



# Oregon

Tina Kotek, Governor

## Parks and Recreation Department

Oregon Heritage/  
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July 22, 2024

Ms. Emily Jennings  
USDA Rural Development  
1220 SW 3rd Ave, Ste 1801  
Portland, OR 97204

RE: SHPO Case No. 24-1321  
USDA, Fry Ontario Inc Solar PV Project  
21 acre ground mounted solar array  
17S 46E 13, Ontario, Malheur County

Dear Emily Jennings:

Thank you for submitting information for the undertaking referenced above. According to our records the Area of Potential Effect (APE) has not been investigated for historic properties. Based on the information provided, Oregon SHPO recommends an inventory of the APE be done before the undertaking proceeds.

As per 36 CFR 800.4(b) and 35 CFR 800.16(d), a reasonable and good faith effort for identifying historic properties within the APE includes investigating not only the horizontal footprint of the proposed project, (including any access roads, staging areas used during construction), but also the vertical APE. This can include but is not limited to underground impacts of the project based on the expected excavation depth for installation of the solar array anchors, but also visual and other tangible effects to historic properties. Indirect effects must also be considered, which include effects post-construction which can be reasonably anticipated. The identification efforts must include formal consultation with appropriate Native American Tribes, and coordination with appropriate consulting parties. These same consultations can be used to investigate these parties' concerns about indirect effects as well.

It is recommended to consult with tribes early and often, throughout the Section 106 process. Additional consultation regarding this case must be sent through Go Digital. In order to help us track the undertaking accurately, reference the SHPO case number above in all correspondence.

Please contact our office if you have any questions, comments or need additional assistance.

Sincerely,

Kirsten Lopez  
Special Projects Archaeologist  
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