

PINYON CREEK SOLAR COMMUNITY REINVESTMENT PROJECT AREA  
Notice of Adoption of Plan, Plan Ordinance,  
Project Budget, and Participation Agreement

Under Sections 17C-5-109, -110, -111, and -305 of the Utah Code, notice is given that on April 24, 2024 (i) the Utah County Reinvestment development Agency (the “Agency”) adopted Resolution No. 2024-316 (the “Plan Resolution”) adopting the Pinyon Creek Solar Project Area Plan (the “Plan”) and Budget as the official plan and budget for the project area, (ii) Utah County adopted Ordinance No. 2024-369 approving the Plan (the “Ordinance”) and designating the Plan as the official plan of the Pinyon Creek Solar Community Reinvestment Project Area, and (iii) the Agency approved a Tax Increment Participation Agreement between the Agency and Pinyon Creek Solar, LLC (the “Participation Agreement Resolution”). Copies of the recorded Ordinance, authorizing resolution, and the Plan are attached hereto as Exhibit A.

Copies of the Plan Resolution, Plan, Ordinance, Participation Agreement and all related documents are available for public inspection at the Agency’s place of business located at 100 East Center Street, Room 1400, Provo, Utah, during regular business hours.

**With copies of Recorded Plan Resolution, Ordinance and Plan to:**

Utah County Auditor, Recorder, Attorney, Surveyor, Clerk, and Assessor: 100 East Center Street, Suite 3600, 2100, 1300, 3100, and 1100, Provo, Utah 84606; 2855 South State Street, Provo, UT 84606 (Surveyor)

Utah State Tax Commission: Attn: Property Tax Division Certified Rates, 210 North 1950 West, Salt Lake City, UT 84134

Utah State Board of Education: PO Box 144200, Salt Lake City, UT 84114-4200

Utah State Auditor: Utah State Capitol, E310, Salt Lake City, UT 84114

Utah County and Utah County Service Areas 6, 8, & 9: Attn: Commission Chair, 51 South University Avenue, Provo, Utah, 84601

Nebo School District: Attn: School Board Chair, 350 South Main, Spanish Fork, UT 84660

Central Utah Water Conservancy District, Attn: Board Chair, 1426 East 750 North, Ste. 400, Orem, UT 84097 and Attn: Rob Moore, General Counsel, 1426 East 750 North, Ste. 400, Orem, UT 84097

**To be published as a Class A Notice, as follows:**

1. Publish the public notice on the Utah Public Notice Website on behalf of Agency and County.
2. Publish the public notice on the County’s official website.
3. Post the notice in a public location within the County that is reasonably likely to be seen by residents of the County.

ENT 29606#2024 PG 1 of 40  
ANDREA ALLEN  
UTAH COUNTY RECORDER  
2024 May 7 01:32 PM FEE 0.00 BY CS  
RECORDED FOR UTAH COUNTY ATTORNEYS OFFI

**NOTICE OF ADOPTION OF ORDINANCE NO. 2024-369 BY  
UTAH COUNTY FOR RECORDING**

---

Pursuant to Sections 17C-5-109, -110, and -111 of the Utah Code, Utah County (the "County") is providing this notice with respect to Ordinance No. 2024-369 which was passed by the County on April 24, 2024, adopting the official Pinyon Creek Solar Project Community Reinvestment Project Area Plan (the "Official Plan"), as approved by the Utah County Community Reinvestment Agency (the "Agency") on the same date, and directing that notice of adoption of the Official Plan be given as required by law. Ordinance No. 2024-369 and the Official Plan shall become effective upon publication of this notice, at which time the Agency may proceed to implement the Official Plan. The Official Plan with boundary description is included with this notice and is available for public inspection at the County Offices at 100 East Center Street, Room 1400, Provo, Utah, during regular office hours.

**Summary of Ordinance No. 2024-369 of Utah County Related to the Adoption of the Pinyon Creek Solar  
Project – Community Reinvestment Project Area Plan**

Ordinance No. 2024-369 of Utah County approved the Pinyon Creek Solar Project – Community Reinvestment Project Area Plan (the "Plan") as the "Official Plan" of said Community Reinvestment Project Area. This ordinance was presented and discussed after the Agency held a public hearing to receive public input regarding the Plan, which outlines the utilization of property tax increment in encouraging the development of the Pinyon Creek Solar Project.

For a period of 30 days after the date of adoption of the Official Plan, any person in interest may contest the Official Plan or the procedure used to adopt it if the Official Plan or procedure fails to comply with applicable statutory requirements. After expiration of that 30-day period, no person may contest the Official Plan or procedure used to adopt it for any cause.

**ORDINANCE NO. 2024 - 369**

**AN ORDINANCE ADOPTING THE PINYON CREEK SOLAR PROJECT - COMMUNITY REINVESTMENT PROJECT AREA PLAN, AS APPROVED BY THE UTAH COUNTY COMMUNITY REINVESTMENT AGENCY, AS THE OFFICIAL COMMUNITY REINVESTMENT PROJECT AREA PLAN FOR THE PROJECT AREA AND DIRECTING THAT NOTICE OF THE ADOPTION BE GIVEN AS REQUIRED BY STATUTE.**

**WHEREAS** the Board of the Utah County Community Reinvestment Agency (the “Agency”), having prepared a Project Area Plan (the “Plan”) for the Pinyon Creek Solar Project -- Community Reinvestment Project Area (the “Project Area”), the legal description attached hereto as **EXHIBIT A**, pursuant to Utah Code Annotated (“UCA”) § 17C-5-105, and having held the required public hearing on the Plan on April 24, 2024, pursuant to UCA § 17C-5-104, adopted the Plan as the Official Community Reinvestment Plan for the Project Area attached hereto as **EXHIBIT B**; and

**WHEREAS** the Utah Community Reinvestment Agency Act (the “Act”) mandates that, before the community reinvestment project area plan approved by an agency under UCA § 17C-5-104 may take effect, it must be adopted by ordinance of the legislative body of the community that created the agency in accordance with UCA § 17C-5-109; and

**WHEREAS** the Act also requires that notice is to be given by the community legislative body upon its adoption of a community reinvestment project area plan under UCA § 17C-5-110.

**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS AS FOLLOWS:**

1. Utah County hereby adopts and designates the Project Area Plan, as approved by the Agency Board, as the official community reinvestment plan for the Project Area (the “Official Plan”).
2. County staff and consultants are hereby authorized and directed to publish or cause to be published the notice required by UCA § 17C-5-110, whereupon the Official Plan shall become effective pursuant to UCA § 17C-5-110(2).
3. Pursuant to UCA § 17C-5-109, the Agency may proceed to carry out the Official Plan upon its adoption.
4. This ordinance shall take effect upon publication.


APPROVED AND ADOPTED this 24th day of April, 2024.

