

GOLDEN HILLS WIND FARM LLC

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Energy Facility Siting Analyst
Oregon Department of Energy
625 Marion Street NE
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(503) 378-5050

March 18, 2016

Subject: Supplement to Golden Hills Wind Project Request for Amendment No. 3

Dear Mr. Woods,

Golden Hills Wind Farm LLC, a subsidiary of Orion Renewable Energy Group LLC, is pleased to submit the following:

- One original and two copies of *Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project* (Supplement)
- One original and two copies of *Cultural Resources Investigation for the Golden Hills Wind Project, Sherman County, Oregon* (Attachment 9 to the Supplement; provided separately as a confidential submittal with restricted distribution)
- Three CDs containing electronic files of the Supplement
- One CD containing electronic files of the confidential cultural resources report

As described in the Request for Amendment submitted to you on December 17, 2015, this supplement contains additional information that was not yet available at the time the Request for Amendment was submitted. The supplement also contains information that was required by the Department based on the December 17 submittal, including results from additional biological and cultural surveys.

If you have questions or need additional information or materials, please feel free to contact me by e-mail at rmcgraw@orionrenewables.com, or by phone at (510) 267-9322. You can also contact Carrie Konkol by e-mail at carrie.konkol@ch2m.com, or by phone at (503) 872-4734.

Sincerely,

Orion Renewable Energy Group LLC



Ryan McGraw
Head of Asset Management

cc: Ginny Gustafson, Oregon Department of Energy
Reid Buckley, Orion Renewable Energy Group LLC
Carrie Konkol, CH2M HILL Engineers, Inc.
Elaine Albrich, Stoel Rives LLP

Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project

Prepared for

Oregon Energy Facility Siting Council

March 2016

Submitted by

Golden Hills Wind Farm LLC

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1	Updated Figures from Amendment Request
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3	Temporary and Permanent Disturbance Calculations
4	Redlined Second Amended Site Certificate
5	Habitat Categories and Classifications with Acreages of Impact
6	Retirement Cost Estimate and Financial Assurance Letter
7	Habitat Classifications within Proposed Site Boundary
8	Report Documenting March 2016 Biological Resources Survey Results
9	Report Documenting March 2016 Cultural Resources Survey Results [RESTRICTED DISTRIBUTION]

Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project

Introduction

On December 17, 2015, Golden Hills Wind Farm LLC (Certificate Holder), a subsidiary of Orion Renewable Energy Group LLC, filed *Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project* (amendment request) with the Oregon Department of Energy¹. The amendment request presented proposed modifications to the approved Golden Hills Wind Project (Facility or project). This supplemental information package (Supplement) provides additional detail to support a determination of completeness for the amendment request.

Summary of Proposed Modifications

This Supplement presents a complete summary of the proposed modifications:

- Extend the construction start and completion deadlines for an additional 2 years.
- Change the allowed turbine height and rotor diameter in response to improvements in turbine technology and correspondingly, reduce the number of previously approved turbines from 267 to 125.
- Amend the previously approved site boundary to remove approximately 2,800 acres of land that is no longer needed and add approximately 122.5 acres to the site boundary to account for modified project design.
- Eliminate the previously approved western substation and 11-mile 500-kilovolt (kV) transmission line and expand the previously approved substation from 2 to 5 acres.
- Construct up to approximately 700 feet of new 230-kV transmission line and associated structures and equipment to interconnect the project to Bonneville Power Administration's (BPA's) transmission structure located approximately 300 feet north of the Klondike substation.
- Increase the height of the six meteorological (met) towers from 85 to 95 meters.
- Expand the temporary road width from 36 to 40 feet to accommodate larger turbines during construction.

The following attachments are included in this supplement:

- Attachment 1 contains four figures, revised since the amendment request, showing the proposed turbine layout, change in site boundary, protected areas, and scenic and aesthetic areas.
- Attachment 2 contains maps showing the location of each property owner (by tax lot ID number) within 500 feet of the updated proposed site boundary. Property owners have not changed.

¹ The project consists of a permitted wind energy generation facility in Sherman County, Oregon, with electrical generating capacity of up to 400 megawatts (MW). On May 15, 2009, the Energy Facility Siting Council (EFSC) issued a site certificate for construction and operation of the project. In 2012 and 2015, respectively, EFSC approved amendments to the site certificate to extend the construction start and completion deadlines.

- Attachment 3 contains the temporary and permanent disturbance calculations.
- Attachment 4 contains the redlined Second Amended Site Certificate and updated site boundary legal description.
- Attachment 5 contains a table showing habitat categories and classifications with acreages of impact.
- Attachment 6 contains a cost estimate table for Facility site restoration and a financial assurance letter.
- Attachment 7 contains a set of maps showing habitat classifications within the site boundary.
- Attachment 8 contains a technical report documenting the biological resources investigation of the expanded substation area and extended transmission line area performed in March 2016.
- Attachment 9 (restricted distribution) contains a technical report documenting the cultural resources investigation of the expanded substation area and extended transmission line area performed in March 2016.

Description of Proposed Modifications

Changes to Related and Supporting Facilities

The Certificate Holder proposes to eliminate one of the two previously approved substations and relocate the previously approved eastern substation nearer to the center of the project to serve as a single substation location for the entire Facility. In addition to these changes to substation facilities, as part of the amendment request, the Certificate Holder seeks to expand the proposed single project substation from 2 to 5 acres. The larger substation will allow enough space to accommodate equipment for modern design standards for the full 400-MW facility capacity. The Certificate Holder also seeks to increase the maximum height of the six meteorological towers from 85 to 95 meters, in order to match the hub height of the wind turbines.

Changes in Site Boundary

The Certificate holder seeks to remove approximately 2,800 acres of land from the site boundary that is no longer required for the Facility design. The Certificate Holder seeks to add 82.5 acres to the site boundary to include land that was surveyed for the original Application for Site Certificate (ASC) (Golden Hills Wind Farm LLC, 2007) but was excluded from the previously approved site boundary because the Certificate Holder at the time did not have site control of this land. The land is needed to accommodate the portion of the Facility's 230-kV transmission line extending from the project area to the point of interconnection with the existing Hay Canyon 230-kV transmission line. See Figure B-3 (Disturbance Areas) of the ASC. The relevant biological, wetland, and cultural surveys are included in the original ASC record.

The Certificate Holder also seeks to add 40 acres to the site boundary for the transmission line connection to the BPA network near the Klondike substation adjacent to existing electrical transmission right-of-way. The 40 acres added to the site boundary include sufficient areas for temporary work to construct approximately 700 feet of new 230-kV transmission line. The 700 feet of new 230-kV transmission line and associated structures will be located within an approximately 2-acre subset of the greater 40-acre area. The area was surveyed on March 3 and 4, 2016, for biological and cultural resources. Results of the biological and cultural surveys are summarized under the applicable section below, and in the technical reports provided in Attachments 8 and 9, respectively. Attachment 1, Figure 2, shows proposed changes in the site boundary overlaid on the approved site boundary.

Temporary and Permanent Disturbance Calculations

This section supplements Section 1.3.5 of the amendment request. The proposed modifications will reduce permanent impacts from the previously approved 141 acres to approximately 132 acres. Temporary impacts will be increased slightly, from the previously approved 1,055 acres to approximately 1,069 acres, as a result of the additional 4 feet of road width necessary to accommodate larger vehicles for the larger turbines. Attachment 3 contains the temporary and permanent disturbance table.

Land Use/Exclusive Farm Use Disturbance Calculations

This section supplements Section 5.1.5 of the amendment request. No changes in the local zoning ordinance or comprehensive plan have occurred since the last amendment. The proposed changes in turbine height and rotor diameter do not affect EFSC's previous findings of compliance with the Land Use Standard because the amendment will result in fewer turbines overall, the turbines will be constructed within the previously approved micro-siting corridors, and the Facility must still comply with Land Use Conditions IV.D.1 through IV.D.22. Likewise, the proposed adjustments to the site boundary by removing 2,800 acres of land and adding two areas (one 82.5-acre and one 40-acre area) of land do not affect EFSC's previous findings because all new land is zoned exclusive farm use (EFU) by Sherman County like the rest of the land in the site boundary. Both areas will be used for transmission lines and transmission line connections: one to connect the project to the existing Hay Canyon line, and one to interconnect the project to Bonneville Power Administration's (BPA's) transmission structure. These uses were reviewed and approved on EFU land in the original site certificate (EFSC, 2009).

The project, as amended, will result in approximately 127 acres of permanent impacts⁴ to agricultural land and approximately 943 acres of temporary impacts to agricultural land, as shown in Attachment 5 (see the row for Agricultural [AG] habitat). EFU impacts are conservatively assumed to be equivalent to impacts to land categorized² "agricultural," although some land may not currently be in cultivation. Impact calculations used a "worst-case scenario," accounting for the dimension of each project feature. The worst-case scenario includes an overlap in the spatial disturbance area for some project features thus "double counting" the impacts from those features. Once built, the permanent project facilities will occupy less than 0.5 percent of the land used for agriculture within the site boundary. Although the calculated permanent impacts to EFU land are higher with this methodology than the impacts previously approved by EFSC, the percentage of agricultural land permanently occupied by project facilities is the same as the original project.

Overall, the proposed amendment will result in fewer turbines and cause less agricultural field fragmentation and fewer impacts on farm equipment maneuverability. Additionally, the substation expansion to 5 acres and design and construction of new roads with a temporarily larger width during construction of 40 feet will minimize the division of existing farm units and impacts to cultivated farmland. Ongoing coordination of project construction and operation with each landowner will minimize disruption to farming practices and operations. Generally, the project supports continued agricultural operations while simultaneously using the land for renewable energy generation. Based on this information, EFSC may find that the Facility, as amended, will satisfy the Land Use Standard in OAR 345-022-0030.

⁵ Categorized under the Oregon Department of Fish and Wildlife's Habitat Mitigation Policy - classification of a site or area based on its dominant plant, soil, and water associations or other salient features of value to fish and wildlife.

Retirement and Financial Assurance

This section supplements Section 5.1.7 of the amendment request. The Facility site restoration and retirement cost estimate will change from \$16,491,000 (in 2008 dollars) to \$14,424,936 (in 2008 dollars).³ The revised estimate and a financial assurance letter are provided in Attachment 6.

Fish and Wildlife Habitat

This section supplements Section 5.1.8 of the amendment request. EFSC previously found that the Facility complies with OAR 345-022-0060, Fish and Wildlife Habitat Standard.⁴

Updated Desktop Survey

The Certificate Holder performed an updated desktop survey of publicly and privately available resources in February 2016 to assess potential changes to the status, occurrence, and impacts of federal- and state-listed endangered, threatened, proposed, or candidate plant and wildlife species that have potential for occurrence in the two areas being added to the site boundary (the expanded substation and extended transmission line). For each of these two areas, the desktop survey area was 20 acres. Survey results demonstrate no changes in status. No additional listed species were identified that have a potential to occur within the survey area.

Field Survey

The Certificate Holder performed field surveys on March 4, 2016, in the expanded substation and extended transmission line survey areas. The field survey area was 20 acres for each of these two areas. Survey results determined that habitats in these areas consist entirely of actively farmed dryland wheat fields (AG) and existing facilities (roads, transmission line, and a substation). Survey results demonstrate that the risk of impacting sensitive species in the survey area is very low because no suitable habitat exists that could support these species. Therefore, no additional analysis related to fish and wildlife habitat is warranted.

