 31



SECTION CORNER APPROXIMATE LOCATION:
2 1/4" BRASS CAP IN 1" GALV. SUTURE STAKE (EAST) MARKS THE POINT.

SECTION CORNER:
ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10 IS LOCATED ON THE WEST SIDE OF THIS SURVEY.

SECTION CORNER:
ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10 IS LOCATED ON THE WEST SIDE OF THIS SURVEY.

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ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10 IS LOCATED ON THE WEST SIDE OF THIS SURVEY.

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SECTION CORNER:
ORIGINAL LOCATION OF SURVEY POINT NO. 2-141-10 IS LOCATED ON THE WEST SIDE OF THIS SURVEY.

NOTE: THE 1/4" SECTION CORNER IS PLACED AT THE INTERSECTION OF THE ORIGINAL AND RE-PLACEMENT SURVEY LINES.

NOTE: THE 1/4" SECTION CORNER IS PLACED AT THE INTERSECTION OF THE ORIGINAL AND RE-PLACEMENT SURVEY LINES.

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NOTE: THE 1/4" SECTION CORNER IS PLACED AT THE INTERSECTION OF THE ORIGINAL AND RE-PLACEMENT SURVEY LINES.



110 N Court St. • P.O. Box 788
 Heppner, OR 97836
 541-676-5613
 www.co.morrow.or.us

BOARD OF COMMISSIONERS

Jim Doherty, Chair
 Melissa Lindsay, Commissioner
 Don Russell, Commissioner

July 27, 2022

Christopher M. Clark,
 Senior Siting Analyst
 Oregon Department of Energy
 550 Capitol Street NE
 Salem, OR 97301

RE: Request for Comments on the Notice of Intent
 submitted by Tetra Tech Inc. for the proposed Echo
 Solar Project in Morrow County.

Dear Mr. Clark:

Thank you for the opportunity to comment on the Notice of Intent and to provide the applicable substantive criteria for the Echo Solar Project. The Morrow County Board of Commissioners also acts as the Special Advisory Group (SAG) as appointed by the Energy Facility siting Council (EFSC). As requested in your May 26, 2022 letter, Morrow County provides a response in accordance with OAR 345-015-0120, below.

OAR 345-015-0120 standards are shown below in bold, followed by a response in standard font.

- (a) The name, address and telephone number of the agency contact person assigned to review the application.** The local contact person is Tamra Mabbott, Planning Director, tmabbott@co.morrow.or.us, (541) 922-3226 X 5505
- (b) Comments on aspects of the proposed facility that are within the particular responsibility or expertise of the reviewing agency.**
 Morrow County has responsibility for land use planning and regulation, county road maintenance, construction and access management, weed control and solid waste. As part of our land use review process, we coordinate with local, state and federal agencies.
- (c) Recommendations regarding the size and location of analysis area.**
 In Figure 4 (Analysis Area Boundaries), the analysis area includes the Town of Lexington. Morrow County recommends the study area be expanded to include the City of Ione and the Cities of Heppner and Boardman. Ione, Heppner and Boardman offer more services such as food, dining, hotel and RV camping and will likely be impacted. The project is located in a remote, rural area and based on experience with other renewable energy construction projects in Morrow County, all towns within a 30-mile area are impacted. Some of those impacts are positive, for example, additional commerce for grocery and lodging businesses. Some of the impacts have had negative impacts, for

example temporary construction workers occupying non-permitted camping areas which presents public health and fire and safety concerns.

Other analysis areas proposed appear to be adequate.