UTAH COUNTY COMMUNITY  
REINVESTMENT AGENCY

  
BRANDON B. GORDON, Chair

ATTEST:  
AARON R. DAVIDSON  
Utah County Clerk



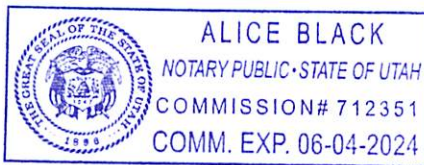
By:   
Deputy

APPROVED AS TO FORM AND LEGALITY:  
JEFFREY S. GRAY  
Utah County Attorney

By:   
Deputy Utah County Attorney

STATE OF UTAH )  
 ) ss.  
COUNTY OF UTAH )

This document was acknowledged before me on April 24, 2024, by Brandon B. Gordon, as Chair of the Utah County Community Reinvestment Agency, a political subdivision of the State of Utah.



  
Notary Public

My commission expires: 6/4/2024

**Exhibit A**  
**PROJECT AREA LEGAL DESCRIPTION**

**Parcel Identification Number: 610260001**

W ½ OF SEC 31, T 9 S, R 1 W, SLM. Area 320 Acres  
Section: 31  
Book: 61  
Page: 26  
Township:009S

**Parcel Identification Number: 610150002**

In Township 9 South, Range 1 West, Salt Lake Base Meridian  
Section 19: N 1/2; N 1/2 of the SW 1/4  
Area 400 Acres  
Tax ID 61:015:0002

**Parcel Identification Number: 610420001**

In Township 9 South, Range 2 West, Salt Lake Base Meridian  
Section 13: SW 1/4; W 1/2 of the SE 1/4; SW 1/4 of the NW 1/4 of the NE 1/4; W 1/2 of the SW  
1/4 of the NE 1/4  
Area 270 Acres.  
Tax ID 61:042:0001

**Parcel Identification Number: 610240014**

COM ATNE COR. OF S ½ OF S ½ OF NE ¼ OF SW¼ OF SEC. 29, T9S, RIW, SLB&M.; S 88  
DEG 32' 38" E 1189.97 FT; S 85 DEG 25' 28" W 720.74 FT; S 85 DEG 28' 33" W  
471.69 FT; NO DEG 25' 20" W 124.94 FT TO BEG. AREA 1.708 AC.  
Tax ID 61:024:0014

**Parcel Identification Number: 610250001**

ALL OF N ½ OF SEC 30, T9S, RIW, SLM; EXCEPT 5 ACRES DESCRIBED AS E1/2 OF  
NW1/4 OF SE1/4 OF NW1/4 OF SD SEC. AREA 315.36 ACRES.  
Tax ID 61:025:0001

**Parcel Identification Number: 610250002**

COM 5 CHS E OF NW COR OF SE1/2 OF NW1/4 OF SEC 30, T9S, RI W, SLM; S 10 CHS; E  
5 CHS; N 10 CHS; W 5 CHS TO BEG. AREA 5 ACRES.  
Tax ID 61:025:0002

**Parcel Identification Number: 610450002**

N ½ OF SE¼; NE¼ OF SW¼; N ½ OF SE¼ OF SW¼ OF SEC 25, T9S, R2W, SLM. AREA  
140 ACRES.  
Tax ID 61:045:0002

**Parcel Identification Number: 610150003**

S ½ OF S ½ OF SEC. 19, T9S, RIW, SLB&M. AREA 164.092 AC. ALSON ½ OF SE¼ OF SEC 19, T9S, RIW, SLB&M. AREA 82.186 AC. TOTAL AREA 246.278 AC.  
Tax ID 61:015:0003

**Parcel Identification Number: 610240012**

COMN 1834.81 FT FR SECOR. SEC 29, T9S, RIW, SLB&M.; N 521.16 FT; W 2639.86 FT; S 608.45 FT; S 88 DEG 32' 38" E 1191.78 FT; N 85 DEG 21' 34" E 1453.22 FT TO BEG. AREA 36.320 AC.  
Tax ID 61:024:0012

**Parcel Identification Number: 610240013**

COM NO DEG 57' 48" W 219.44 FT FR NW COR. OF SW¼ OF SW¼ OF SEC. 29, T9S, RI W, SLB&M.; N 0 DEG 57' 48" W 113.13 FT; S 88 DEG 32' 37" E 1321.03 FT; S 88 DEG 32' 37" E 1321.02 FT; SO DEG 25' 20" E 124.94 FT; S 85 DEG 28' 33" W 1667.13 FT; N 77 DEG 51' 27" W 1 000.66 FT TO BEG. AREA 12.698 AC.  
Tax ID 61:024:0013

**Parcel Identification Number: 610140001**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 18: Lots 1, 2, 3, 4, E2W2, W2E2

**Parcel Identification Number: 610250003**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 30: Lot 3, 4, E2SW4, SE4

[SUCH LAND AS SHALL BE REQUIRED FOR THE POINT OF INTERCONNECTION FOR THE PINYON CREEK PROJECT]

**Exhibit B**  
**Official Pinyon Creek Solar Project - Community Reinvestment Project Area Plan**

31882162

# **PINYON CREEK SOLAR PROJECT**

---

## **Community Reinvestment Project Area Plan**

Utah County Community Reinvestment Agency  
April 24, 2024

**Table of Contents**

1. Introduction and adoption of area plan and budget .....1

2. Community Reinvestment Project Area Plan boundaries.....2

3. Summary of current conditions and impact of project area development .....2

4. Development standards.....4

5. How the purposes of the Act will be attained by the Plan .....4

6. Consistent with Utah County General Plan .....5

7. Elimination or reduction of blight within Project Area .....5

8. Project Area development.....6

9. Selection of participants.....6

10. Reasons for selection of Project Area.....6

11. Physical, social, and economic conditions within Project Area .....6

12. Tax incentives for facilities located in Project Area.....6

13. Anticipated public benefits from the Plan .....7

14. Compliance with Section 9-8-404 Heritage, Arts, Libraries, and Cultural  
Development.....8

15. Project Area subject to taxing entity committee or an interlocal agreement .....8

**List of Exhibits**

Exhibit A-1	Project Area Map
Exhibit A-2	Project Area Legal Description



Moreover, the Agency anticipates negotiating a participation agreement with Pinyon Creek Solar to allow for the reimbursement of the Tax Increment generated by the Projects. The terms of the Tax Increment participation for the Projects, including participation percentages and term, will be negotiated separately between Pinyon Creek Solar and the Agency. This Plan shall remain in effect for the term of the participation agreements between the Agency and Pinyon Creek Solar.

The ordering of sections within this Plan are consistent with the requirements and other criteria for Community Reinvestment Project Area Plans set forth in Utah Code Ann. § 17C-5-105. Each capitalized term not otherwise defined in this Plan shall have the meaning described to it in the Act.

Contacts:      Brandon Gordon, Chairman  
                     Utah County Commission  
                     51 South University Avenue  
                     Provo, UT 84601  
                     (801) 851-8135

                    Tom Sakievich  
                     Utah County Commission  
                     51 South University Avenue  
                     Provo, UT 84601  
                     (801) 851-8133

                    Amelia Powers Gardner  
                     Utah County Commission  
                     51 South University Avenue  
                     Provo, UT 84601  
                     (801) 851-8136

                    Ezra Nair  
                     100 East Center Street, Ste. HCH 317C  
                     Provo, UT 84606  
                     (801) 851-0361

**2.      Community Reinvestment Project Area Plan boundaries**

The Project Area is located entirely within unincorporated areas of Utah County (the “County”) on remote, undeveloped property. The Project Area is accessed by SR 68 and W 11280 S St near Elberta west of Utah Lake.