Updated Habitat Impact Calculations

Updated habitat impacts resulting from the changes in site boundary are provided in Attachment 5 and summarized as follows:

- There are no impacts to Category 1 habitat.
- Category 2 habitat impacts are reduced from 25.1 to 2.9 acres of temporary impact and from 0.91 to zero permanent impact.
- Category 3 habitat impacts are reduced from 216.3 to 57.0 acres of temporary impact and from 10.3 to 5.5 acres of permanent impact.
- Category 4 habitat impacts are reduced from 37.5 to 6.5 acres of temporary impact and from 1.0 to 0.1 acre of permanent impact.
- No Category 5 habitat has been identified within the site boundary.
- Category 6 habitat impacts increase from 775.8 to 1,002.2 acres of temporary impact and permanent impacts are slightly reduced from 129.0 to 126.7 acres.

³ Oregon Department of Energy guidance for retirement cost estimates uses 2010 unit costs. The 2010 dollars were adjusted to 2008 dollars for consistency with the site certificate. The 2016 dollar equivalent is \$17,321,000.

⁴ Final Order on Amendment No. 2, p. 24 (January 30, 2015).

Attachment 7 contains a set of maps showing habitat classifications within the Facility site boundary. Attachment 8 contains a technical report documenting the biological resources identified within the expanded substation and extended transmission line areas.

Threatened and Endangered Species

This section supplements Section 5.1.9 of the amendment request.

The Certificate Holder performed a desktop survey of publicly and privately available resources in February 2016 for federal- and state-listed endangered, threatened, proposed, or candidate plant and wildlife species that have potential for occurrence in the two areas being added to the site boundary. The desktop survey area for the expanded substation and extended transmission line was 20 acres, respectively. Desktop survey results demonstrate no additional listed species were identified that have a potential to occur within the survey area beyond those identified during previous surveys. None of the identified species had status changes from previous surveys.

The Certificate Holder performed field surveys on March 4, 2016, in the expanded substation and extended transmission line survey areas. The field survey area for the expanded substation and extended transmission line was 20 acres, respectively. Field survey results indicate that the risk of impacting federal- or state-listed endangered, threatened, proposed, or candidate plant and wildlife species is very low because no suitable habitat exists that could support these species. Therefore, no additional analysis related to threatened and endangered species is warranted at this time. Attachment 8 contains a technical report documenting the survey results.

Historic, Cultural, and Archaeological Resources

This section supplements Section 5.1.11 of the amendment request. New ground-disturbing activities associated with changes in this amendment request include expanding the previously permitted substation from 2 to 5 acres and extending the previously permitted 230-kV transmission line by approximately 700 feet to interconnect to BPA's transmission structure. These areas were surveyed for cultural resources. No resources were identified. Attachment 9 (restricted distribution) contains a technical report documenting the cultural resources survey results. The proposed Facility, as amended, must comply with all other historic, cultural, and archaeological resource conditions of approval. Accordingly, EFSC may find that the construction and operation of the Facility, as amended, will not result in significant adverse impacts to historical, cultural, or archaeological resources and OAR 345-022-0090 is satisfied.

Stormwater Drainage

This section supplements Section 5.1.13.3 of the amendment request. As discussed above, the Facility, as amended, will temporarily disturb approximately 1,069 acres. All phases of project construction are subject to Soil Protection Condition IV.E.1 to Condition IV.E.6 of the site certificate, which includes a requirement for the Certificate Holder to conduct construction work in compliance with an Erosion and Sediment Control Plan satisfactory to the Oregon Department of Environmental Quality and as stipulated under the National Pollutant Discharge Elimination System 1200-C permit. Because the impact acreage is similar in size to the previously approved disturbance area, the project ground-disturbing activities are comparable and the temporary disturbance acreages are comparable. Further, the project must still comply with the Soil Protection Conditions identified above. For these reasons, EFSC may rely on this information and prior record to find that the soil protection standard is met.

Solid Waste Management

This section supplements Section 5.1.13.4 of the amendment request. Individual turbines will be larger, but the reduction in number of turbines will result in less material required, as verified by the updated

retirement cost estimate and supporting waste quantity calculations shown in Attachment 6. The Facility, as amended, will result in significantly less waste: 42,000 tons of steel rather than 86,508 net tons and 4,713 cubic yards of concrete turbine foundation rather than 8,811 cubic yards. Additionally, the amended project will have one less substation.

According to the Columbia Ridge Recycling and Landfill fact sheet dated 2015 and accessed from the Waste Management website (www.wmnorthwest.com/landfill), the remaining permitted capacity for the landfill as of 2015 was 329 million tons. The landfill processes 2 tons annually. At this rate, the landfill would have capacity for another 164 years. Additionally, the amended project will still generate the same type of solid waste materials outlined in the original submittal. Recycling of these materials will occur as specified in compliance with Waste Minimization Conditions V.D.1 and V.D.2 in the Final Order on the Application (EFSC, 2009).

The proposed project will not alter the operations and maintenance facility or its previously permitted onsite septic system, in compliance with Sherman County permit requirements and Condition V.D.4, which stipulates that discharge must be less than 5,000 gallons per day. Construction wastewater discharge will be the same as previously approved and the construction activities will be the same. Construction wastewater will be monitored and mitigated for by following Soil Protection Conditions IV.E.1 through IV.E.6.

References

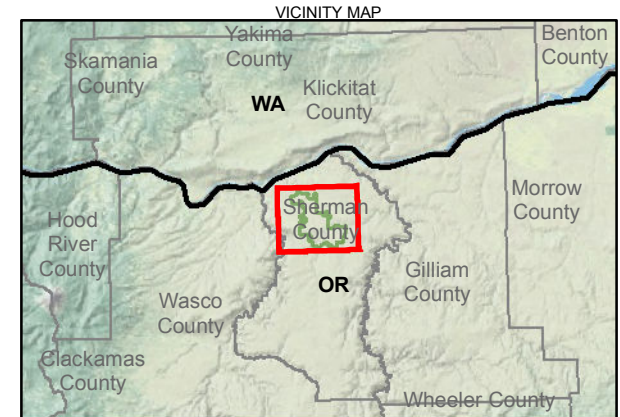
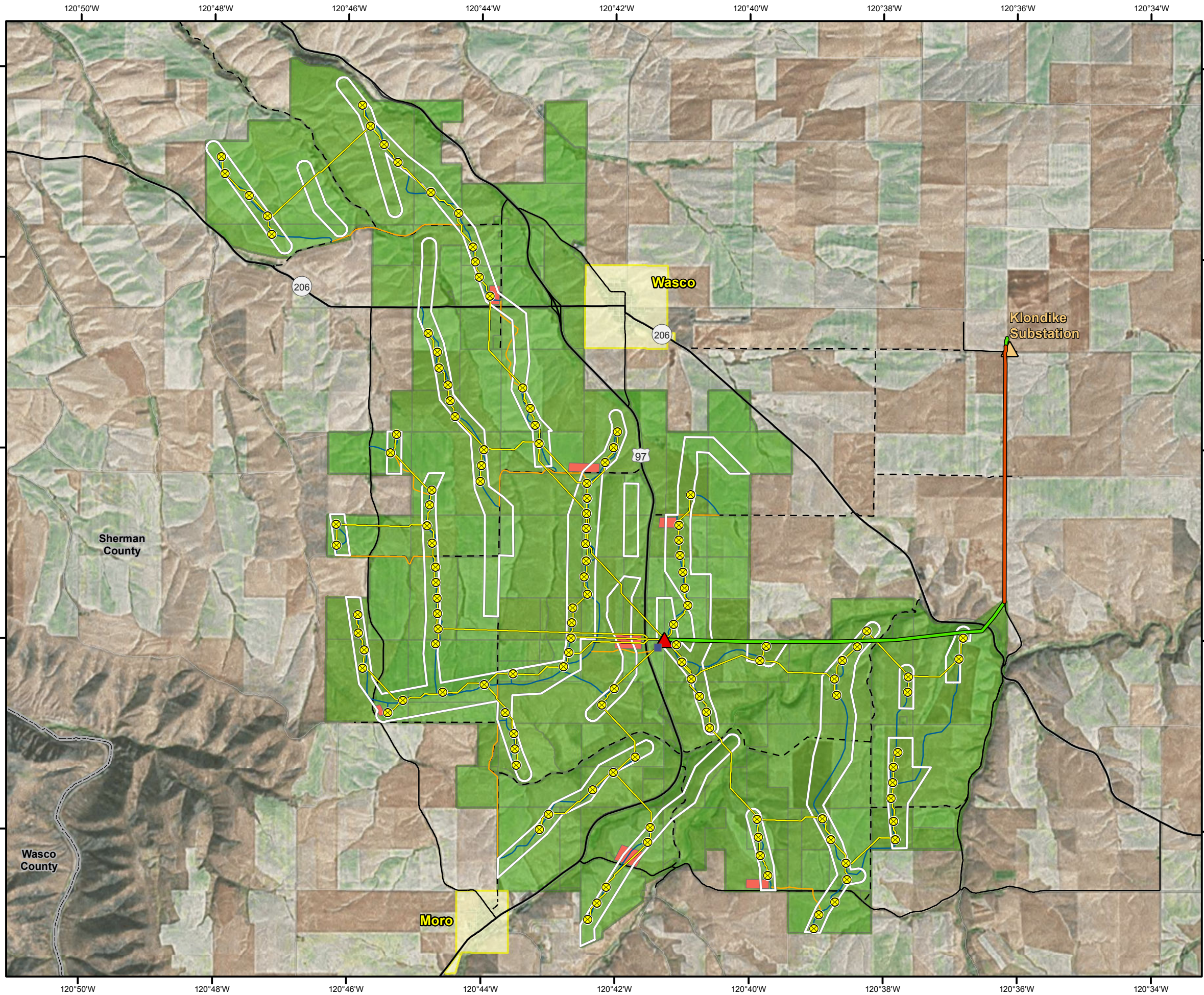
Golden Hills Wind Farm LLC. 2007. *Application for Site Certificate for the Golden Hills Wind Project*. May 2007 with May 2008 addendum.

Golden Hills Wind Farm LLC. 2014. *Golden Hills Wind Project Amendment #2—Response to Requests for Additional Information dated August 13, 2014*. September 12, 2014.

Oregon Department of Energy, Energy Facility Siting Council (EFSC). 2009. *Final Order on the Application for Site Certificate and Site Certificate for the Golden Hills Wind Project*. Fully executed on May 15, 2009.

Oregon Department of Energy, Energy Facility Siting Council (EFSC). 2015. *Final Order on Amendment No. 2 for the Golden Hills Wind Project* (issued January 30, 2015) and *Second Amended Site Certificate* (fully executed on February 11, 2015).

