

**ENCLOSURE 1**

**ERM Memo: Response to DLCD Board Comments on  
Applicant's Alternatives Analysis**

**Memo**

<b>To</b>	Rowan Percheron Team
<b>From</b>	ERM
<b>Date</b>	30 August 2023
<b>Reference</b>	Percheron Data Center Project, Morrow County, Oregon
<b>Subject</b>	Response to DLCD Board Comments on Applicant's Alternatives Analysis

## 1. INTRODUCTION

Rowan Percheron, LLC (Applicant) provides this memorandum in response to comments received from the Oregon Department of Land Conservation and Development (DLCD), dated August 15, 2023, ahead of the August 16, 2023 hearing before the Board of County Commissioners (Board). This memorandum supplements Applicant's Complete Alternatives Analysis. Applicant's Complete Alternatives Analysis is comprised of the following documents:

- MC Rec Exhibit 6, Appendix D Alternatives Analysis in the Application;
- MC Rec Exhibit 48, Supplemental Figure 6g Project Parcel;
- MC Rec Exhibit 59, Supplemental Alternatives Analysis Tech Memo; and
- MC Rec Exhibit 82, Amended Supplemental Alternatives Analysis Tech Memo.

This memo further supplements the Complete Alternatives Analysis and should be considered a part of the Complete Alternatives Analysis once entered into the record by the Board.

In their comment letter, DLCD raised questions concerning Applicant's Complete Alternatives Analysis, essentially questioning whether Applicant had fully evaluated alternative sites that appeared to be readily available based on internet research. In particular, DLCD raised concerns about whether sites within or adjacent to existing urban growth boundaries (UGBs) could be accommodated instead of the proposed Project Parcel. In total, DLCD identified nine sites as potential alternative locations for the proposed data center development. Of those nine sites, Applicant had already evaluated the locations within Morrow and Umatilla counties and provided its evaluation in the Complete Alternatives Analysis, a fact that DLCD does not account for in its comments. DLCD's list of alternative sites is based on an internet search only and does not take into account any of the siting criteria developed by Applicant or overall considers the needs of Applicant's project.

### 1.1 Summary of Applicant's Siting Criteria

The Complete Alternatives Analysis provides a full discussion of Applicant's eight siting criteria that Applicant applied to determine whether a particular site may be a reasonable alternative under the required goal exception rules. DLCD does not appear to be questioning the reasonableness of Applicant's eight siting criteria, only that the application of the siting criteria did not result in an alternative site within an urban or industrial zone.

As explained more fully in the Complete Alternatives Analysis, no one siting criterion was determinative in site selection; each factored into whether a potential site was “reasonable” to accommodate the proposed data center development. The eight siting criteria are listed below:

1. Access to Electrical Infrastructure and Power Availability
2. Water Supply and Discharge
3. Land Characteristics
4. Environmentally Sensitive Resources and Protected Areas
5. Road Access
6. Fiber Network Connectivity
7. Land Use and Zoning
8. Financial Feasibility

## 2. DLCD’S NINE ALTERNATIVE SITES

Applicant reviewed the nine alternative sites provided in DLCD’s August 15<sup>th</sup> comment letter. DLCD identified alternative sites in figures attached to its comment letter. Applicant numbered the sites for ease of the following analysis. Below is a discussion of each site and a summary is attached as **Table 1**.

### 2.1 Umatilla County

#### 2.1.1 DLCD Site 1 - Columbia Development Authority Lands

DLCD identified land owned by the Columbia Development Authority in Umatilla County as a potential alternative. See **Figure 1 and 1b**. This site was addressed and discussed in the Complete Alternatives Analysis as Alternative Site 2 (Army Depot). Applicant considered portions of Alternative Site 2 (Army Depot) and evaluated the site for suitability and feasibility against the eight siting criteria. Applicant found that the site was not reasonable to accommodate the proposed data center because there was no available power capacity within acceptable distance (Criterion 1) and prior uses raised serious concerns related to potential contamination and development in proximity to contamination (Criterion 3). Also, at the time Applicant evaluated Alternative Site 2, there was uncertainty around the title and availability of the site (Criterion 3). See MC Rec Exhibit 6 and Exhibit 82.

#### 2.1.2 DLCD Site 2 - West Umatilla County – UGB and Industrial Zoned Lands

DLCD identified land zoned industrial in west Umatilla County as potential alternatives. See **Figure 2 and 2b**. Figure 2 identifies large swaths of land located in the cities of Umatilla, Hermiston, Stanfield, and Echo as well as lands within existing UGBs and industrial lands outside of the urban areas. Some of these lands were addressed and discussed in the Complete Alternatives Analysis, including specifically Alternative Sites 3 (Pedro Land Company) and 4 (JR Simplot). See MC Rec Exhibit 6. In addition, Applicant considered portions of these lands and previously discussed and addressed its reasoning in the

Applicant's Overarching Assessment: Umatilla County RLIZ, LRLIZ, and HI zones as well as possible sites within and proximate to UGBs. See Applicant's Supplemental Amended Alternatives Analysis Technical Memo (MC Rec Exhibit 82), Sections 1.2 and 1.3. Applicant reviewed and analysed the Umatilla County UGBs and found that these areas, overall, were already occupied with development or did not meet other siting criteria requirements such as available transmission capacity (Criterion 1), fiber network (Criterion 6), topography (Criterion 3), and environmentally sensitive resources and protected areas (Criterion 4). Areas outside of the Umatilla County UGBs allowing data centers to be permitted outright are already committed to other uses and infrastructure and not available (Criterion 3).

With respect to the ability to site within an existing UGB, Applicant could not find a reasonable alternative within a UGB that, on balance, met the eight siting criteria. DLCD has not identified such a site with any specificity that warrants further evaluation. Applicant was also unable to fully explore an UGB Expansion as a reasonable alternative based on the temporal and cost constraints included in its siting criteria, such as power delivery within 24-36 months of initial load interconnection application, ability to permit a site within 1 year of less to meet the Applicant's commercial operation date, fiber network providers' willingness and ability to meet the proposed development's needs within 12 months, and Applicant's need that costs for land, energy, water, fiber easements, grading, and environmental mitigation be aligned with the financial feasibility goals for the proposed development. Applicant nevertheless engaged with cities in the area, particularly city of Hermiston, but timing of achieving a UGB expansion, a process that typically takes multiple years, was an insurmountable constraint.

## 2.2 Port of Morrow

### 2.2.1 DLCD Site 3 - Port of Morrow – Airport Industrial Park

DLCD identified land within the Port of Morrow's Airport Industrial Park (POM Airport Park) as potential alternatives. See **Figure 3, 3b and 3c**. These lands were addressed previously when Applicant evaluated the possibility of siting on Morrow County MG, PI, and ALI zones as well as the SAI zone in the Complete Alternatives Analysis. See MC Exhibit 59 and Exhibit 82. The POM Airport Park was raised by the Planning Commission as a potential alternative and Applicant addressed the reasonableness of it in both the Supplemental Alternatives Analysis Tech Memo (Exhibit 59) and the Amended Supplemental Alternatives Analysis Tech Memo (Exhibit 82).

On balance, these lands did not satisfy Applicant's siting criteria, primarily Criterion 1, power availability. The land was in an area with previously queued load requests and severe transmission congestion. In addition, other industrially zoned land in the POM Airport Park was otherwise secured by third parties or in active cultivation for pivot crops and therefore not available for sale or lease. Consequently, lands within those areas also did not meet Criterion 3, land characteristics size and availability. See Threemile Canyon Farm testimony before the Planning Commission and attached **Appendix A** for letter from Port of Morrow regarding the availability of these sites.

### 2.2.2 DLCD Site 4 - Port of Morrow – East Beach Industrial Park

DLCD identified land within the Port of Morrow's East Beach Industrial Park (POM East Beach) as potential alternatives. See **Figure 3**. These lands are not available (Criterion 3) (see **Appendix A** from the port of Morrow regarding the availability of sites in POM East Beach). Further, this area faces similar issues to the POM Airport Park with respect to severe transmission congestion (Criterion 1).

### **2.2.3 DLCD Site 5 - Port of Morrow – Boardman Industrial Park**

DLCD identified land within the Port of Morrow’s Boardman Industrial Park (POM Boardman Park) as potential alternatives. See **Figure 4**. Applicant studied the area and found that the site was not reasonable due to previously queued load requests and severe transmission congestion (Criterion 1), making the site unsuitable for the proposed development. In addition, sites within that area were not available for sale or lease (Criterion 3).

### **2.2.4 DLCD Site 6 - Port of Morrow – South Morrow Industrial Park**

DLCD identified the Port of Morrow’s South Morrow Industrial Park as a potential alternative. See **Figure 5**. This site is an old mill site located outside of the city of Heppner. Applicant previously evaluated this site in Sections 1.3.2 and Figure 1 b of the Supplemental Amended Alternatives Analysis Tech Memo (Exhibit 82). While the site is zoned general industrial, it is in a floodplain and was not considered a reasonable alternative under Criterion 4 as well as Criterion 1.

### **2.2.5 DLCD Site 7 - Port of Morrow – Industrial Sites for lease/sale**

DLCD identified other industrial sites for sale or lease on the Port of Morrow’s website. See **Figure 6**. However, it appears that this listing references back to other POM sites, like POM Airport Park, POM East Beach, and POM Boardman Park. Applicant could not identify which sites DLCD may be implying could be alternatives based on the information provided. Applicant considered sites for sale or lease from the Port of Morrow in its Complete Alternatives Analysis, in particular POM Airport Park and POM East Beach but none of those sites were reasonable based on Applicant’s eight siting criteria.

## **2.3 Gilliam County - Port of Arlington**

### **2.3.1 DLCD Site 8 - Port of Arlington- Mesa Airport and Industrial Park**

DLCD identified the Port of Arlington’s Mesa Airport and Industrial Park as potential alternatives in Gilliam County, Oregon. See **Figure 7**. These sites have constrained parcel size, topography and availability (Criterion 3), and face congested transmission (Criterion 1).

### **2.3.2 DLCD Site 9 - Port of Arlington- Shuttler Station**

DLCD identified the Port of Arlington’s Shuttler Station located in Gilliam County, Oregon. This location could not meet Criterion 3 (constrained land availability) and was located in portions of the flood zone (Criterion 4). See **Figure 8**.