**3.      Summary of current conditions and impact of project area development**

**a.      Existing land uses**

Land within the Project Area is located in unincorporated Utah County and in an area of the County that is almost completely zoned M&G-1 (mining and grazing). Four parcels (PID 61:016:0001, 61:024:0012, 61:024:0013, and 61:024:0014) located within the Project area that are zoned Residential Agriculture 5 (RA-5) will be used for access only.

The proposed Projects are permitted by conditional use as an electrical power generation facility in the M&G-1 Zone as recorded by the county on April 11, 2023 with instrument numbers 22503:2023 and 22504:2023. An additional permit application is in progress for one more parcel (PID 61:026:0001).

There is little development in the general vicinity of the Project Area, and the closest community is Elberta.

**b. Principal streets**

As noted, the Project Area is accessed by SR 68 and W 11280 S St. The proposed Project Area has no additional public roads would be built with only access roads for construction and maintenance purposes.

**c. Population densities**

As of the 2020 Census, Utah County has a population of 665,665. It is the second most populous county in the state of Utah. During the construction of the facility there will be approximately 250 temporary workers on site at peak employment. The Project will only require approximately 4 full-time operations and maintenance staff once construction is completed. The amount of additional housing and strain on local services will be minimal.

There are no residential housing units or residents within the Project Area, and there are very few units near the Project Area. As noted above, this area is primarily used for agricultural activities.

**d. Building intensities**

There are no major improvements or structures within the Project Area.

**e. Impact of project area development**

Once operational, the Solar Project and BESS Project within the Project Area will consist of photovoltaic solar panels and accessory facilities; electrical collection and transmission lines and facilities; battery storage equipment; communication lines, cables, conduits, and facilities; electrical transformers, substations, and interconnection facilities; telecommunications equipment; operations building; control buildings and maintenance yards; access roads, fences and gates. The Solar Project substation will include a large transformer, breakers, and electrical buswork, and controls systems housed within a small structure. An aboveground 345kV transmission line will run from the Solar Project substation to PacifiCorp's Mercer-Mona 345kV transmission line via a newly-constructed PacifiCorp switchyard and will consist of a single-circuit line, transmission poles, and ancillary equipment and improvements. The BESS Project will be adjacent to the Solar Project and within the Project Area consist of lithium battery technology and related equipment. The Projects and their facilities and improvements are not reasonably anticipated to cause detrimental effects on existing surrounding uses.

Elberta is the nearest incorporated area and lies to the southeast of the Project Area. The Projects will not include any residential units, and the population of the Project Area is not expected to increase in connection with its development. Currently anticipated development is not expected to add significantly to the cumulative impact on public roads. However, as new jobs are created within the Project Area, a corresponding number of new housing units may be constructed in other portions of the County.

During construction, there will be an influx of construction workers and delivery of materials to the Project Area; however, such impacts are temporary and not reasonably anticipated to detrimentally affect the surrounding area.

Due to the remote location of the Project Area, future development options are limited. The proposed Projects takes advantage of the Project Area's solar resources with minimal impact on the surrounding area. The development of the Projects within the Project Area will convert otherwise unproductive land into productive use and is anticipated to result in the following benefits: significant new property tax revenues and an increase in the County's property tax base; enhanced employment opportunities for County residents; support of public schools through increased property tax revenues; and diversification of the local economy.

**4. Development standards**

The development and operation of the Projects will be subject to all applicable County, State, and Federal regulations.

**5. How the purposes of the Act will be attained by the Plan**

Pursuant to Utah Code Ann. § 17C-1-102(47), the purpose of implementing a Project Area Plan may include activities which the Agency has determined either provides or encourages job creation or the development of improvements, facilities, structures, or buildings either on-site or off-site.

The Agency anticipates the Tax Increment incentives authorized by this Plan will result in the following outcomes:

**a. Create jobs**

The Agency anticipates the Tax Increment incentive authorized by this Plan will incentivize the development and operation of the Solar Project, which will create an estimated 250 FTE construction jobs, with a daily maximum of 250 workers, during the projected 20-month construction period and approximately 4 full-time, high-paying permanent jobs for the two phases combined. The BESS Project is anticipated to create an estimated 35 FTE construction jobs during the 6-month construction period and 1 permanent, full-time, high-paying job during operations.

**b. Tax revenue**

It is anticipated that future development within the Plan Area will generate significant and meaningful tax revenue to the County through increases in property taxes. Projected tax revenue generated by the Projects will be evaluated as part of the Agency’s negotiation of a participation agreement with Pinyon Creek Solar.

**c. Fund local economic development**

The Agency will retain a portion of the Tax Increment generated within the Project Area to cover the administrative costs of implementing the Plan and for other purposes that are authorized under the Act.

**d. Provide funding for Utah education**

It is anticipated that the capital investment required to construct this project will increase property value in the Plan Area which will generate additional property tax revenue and provide additional funding for the Nebo School District.

**e. Provide funds for local housing needs**

Pursuant to the Act, 10% of the Tax Increment will be allocated to fund local income-targeted housing needs or homeless assistance. The Agency will use these funds in accordance with the Act and consistent with the plans and objectives of the County relative to affordable and moderate-income housing.

**6. Consistent with Utah County General Plan**

All development within the Project Area will conform to the Utah County General Plan (the “General Plan”) and will further the County’s Economic Development Goals in the following ways. The Solar Project is consistent with the County’s goal to pursue diverse economic development activities that complement existing businesses and industries, and that are sensitive to the natural environment and compatible with the area’s rural character. The Projects further the General Plan’s goal to support industrial development adjacent to major transportation corridors and public utility areas. Additionally, the Projects employ an environmentally sustainable source of renewable energy and will promote the efficient use of the County’s natural resources. In terms of economic development, the Projects are anticipated to create new employment opportunities and will diversify the County’s tax base. In addition to generating significant tax revenues for the County, the Projects will support public schools through increased property tax revenues without increasing demand for services.

**7. Elimination or reduction of blight within Project Area**

This element is not applicable to the Project Area.

**8. Project Area development**

The implementation and execution of this Plan is intended to incentivize the development and operation of the Projects proposed by Pinyon Creek Solar. The proposed Solar Project consists of a solar photovoltaic plant that will be capable of generating up to three hundred ninety-eight megawatts (398) megawatts (MW) of renewable energy upon completion. Once operational, the Solar Project will include solar panels and related equipment, electrical transformers and substation facilities, collection, distribution and transmission lines, telecommunications equipment, access drives and fencing. The BESS Project consists of lithium batteries capable of storing up to 149 megawatts of energy from both renewable sources and other generations sources from the grid.

**9. Selection of participants**

Pinyon Creek Solar is an affiliate of D. E. Shaw Renewable Investments (“DESRI”). DESRI has extensive experience with developing renewable energy projects throughout the country and is the largest owner and constructor of new solar projects in Utah. The Agency believes that Pinyon Creek Solar has the resources and experience to successfully develop the Projects.