Attachment 1
Updated Figures from Amendment
Request



- Facility Site Boundary
- Wind Turbine
- Approved Micrositing Corridor
- Land Parcel Boundary
- Operations and Maintenance Facility
- Proposed Substation
- Existing Substation
- Proposed 230-kV Transmission Line
- Existing Hay Canyon 230-kV Transmission Line
- Low-voltage Collector System
- Crane Path
- Access Road
- Public Road (Paved)
- Public Road (Gravel)
- Temporary Laydown Area
- City Boundary
- County Boundary

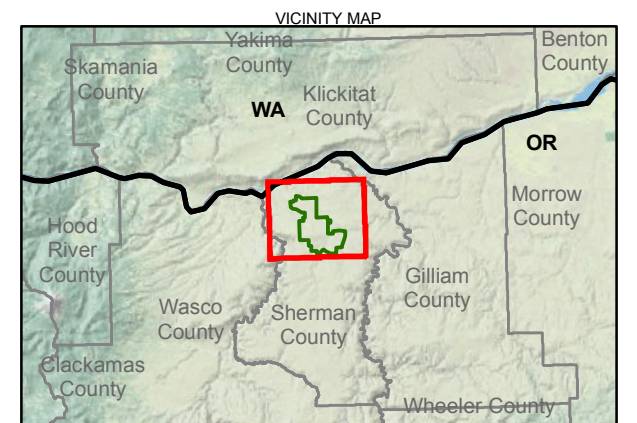
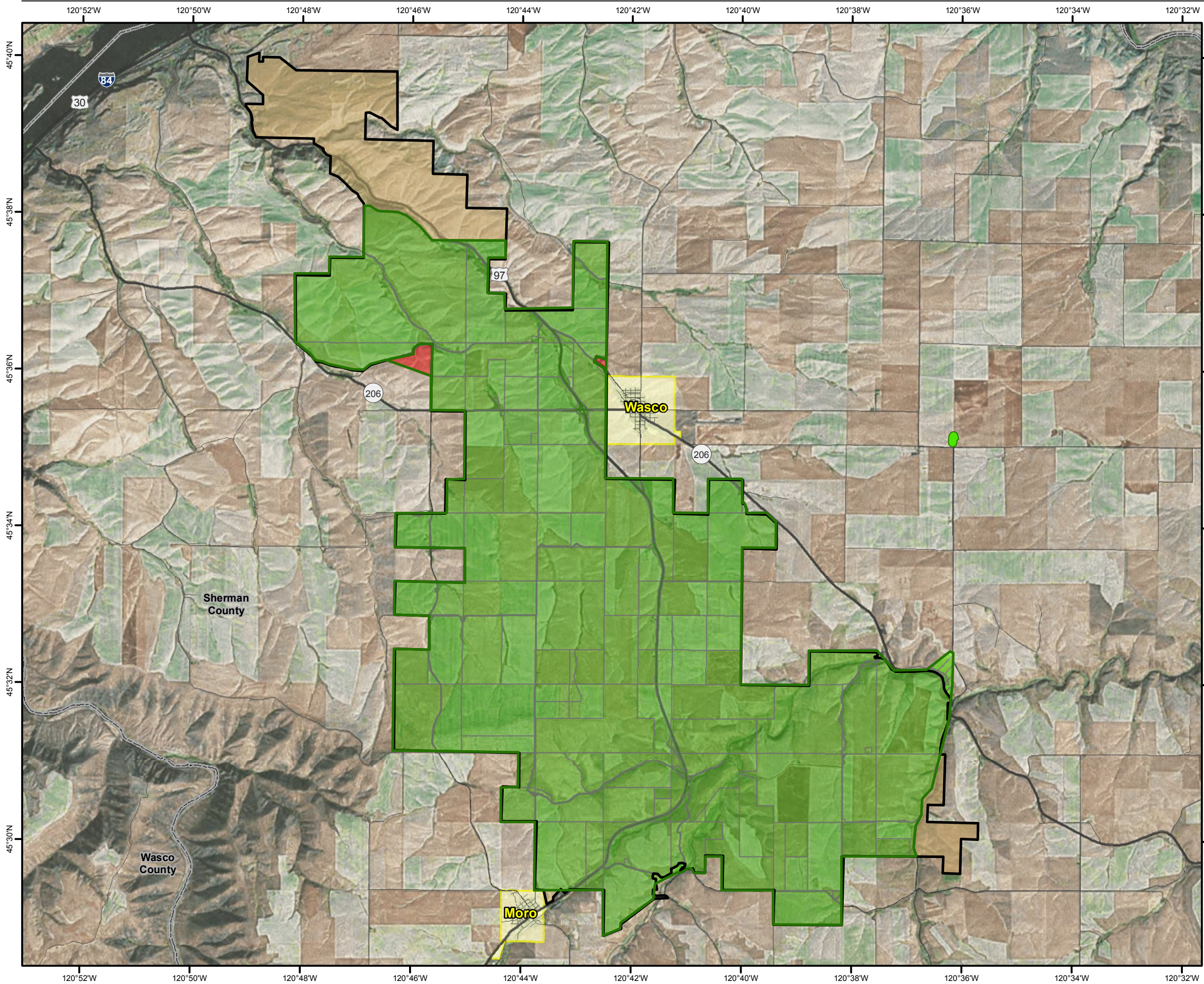
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 FIPS 3601 Feet Intl
 Data Sources: Orion Renewable Energy Group LLC,
 2015; BLM (2015); WSDOT; ODOT; US Census Bureau;
 USDA; ESRI

0 0.75 1.5 3
 Miles

1 inch equals 1.18 miles

FIGURE 1 (REVISED)
Facility Turbine Layout
 Supplement to Golden Hills Wind Project Request for Amendment No. 3





-  Proposed New Site Boundary
-  Previously Approved Site Boundary
-  Proposed New Site Boundary - Transmission Line
-  Area to be Retained from Previously Approved Site Boundary
-  Area to be Added to Previously Approved Site Boundary
-  Area to be Removed
-  Area No Longer Part of Request for Amendment No. 3
-  Land Parcel Boundary
-  Road
-  Interstate or Highway
-  City Boundary
-  County Boundary

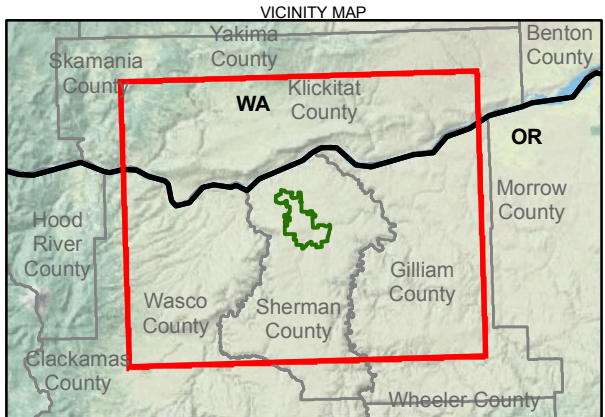
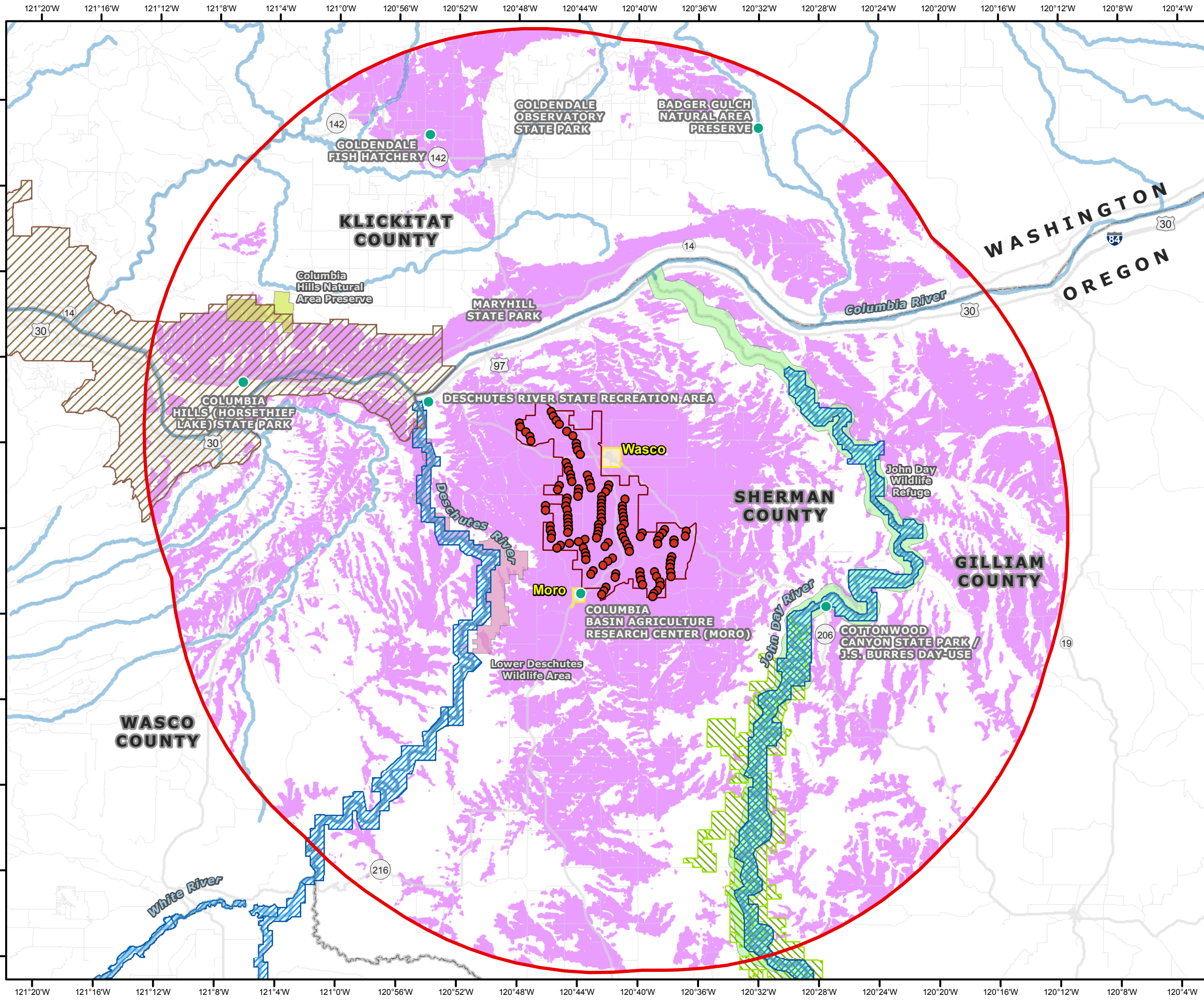
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 FIPS 3601 Feet Intl

Data Sources: Orion Renewable Energy Group LLC,
 2015; BLM (2015); WSDOT; ODOT; US Census Bureau;
 USDA; ESRI

0 0.75 1.5 3
 Miles

1 inch equals 1.42 miles

FIGURE 2 (REVISED)
Proposed Change in Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3



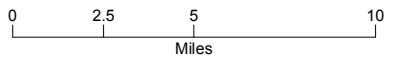
- Wind Turbine Location
- Protected Area
- Area of Turbine Visibility
- Analysis Area (20 Miles)
- Facility Site Boundary
- Interstate or Highway
- Major Road
- Major River or Stream
- Wild / Scenic River Corridor
- Wilderness Study Area
- Columbia River Gorge National Scenic Area
- Columbia Hills Natural Area Preserve
- John Day Wildlife Refuge
- Lower Deschutes Wildlife Area
- City Boundary
- County Boundary

Turbine Hub Height: 95 meters (312 feet)
 Turbine Rotor Diameter: 126 meters (413 feet)
 Worst-case Total Turbine Height: 158 meters (518)
 Total Number Assessed: 125 turbines

Analysis Area: 20 miles from Site Boundary
 Assumed Viewer Height: 6-foot-tall person