## **3. ACCESS TO ELECTRICAL INFRASTRUCTURE AND POWER AVAILABILITY**

DLCD provided a figure on page 8 of their August 15 comment letter identifying transmission and substations within the region of Morrow and Umatilla counties. The figure and DLCD’s comments, however, do not expand on the purpose of the figure or how it relates to DLCD’s questions concerning Applicant’s alternatives analysis. It shows the location of existing transmission and electrical infrastructure without expanding on availability of transmission capacity or queue availability. The figure also shows electrical and transmission infrastructure of all scale (including taps that are not viable for interconnection for a data center project). Rowan required a 115 kV line or substation at a minimum and preferred 230 kV or greater. DLCD’s comments fail to take into consideration the availability of interconnection or the capacity of available existing or planned infrastructure. Applicant recognizes that one of the common

themes throughout the Applicant's site selection process is power and infrastructure availability and feasibility, Siting Criterion 1. Applicant has conducted a review of the BPA queue positions and information regarding energy capacity available in the region when siting the proposed data center development. See **Appendix B**. Appendix B is provided to help explain the complexity of evaluating transmission capacity and timing, elements critical for a data center development that requires considerable power supply.

#### 4. GOAL 14, OAR 660-014-0040(3)(A)

DLCD questioned whether Applicant has sufficiently addressed OAR 660-014-0040(3)(a) in its goal exceptions analysis, which provides:

*“(3) To approve an exception under section (2) of this rule, a county must also show:*

*(a) That Goal 2, Part II (c)(1) and (c)(2) are met by showing that the proposed urban development cannot be reasonably accommodated in or through expansion of existing urban growth boundaries or by intensification of development in existing rural communities.”*

Within Umatilla and Morrow counties, there are cities within existing UGBs, although DLCD identified none with specificity. Applicant previously engaged with Boardman, Heppner, Irrigon, Hermiston, Lone, and Lexington to discuss the proposed project. Further, Applicant inquired with City of Hermiston about the timeline and possibility for a UGB expansion to accommodate the project. See City of Hermiston email to Planning Department, dated June 24, 2023, included as **Appendix C**. Finally, Applicant addressed land within existing UGBs and near UGBs in Section 1.3 of the Supplemental Amended Alternatives Analysis Tech Memo (Exhibit 82). See **Figure 9**.

In Applicant's selection process and alternatives methodology, Applicant reviewed the Morrow and Umatilla UGBs and found that these areas, overall, were already occupied with development or did not meet other siting criteria requirements such as available transmission capacity (Siting Criterion 1), fiber network (Siting Criterion 6), topography (Siting Criterion 3), and environmentally sensitive resources and protected areas (Siting Criterion 4). The Applicant's analysis of lands outside of Morrow County's UGBs revealed no reasonable alternatives. Umatilla County's UGBs include limited areas that fall within the zones that allow data centers to be permitted, as all of these zoned areas are already occupied with existing infrastructure or development (Siting Criterion 3 and 7). Other areas of Umatilla also yield no reasonable alternatives as areas are already occupied with existing development or did not meet the power and financial feasibility requirements (Siting Criterion 3, 1 and 8) or those areas presented environmental constraints, including wetlands and floodplains (Siting Criterion 4).

Applicant was also unable to fully explore an UGB Expansion as a reasonable alternative based on the temporal and cost constraints included in its siting criteria, such as power delivery within 24-36 months of initial load interconnection application(Criterion 1), a site must be permissible within 1 year of less to meet Applicant's commercial operation date (Criterion 4), fiber network providers must be willing and able to meet the Projects needs within 12 months (Criterion 6), and Applicant requires that costs for land, energy, water, fiber easements, grading, and environmental mitigation be aligned with the financial feasibility goals for the Project (Criterion 8.)

Therefore, based on Applicant's inquiries and analysis, a UGB expansion was not an option to accommodate the project at the time of Applicant was identifying potential sites. The proposed data center development could not be reasonably accommodated within an existing UGB or rural community given the time it would take to expand an existing UGB, or for the lack of land satisfying, on balance, Applicant's eight siting criteria.

FIGURE 1 and 1b – DLCD SITE 1

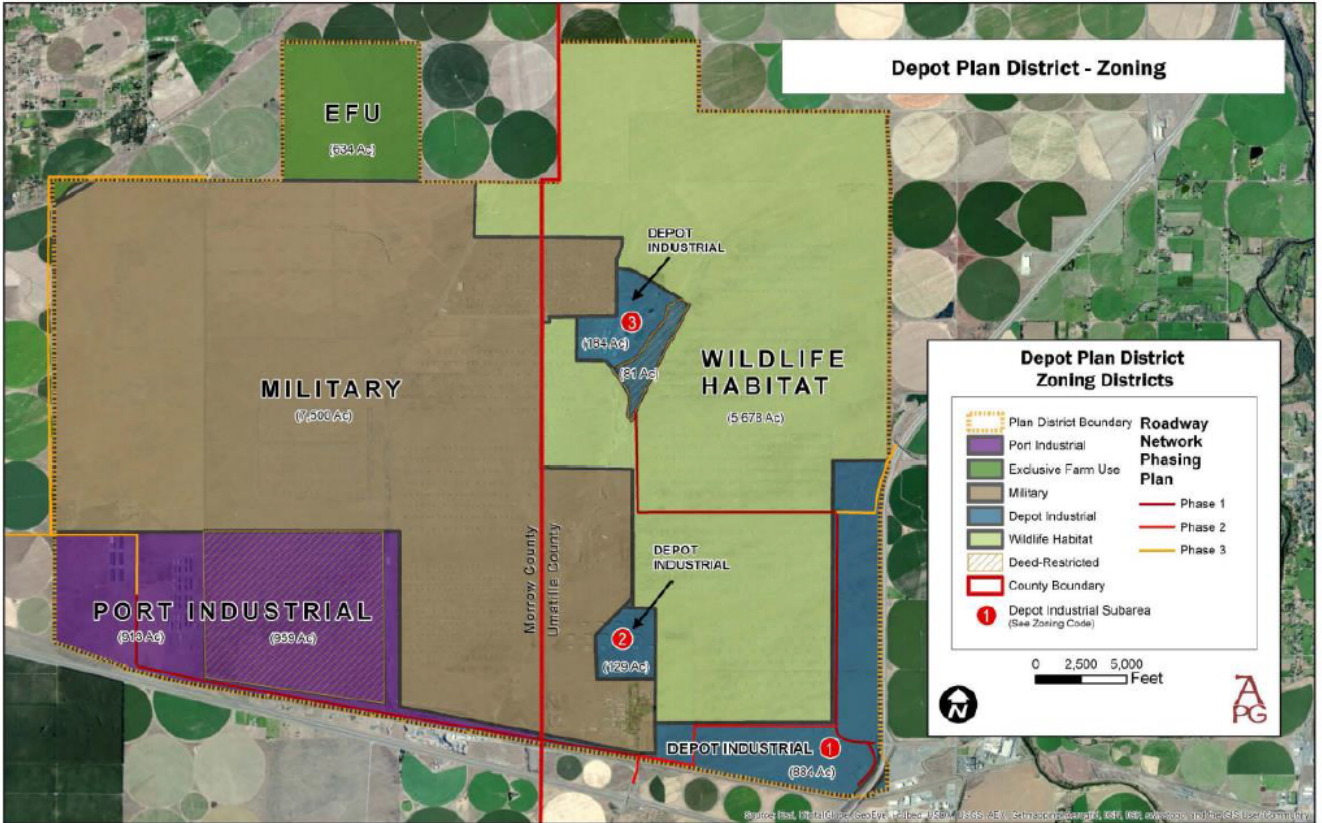
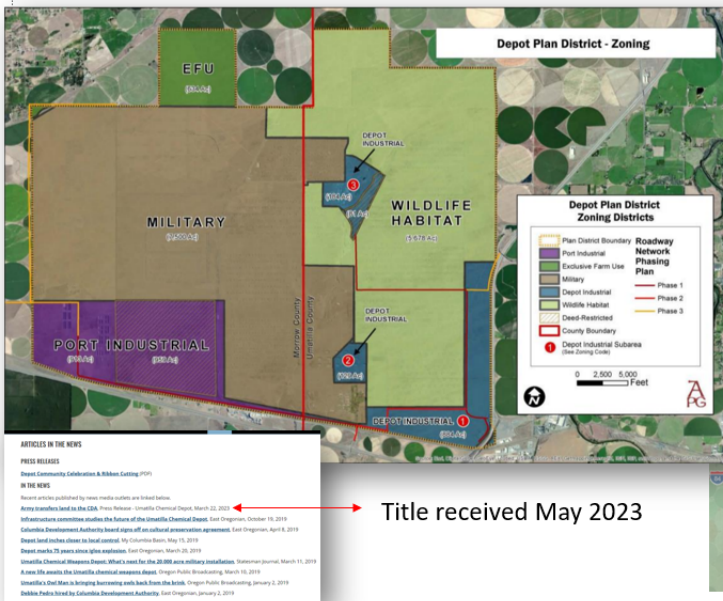


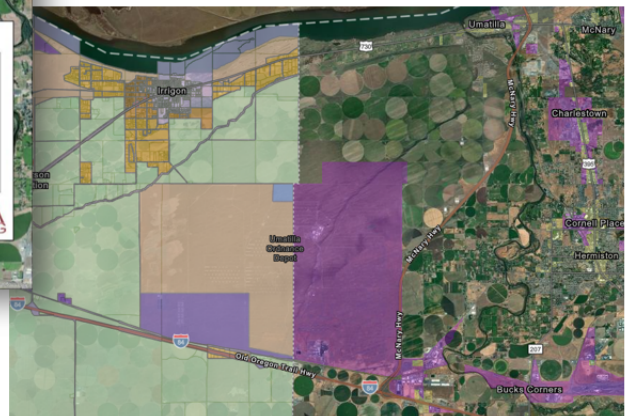
Figure 1b - Columbia River Development Authority- “At Time of Investigation”

Subtitle if Applicable



Adverse Siting Criteria

- Title uncertainty at the time of investigation Spring 2021
- Lack of Transmission Infrastructure
- Congested transmission network
- Proximity to Super fund site