**10. Reasons for selection of Project Area**

The Agency seeks to pursue economic development to strengthen the local economy and diversify and expand the County’s industrial base. Future development opportunities within the Project Area are severely limited due to the lack of available infrastructure. The proposed Projects will take advantage of the County’s existing surrounding land uses, create local construction jobs and high-paying permanent jobs, and generate significant tax revenue on land that will otherwise likely remain unproductive.

**11. Physical, social, and economic conditions within Project Area**

The Project Area consists of non-irrigated rangeland used for agricultural uses. Given the lack of infrastructure, it is currently unsuitable for residential, commercial, or most industrial uses. There are no residential buildings, and thus no residents, within the Project Area, nor are there any structures or improvements within the Project Area other than the required infrastructure for the solar development.

**12. Tax incentives for facilities located in Project Area**

Developing the Projects as part of this Plan allows the County and other taxing entities to receive tax revenue from a project that would not otherwise be financially feasible to develop. Utility-scale renewable energy projects are extremely price sensitive and compete against projects in other cities, counties, and states that offer tax incentives. Without the Tax Increment incentives available through a Community Reinvestment Project Area Plan process, the Projects would not be competitive and could not be built.

As noted above, the Agency intends to offer Tax Increment incentives, as needed, in consideration for new development within the Plan Area that furthers the goals outlined

in this Plan. The Agency anticipates negotiating a participation agreement with Pinyon Creek Solar to allow for the reimbursement of a portion of the Tax Increment generated by the Projects.

**13. Anticipated public benefits from the Plan**

The Act provides that any Community Reinvestment Project Area Plan include an analysis or description of the anticipated public benefit resulting from project area development, including benefits to the community’s economic activity and tax base. This Plan is necessary to catalyze economic development through the strategic and targeted support of the Projects located within the Plan Area.

**a. Economic activity benefits**

As has been mentioned above, development of the Solar Project will create an estimated 250 FTE construction jobs, with a daily maximum of 250 workers, during the projected 20-month construction period and approximately 4 full-time, high-paying permanent jobs for the two phases combined. The BESS Project is anticipated to create an estimated 35 FTE construction jobs during the 6 month construction period and 1 permanent, full-time, high-paying job during operations. During construction, local businesses such as motels and restaurants are expected to benefit by increased demand for goods and services. Adoption of the Plan is anticipated to expand and diversify the County’s industrial base.

The Agency will use a portion of the Tax Increment for administrative expenses and for other purposes that are authorized under the Act.

**b. Tax base benefits**

Development of the Projects will generate significant and meaningful tax revenue through property not otherwise available without the tax incentive. While taxing entities will necessarily need to agree to forego a percentage of the growth in the tax base within the Plan Area while the Plan is in effect, the Agency’s role in stimulating economic growth and increasing assessed values within the Plan Area will benefit the community as a whole and, over time, each of the taxing entities.

Private investment alone cannot be reasonably expected to achieve substantial economic growth in the near future. The Plan Area has not attracted significant private investment to date, and given the constraints of the site, is not anticipated to do so in the future without support from the Agency. The Projects cannot be developed within the Plan Area without the incentives contemplated by this Plan.

**c. Additional benefits**

The Projects will also provide significant economic returns to the County and school district without increasing demand for public services, such as new infrastructure or schools.

**14. Compliance with Section 9-8-404 Heritage, Arts, Libraries, and Cultural Development**

This element is not applicable to the Project Area.

**15. Project Area subject to taxing entity committee or an interlocal agreement**

This Project Area will be subject to an interlocal agreement with each applicable taxing entity.





**Parcel Identification Number: 610240012**

COMN 1834.81 FT FR SECOR. SEC 29, T9S, R1W, SLB&M.; N 521.16 FT; W 2639.86 FT; S 608.45 FT; S 88 DEG 32' 38" E 1191.78 FT; N 85 DEG 21' 34" E 1453.22 FT TO BEG. AREA 36.320 AC.

Tax ID 61:024:0012

**Parcel Identification Number: 610240013**

COM NO DEG 57' 48" W 219.44 FT FR NW COR. OF SW¼ OF SW¼ OF SEC. 29, T9S, R1 W, SLB&M.; N 0 DEG 57' 48" W 113.13 FT; S 88 DEG 32' 37" E 1321.03 FT; S 88 DEG 32' 37" E 1321.02 FT; SO DEG 25' 20" E 124.94 FT; S 85 DEG 28' 33" W 1667.13 FT; N 77 DEG 51' 27" W I 000.66 FT TO BEG. AREA 12.698 AC.

Tax ID 61:024:0013

**Parcel Identification Number: 610140001**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 18: Lots 1, 2, 3, 4, E2W2, W2E2

**Parcel Identification Number: 610250003**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 30: Lot 3, 4, E2SW4, SE4

[SUCH LAND AS SHALL BE REQUIRED FOR THE POINT OF INTERCONNECTION FOR  
THE PINYON CREEK SOLAR PROJECT]

**RESOLUTION NO. 2024 - 316**

**RESOLUTION OF THE UTAH COUNTY REINVESTMENT AGENCY ADOPTING AN OFFICIAL PROJECT AREA PLAN AND BUDGET FOR THE PINYON CREEK SOLAR PROJECT - COMMUNITY REINVESTMENT PROJECT AREA.**

**WHEREAS**, the Utah County Reinvestment Agency (the “Agency”) was created to transact the business and exercise the powers provided for in the current Limited Purpose Local Government Entities - Community Reinvestment Agency Act, Title 17C of the Utah Code Ann. 1953, as amended (the “Act”); and

**WHEREAS**, Utah County (the “County”) has a planning commission and has adopted a general plan pursuant to applicable law; and

**WHEREAS**, the Agency, by Resolution, has authorized the preparation of a draft project area plan as provided in Section 17C-5-103 of the Act; and

**WHEREAS**, pursuant to Section 17C-5-104 of the Act, the Agency has (a) prepared a draft Pinyon Creek Solar Project - Community Reinvestment Project Area Plan (the “Project Area Plan” or “Plan”) and budget (the “Budget”) and (b) made the draft Project Area Plan and Budget available to the public at the Agency’s offices during normal business hours; and

**WHEREAS**, the Agency provided notice of the public hearing in strict compliance with Sections 17C-1-805, 806, and 808; and

**WHEREAS**, the Plan and Budget allow for the Agency to collect tax increment created within the Project Area to meet the goals and objectives as outlined in the Plan, to promote economic development, and provide a public benefit within the County and the Project Area; and

**WHEREAS**, the Agency has prepared a Project Area Budget in accordance with section 17C-5-302 of the Act.

**WHEREAS**, the Agency has held a public hearing on the draft Project Area Plan and Budget at the Plan hearing (a) allowed public comment on the draft Project Area Plan and Budget and whether the draft Project Area Plan and Budget should be revised, approved or rejected, and (b) received all written and heard all oral objections to the draft Project Area Plan and Budget; and

**WHEREAS**, after holding the public hearing, and at the same meeting, the Agency considered the oral and written objections to the draft Project Area Plan and Budget, and whether to revise, approve or reject the draft Project Area Plan and Budget;

**WHEREAS**, the Plan and Budget hearing was held on April 24, 2024, and this resolution was adopted less than one year since the date of the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the Agency:

**Section I. Adoption of Project Area Plan.** It has become necessary and desirable to adopt the Project Area Plan as the official Project Area Plan for the Project Area. The Project Area Plan,

in the form attached hereto as **Exhibit C**, and together with any changes to the Project Area Plan as may be indicated in the minutes of this meeting (if any), is hereby designated and adopted as the official Project Area Plan for the Project Area. The Agency shall submit the Project Area Plan, together with a copy of this Resolution, to the County Commission requesting that the Project Area Plan be adopted by ordinance of the legislative body of the County in accordance with the provisions of the Act.