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl

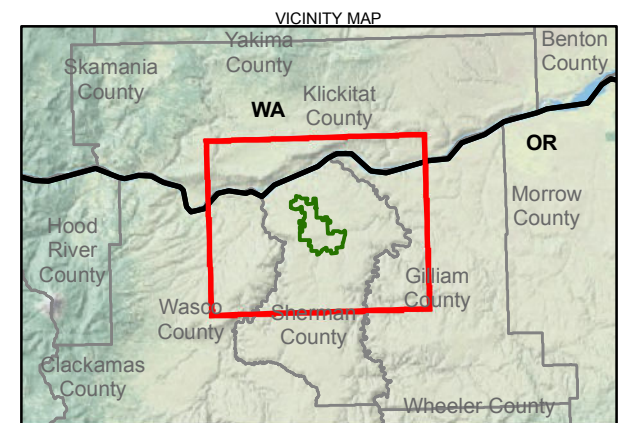
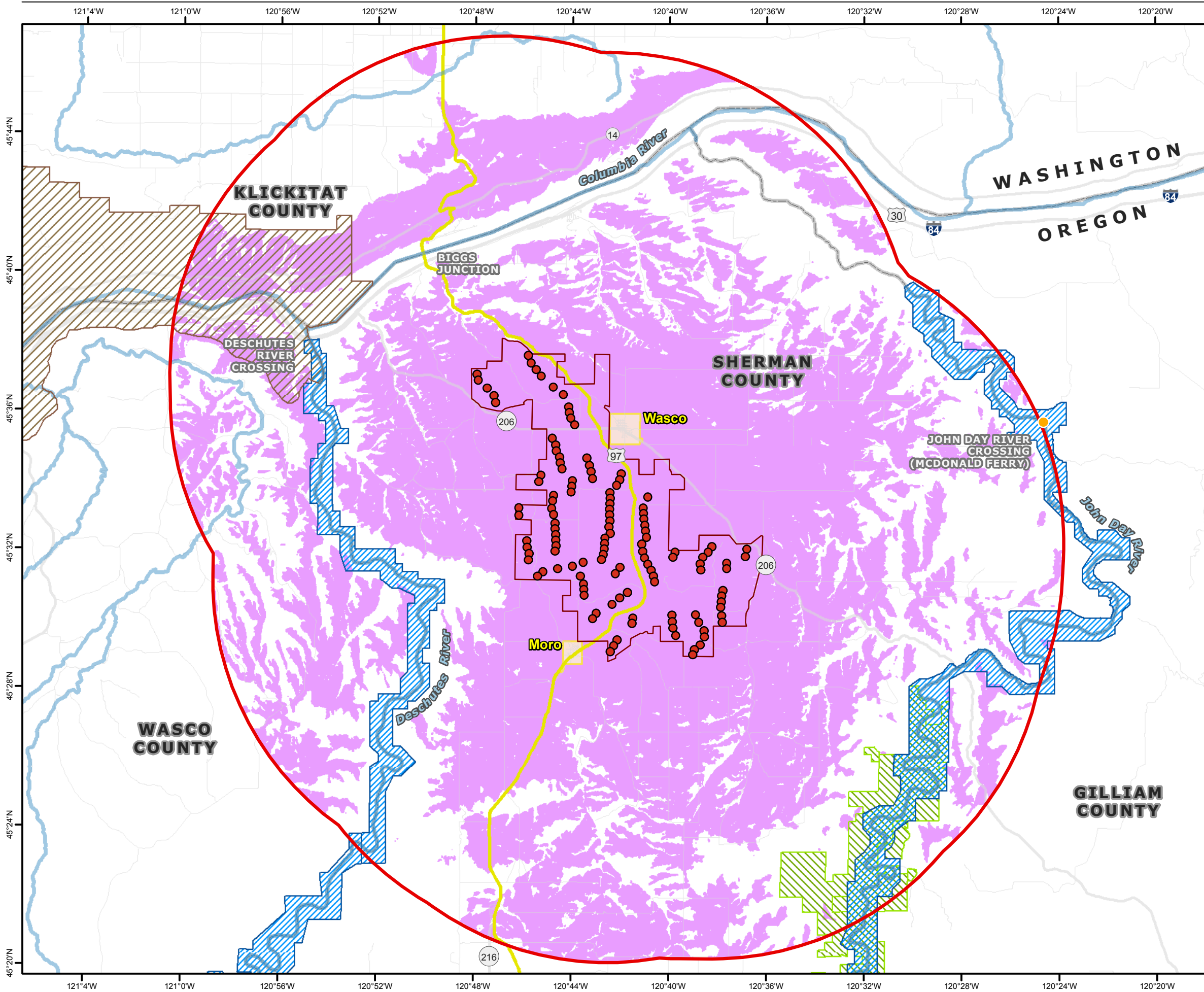
Data Sources: Orion Renewable Energy Group LLC,
 2015; BLM (2015); WSDOT; ODOT; US Census Bureau;
 USDA; ESRI



1 inch equals 5.29 miles

FIGURE 3 (REVISED)
Protected Areas
 Supplement to Golden Hills Wind Project Request for Amendment No. 3





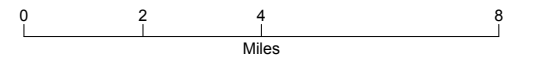
- Wind Turbine Location
- Scenic Resource
- Area of Turbine Visibility
- Analysis Area (10 Miles)
- Facility Site Boundary
- Journey Through Time Scenic Byway (US 97)
- Interstate or Highway
- Major Road
- Major River or Stream
- Wild / Scenic River Corridor
- Wilderness Study Area
- Columbia River Gorge National Scenic Area
- City Boundary / Community
- County Boundary

Turbine Hub Height: 95 meters (312 feet)
 Turbine Rotor Diameter: 126 meters (413 feet)
 Worst-case Total Turbine Height: 158 meters (518 feet)
 Total Number Assessed: 125 turbines

Analysis Area: 10 miles from Site Boundary
 Assumed Viewer Height: 6-foot-tall person

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl

Data Sources: Orion Renewable Energy Group LLC,
 2015; BLM (2015); WSDOT; ODOT; US Census Bureau;
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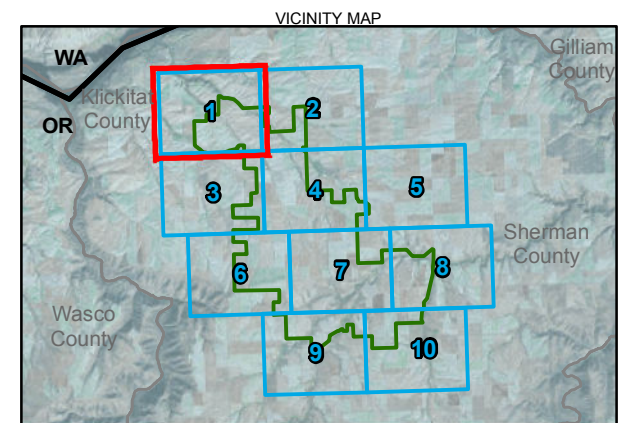
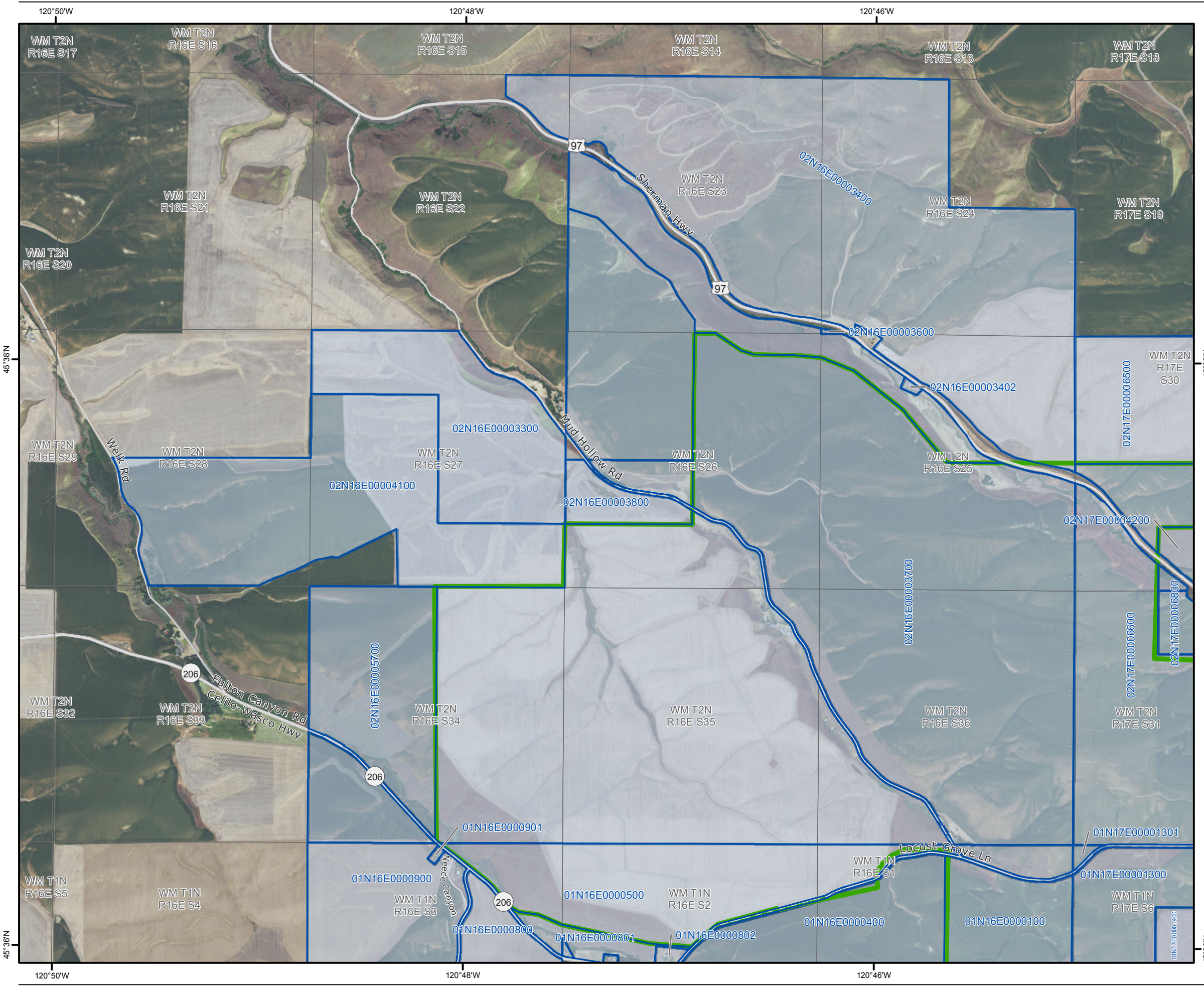









1 inch equals 3.24 miles

FIGURE 4 (REVISED)
Scenic and Aesthetic Values

Supplement to Golden Hills Wind Project Request for Amendment No. 3

Attachment 2
Updated Property Owner Maps

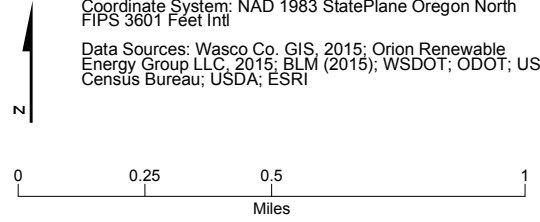


-  Sherman County Tax Lot within 500 feet
-  Facility Site Boundary
-  Interstate or Highway
-  Public Road (Paved)
-  Public Road (Gravel)
-  County Boundary
-  Public Lands Survey Section

Notes:
 1. Sherman County property owner data obtained on December 4, 2015.
 2. Property owner names, addresses, and tax lot IDs can be found in Attachment 2.