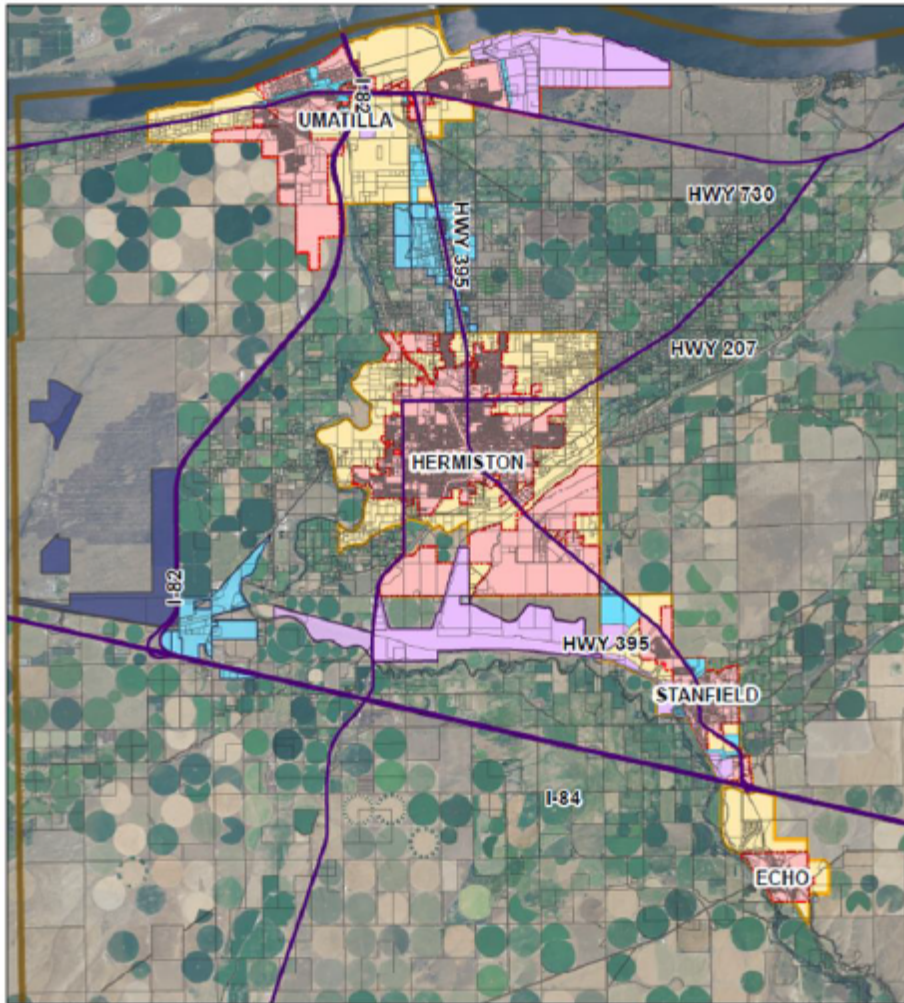


Title received May 2023



**FIGURE 2 and 2b – DLCD SITE 2**

**West Umatilla County – Industrial Zoned Lands**  
Source: Umatilla County Planning (Copied map NTS)



**West Umatilla County Industrial Zoned Areas**  
**Legend**

- Depot Industrial Zone
- Light Industrial Zone
- Heavy & General Industrial Zone
- City Limits
- Urban Growth Boundary

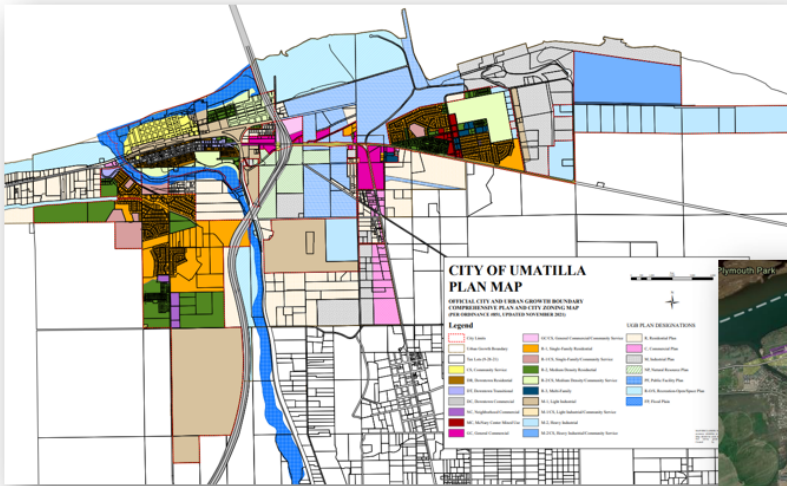
0 1 2 4 Miles



Map Disclaimer: No warranty is made by Umatilla County as to the accuracy, reliability or completeness of the data. Parcel data should be used for reference purposes only. Created by M. Green, Umatilla County Planning Department Date: 2/6/2020

Figure 2b - West Umatilla Industrial Area – “At the Time of Investigation”

Subtitle if Applicable



Adverse Siting Criteria

- Heavily congested Transmission Grid
- Lack of available Capacity
- Appropriately zoned lands not available
  - AWS had secured the bulk of the lands
  - Sabey had also secured much of the lands
  - Logistics Companies had secured the lands near I-84

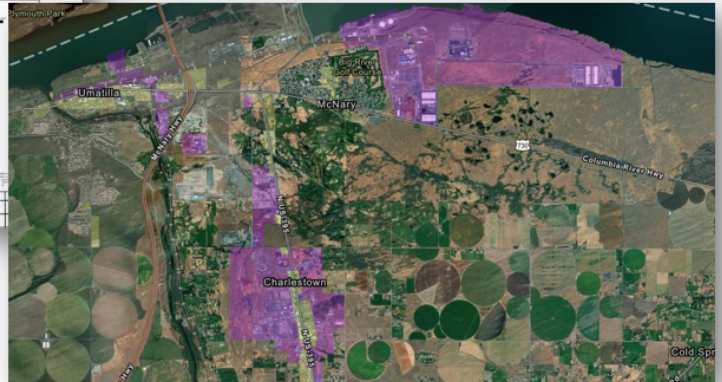
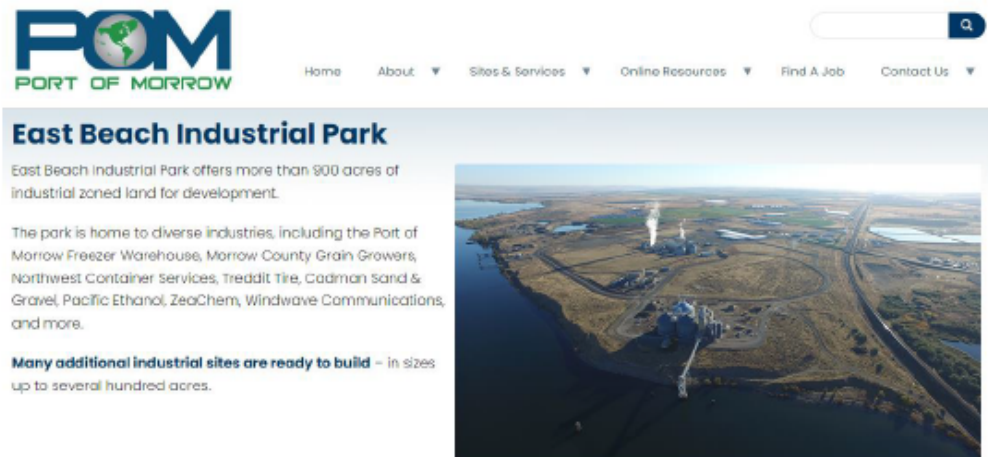
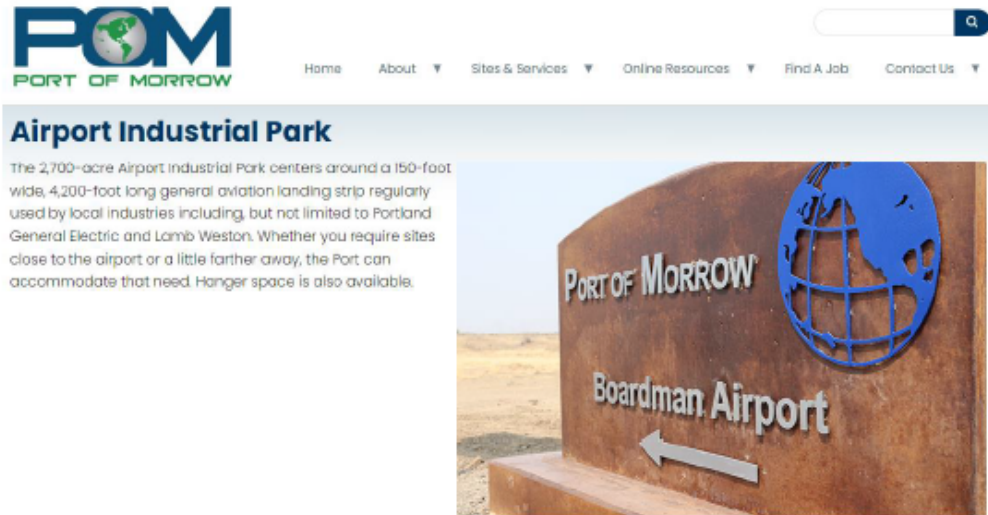


FIGURE 3, 3b and 3c – DLCD SITE 3 and Site 4





### Figure 3b Port of Morrow Airport Industrial area - "At the Time of Investigation"

Subtitle if Applicable



Port of Morrow Land availability or lack thereof.