**Section 2. Legal Description of the Project Area Boundaries.** The legal description of the boundaries of the Project Area covered by the Project Area Plan is attached hereto and incorporated herein as **Exhibit A**. A map of the Project Area is attached and incorporated herein as **Exhibit B**.

**Section 3. Agency's Purposes and Intent.** The Agency's purposes and intent with respect to the Project Area are to accomplish the following:

- A. Incentivize the development and operation of a utility-scale solar energy generation project.
- B. Provide benefits to all local taxing entities, provide significant economic returns to Utah's public-school trust, create jobs and otherwise expand and diversify the County's industrial tax base.
- C. Provide for the strengthening of the economic health of the community.

**Section 4. Project Area Plan Incorporated by Reference.** The Project Area Plan, together with supporting documents, in the form attached as **Exhibit C**, and together with any changes to the Project Area Plan as may be indicated in the minutes of this meeting (if any), is hereby incorporated herein by reference, and made a part of this Resolution. Copies of the Project Area Plan shall be filed and maintained in the office of the Agency and the County Recorder for public inspection.

**Section 5. Agency Board Findings.** The Agency Board hereby determines and finds as follows:

The adoption of the Project Area Plan will:

- A. Satisfy a public purpose by, among other things, providing a new source of clean energy;
- B. Benefit the public in the form of, among other things, increasing property values and property tax revenue without increasing demand for government services such as schools, recreation facilities, and public safety;
- C. Be economically sound and feasible; in that the revenue needed to support the public amenities contemplated within the Project Area Plan will come from incremental taxes generated by new private development within the Project Area, all as further shown and supported by the analysis contained in the Project Area Plan;
- D. Conform to the County's general plan in that, among other things, the Project Area Plan provides that all development in the Project Area is to be in accordance with the County's

zoning ordinances and requirements, and the development activities contemplated by the Project Area Plan are in harmony with the County’s general plan; and

E. Promote the public peace, health, safety and welfare of the citizens of the County.

**Section 6. Financing.** Subject to any limitations required by currently existing law (unless a limitation is subsequently eliminated), this Resolution hereby specifically incorporates all of the provisions of the Act that authorize or permit the Agency to receive funding for the Project Area and that authorize the various uses of such funding by the Agency, and to the extent greater (or more beneficial to the Agency) authorization for receipt of funding by the Agency or use thereof by the Agency is provided by any amendment of the Act or by any successor provision, law or act, those are also specifically incorporated herein. It is the intent of this Resolution that the Agency shall have the broadest authorization and permission for receipt of and use of sales tax, tax increment and other funding as is authorized by law, whether by existing or amended provisions of law. This Resolution also incorporates the specific provisions relating to funding of community reinvestment project areas permitted by Chapter 5 of the Act.

**Section 7. Effective Date.** This Resolution shall take effect immediately upon adoption, and pursuant to the provisions of the Act, the Project Area Plan shall become effective upon adoption by Ordinance of the legislative body of the County.

**Section 8. Project Area Budget.** The Project Area Budget for the Pinyon Creek Solar Project attached hereto as **Exhibit D** and together with any changes to the draft Project Area Budget as may be indicated in the minutes of this meeting (if any), is hereby approved and adopted on the 24th day of April, 2024. The Agency staff will include in various reporting elements under the Act, the taking of tax increment from the Pinyon Creek Solar Project - Community Reinvestment Project Area beginning with the tax year for which the Agency initially requests the “triggering” of the Project Area funds. The Agency staff and its consultants are authorized to negotiate and ratifies any prior negotiations or resolutions with the taxing entities that levy a certified rate in the Project Area, to participate with the Agency in the implementation and funding of the Budget in accordance with Sections 17C-5-201, 202, 203, 204, 205, and 206 of the Act.

**IN WITNESS WHEREOF**, the Governing Board of the Utah County Reinvestment Agency has approved, passed and adopted this Resolution this 24th day of April, 2024.

UTAH COUNTY COMMUNITY  
REINVESTMENT AGENCY

  
BRANDON B. GORDON, Chair

ATTEST:  
AARON R. DAVIDSON  
Utah County Clerk



By: *Alice Black*  
Deputy/Alice Black

APPROVED AS TO FORM AND LEGALITY:  
JEFFREY S. GRAY  
Utah County Attorney

By: *Paul Jones*  
Deputy Utah County Attorney/Paul Jones

## EXHIBIT A – LEGAL DESCRIPTION OF THE PROJECT AREA

**Parcel Identification Number: 610260001**

W ½ OF SEC 31, T 9 S, R 1 W, SLM. Area 320 Acres

Section: 31

Book: 61

Page: 26

Township:009S

**Parcel Identification Number: 610150002**

In Township 9 South, Range 1 West, Salt Lake Base Meridian

Section 19: N 1/2; N 1/2 of the SW 1/4

Area 400 Acres

Tax ID 61:015:0002

**Parcel Identification Number: 610420001**

In Township 9 South, Range 2 West, Salt Lake Base Meridian

Section 13: SW 1/4; W 1/2 of the SE 1/4; SW 1/4 of the NW 1/4 of the NE 1/4; W 1/2 of the SW 1/4 of the NE 1/4

Area 270 Acres.

Tax ID 61:042:0001

**Parcel Identification Number: 610240014**

COM ATNE COR. OF S ½ OF S ½ OF NE ¼ OF SW¼ OF SEC. 29, T9S, R1W, SLB&M.; S 88 DEG 32' 38" E 1189.97 FT; S 85 DEG 25' 28" W 720.74 FT; S 85 DEG 28' 33" W 471.69 FT; NO DEG 25' 20" W 124.94 FT TO BEG. AREA 1.708 AC.

Tax ID 61:024:0014

**Parcel Identification Number: 610250001**

ALL OF N ½ OF SEC 30, T9S, R1W, SLM; EXCEPT 5 ACRES DESCRIBED AS E1/2 OF NW1/4 OF SE1/4 OF NW1/4 OF SD SEC. AREA 315.36 ACRES.

Tax ID 61:025:0001

**Parcel Identification Number: 610250002**

COM 5 CHS E OF NW COR OF SE1/2 OF NW1/4 OF SEC 30, T9S, R1 W, SLM; S 10 CHS; E 5 CHS; N 10 CHS; W 5 CHS TO BEG. AREA 5 ACRES.

Tax ID 61:025:0002

**Parcel Identification Number: 610450002**

N ½ OF SE¼; NE¼ OF SW¼; N ½ OF SE¼ OF SW¼ OF SEC 25, T9S, R2W, SLM. AREA 140 ACRES.