Coordinate System: NAD 1983 StatePlane Oregon North FIPS 3601 Feet Intl

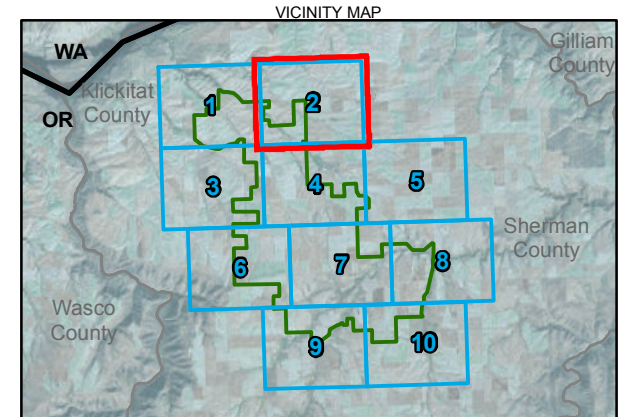
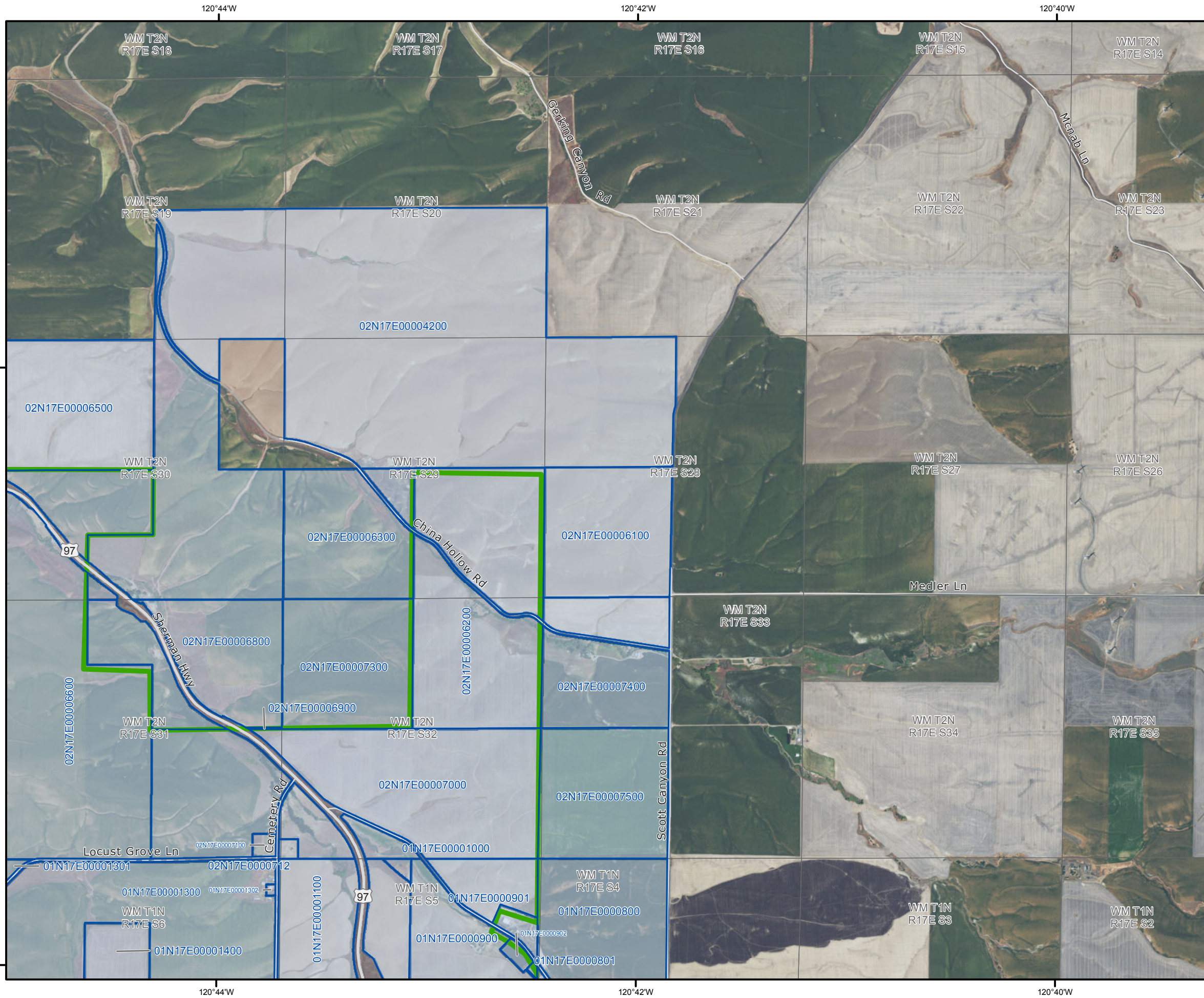
Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



1 inch equals 0.38 miles

ATTACHMENT 2 (REVISED) - Page 1 of 10
Sherman County Property Owners
within 500 feet of Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3



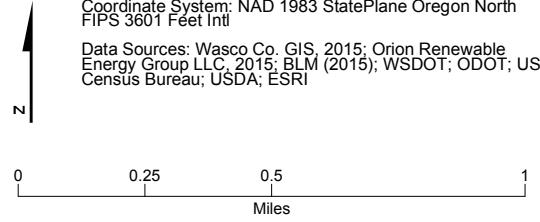


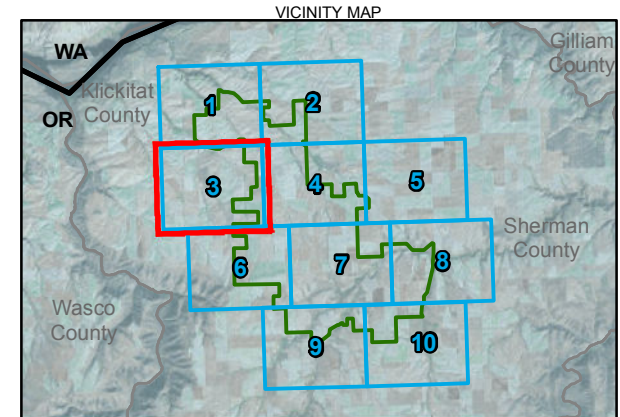
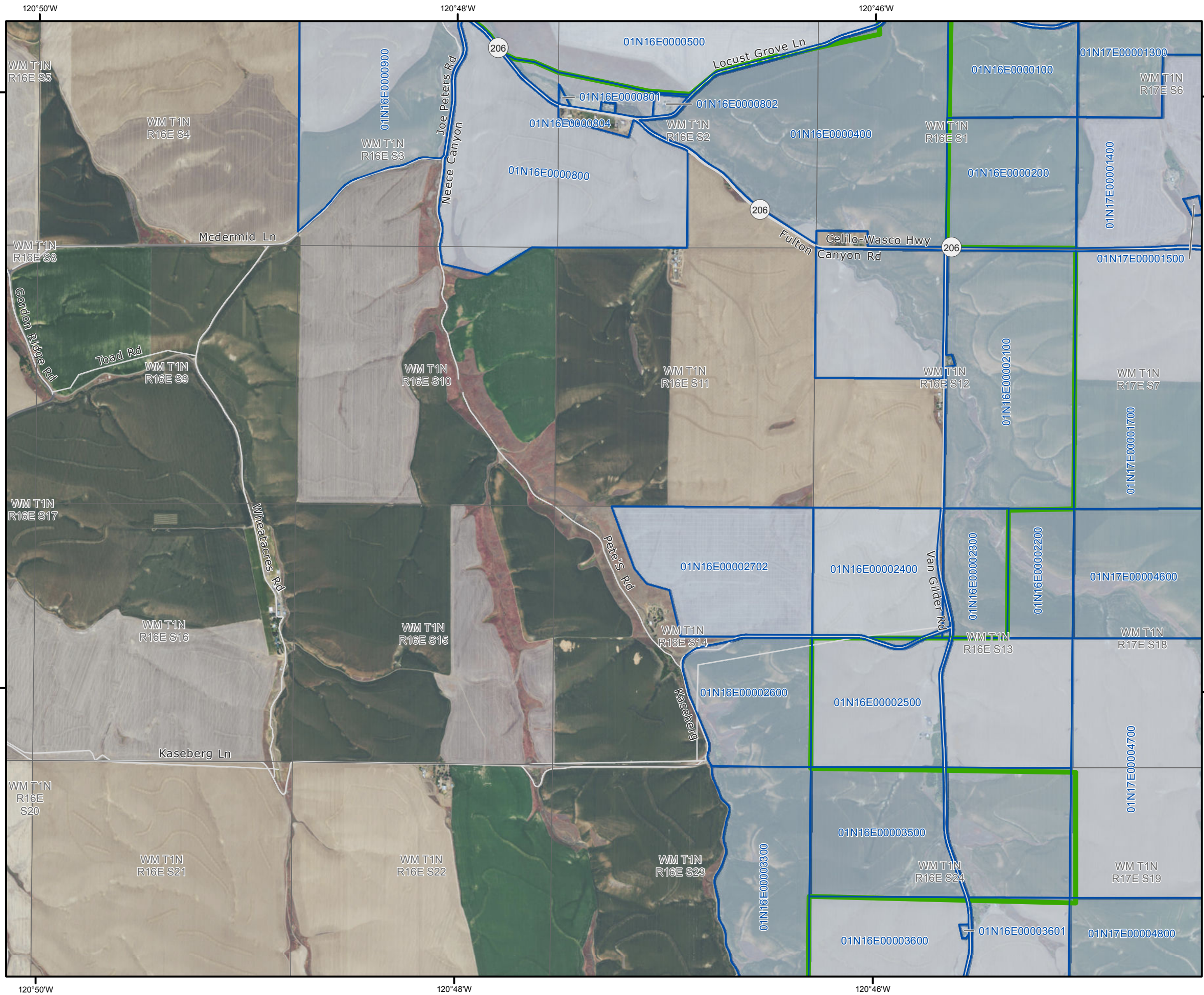
- Sherman County Tax Lot within 500 feet
- Facility Site Boundary
- Interstate or Highway
- Public Road (Paved)
- Public Road (Gravel)
- County Boundary
- Public Lands Survey Section








Notes:
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 2. Property owner names, addresses, and tax lot IDs can be found in Attachment 2.