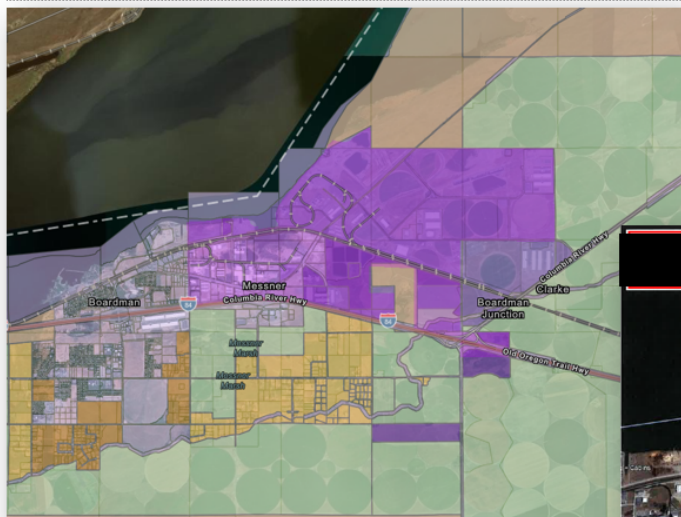
- Congested Transmission
- Lack of available lands



Port of Morrow provided map

### Figure 3c Port of Morrow EAST BEACH Area – "At the Time of Investigation"

Subtitle if Applicable



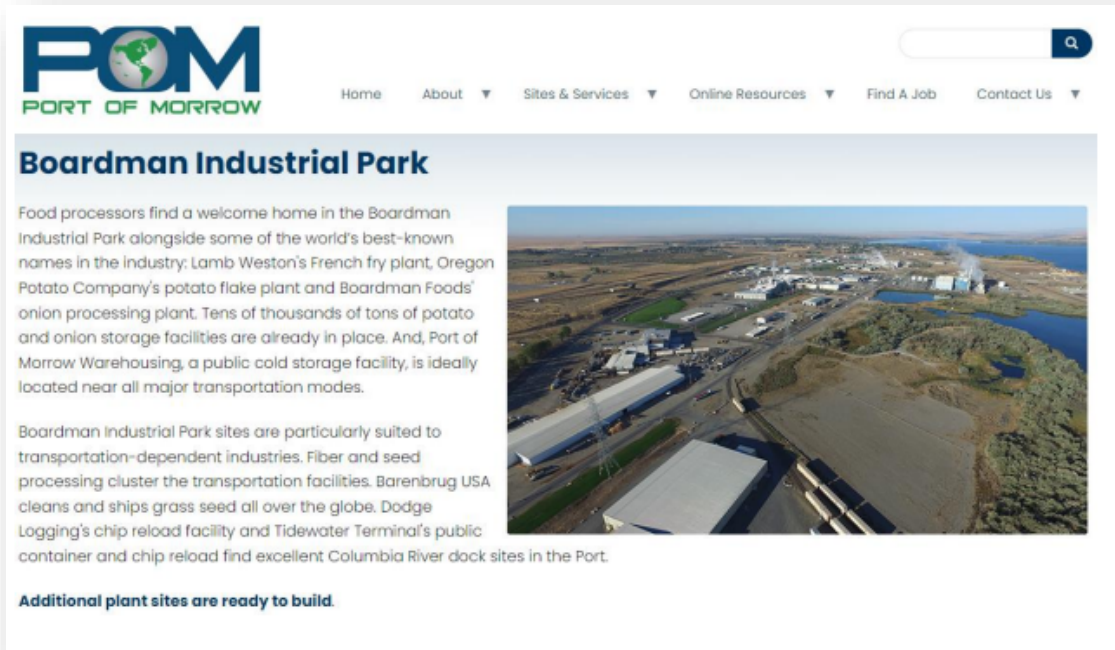
Port of Morrow Land availability or lack thereof.

- Transmission Congestion
- Lack of Capacity
- Lack of available lands

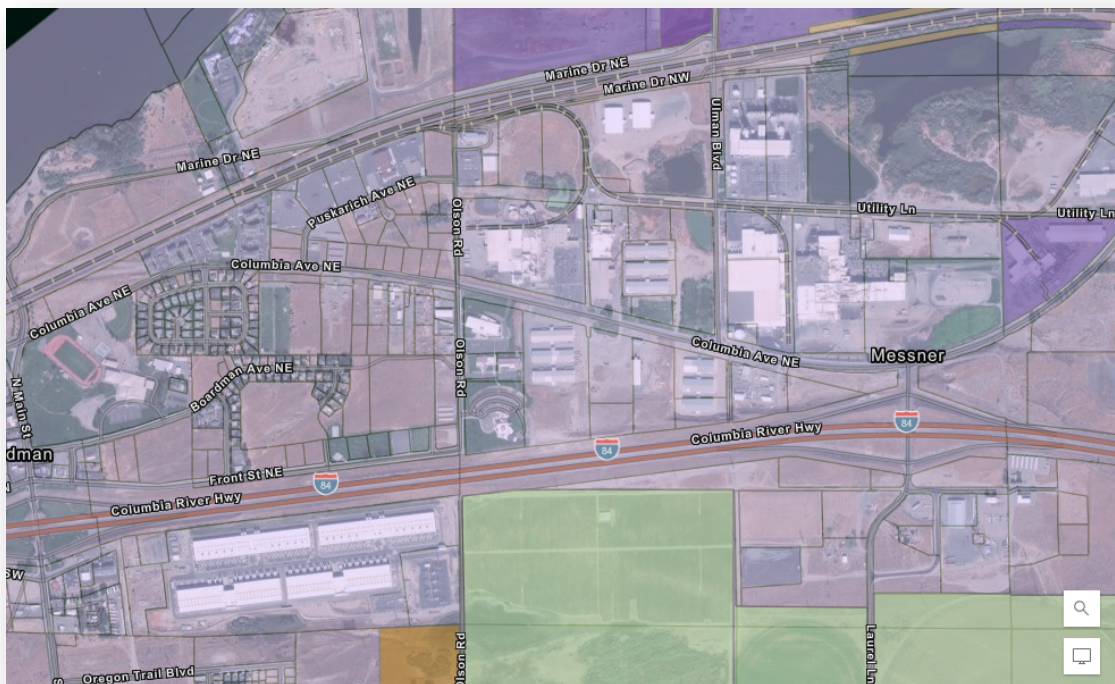


Port of Morrow provided map

FIGURE 4 – DLCD Site 5



The screenshot shows the 'Boardman Industrial Park' page on the Port of Morrow website. The header includes the 'PORT OF MORROW' logo and a navigation menu with links for Home, About, Sites & Services, Online Resources, Find A Job, and Contact Us. The main content area features an aerial photograph of the industrial park and two paragraphs of text. The first paragraph describes the park as a hub for food processors, mentioning Lamb Weston's French fry plant, Oregon Potato Company's potato flake plant, and Boardman Foods' onion processing plant. It also notes the presence of tens of thousands of tons of potato and onion storage facilities and the Port of Morrow Warehousing facility. The second paragraph highlights the park's suitability for transportation-dependent industries, listing fiber and seed processing, Barenbrug USA's grass seed operations, Dodge Logging's chip reload facility, and Tidewater Terminal's public container and chip reload facilities. A bolded line of text at the bottom states, 'Additional plant sites are ready to build.'



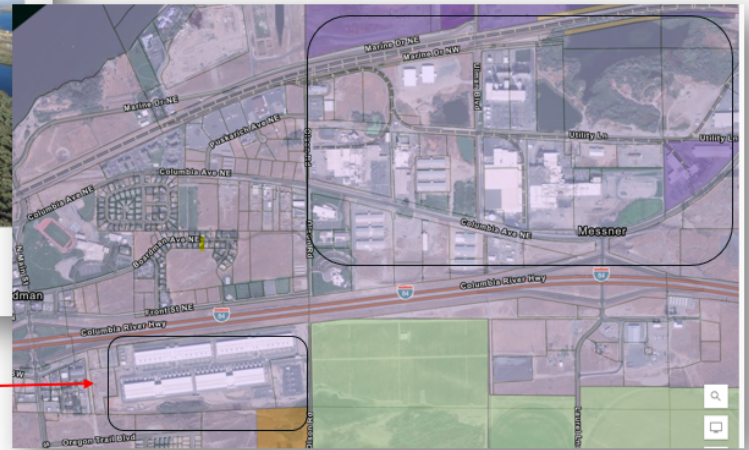
## Figure 4 - Boardman Industrial Park

Subtitle if Applicable



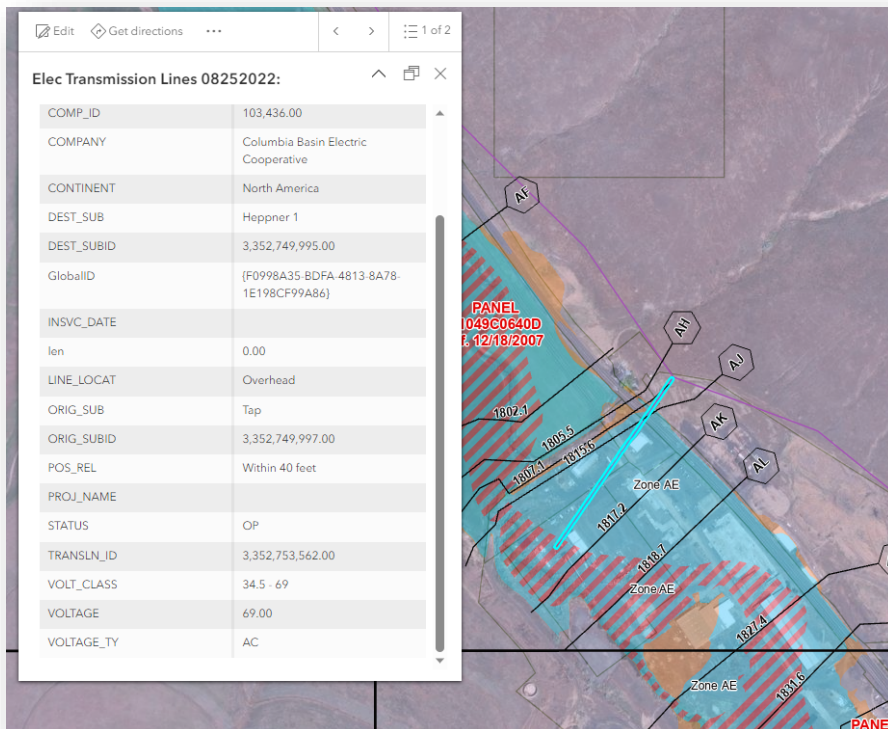
### Adverse Siting Criteria-

- *Transmission Congestions*
- *Lack of Capacity*
- *Lack of significant acreage.*
- *Occupied parcels*



Example of Data Center acreage needs

FIGURE 5 – DLCD Site 6

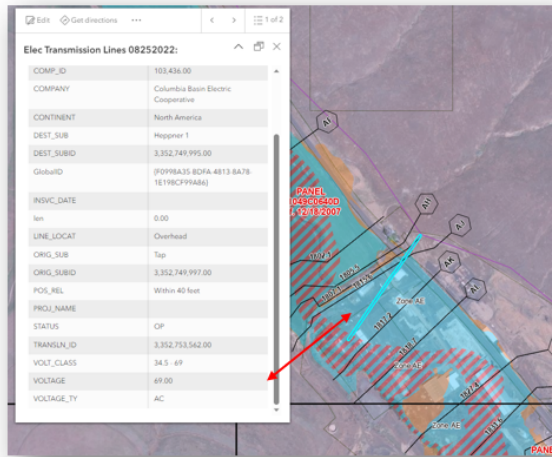


### Figure 5 - Port of Morrow's South Morrow County Industrial Park - "At the Time of Investigation"

Subtitle if Applicable



The South Morrow County Industrial park is located in FEMA Regulatory Floodway. The Port of Morrow did not provide this parcel in their maps due to the Floodplain issue.