Tax ID 61:045:0002

**Parcel Identification Number: 610150003**

S ½ OF S ½ OF SEC. 19, T9S, R1W, SLB&M. AREA 164.092 AC. ALSON ½ OF SE¼ OF SEC 19, T9S, R1W, SLB&M. AREA 82.186 AC. TOTAL AREA 246.278 AC.

Tax ID 61:015:0003

**Parcel Identification Number: 610240012**

COMN 1834.81 FT FR SECOR. SEC 29, T9S, RIW, SLB&M.; N 521.16 FT; W 2639.86 FT; S 608.45 FT; S 88 DEG 32' 38" E 1191.78 FT; N 85 DEG 21' 34" E 1453.22 FT TO BEG. AREA 36.320 AC.

Tax ID 61:024:0012

**Parcel Identification Number: 610240013**

COM NO DEG 57' 48" W 219.44 FT FR NW COR. OF SW¼ OF SW¼ OF SEC. 29, T9S, R1 W, SLB&M.; N 0 DEG 57' 48" W 113.13 FT; S 88 DEG 32' 37" E 1321.03 FT; S 88 DEG 32' 37" E 1321.02 FT; SO DEG 25' 20" E 124.94 FT; S 85 DEG 28' 33" W 1667.13 FT; N 77 DEG 51' 27" W 1000.66 FT TO BEG. AREA 12.698 AC.

Tax ID 61:024:0013

**Parcel Identification Number: 610140001**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 18: Lots 1, 2, 3, 4, E2W2, W2E2

**Parcel Identification Number: 610250003**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 30: Lot 3, 4, E2SW4, SE4

[SUCH LAND AS SHALL BE REQUIRED FOR THE POINT OF INTERCONNECTION FOR THE PINYON CREEK PROJECT]



EXHIBIT C – OFFICIAL PROJECT AREA PLAN

# **PINYON CREEK SOLAR PROJECT**

---

## **Community Reinvestment Project Area Plan**

Utah County Community Reinvestment Agency  
April 24, 2024

**Table of Contents**

1. Introduction and adoption of area plan and budget .....1

2. Community Reinvestment Project Area Plan boundaries.....2

3. Summary of current conditions and impact of project area development .....2

4. Development standards.....4

5. How the purposes of the Act will be attained by the Plan.....4

6. Consistent with Utah County General Plan .....5

7. Elimination or reduction of blight within Project Area .....5

8. Project Area development.....6

9. Selection of participants.....6

10. Reasons for selection of Project Area.....6

11. Physical, social, and economic conditions within Project Area .....6

12. Tax incentives for facilities located in Project Area.....6

13. Anticipated public benefits from the Plan .....7

14. Compliance with Section 9-8-404 Heritage, Arts, Libraries, and Cultural Development.....8

15. Project Area subject to taxing entity committee or an interlocal agreement .....8

**List of Exhibits**

Exhibit A-1	Project Area Map
Exhibit A-2	Project Area Legal Description

**1. Introduction and adoption of area plan and budget**

Pursuant to Resolution No. 2024 - 121 (the “Resolution”), the Board of the Utah County Community Reinvestment Agency (also referenced herein as the “Agency”) authorized the preparation of this Community Reinvestment Project Area Plan, as amended, (the “Plan”) in accordance with provisions of Title 17C of the Utah Code Annotated 1953, as amended (the “Act”). The Plan shall be titled the “Pinyon Creek Solar Project Community Reinvestment Project Area Plan”.

In accordance with the Act, the Agency’s objectives in approving this Plan are to use Tax Increment<sup>1</sup> to expand and diversify Utah County’s industrial tax base and benefit all taxing entities, promote the efficient use of natural resources, support the growth and development of clean energy production, create new employment opportunities, facilitate development of underutilized property, and encourage development. The Agency anticipates that the objectives of the Plan cannot be achieved without the use of Tax Increment.

The Plan covers approximately 2,500 acres of undeveloped land and is not being expanded other than to specifically call out voltage paths within the current area (the “Project Area”) more particularly depicted in attached Exhibit A-1 (the “Project Area Map”) and described in attached Exhibit A-2 (the “Plan Area Legal Description”).

The implementation and execution of this Plan is intended to incentivize the development and operation of a 398 MW utility-scale solar energy generation project in two phases (the “Solar Project”) proposed by Pinyon Creek Solar LLC and its affiliates (“Pinyon Creek Solar”) and a 149 MW utility-scale battery energy storage system project (the “BESS Project”) proposed by Pinyon Creek Solar, which will benefit all local taxing entities, provide significant economic returns, create jobs, and otherwise expand and diversify Utah County’s industrial tax base. The Solar Project and BESS Project are jointly referred to as the “Projects.”

The Agency proposes to use Tax Increment to encourage economic development and industrial expansion within the Plan Area. The Agency anticipates that the goals and objectives of this Plan cannot be achieved without the use of Tax Increment. Therefore, the Agency will request the participation of each taxing entity that levies a property tax within the Plan Area to agree to allow the Agency to receive a percentage of the Tax Increment generated within the Plan Area for the term of this Plan. As outlined in the Act, the Agency will negotiate separate interlocal agreements with each participating taxing entity with separate agreements for the Projects, which will outline the specifics related to the amount of Tax Increment and participation time frame over which the Tax Increment will be received by the Agency. Pursuant to these interlocal agreements, the Agency will receive the Tax Increment and will use this financing source to accomplish the purposes and objectives of this Plan.

---

<sup>1</sup> The Act defines “*Tax increment*” to mean the difference between: (i) the amount of property tax revenue generated each tax year by a taxing entity from the Project Area from which tax increment is to be collected, using the current assessed value of the property; and (ii) the amount of property tax revenue that would be generated from the Project Area using the base taxable value of the property.

Moreover, the Agency anticipates negotiating a participation agreement with Pinyon Creek Solar to allow for the reimbursement of the Tax Increment generated by the Projects. The terms of the Tax Increment participation for the Projects, including participation percentages and term, will be negotiated separately between Pinyon Creek Solar and the Agency. This Plan shall remain in effect for the term of the participation agreements between the Agency and Pinyon Creek Solar.

The ordering of sections within this Plan are consistent with the requirements and other criteria for Community Reinvestment Project Area Plans set forth in Utah Code Ann. § 17C-5-105. Each capitalized term not otherwise defined in this Plan shall have the meaning described to it in the Act.

Contacts:        Brandon Gordon, Chairman  
                      Utah County Commission  
                      51 South University Avenue  
                      Provo, UT 84601  
                      (801) 851-8135

                     Tom Sakievich  
                      Utah County Commission  
                      51 South University Avenue  
                      Provo, UT 84601  
                      (801) 851-8133

                     Amelia Powers Gardner  
                      Utah County Commission  
                      51 South University Avenue  
                      Provo, UT 84601  
                      (801) 851-8136

                     Ezra Nair  
                      100 East Center Street, Ste. HCH 317C  
                      Provo, UT 84606  
                      (801) 851-0361

**2.        Community Reinvestment Project Area Plan boundaries**

The Project Area is located entirely within unincorporated areas of Utah County (the “County”) on remote, undeveloped property. The Project Area is accessed by SR 68 and W 11280 S St near Elberta west of Utah Lake.