- (d) A list of studies that should be conducted to identify potential impacts of the proposed facility and mitigation measures.** Based on adopted Morrow County ordinances, policies and plans, we would require the following: wildlife and habitat studies; an analysis of current noxious and invasive weeds and a mitigation plan; Traffic Impact Analysis; a review of possible flood and other hazards; a cultural resource analysis of the lands; an assessment of socioeconomic impacts.
- (e) If the applicant has identified one or more proposed corridors in Exhibit D of the NOI as required by OAR 345-020-0011(1)(d), a discussion of the relative merits of the corridors described in the NOI and recommendations, if any, on the selectin of a corridor;** Page 7 of the NOI claims the “facility will connect with the existing Umatilla Electric Cooperative (UEC) 230-kV BlueRidge Line...” However, it is not clear if the transmission will co-locate or require an additional line. Morrow County requests additional information about the transmission lines and their proposed locations. Additionally, where new transmission lines will be constructed as part of this solar facility, Morrow County requests that the transmission lines be permitted as part of this project in order to fully assess the impacts of the entire project, including the transmission lines.
- (f) A list of statutes, administrative rules and local government ordinances administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for determining compliance.** Morrow County applicable ordinances include the following: Morrow County Comprehensive Plan, Morrow County Zoning Ordinance, Morrow County Subdivision Ordinance, Morrow County Transportation System Plan, Morrow County Public Works Policy on Renewable Energy Development, Morrow County Solid Waste Ordinance, Morrow County Code Enforcement Ordinance, Morrow County Weed Control Ordinance, and the Morrow County Natural Hazard Mitigation Plan. A detailed list is attached and is also accessible on the county website.
- (g) A list of any permits administered by the agency that might apply to construction or operation of the proposed facility and a description of any information needed for reviewing a permit application.**
 Plan Amendment for Exception to Statewide Planning Goal 3
 Conditional Use Permit (including Articles 3,4 and 6 standards)
 Site Plan Review
 Zoning Permit
 Road Use Agreement (to be provided by county after completion of Traffic Analysis)
 Access Permits (to all county roadways)
- (h) For tribes affected by the proposed facility, a list of tribal codes that the tribe recommends to the Council for its review of the**

application and specific information regarding the proposed facility or study areas described in the NOI that is necessary for determining compliance with those tribal codes.

Morrow County is not a tribal entity. This standard does not apply.

Thank you for your consideration of comments regarding the Notice of Intent submitted by Tetra Tech, Inc. for the Echo Solar Project in Morrow County.

If you have any comments or questions about this or the Ordinances, Plans and Policies referenced herein, please contact me at (541) 922-4624 X 5505, tmabbott@co.morrow.or.us or Eric Imes, Morrow County Public Works Director, eimes@co.morrow.or.us, (541) 989-8584.


Thank you for your outreach consideration of applicable Morrow County policies, standards, plans and regulations.

Sincerely,

MORROW COUNTY BOARD OF COMMISSIONERS



Jim Doherty, Chair



Melissa Lindsay, Commissioner



Don Russell, Commissioner

Applicable Plans, Ordinances, Policies, Morrow County

Morrow County Comprehensive Plan (MCCP)

Citizen Involvement Policies
 General Land Use Policies
 Agricultural Lands Policies
 Economic Policies
 Housing Policies
 Public Facilities and Services
 Policies
 Energy Policies

<https://www.co.morrow.or.us/planning/page/comprehensive-plan>

Morrow County Zoning Ordinance (MCZO)

Article 3 Section 3.00 Exclusive Farm
 Use Zone

Section 3.010(B)24 and (25), 3.010
 (D)(9) and D (10) utility facility service
 lines and utility facilities necessary for
 public service.

Section 3.010(N) Transportation Impacts

Article 3.010(C)(24) solar facilities and (K)(3)
 commercial Facilities for Generating Power,
 Photovoltaic Solar Power Generation Facility.

Article 4 Supplementary Procedures (relative to access, parking and related measure)

Section 4.165 Site Plan Review

Section 4.170 Site

Development Review Article 6

Conditional Uses

Section 6.020 General

Criteria

Section 6.025 Resource Zones Standards for Approval (same as ORS
 215.296)

Section 6.030 General

Conditions

Section 6.040 Permit and Improvements

Assurance

<https://www.co.morrow.or.us/planning/page/zoning-ordinance>

Oregon Revised Statutes and Oregon Administrative Rules

ORS 215.243 Agricultural Lands Policy

ORS 215.296 standards for approval of certain uses in EFU Zones

https://www.oregonlegislature.gov/bills_laws/ors/ors215.html

OAR 660-033-0130 (38) Standards for solar facilities.

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3083>

OAR 660-004 Exception Process for Goal 3 Exception

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3054>

Morrow County Transportation System Plan (TSP)

Chapter 6 Transportation System Plan Appendix D Traffic Impact Analysis Guidelines

Road Use Agreement (sample to be provided)

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/12211/tsp_complete_document.pdf

Morrow County Public Works Renewable Energy Project Development Policy

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/1141/renewable_energy_development_policy_september2010.pdf

Morrow County Solid Waste Management Ordinance Section 5.000 Public Responsibilities

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2181/ordinance2008update-1.pdf

Morrow County Code Enforcement Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/11881/2019_code_enforcement_final_.pdf