Electrical transmission service is single feed at 69KV. Not sufficient for Data Center needs.





## FIGURE 6 – DLCD Site 7

### Figure 6 - Industrial Sites for Sale or Lease - “ At the Time of Investigation”

Subtitle if Applicable



**Attachment to DLCD Letter**  
August 15, 2023  
Percheron Application AC-145-23; ACM-146-23; AZM-147-23



Home About Sites & Services Online Resources Find A Job Contact Us

#### Industrial Sites for Lease/Sale

The Port of Morrow offers industrial building sites from 1 to 2,000 acres in size as an economical alternative to metropolitan areas.

Four industrial parks, served by efficient transportation modes, and dependable and modern utilities, make the Port a sensible choice for many industries.

Contact us for more information. Phone: 541-481-7678

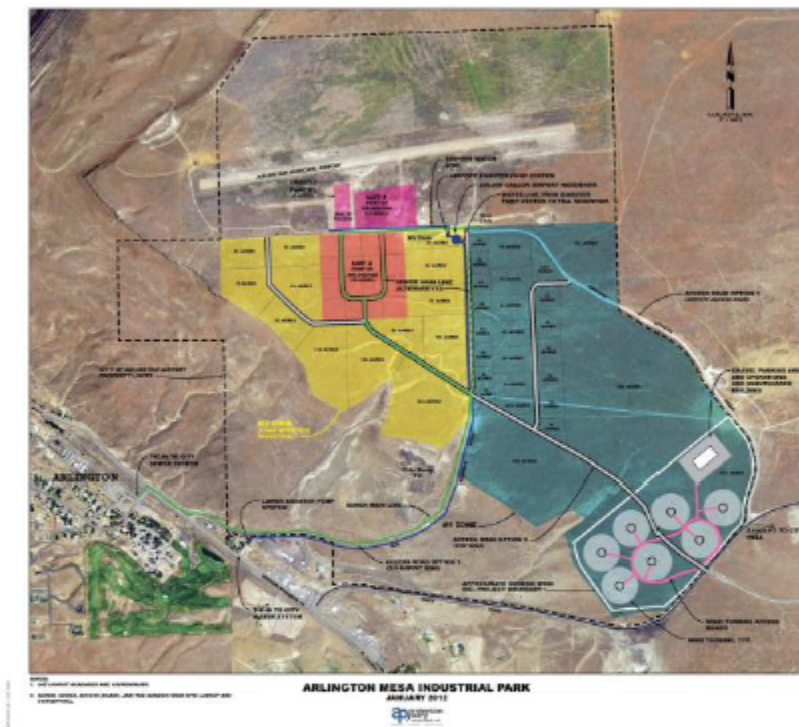


*As this appears to be a screen shot from the Port of Morrow’s Website, We feel we have addressed all the Port of Morrow’s land in the previous 2 slides*

Figure 7 – DLCD Site 8

Port of Arlington – Mesa Airport and Industrial Park  
Source: <https://www.portofarlington.com/arlington-mesa.html>

### Arlington Mesa Airport and Industrial Park For Sale or Lease/ Build to Suit



Airport Development sites, up to 8 acres remaining  
Industrial Development Sites, up to 364 acres remaining  
Arlington, Oregon  
January 2018

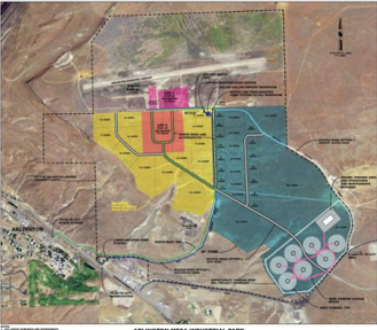
**Figure 7 - Port of Arlington MESA Industrial site - "At the Time of Investigation"**



Ruled out by Topography

**Port of Arlington – Mesa Airport and Industrial Park**  
 Source: <https://www.portofarlington.com/arlington-mesa.html>

**Arlington Mesa Airport and Industrial Park**  
 For Sale or Lease/ Build to Suit

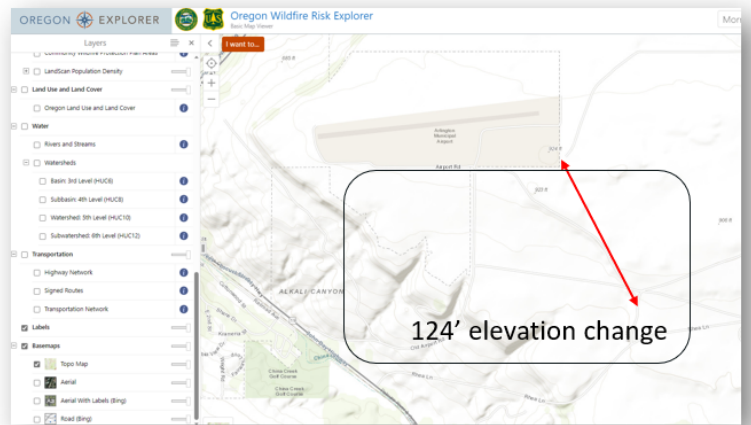


Airport Development sites, up to 8 acres remaining  
 Industrial Development Sites, up to 364 acres remaining

Arlington, Oregon  
 January 2018

**Adverse Siting Requirements**

- *Topography*
- *Constrained Lot size and availability*
- *Congested Transmission*



**FIGURE 8 – DLCD SITE 9**

Shutler Station Industrial Park	2018
---------------------------------	------

Shutler Station Industrial Park  
For Lease/ Build to Suit



Industrial Development Sites, up to 90- 65 acres remaining  
200 acres undeveloped private Industrial land also available  
Arlington, Oregon  
August 2018



### Figure 8 - Port of Arlington – Shuttler Station – “ At the Time of Investigation”



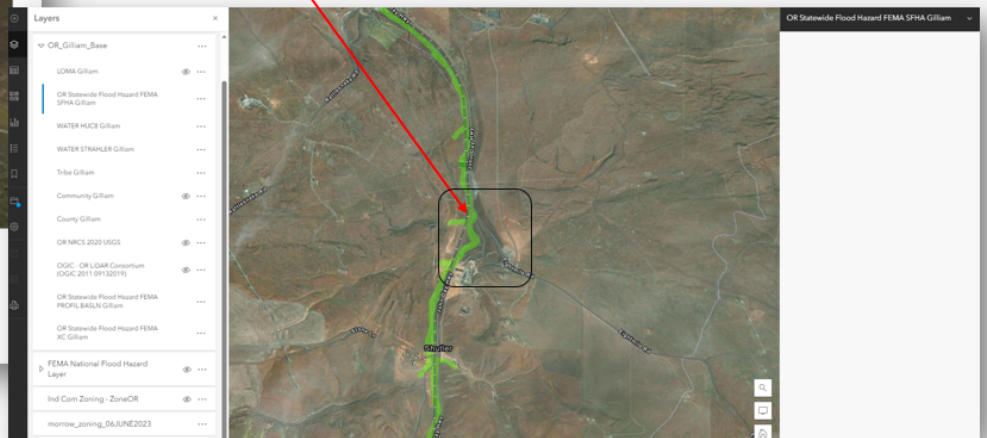
Subtitle if Applicable



Industrial Development Sites, up to ~~90~~ 65 acres remaining  
200 acres undeveloped private Industrial land also available  
Arlington, Oregon  
August 2018

#### Adverse Site Criteria

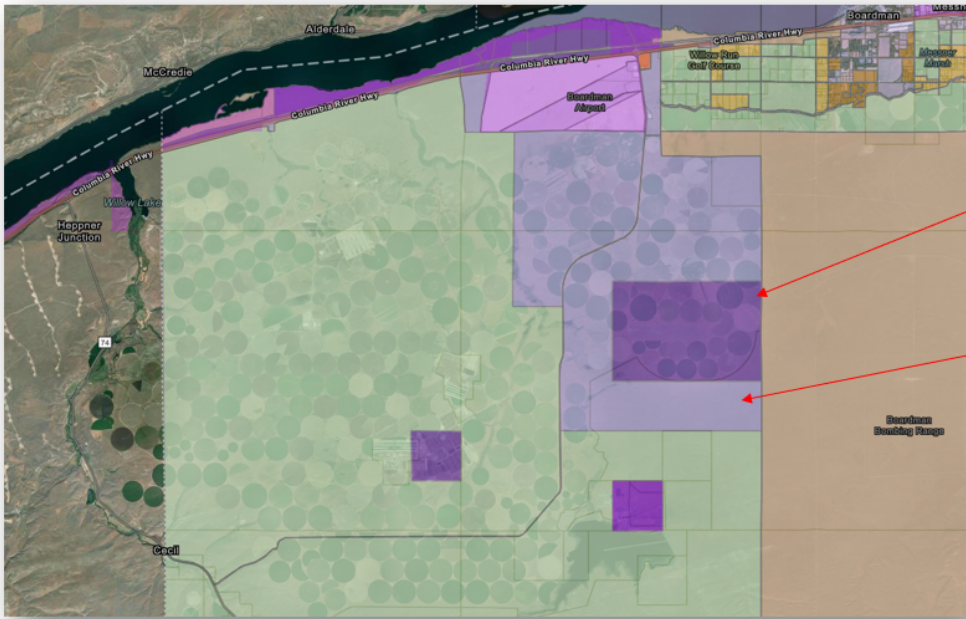
- *Constrained land availability*
- *Flood Zone*



### FIGURE 9 – Morrow County Adjacent Lands

## Figure 9 - Morrow County Adjacent Lands – “At the Time of Investigation”

Subtitle if Applicable



DLCD’s suggestion of adjacent lands.  
Adverse Siting Criteria- At the time of Investigation.