Coordinate System: NAD 1983 StatePlane Oregon North FIPS 3601 Feet Intl

Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



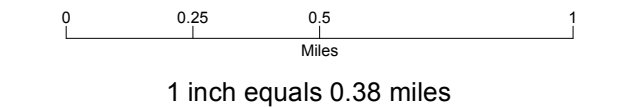


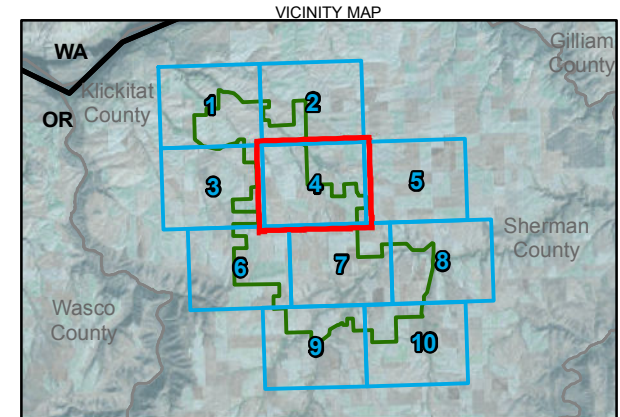
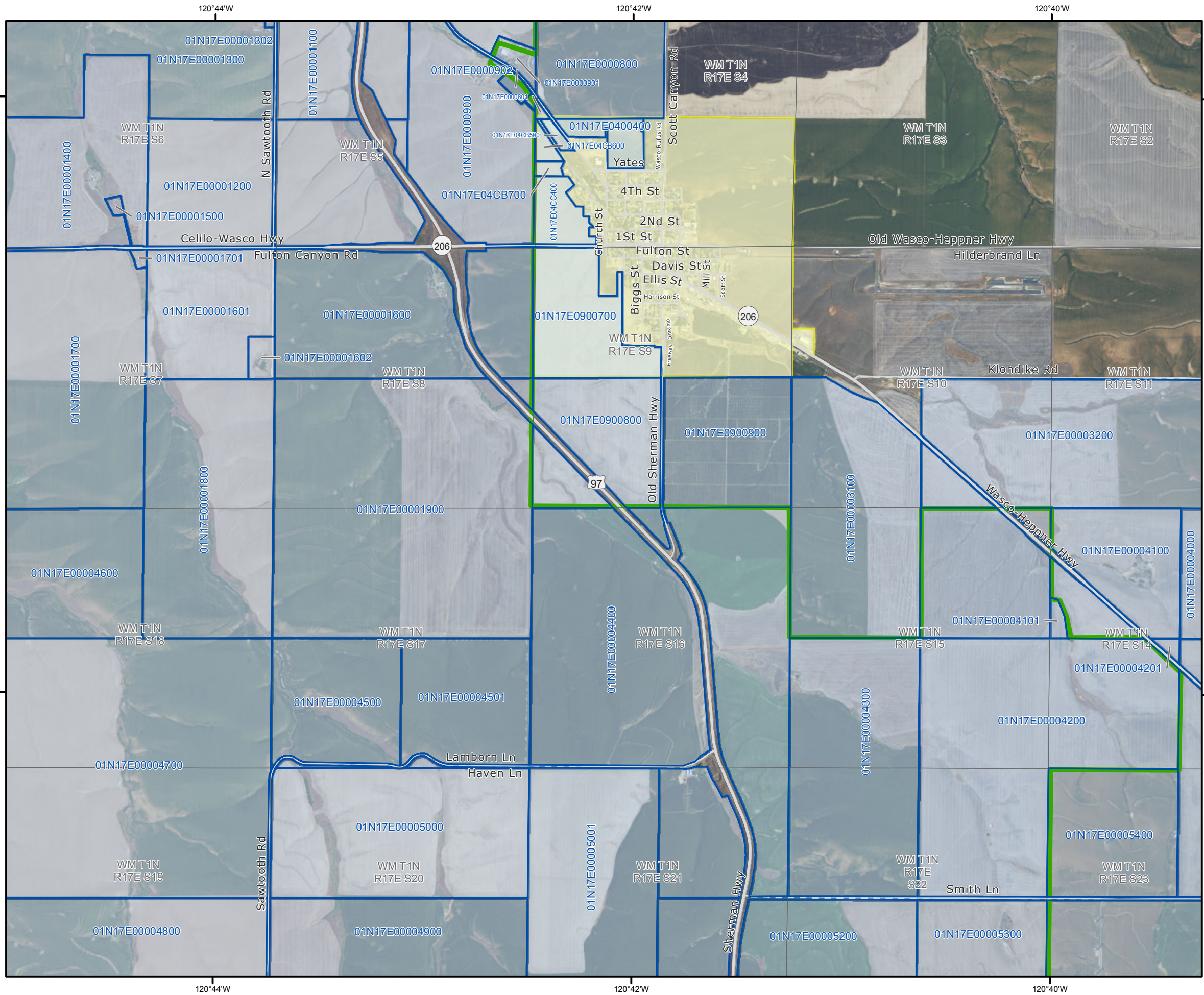
-  Sherman County Tax Lot within 500 feet
-  Facility Site Boundary
-  Interstate or Highway
-  Public Road (Paved)
-  Public Road (Gravel)
-  County Boundary
-  Public Lands Survey Section









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Coordinate System: NAD 1983 StatePlane Oregon North FIPS 3601 Feet Intl

Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



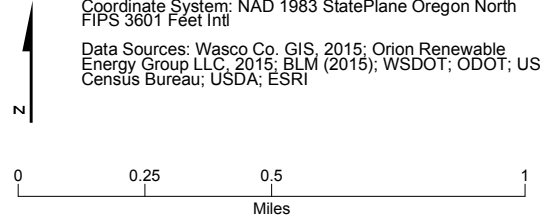


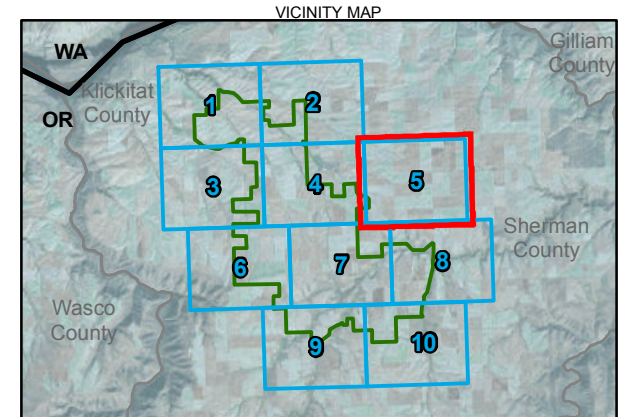
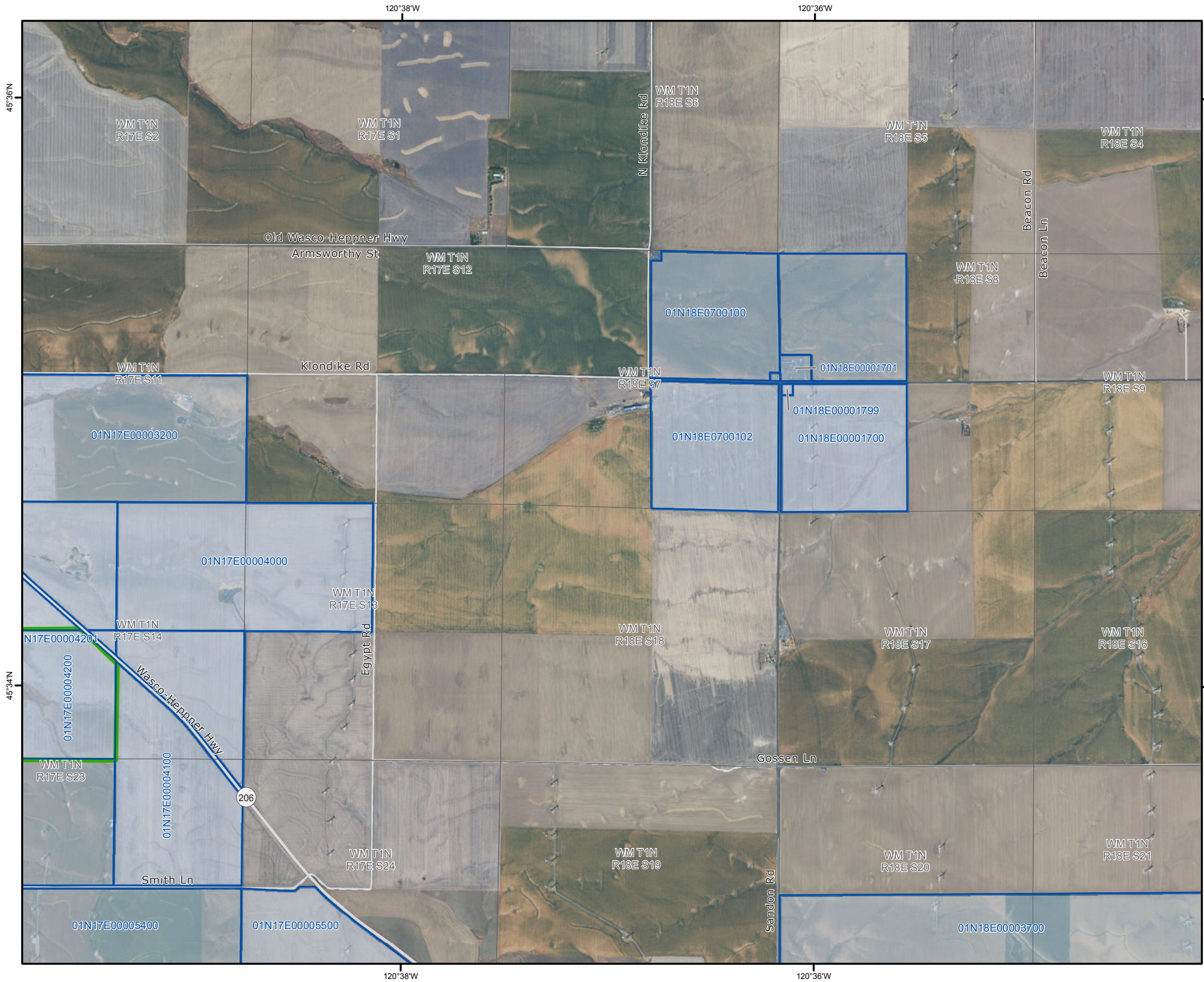
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-  City Boundary
-  County Boundary
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






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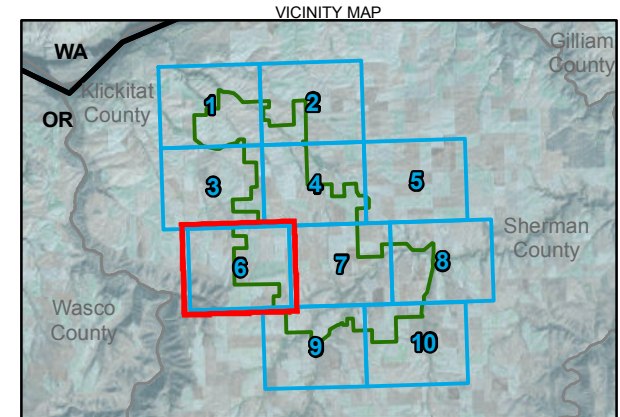
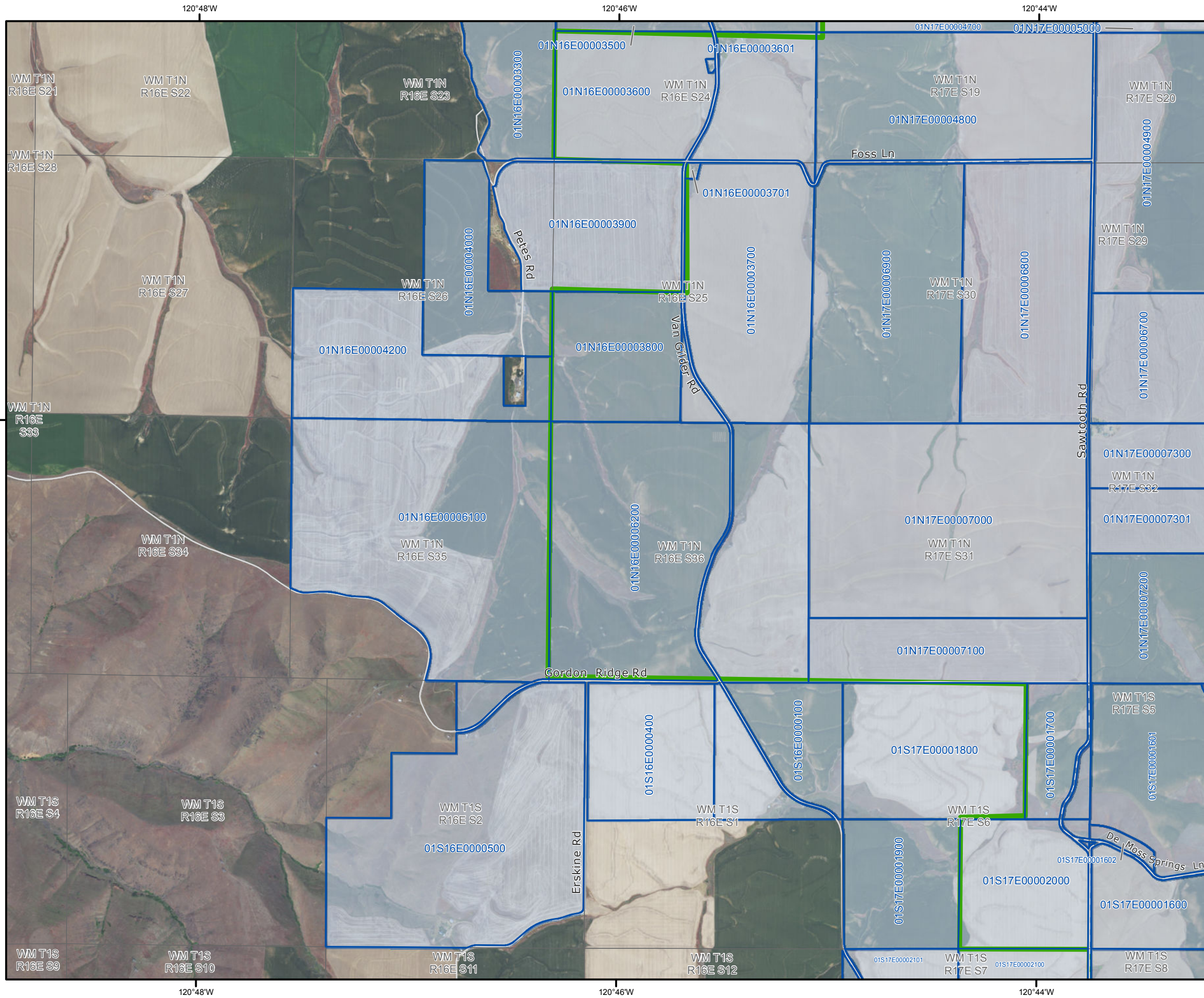
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0 0.25 0.5 1
Miles