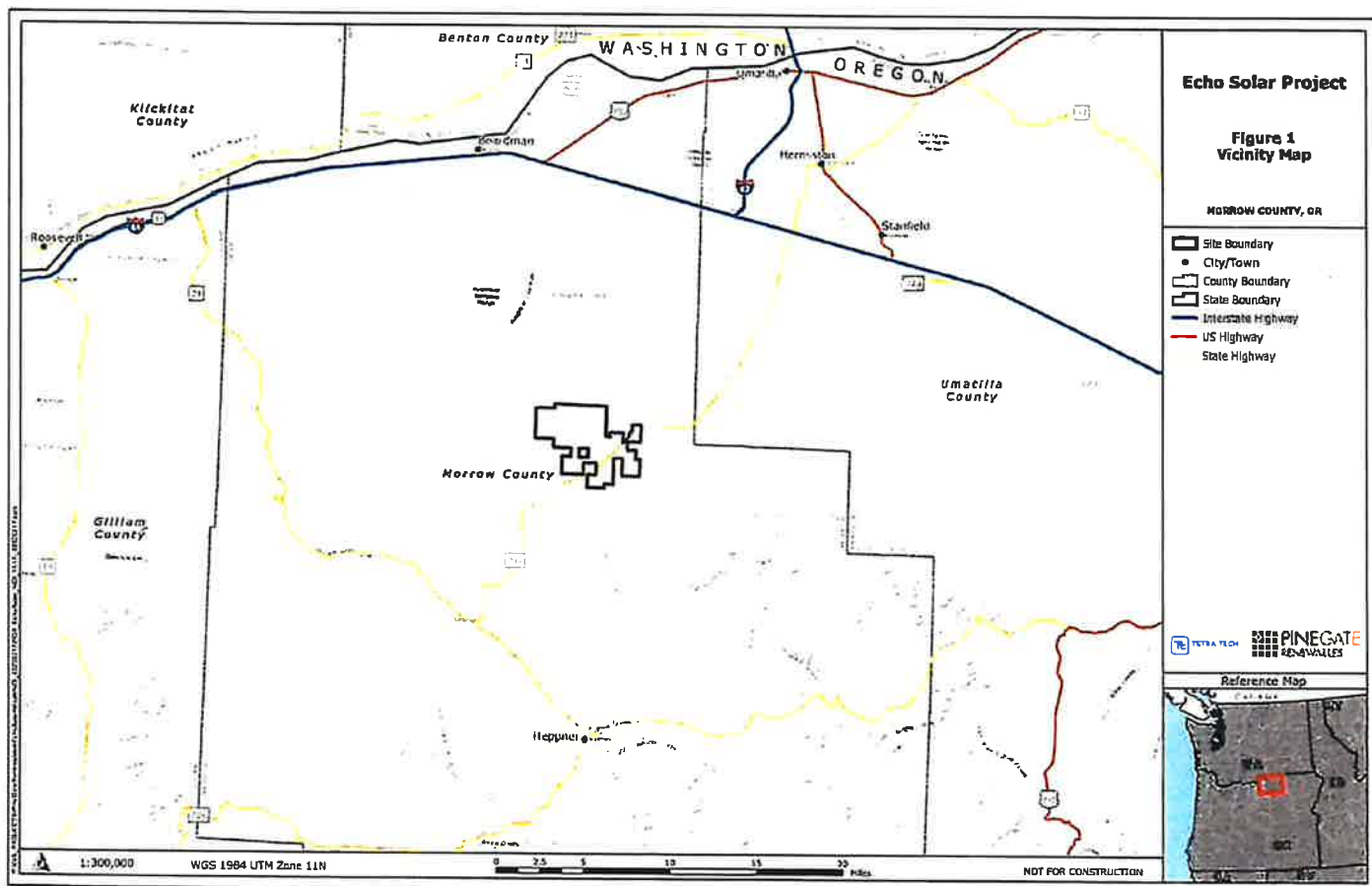
Morrow County Weed Control Ordinance

https://www.co.morrow.or.us/sites/default/files/fileattachments/public_works/page/2361/morrow_county_weed_ordinance.pdf

Morrow County Multi-Jurisdictional Natural Hazard Mitigation Plan

https://www.co.morrow.or.us/sites/default/files/fileattachments/planning/page/2451/nhmp_2016_-_final_adoption.pdf







Hilary Foote

Farm/Forest Specialist | Community Services Division
 Oregon Department of Land Conservation and Development
 635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
 Cell: 503-881-9249 hilary.foote@dlcd.oregon.gov | www.oregon.gov/LCD