- Unwilling Landowner
- Prime farmland
- Lack of transmission

3Mile Canyon farms will not sell any lands with irrigation.

Data Centers are not an allowed use in Space Age Industrial, either by “Use by Right or Conditional” and still require zone amendment.

**TABLE**



Alternatives Sites Considered	Distance from Selected Site (miles)	Jurisdiction	Zoning	Within or Distance to UGB	Zoning of Adjacent Lands	Criteria Assessment	Conclusion
Columbia Development Authority – Umatilla County	20	Umatilla County	Various	3 miles	UDM, DI-U	Discussed in Alternatives Analysis as Alternative 2. The availability of power capacity and electrical service sufficient to meet the Project need was not and is not currently available. Clear title, required for the purchase of the property, was not available and was only recently acquired by the current landowner. Finally, the development of previously contaminated properties is a complex and protracted process; the Applicant was unable to realistically explore development within the area known as “Umatilla Ordinance Depot” based also on timing and contractual requirements to deliver the Project, as well as the financial feasibility of securing financing and insuring a previously contaminated site.	Criteria 1, 3, 4 not met.
West Umatilla County – Industrial Zoned Lands	25	Umatilla County	RLIZ, LRLIZ, HI	0-1 miles	Various	Discussed in Overarching Assessment: Umatilla County RLIZ, LRLIZ, HI Zones as well as Alternatives 3 and 4, addressed in Appendix D. There are limited areas that fall within the zones that allow data centers to be permitted outright as all these zoned areas are already occupied with existing infrastructure or development. In addition, other areas where a data center use would potentially be compatible were also analyzed and Applicant found that some sites were already developed or committed and/or presented environmental constraints, including wetlands and floodplains. The Applicant found that power availability, timing and cost to deliver power, and landowner and land characteristics (availability and buildable acreage) would not be met by these sites.	Criteria 1, 3, 4, 7 and 8 not met.
Port of Morrow – Airport Industrial Park	20	Morrow County	AI, ALI	3-4 miles	Various	Discussed in Overarching Assessment: Morrow County MG, PI, ALI Zones. No undeveloped, vacant land available that meets the size requirements of Criteria 3. The Applicant also found the site did not meet the siting requirements for power availability.	Criteria 1 and 3 not met.
Port of Morrow – East Beach Industrial Park	20	Morrow County	PI	1-2 miles	PI, MG, PUB	Discussed and addressed in the Applicant’s Overarching Assessment: Morrow County MG, PI, ALI Zones. The Applicant found that the Alternative Site presented did not meet the siting requirements of Criterion 3, land characteristics and availability. The Applicant also found the site did not meet the siting requirements for power availability.	Criteria 1 and 3 not met.
Port of Morrow – Boardman Industrial Park	20	Morrow County	GI	City of Boardman/ Port of Morrow	PI, MG, PUB	Applicant found that the Alternative Site presented did not meet the siting requirements of Criterion 3, land characteristics size and availability. The Applicant also found the site also did not meet the siting requirements for power availability.	Criteria 1 and 3 not met.
Port of Morrow – South Morrow Industrial Park	25+	Morrow County	MG	1-2 miles	EFU	The Applicant found that the Alternative Site presented did not meet the siting requirements of Criterion 1, power availability. The Applicant found that the Alternative Site contains areas including environmentally sensitive resources, Criterion 4 (constrained by floodplain).	Criteria 1 and 4 not met.
Port of Morrow – Industrial Sites for lease/sale	20	Morrow County	Various	Various	Various	Applicant could not identify which sites DLCD may be implying could be alternatives based on the information provided. Applicant considered sites for sale or lease from the Port of Morrow in its Complete Alternatives Analysis, in particular POM Airport Park and POM East Beach but none of those sites were reasonable based on Applicant’s eight siting criteria.	Criteria 1 and 3 not met.
Port of Arlington- Mesa Airport and Industrial Park	20	Gilliam County	M-L, M1, M2	Within	EFU	The Applicant considered the Alternative Site and found that it did not meet the siting requirements of Criterion 3, land characteristics for topography. The Alternative Site presented also does not meet the power availability requirements.	Criteria 1 and 3 not met.
Port of Arlington- Shuttler Station	20	Gilliam County	II	4-5 miles	EFU	The Applicant considered the Alternative Site and found that it did not meet the siting requirements of Criterion 3, land availability. The Alternative Site presented also does not meet the environmentally sensitive resources and protected areas requirements for floodplains.	Criteria 3 and 4 not met.



**ERM**

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Portland, OR 97204

Telephone: +1 503 488 5282

[www.erm.com](http://www.erm.com)

**APPENDIX A**



**From:** Mark Patton <MarkP@portofmorrow.com>  
**Sent:** Friday, August 25, 2023 2:11 PM  
**To:** David Shiflett  
**Cc:** Albrich, Elaine; Bobby Hollis; Tess MacMorris; Xiomara Gerlach; Martin Romo  
**Subject:** RE: Port of Morrow Industrial sites-Availability vs. Occupied  
**Attachments:** 0829\_001.pdf

[EXTERNAL]

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David, see attached. I didn't provide any map for the Heppner site due to it be in the floodplain.

Have a great weekend.



**Mark Patton**  
**Chief Operations Officer**

541.481.7678 | 541.571.1311  
PO Box 200 | 2 E Marine Drive | Boardman, OR 97818  
[markp@portofmorrow.com](mailto:markp@portofmorrow.com) | [www.portofmorrow.com](http://www.portofmorrow.com)

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**From:** David Shiflett <dshiflett@rowan.digital>  
**Sent:** Monday, August 21, 2023 11:44 AM  
**To:** Mark Patton <MarkP@portofmorrow.com>  
**Cc:** Elaine Albrich <ElaineAlbrich@dwt.com>; Bobby Hollis <bhollis@rowan.digital>; Tess MacMorris <Tess.MacMorris@erm.com>; Xiomara Gerlach <xgerlach@rowan.digital>; Martin Romo <mromo@rowan.digital>  
**Subject:** [EXTERNAL] Port of Morrow Industrial sites-Availability vs. Occupied

**This Message originated outside your organization.**

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Hi Mark,

As a follow up to our conversation from last Wednesday, would you be able to provide a map/list of parcels owned by POM. As discussed, part of our Alternative Analysis needs to demonstrate what lands are available, what are not and what would never be available.

Kindly

David Shiflett  
Director, Development  
(m) 231-218-6278

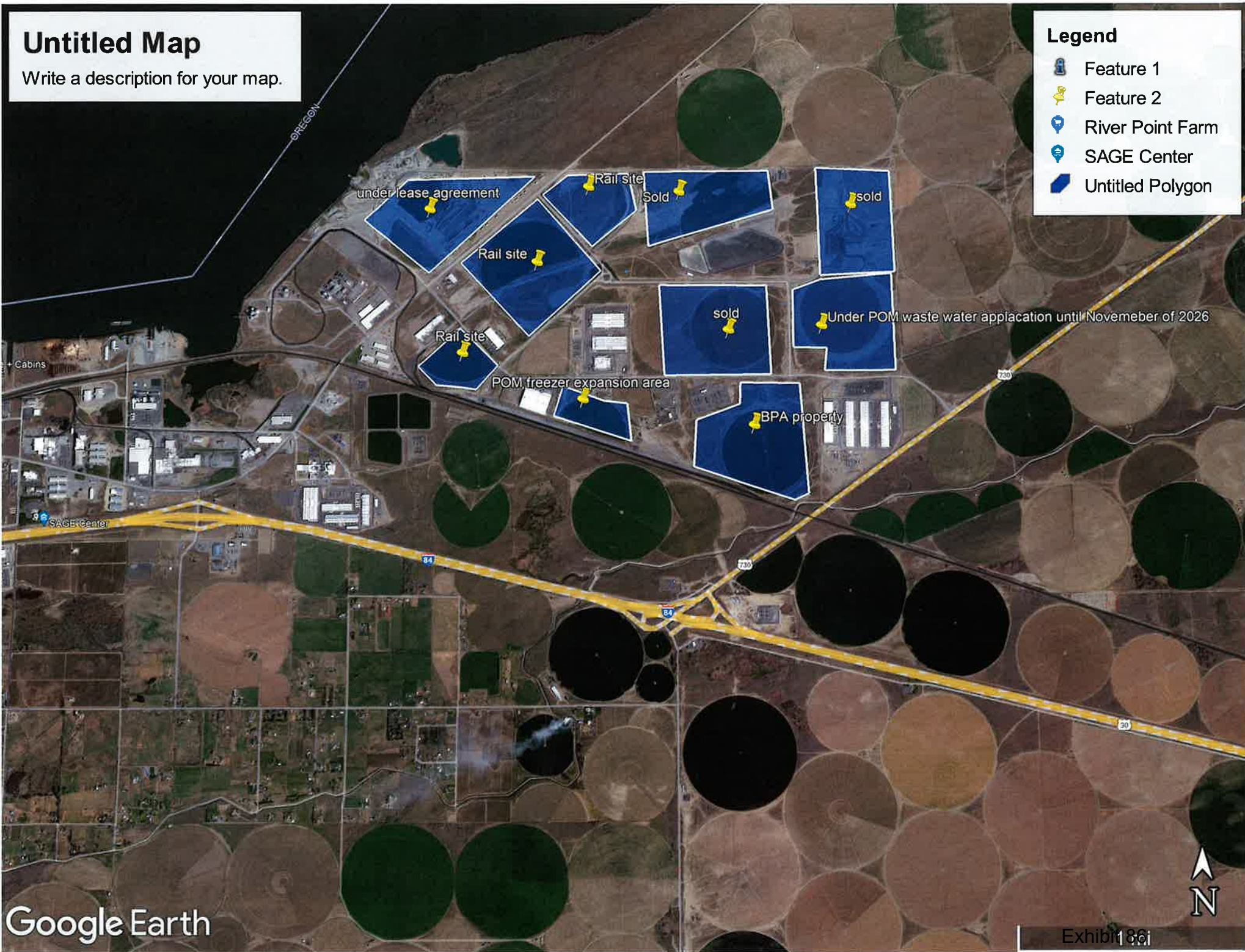


# Untitled Map

Write a description for your map.