1 inch equals 0.38 miles





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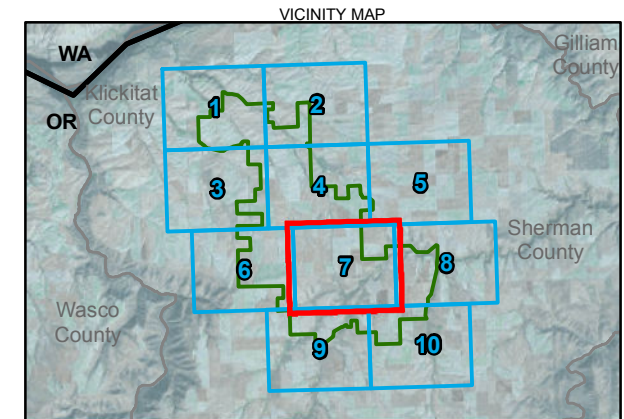
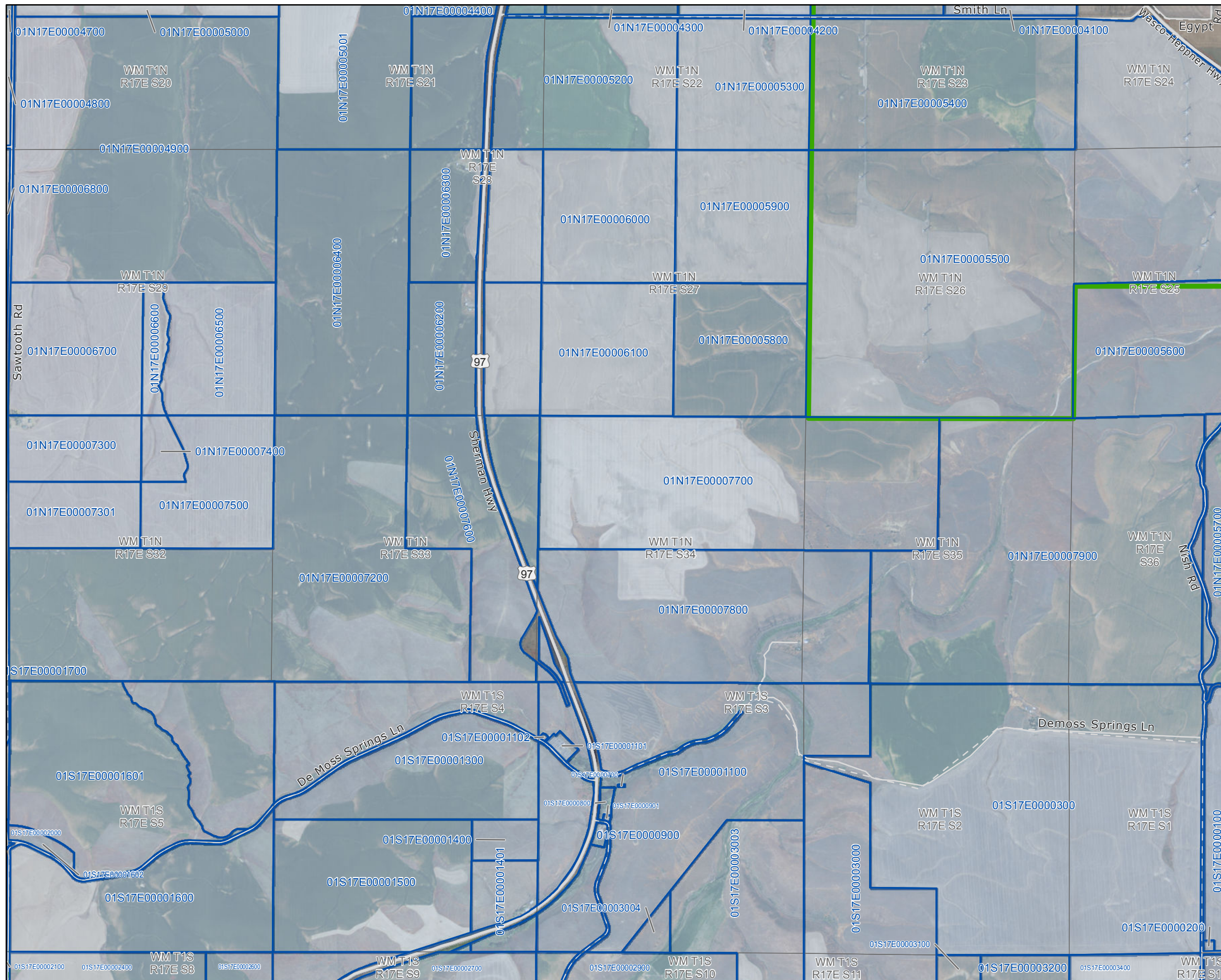
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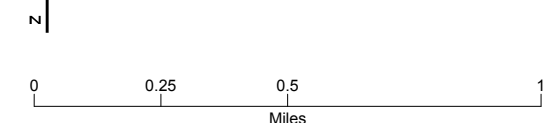


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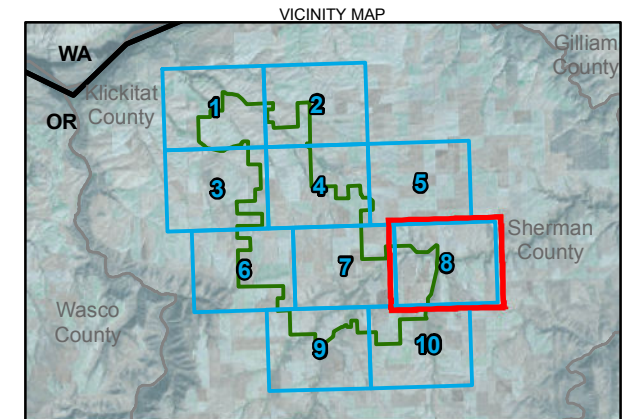
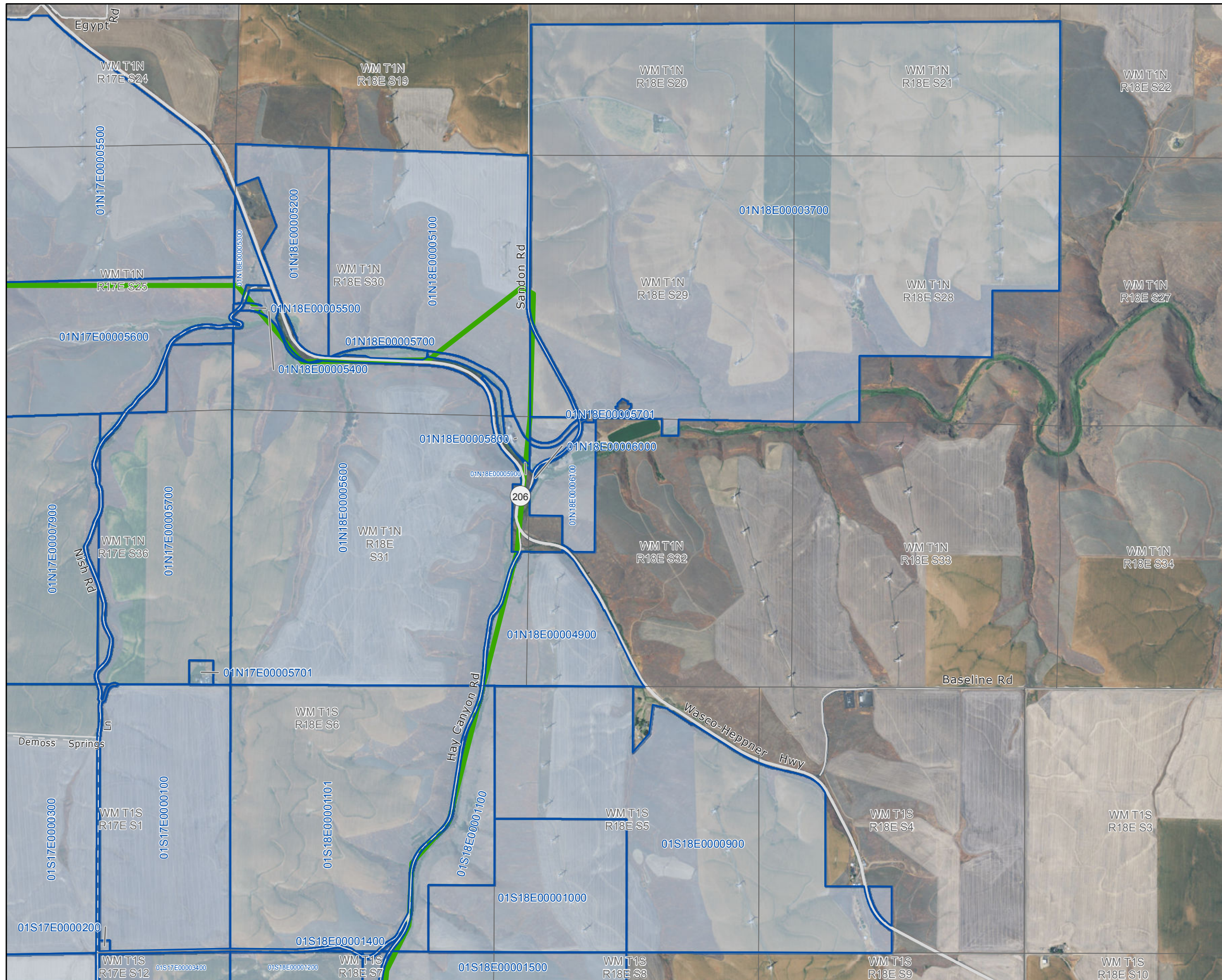
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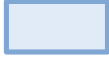






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ATTACHMENT 2 (REVISED) - Page 7 of 10
Sherman County Property Owners
within 500 feet of Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3