**3.        Summary of current conditions and impact of project area development**

**a.        Existing land uses**

Land within the Project Area is located in unincorporated Utah County and in an area of the County that is almost completely zoned M&G-1 (mining and grazing). Four parcels (PID 61:016:0001, 61:024:0012, 61:024:0013, and 61:024:0014) located within the Project area that are zoned Residential Agriculture 5 (RA-5) will be used for access only.

The proposed Projects are permitted by conditional use as an electrical power generation facility in the M&G-1 Zone as recorded by the county on April 11, 2023 with instrument numbers 22503:2023 and 22504:2023. An additional permit application is in progress for one more parcel (PID 61:026:0001).

There is little development in the general vicinity of the Project Area, and the closest community is Elberta.

**b. Principal streets**

As noted, the Project Area is accessed by SR 68 and W 11280 S St. The proposed Project Area has no additional public roads would be built with only access roads for construction and maintenance purposes.

**c. Population densities**

As of the 2020 Census, Utah County has a population of 665,665. It is the second most populous county in the state of Utah. During the construction of the facility there will be approximately 250 temporary workers on site at peak employment. The Project will only require approximately 4 full-time operations and maintenance staff once construction is completed. The amount of additional housing and strain on local services will be minimal.

There are no residential housing units or residents within the Project Area, and there are very few units near the Project Area. As noted above, this area is primarily used for agricultural activities.

**d. Building intensities**

There are no major improvements or structures within the Project Area.

**e. Impact of project area development**

Once operational, the Solar Project and BESS Project within the Project Area will consist of photovoltaic solar panels and accessory facilities; electrical collection and transmission lines and facilities; battery storage equipment; communication lines, cables, conduits, and facilities; electrical transformers, substations, and interconnection facilities; telecommunications equipment; operations building; control buildings and maintenance yards; access roads, fences and gates. The Solar Project substation will include a large transformer, breakers, and electrical buswork, and controls systems housed within a small structure. An aboveground 345kV transmission line will run from the Solar Project substation to PacifiCorp's Mercer-Mona 345kV transmission line via a newly-constructed PacifiCorp switchyard and will consist of a single-circuit line, transmission poles, and ancillary equipment and improvements. The BESS Project will be adjacent to the Solar Project and within the Project Area consist of lithium battery technology and related equipment. The Projects and their facilities and improvements are not reasonably anticipated to cause detrimental effects on existing surrounding uses.

Elberta is the nearest incorporated area and lies to the southeast of the Project Area. The Projects will not include any residential units, and the population of the Project Area is not expected to increase in connection with its development. Currently anticipated development is not expected to add significantly to the cumulative impact on public roads. However, as new jobs are created within the Project Area, a corresponding number of new housing units may be constructed in other portions of the County.

During construction, there will be an influx of construction workers and delivery of materials to the Project Area; however, such impacts are temporary and not reasonably anticipated to detrimentally affect the surrounding area.

Due to the remote location of the Project Area, future development options are limited. The proposed Projects takes advantage of the Project Area’s solar resources with minimal impact on the surrounding area. The development of the Projects within the Project Area will convert otherwise unproductive land into productive use and is anticipated to result in the following benefits: significant new property tax revenues and an increase in the County’s property tax base; enhanced employment opportunities for County residents; support of public schools through increased property tax revenues; and diversification of the local economy.

**4. Development standards**

The development and operation of the Projects will be subject to all applicable County, State, and Federal regulations.

**5. How the purposes of the Act will be attained by the Plan**

Pursuant to Utah Code Ann. § 17C-1-102(47), the purpose of implementing a Project Area Plan may include activities which the Agency has determined either provides or encourages job creation or the development of improvements, facilities, structures, or buildings either on-site or off-site.

The Agency anticipates the Tax Increment incentives authorized by this Plan will result in the following outcomes:

**a. Create jobs**

The Agency anticipates the Tax Increment incentive authorized by this Plan will incentivize the development and operation of the Solar Project, which will create an estimated 250 FTE construction jobs, with a daily maximum of 250 workers, during the projected 20-month construction period and approximately 4 full-time, high-paying permanent jobs for the two phases combined. The BESS Project is anticipated to create an estimated 35 FTE construction jobs during the 6-month construction period and 1 permanent, full-time, high-paying job during operations.

**b. Tax revenue**

It is anticipated that future development within the Plan Area will generate significant and meaningful tax revenue to the County through increases in property taxes. Projected tax revenue generated by the Projects will be evaluated as part of the Agency’s negotiation of a participation agreement with Pinyon Creek Solar.

**c. Fund local economic development**

The Agency will retain a portion of the Tax Increment generated within the Project Area to cover the administrative costs of implementing the Plan and for other purposes that are authorized under the Act.

**d. Provide funding for Utah education**

It is anticipated that the capital investment required to construct this project will increase property value in the Plan Area which will generate additional property tax revenue and provide additional funding for the Nebo School District.

**e. Provide funds for local housing needs**

Pursuant to the Act, 10% of the Tax Increment will be allocated to fund local income-targeted housing needs or homeless assistance. The Agency will use these funds in accordance with the Act and consistent with the plans and objectives of the County relative to affordable and moderate-income housing.

**6. Consistent with Utah County General Plan**

All development within the Project Area will conform to the Utah County General Plan (the “General Plan”) and will further the County’s Economic Development Goals in the following ways. The Solar Project is consistent with the County’s goal to pursue diverse economic development activities that complement existing businesses and industries, and that are sensitive to the natural environment and compatible with the area’s rural character. The Projects further the General Plan’s goal to support industrial development adjacent to major transportation corridors and public utility areas. Additionally, the Projects employ an environmentally sustainable source of renewable energy and will promote the efficient use of the County’s natural resources. In terms of economic development, the Projects are anticipated to create new employment opportunities and will diversify the County’s tax base. In addition to generating significant tax revenues for the County, the Projects will support public schools through increased property tax revenues without increasing demand for services.

**7. Elimination or reduction of blight within Project Area**

This element is not applicable to the Project Area.

**8. Project Area development**

The implementation and execution of this Plan is intended to incentivize the development and operation of the Projects proposed by Pinyon Creek Solar. The proposed Solar Project consists of a solar photovoltaic plant that will be capable of generating up to three hundred ninety-eight megawatts (398) megawatts (MW) of renewable energy upon completion. Once operational, the Solar Project will include solar panels and related equipment, electrical transformers and substation facilities, collection, distribution and transmission lines, telecommunications equipment, access drives and fencing. The BESS Project consists of lithium batteries capable of storing up to 149 megawatts of energy from both renewable sources and other generations sources from the grid.

**9. Selection of participants**

Pinyon Creek Solar is an affiliate of D. E. Shaw Renewable Investments (“DESRI”). DESRI has extensive experience with developing renewable energy projects throughout the country and is the largest owner and constructor of new solar projects in Utah. The Agency believes that Pinyon Creek Solar has the resources and experience to successfully develop the Projects.

**10. Reasons for selection of Project Area**

The Agency seeks to pursue economic development to strengthen the local economy and diversify and expand the County’s industrial base. Future development opportunities within the Project Area are severely limited due to the lack of available infrastructure. The proposed Projects will take advantage of the County’s existing surrounding land uses, create local construction jobs and high-paying permanent jobs, and generate significant tax revenue on land that will otherwise likely remain unproductive.