From: CLARK Christopher * ODOE <Christopher.CLARK@energy.oregon.gov>
Sent: Wednesday, September 7, 2022 11:57 AM
To: FOOTE Hilary * DLCD <Hilary.FOOTE@dlcd.oregon.gov>; JININGS Jon * DLCD <Jon.JININGS@dlcd.oregon.gov>; JOHNSON James * ODA <James.JOHNSON@oda.oregon.gov>
Cc: CORNETT Todd * ODOE <Todd.CORNETT@energy.oregon.gov>; ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>; HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>; HERT Dawn * DLCD <Dawn.HERT@dlcd.oregon.gov>
Subject: RE: Request for Agency Comments on Notice of Intent on Echo Solar Project in Morrow County

Hi Hilary,

Thanks for sending these comments. I just wanted to confirm that we received and have forwarded to the applicant for their consideration. We will also include the requests for farmland classification analysis and agricultural use history in the project order. It would be helpful to discuss your comments on cumulative impacts more at some point, especially since this isn't the only solar project we are currently reviewing in Morrow County.

Thank again,



Christopher M. Clark
 Senior Siting Analyst
 550 Capitol St. NE | Salem, OR 97301
christopher.clark@energy.oregon.gov
 P: 503-871-7254



Stay connected!

From: FOOTE Hilary * DLCD <Hilary.FOOTE@dlcd.oregon.gov>
Sent: Friday, August 26, 2022 2:36 PM
To: CLARK Christopher * ODOE <Christopher.CLARK@energy.oregon.gov>; JININGS Jon * DLCD <Jon.JININGS@dlcd.oregon.gov>; JOHNSON James * ODA <James.JOHNSON@oda.oregon.gov>
Cc: CORNETT Todd * ODOE <Todd.CORNETT@energy.oregon.gov>; ESTERSON Sarah * ODOE <Sarah.ESTERSON@energy.oregon.gov>; HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>; HERT Dawn * DLCD <Dawn.HERT@dlcd.oregon.gov>
Subject: RE: Request for Agency Comments on Notice of Intent on Echo Solar Project in Morrow County

Thank you for reaching out Chris.

DLCD does have concerns about this proposal and would like to offer the following comments:

- DLCD would like to see the farmland classification analysis as it relates to ORS 195.300(10). The property is in active farm use for dryland wheat cultivation. In reviewing the property on [OWRD's Water Right Information Search interactive map](#), it appears that the property has had irrigation rights for quite some time and has an active irrigation allocation this year. If that is the case, the land is appropriately classified as High Value Farmland under ORS 195.300(10)(a) and (c) given that the proposed project is located on soils that are prime if irrigated and have high value capability class under ORS 215.710 if irrigated, and the subject property appears to be a place of use associated with an irrigation water right.
- According to USDA NASS, 165,386 acres in Morrow County are in use for wheat cultivation and approximately 111,486 acres in Morrow county are irrigated. The subject property represents just under 10% of the land devoted to wheat cultivation in the County. We are concerned that the conversion of 10,000 acres of high-value farmland to solar development in Morrow represents a substantial portion of the cultivated land in the county has the potential to significantly impact the farming economy in the area. We would like to understand the history of agricultural use on the subject property and to see the potential impact of the removal of the subject property from agricultural use on the local agricultural economy addressed in the ESEE.
- Cumulatively, over 21,000 acres of farmland in Morrow County are either under review by the County and EFSC, or have been permitted for conversion to solar development. All but one of these projects have requested or obtained Goal exceptions to statewide planning Goal 3 as part of their application process because they cannot meet the renewable energy development standards established by the state to allow development and protect agricultural lands in conformance with the values articulated in the State's legislative Agricultural Lands Policy at ORS 215.243. For comparison, since 1987 just over 40,000 acres of farmland statewide has been rezoned through an exceptions or non-resource process or an Urban Growth Boundary expansion. It is notable that half the amount of land rezoned in the entire state over the last 35 years has been permitted or proposed for solar development through the exceptions process in Morrow County alone in just the past few years.

Thank you for considering these concerns and comments and we would be more than happy to discuss them further with ODOE staff if there are any questions.

Regards,



Hilary Foote

Farm/Forest Specialist | Community Services Division
 Oregon Department of Land Conservation and Development
 635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
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From: CLARK Christopher * ODOE <Christopher.CLARK@energy.oregon.gov>

Sent: Monday, August 15, 2022 11:03 AM