

Morrow County Board of Commissioners Land Use Hearing Minutes
August 16, 2023
Morrow County Government Center
Irrigon, Oregon

Present in Person

Chair David Sykes, Commissioner Roy Drago Jr., Commissioner Jeff Wenholz, Valerie Ballard, Justin Nelson, Landon Jones, Tamra Mabbott; Non-Staff: Olivier Jamin, Lauren Garetto, Matt Hughart, Scott Neal, Greg Harris, Elaine Albrich, Misty Edgecomb, David Weymann, Martin Romo, David Shiflett, Bobby Hollis, Travis Sellers, Mike Alldritt, Corey Sweeney, Richard Peel, Mike Hughes

Present Via Zoom

Dan Kearns, Tess MacMorris, Dawn Hert, Susan Christensen

Call to Order: 1:02 p.m.

Chair Sykes made a call for abstentions or conflicts of interest; no issues raised.

Tamra Mabbott, Planning Department Director, said 274 acres of land is being proposed for rezoning from exclusive farm use to general industrial zoning in order to develop a data center. Two hearings were held at Planning Commission meetings, with the recommendation that the Board of Commissioners approve the request. Ms. Mabbott provided new items to add to the record. One Letter from the Oregon Department of Land Conservation and Development (DLCD), an e-mail from Mary Killian, and a letter from 1,000 Friends of Oregon.

*Commissioner Wenholz moved to add the additional documents and letters of opposition.
Commissioner Drago seconded. Vote: Unanimous approval*

Eric Imes, Public Works Director

Reviewing the road use agreement, Mr. Imes explained there is a road use agreement in discussion with chip sealing done before and after construction. There is presently an easement on Tower Road at mile post eight, however the County cannot provide road maintenance and the easement is the responsibility of Portland General Electric who has, thus far, been unresponsive.

Chair Sykes opened public hearing to applicants and proponents.

Bobby Hollis, Chief Commercial Officer, Rowan Digital Infrastructure

David Shiflett, Managing Director of Development, Rowan Digital Infrastructure

Martin Romo, Director of Economic Development, Rowan Digital Infrastructure

Mr. Hollis introduced himself and the purpose of Rowan Digital Infrastructure, which is to provide sustainable options for data centers

Mr. Shiflett described the proposed location for the data center as having no cultivation history in the last 100 years, with poor soil and irrigation and no water rights.

The data center will employ over 200 employees with salaries of \$75,000 and above, not including construction and other labor involved in the development of the center. They will also work with local schools to promote Science, Technology, Engineering & Mathematics (STEM) education and create relevant programs with the local community college. This will encourage younger citizens to stay in the area by providing tech jobs and boosting the economy. Steady revenue and employment will not be affected by current events or the pandemic.

Matt Hughart, Kittelson and Associates

Mr. Hughart explained Kittelson and Associates conducted a traffic study. There is low-impact with no mitigation or modification necessary for traffic, with an estimated 12-18 months for construction traffic. Post construction should see a 17% increase.

Commissioner Drago asked if the 17% increase was based off the traffic when the coal plant was in production, or after the coal plant closed. Mr. Hughart stated the 17% is based off current traffic numbers.

Commissioner Wenzholz noted traffic numbers sounded similar to the employee numbers of the old coal plant and shouldn't make a big difference to established traffic patterns.

Richard Peel, Senior Biologist, Environmental Resource Management (ERM)

Mr. Peel conducted the biological and ecological studies on the proposed site. ERM looked for listed species habitats and migration, as well as big game habitat, wetlands, floodplain, and avoiding those ecosystems. Mr. Peel did not find any listed species, but one big game summer range, but the site is still more than 20 miles from the winter range. The Department of Fish and Wildlife confirmed ERM's findings.

David Weymann, Soil Scientist/Civil Engineer, ERM

Mr. Weymann found the soil on the proposed site to be inhospitable. The soil is mapped at class 6-7 which is inhospitable due to being shallow, rocky, and with little water. While the site is within Columbia Valley American Viticultural Area (CAVA), this site would not be a good candidate for grape growing because of the droughty soil and lack of irrigation.

Tess MacMorris, Land Use Planner, ERM

Alternatives Analysis. The applicant identified eight siting criteria for why the project location works, access to infrastructure and electrical supply availability, access to water, land characteristics, environmentally sensitive resources and protected areas, road access, fiber network connectivity, land use and zoning, and financial feasibility.

Mr. Shiflett explained they are working with the Port of Morrow to have the Port supply water to the project. The water supply agreement begins with a design and engineering agreement and survey work is being conducted along Tower Road. Mr. Shiflett reviewed the planned water route.

Chair Sykes asked if construction of the data center is reliant on the Boardman to Hemingway Transmission Line being completed, to which Mr. Shiflett confirmed the project is dependent on the completion of the Boardman to Hemingway Line.

Addressing a concern by 1,000 Friends of Oregon regarding water availability: water provided by the Port of Morrow is potable water, while waste water will be dealt with on site.

The applicant's position is that they have provided sufficient evidence in the record as to why this is the best location for the data center.

Proponents Providing Testimony of Support

Corey Sweeney, Mayor, City of Heppner

Mr. Sweeney, along with the Heppner City Manager, met with Rowan and Hubble to go over the proposal and they feel that the data center would benefit the community members and the County itself.

Scott Neal, real estate executive

Greg Harris, Director of Farming, Threemile Canyon Farms

Threemile Canyon Farms is the landowner of the proposed location. PGE will route power to PacifiCorp who will build a substation on Threemile Canyon's property which would route power to the data center. He cited Space Age Industrial zoning on irrigated farm land, whereas the data center location is inhospitable to farming.

Susan Christensen, Executive Director, Greater Eastern Oregon Development Corporation

Ms. Christensen has provided written testimony in support of the project. The project will provide jobs in the community, and environmental review of the property shows it's a good location and not farmable. There is a program called "Get There Oregon" which is a carpooling program which can reduce traffic and "Get There Oregon" has been successfully used by Boardman Foods.

Rebuttal Against the Applicant

Dawn Hert, Regional Representative, DLCD

Ms. Hert stated that DLCD has provided two letters of opposition to the proposed data center location and included potential alternative sites for the data center. The DLCD does not believe proper surveys were conducted and building inside an Urban Growth Boundary would be preferable. Additional review is needed, in their opinion, and would like to look into alternative sites.

Break: 2:35-2:42 p.m.

Rebuttal from Applicant

Ms. Albrich asked for time for response to DLCD's letter by August 30th, for the next Board of Commissioners meeting on September 6th.

Mr. Shiflett reviewed the power flow analysis conducted by Rowan Digital Infrastructure, noting that most of the Interstate-84 corridor is constrained for capacity. Other proposed locations, such as the Chemical Depot cannot provide adequate power and the title was not available. Due to various constraints, various locations did not meet the needs of the Data Center at the time studies were conducted.

Ms. Albrich asked if DLCD wanted to submit additional rebuttal, to which Ms. Hert of DLCD would like the opportunity to reply and to evaluate the alternatives.

Chair Sykes closed the public testimony part of the Hearing at 2:54 p.m.

Commissioner Wenholz moved to keep the record open for the applicant to submit written testimony and rebuttal to the DLCD letter and the 1,000 Friends letter to August 30th, 5:00 p.m., submitted by, and to continue the hearing to September 6, 2023 at the Bartholomew Building in Heppner at 9:00 a.m. Commissioner Drago seconded. Vote: Unanimous approval.

Adjourned: 3:00 p.m.