## Legend

-  Feature 1
-  Feature 2
-  River Point Farm
-  SAGE Center
-  Untitled Polygon

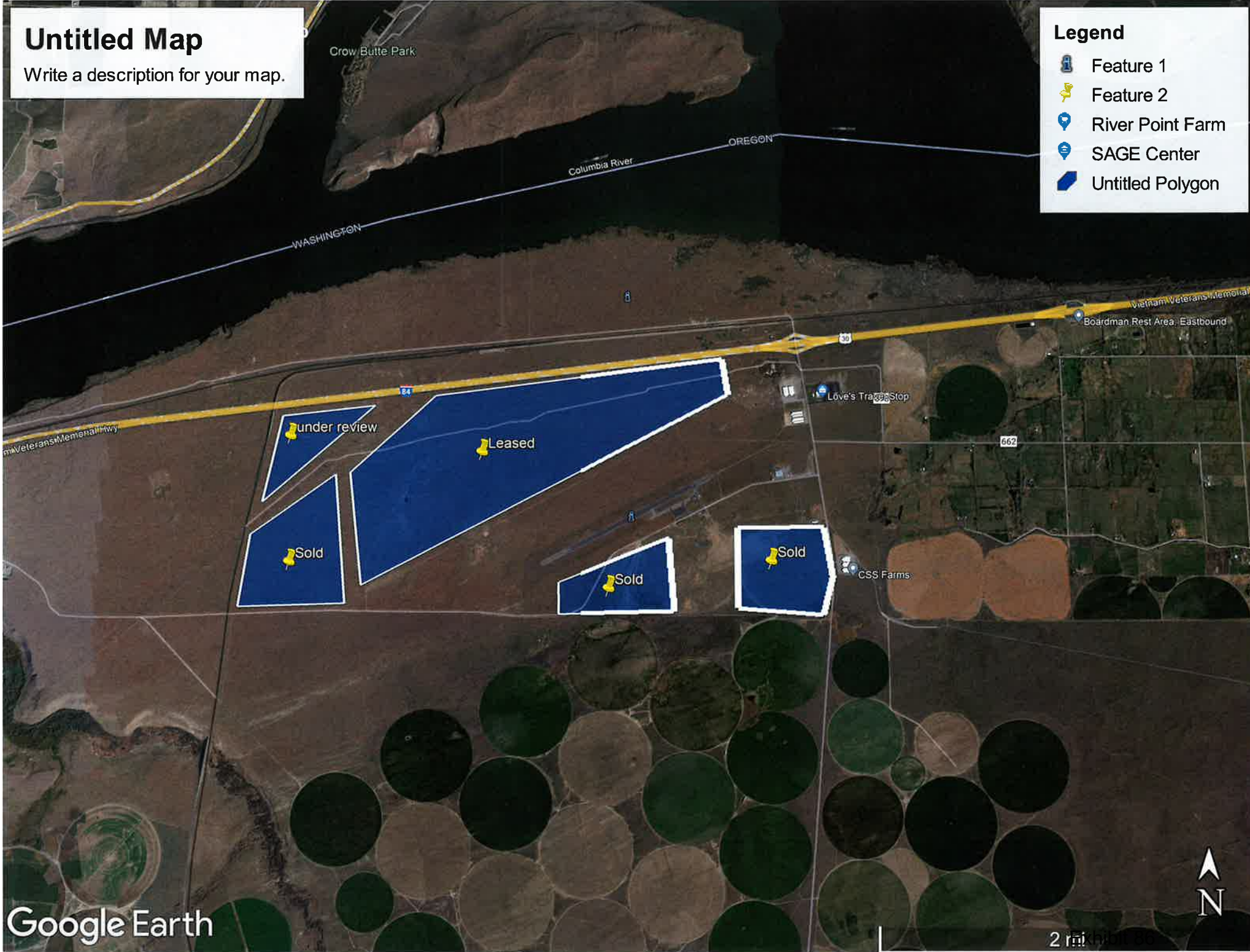


# Untitled Map

Write a description for your map.

## Legend

-  Feature 1
-  Feature 2
-  River Point Farm
-  SAGE Center
-  Untitled Polygon



## APPENDIX B



# Alternative Analysis – Rowan’s Decision timeline and “AT THE TIME” investigation

December of 2020

Rowan begins investigation into Morrow and Umatilla Counties late 2020 and early 2021. Review of the Bonneville Power Administration Load Queue reveals serious congestion near along I-84 Corridor. Rowan requires 115KV Line or substation, preferably 230KV or greater

Rowan requests Feasibility from Pacific Power in early 2021

Sites ruled out based on previous queue load requests and lack of capacity.

Based on Feasibility results and Power flow analysis, Rowan enters into Purchase Option agreement with 3mile Canyon Farms

Initial System impact Study was kicked off 2/14/2021

Financial Security deposited

Electrical Service Study Agreement executed with Pacific Power 11/15/2021

Financial security deposited

Engineering & Material procurement agreement executed 12/15/2022

Additional financial Security deposited

## 8.0 Transmission Study Results and Facility Requirements/Costs (Preliminary Scope Estimate)

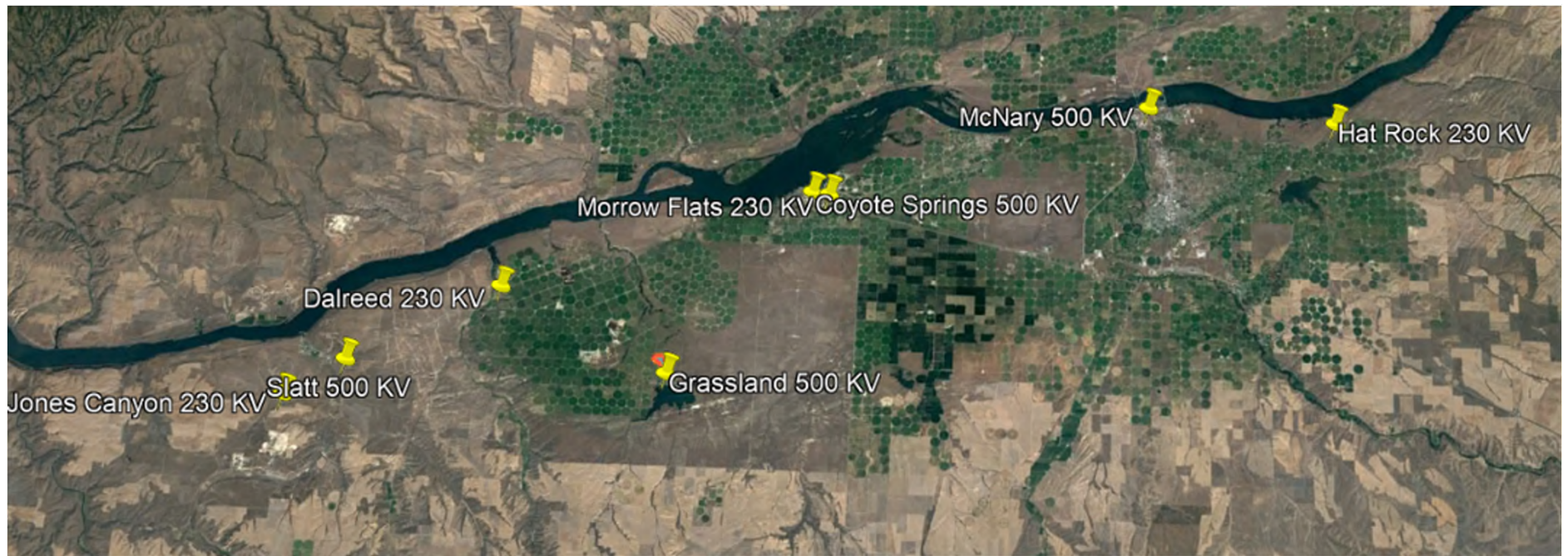
The Boardman area is heavily congested with limited transmission capacity. Multiple service plans were investigated and studied, each carries its own risks, uncertainties, and challenges to meet Customer’s timeline. This study proposes the initial service plan and following with three alternatives of full buildout options that are the most viable.

*Excerpt from Pacific Power describing congestion in transmission.*

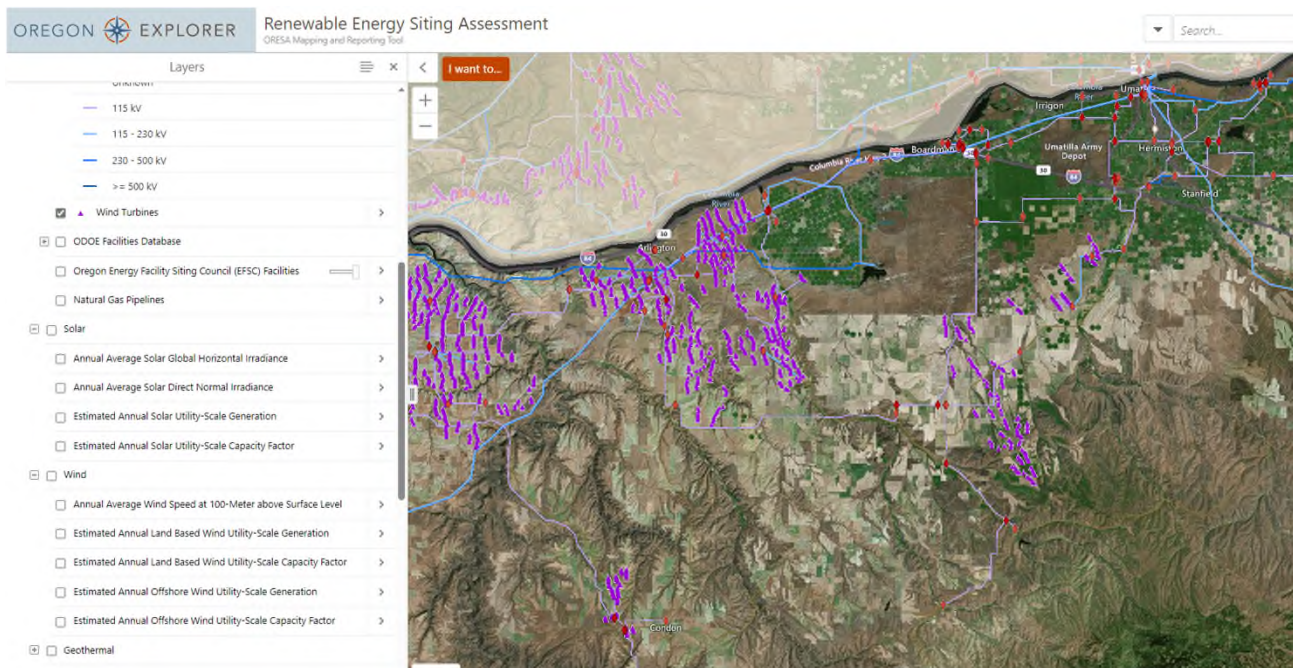
## Area of Investigation – Requirements for consideration (>115 kV, preferably > 230 kV)