**11. Physical, social, and economic conditions within Project Area**

The Project Area consists of non-irrigated rangeland used for agricultural uses. Given the lack of infrastructure, it is currently unsuitable for residential, commercial, or most industrial uses. There are no residential buildings, and thus no residents, within the Project Area, nor are there any structures or improvements within the Project Area other than the required infrastructure for the solar development.

**12. Tax incentives for facilities located in Project Area**

Developing the Projects as part of this Plan allows the County and other taxing entities to receive tax revenue from a project that would not otherwise be financially feasible to develop. Utility-scale renewable energy projects are extremely price sensitive and compete against projects in other cities, counties, and states that offer tax incentives. Without the Tax Increment incentives available through a Community Reinvestment Project Area Plan process, the Projects would not be competitive and could not be built.

As noted above, the Agency intends to offer Tax Increment incentives, as needed, in consideration for new development within the Plan Area that furthers the goals outlined

in this Plan. The Agency anticipates negotiating a participation agreement with Pinyon Creek Solar to allow for the reimbursement of a portion of the Tax Increment generated by the Projects.

**13. Anticipated public benefits from the Plan**

The Act provides that any Community Reinvestment Project Area Plan include an analysis or description of the anticipated public benefit resulting from project area development, including benefits to the community’s economic activity and tax base. This Plan is necessary to catalyze economic development through the strategic and targeted support of the Projects located within the Plan Area.

**a. Economic activity benefits**

As has been mentioned above, development of the Solar Project will create an estimated 250 FTE construction jobs, with a daily maximum of 250 workers, during the projected 20-month construction period and approximately 4 full-time, high-paying permanent jobs for the two phases combined. The BESS Project is anticipated to create an estimated 35 FTE construction jobs during the 6 month construction period and 1 permanent, full-time, high-paying job during operations. During construction, local businesses such as motels and restaurants are expected to benefit by increased demand for goods and services. Adoption of the Plan is anticipated to expand and diversify the County’s industrial base.

The Agency will use a portion of the Tax Increment for administrative expenses and for other purposes that are authorized under the Act.

**b. Tax base benefits**

Development of the Projects will generate significant and meaningful tax revenue through property not otherwise available without the tax incentive. While taxing entities will necessarily need to agree to forego a percentage of the growth in the tax base within the Plan Area while the Plan is in effect, the Agency’s role in stimulating economic growth and increasing assessed values within the Plan Area will benefit the community as a whole and, over time, each of the taxing entities.

Private investment alone cannot be reasonably expected to achieve substantial economic growth in the near future. The Plan Area has not attracted significant private investment to date, and given the constraints of the site, is not anticipated to do so in the future without support from the Agency. The Projects cannot be developed within the Plan Area without the incentives contemplated by this Plan.

**c. Additional benefits**

The Projects will also provide significant economic returns to the County and school district without increasing demand for public services, such as new infrastructure or schools.



### Exhibit A-1 - Project Area Map



**Exhibit A-2 – Project Area Legal Description**

**Parcel Identification Number: 610260001**

W ½ OF SEC 31, T 9 S, R 1 W, SLM. Area 320 Acres  
 Section: 31  
 Book: 61  
 Page: 26  
 Township:009S

**Parcel Identification Number: 610150002**

In Township 9 South, Range 1 West, Salt Lake Base Meridian  
 Section 19: N 1/2; N 1/2 of the SW 1/4  
 Area 400 Acres  
 Tax ID 61:015:0002

**Parcel Identification Number: 610420001**

In Township 9 South, Range 2 West, Salt Lake Base Meridian  
 Section 13: SW 1/4; W 1/2 of the SE 1/4; SW 1/4 of the NW 1/4 of the NE 1/4; W 1/2 of the SW 1/4 of the NE 1/4  
 Area 270 Acres.  
 Tax ID 61:042:0001

**Parcel Identification Number: 610240014**

COM ATNE COR. OF S ½ OF S ½ OF NE ¼ OF SW ¼ OF SEC. 29, T9S, RIW, SLB&M.; S 88 DEG 32' 38" E 1189.97 FT; S 85 DEG 25' 28" W 720.74 FT; S 85 DEG 28' 33" W 471.69 FT; NO DEG 25' 20" W 124.94 FT TO BEG. AREA 1.708 AC.  
 Tax ID 61:024:0014

**Parcel Identification Number: 610250001**

ALL OF N ½ OF SEC 30, T9S, RIW, SLM; EXCEPT 5 ACRES DESCRIBED AS E1/2 OF NW1/4 OF SE1/4 OF NW1/4 OF SD SEC. AREA 315.36 ACRES.  
 Tax ID 61:025:0001

**Parcel Identification Number: 610250002**

COM 5 CHS E OF NW COR OF SE1/2 OF NW1/4 OF SEC 30, T9S, RI W, SLM; S 10 CHS; E 5 CHS; N 10 CHS; W 5 CHS TO BEG. AREA 5 ACRES.  
 Tax ID 61:025:0002

**Parcel Identification Number: 610450002**

N ½ OF SE¼; NE¼ OF SW¼; N ½ OF SE¼ OF SW¼ OF SEC 25, T9S, R2W, SLM. AREA 140 ACRES.  
 Tax ID 61:045:0002

**Parcel Identification Number: 610150003**

S ½ OF S ½ OF SEC. 19, T9S, RIW, SLB&M. AREA 164.092 AC. ALSON ½ OF SE¼ OF SEC 19, T9S, RIW, SLB&M. AREA 82.186 AC. TOTAL AREA 246.278 AC.  
 Tax ID 61:015:0003

**Parcel Identification Number: 610240012**

COMN 1834.81 FT FR SECOR. SEC 29, T9S, RIW, SLB&M.; N 521.16 FT; W 2639.86 FT; S 608.45 FT; S 88 DEG 32' 38" E 1191.78 FT; N 85 DEG 21' 34" E 1453.22 FT TO BEG. AREA 36.320 AC.

Tax ID 61:024:0012

**Parcel Identification Number: 610240013**

COM NO DEG 57' 48" W 219.44 FT FR NW COR. OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SEC. 29, T9S, R1 W, SLB&M.; N 0 DEG 57' 48" W 113.13 FT; S 88 DEG 32' 37" E 1321.03 FT; S 88 DEG 32' 37" E 1321.02 FT; SO DEG 25' 20" E 124.94 FT; S 85 DEG 28' 33" W 1667.13 FT; N 77 DEG 51' 27" W 1000.66 FT TO BEG. AREA 12.698 AC.

Tax ID 61:024:0013

**Parcel Identification Number: 610140001**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 18: Lots 1, 2, 3, 4, E2W2, W2E2

**Parcel Identification Number: 610250003**

Township 9 South, range 1 West, Salt Lake Base and Meridian  
Section 30: Lot 3, 4, E2SW4, SE4

[SUCH LAND AS SHALL BE REQUIRED FOR THE POINT OF INTERCONNECTION FOR THE PINYON CREEK SOLAR PROJECT]