*Rowan's search area in late 2020 and 2021*



# Power Flow Congestion - “At the Time of Investigation”



*This map demonstrates the power flow constraints from Wind generation flowing onto the transmission grid.*





# Bonneville Power Administration Load Queue & Capacity requests

Current BPA Queue- Publicly available

	A	B	C	D	F	G	J	K	L	M	N
1	Bonneville Power Administration Interconnection Request Queue										
2	Note: Requests with queue positions lower than 200 were submitted prior to adoption of LGIP/SGIP.										
3	Please see the Comments for additional details.										
4	Generator Interconnection technical study reports are available upon request to <a href="mailto:studyrequest@bpa.gov">studyrequest@bpa.gov</a> .										
5	Request Number	Request Date	Project Name	Requestor	Point Of Interconnection	Status	Connection Type	Requested In-Service Date	Agreed To: (Blank=TBD)	Max Summer MW	Max Winter MW
240	L0521	3/18/2022 11:10 AM	West of Boardman	PacifiCorp	BPA's proposed Longhorn Substation	RECEIVED	LL	1/2/2026	1/2/2026	1100	1100
	L0520	3/18/2022 10:55 AM	Dalreed Substation	PacifiCorp	the BPA Morrow Flat - Jones Canyon #1 230 kV line.	RECEIVED	LL	1/2/2024	1/2/2024	72	72
241	L0516	3/01/2022 8:13 AM	Boardman-Ion 69kV Line Relocation & New 230kV Step Down Sub	Idaho Power Company	BPA's Planned Longhorn Substation	E&P EXECUTED	LL	2/19/2025	7/19/2025	0	0
248	L0515	2/23/2022 7:57 AM	Boardman to Hemingway Project	Idaho Power Company	BPA's Planned Longhorn Substation	RECEIVED	LL	5/29/2026	2/19/2025	0	0
249	L0510	12/02/2021 6:35 AM	West of Boardman	Umatilla Electric Cooperative	BPA's Ashe - Slatt No.1 500 kV line	STUDY	LL	12/7/2024	12/1/2025	1000	1000
272	L0499	8/13/2021 12:39 PM	Project Pivot and Specialized	PacifiCorp	McNary Substation	STUDY	LL	8/9/2024	8/9/2024	484	484
309	L0498	8/13/2021 9:47 AM	Project Litespeed	PacifiCorp	BPA's Boardman - Alkali No.1 115 kV line	STUDY	LL	1/1/2024	1/1/2024	185	185
311	L0482	9/22/2020 10:13 AM	Morrow Flat_Longhorn	Umatilla Electric Cooperative	Morrow Flat 230kV Substation	CONST AGRMT EXE	LL	8/31/2022	12/30/2024	500	500
353	L0481	9/22/2020 10:07 AM	McNary 230kV	Umatilla Electric Cooperative	McNary 230kV, Bay 28	CONST AGRMT EXE	LL	8/31/2022	11/30/2024	450	450
354	L0454	11/20/2018 8:40 AM	Morrow Flat	Umatilla Electric Cooperative	BPA Morrow Flat Substation	STUDY	LL	12/31/2019	4/29/2022	120	120
433											

Rowan examines the BPA Queue to assess areas to look for capacity as well as areas that are constrained, such as McNary, Morrow Flat, Dalreed, etc.

## APPENDIX C

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**From:** Byron Smith <[bsmith@hermiston.or.us](mailto:bsmith@hermiston.or.us)>

**Sent:** Saturday, June 24, 2023 5:17 PM

**To:** [tmabbot@co.morrow.or.us](mailto:tmabbot@co.morrow.or.us)

**Cc:** Kirstin Gunderson <[kgunderson@rowan.digital](mailto:kgunderson@rowan.digital)>; David Drotzmann <[drdave@lvseyedoc.com](mailto:drdave@lvseyedoc.com)>; David Shiflett <[dshiflett@rowan.digital](mailto:dshiflett@rowan.digital)>; Martin Romo <[mromo@rowan.digital](mailto:mromo@rowan.digital)>; Albrich, Elaine <[ElaineAlbrich@dwt.com](mailto:ElaineAlbrich@dwt.com)>; Mark Morgan <[mmorgan@hermiston.or.us](mailto:mmorgan@hermiston.or.us)>; Nathaniel Brown <[Nathaniel@thinkhubbell.com](mailto:Nathaniel@thinkhubbell.com)>

**Subject:** RE: Help w/ Email to Morrow County

[EXTERNAL]

---

Hey Tamara,

A group from the City of Hermiston, including Mark and I, met with the Rowan Digital Infrastructure team on May 31. Even though the Percheron data center project is not in Umatilla County or even the City of Hermiston, we appreciated the conversation and outreach and the information they provided.

It's come to our attention that a question has been raised about the alternative site analysis conducted by the Rowan team. I want to state for the record that the City of Hermiston fully welcomes Rowan's project to the region. The City also understands the Rowan team selected the site in Morrow County based on the timing of approval processes in other locations including in and around Hermiston.

Let me know if you have any questions.

Byron



*Where Life is Sweet*

Byron D. Smith

City Manager

[bsmith@hermiston.or.us](mailto:bsmith@hermiston.or.us)

541-567-5521

---

**From:** Tamra Mabbott <tmabbott@co.morrow.or.us>  
**Sent:** Tuesday, August 29, 2023 1:29 PM  
**To:** Michaela Ramirez; Bainter, Allison  
**Cc:** Albrich, Elaine  
**Subject:** RE: Help w/ Email to Morrow County

**Categories:** Filed to ND  
**FilingIndicator:** -1

[EXTERNAL]

---

Michaela - Thanks for forwarding.

Allison - It looks like my name is mis-spelled in the email from Byron Smith, Hermiston City Manager. I believe you can still submit this for the written record.

Tamra

---

**From:** Michaela Ramirez <mramirez@co.morrow.or.us>  
**Sent:** Tuesday, August 29, 2023 1:16 PM  
**To:** Tamra Mabbott <tmabbott@co.morrow.or.us>  
**Subject:** FW: Help w/ Email to Morrow County

I just wanted you to be aware of this email. I don't recall this name ever coming up in any of our emails or paperwork. How about you?

Morrow County Planning Department  
Administrative Assistant Michaela Ramirez  
[mramirez@co.morrow.or.us](mailto:mramirez@co.morrow.or.us)  
PO Box 40, Irrigon, OR 97844  
541-922-4624 Ext 5508

---

**From:** Bainter, Allison <[AllisonBainter@dwt.com](mailto:AllisonBainter@dwt.com)>  
**Sent:** Tuesday, August 29, 2023 12:23 PM  
**To:** Michaela Ramirez <[mramirez@co.morrow.or.us](mailto:mramirez@co.morrow.or.us)>  
**Cc:** Albrich, Elaine <[ElaineAlbrich@dwt.com](mailto:ElaineAlbrich@dwt.com)>; Jamin, Olivier <[OlivierJamin@dwt.com](mailto:OlivierJamin@dwt.com)>  
**Subject:** RE: Help w/ Email to Morrow County

**[EXTERNAL EMAIL] - STOP and VERIFY - This message came from outside of Morrow County Gov**

---

Hi Michaela,

Can you confirm that the email below from the City of Hermiston is in the Rowan record, and where in the record it is located? Thanks!

**Allie Bainter**

Legal Assistant, Davis Wright Tremaine LLP

---

P 503.778.5424 E [allisonbainter@dwt.com](mailto:allisonbainter@dwt.com)

A 1300 SW Fifth Avenue, Suite 2400, Portland, OR 97201-5610

[DWT.COM](http://DWT.COM)

---

**From:** Byron Smith <[bsmith@hermiston.or.us](mailto:bsmith@hermiston.or.us)>

**Sent:** Saturday, June 24, 2023 5:17 PM

**To:** [tmabbot@co.morrow.or.us](mailto:tmabbot@co.morrow.or.us)

**Cc:** Kirstin Gunderson <[kgunderson@rowan.digital](mailto:kgunderson@rowan.digital)>; David Drotzmann <[drdave@lvseyedoc.com](mailto:drdave@lvseyedoc.com)>; David Shiflett <[dshiflett@rowan.digital](mailto:dshiflett@rowan.digital)>; Martin Romo <[mromo@rowan.digital](mailto:mromo@rowan.digital)>; Albrich, Elaine <[ElaineAlbrich@dwt.com](mailto:ElaineAlbrich@dwt.com)>; Mark Morgan <[mmorgan@hermiston.or.us](mailto:mmorgan@hermiston.or.us)>; Nathaniel Brown <[Nathaniel@thinkhubbell.com](mailto:Nathaniel@thinkhubbell.com)>

**Subject:** RE: Help w/ Email to Morrow County

[EXTERNAL]

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Byron



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City Manager  
[bsmith@hermiston.or.us](mailto:bsmith@hermiston.or.us)  
541-567-5521