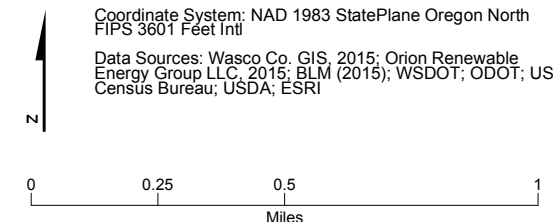


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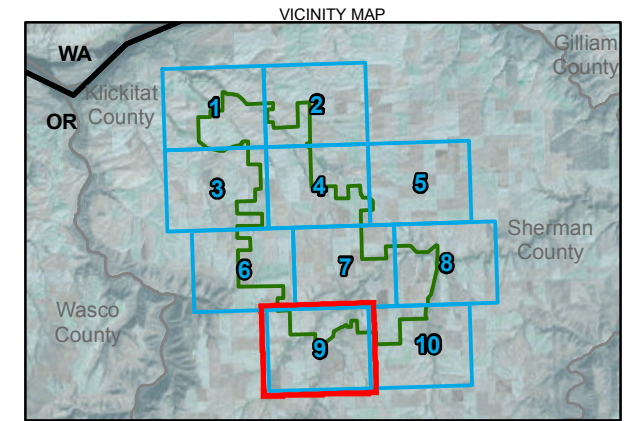
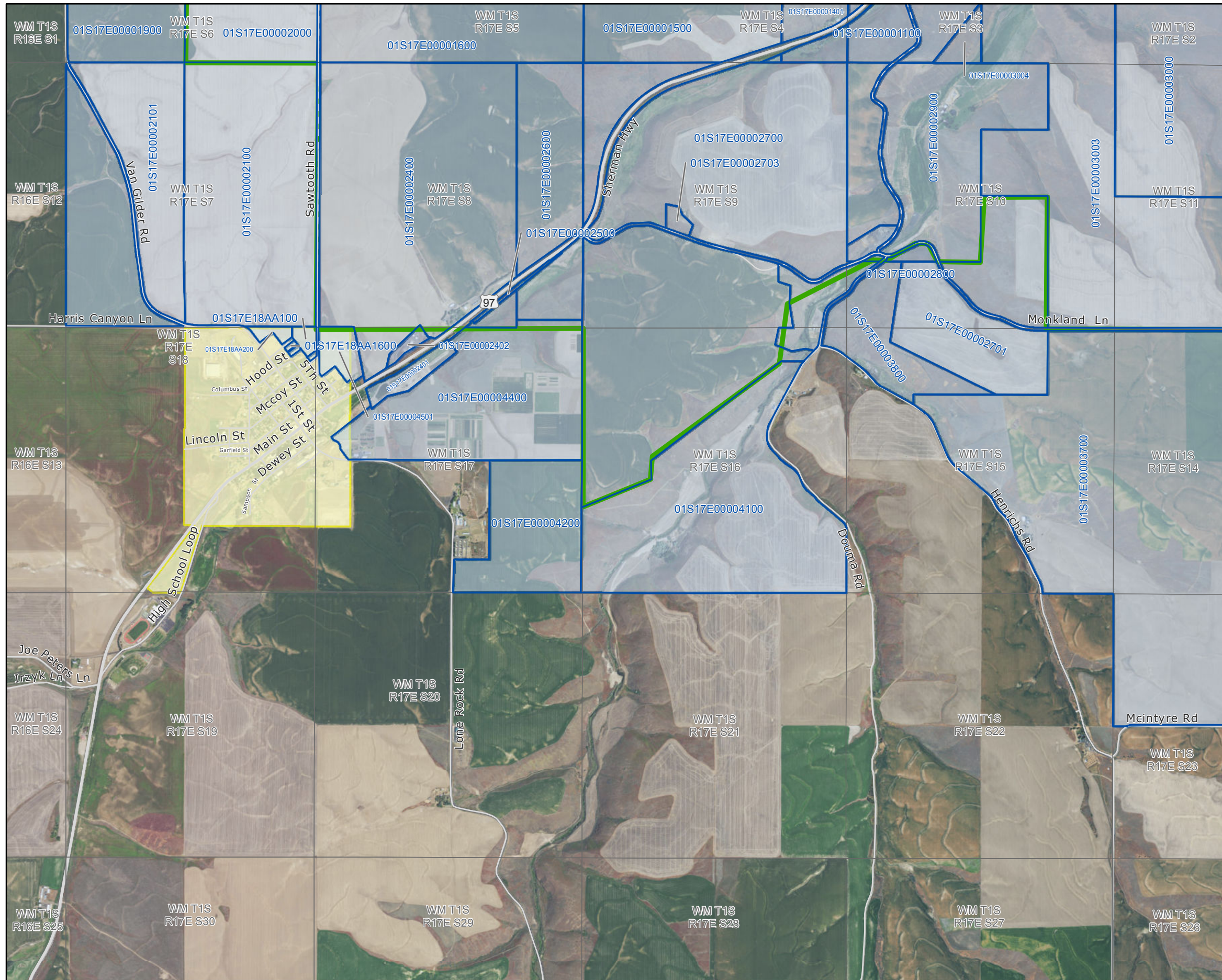
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ATTACHMENT 2 (REVISED) - Page 8 of 10
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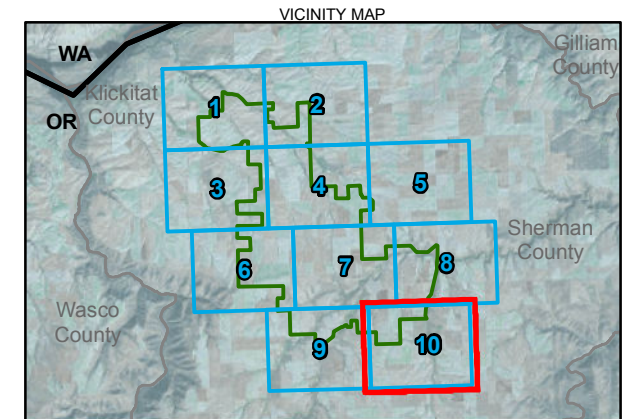
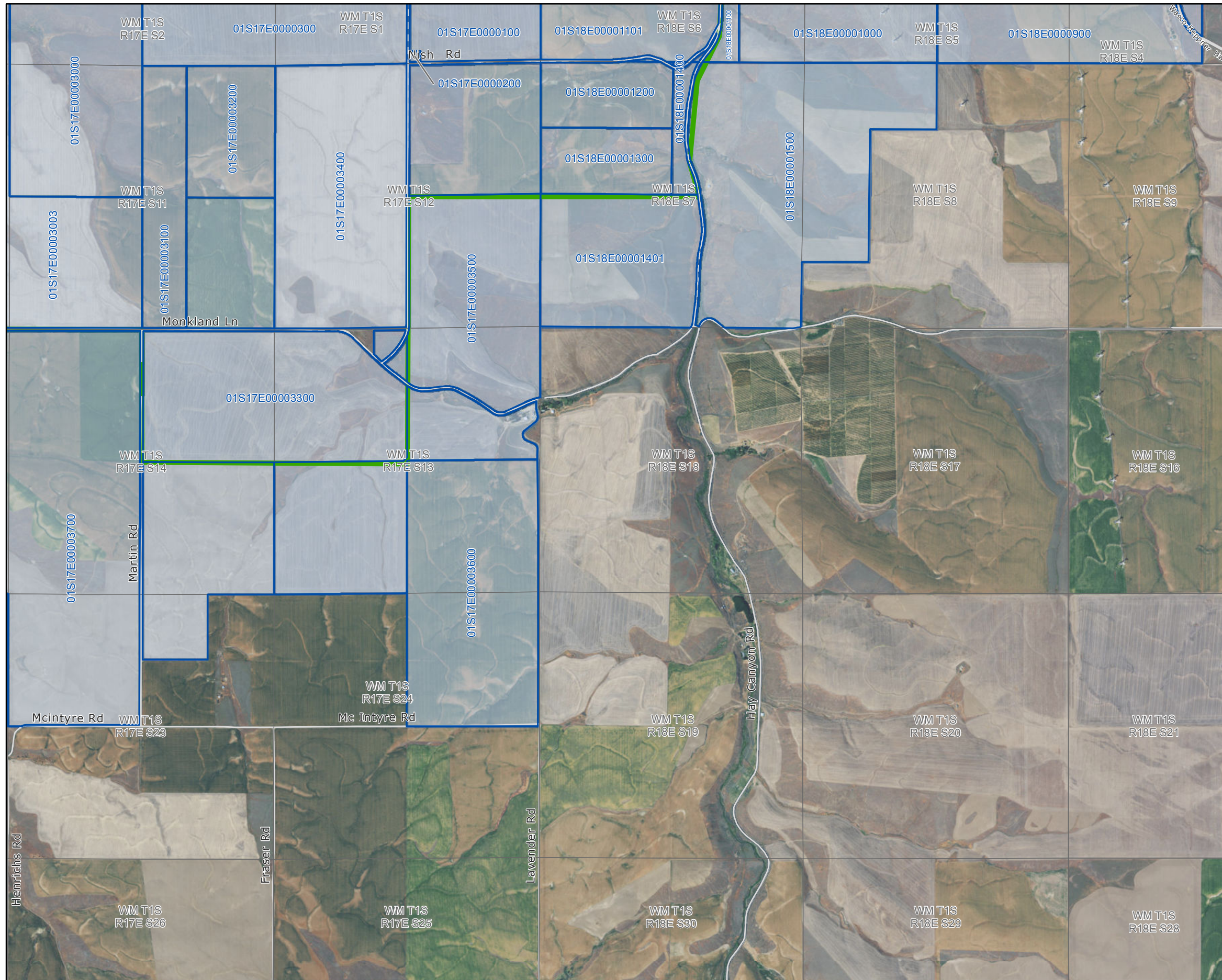
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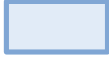






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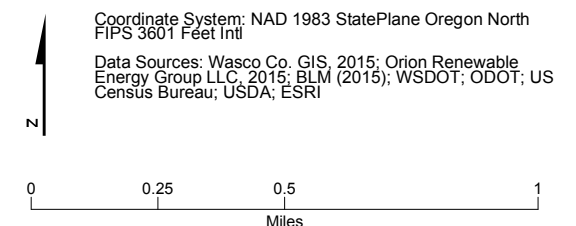


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Attachment 3
Temporary and Permanent
Disturbance Calculations

TABLE 1. GOLDEN HILLS TEMPORARY DISTURBANCE CALCULATIONS

Facilities	Notes	Units of Measurement	Golden Hills			
			Dimensions per Unit	Number of Units	Acres	Miles
Turbine Construction/Laydown Areas						
Principal laydown areas	1	Acres	N/A	7	152	N/A
Laydown areas at each tower site		Square feet per tower site	196,250	125	563	N/A
Meteorological Towers (self-supporting)		Square feet per tower	1100	6	0.2	N/A
Electrical Systems						
Northern transmission line segment	2	Acres	40	1	40	N/A
230-kV transmission line	3	Feet of width per linear foot	10	22,646	5	4.29
34.5-kV collector line	3	Feet of width per linear foot	10	291,720	67	55.25
Roads						
Temporarily disturbed area during road construction						
New junction and turning radius improvements (new roads intersecting existing roads)		Acres	1.5	52	78	N/A
Tunaround		Acres	0.4	27	11	N/A
New 16-foot roads with 2-foot shoulders (temporarily widened to 36 feet)		Square feet disturbed area per linear foot of road	20	215,679	99	41.00
Crane Paths		Feet of width per linear foot	40	58,608	54	11.07
Total Temporarily Disturbed Area					1069	Acres

This table is based on the worst-case locations for Facility components, as shown on Figure 1 (Facility Turbine Layout) in the amendment request. Notes:

1. Dimensions of laydown areas and acreages vary by site. Acreage ranges from 5.78 to 35.94.
2. Additional 230-kilovolt transmission line and associated facilities to connect the Hay Canyon transmission line to Bonneville Power Administration's existing transmission tower structure just north of Klondike substation.
3. Assumes an average disturbance corridor width of 10 feet.

N/A = not applicable

TABLE 2. GOLDEN HILLS PERMANENT DISTURBANCE CALCULATIONS

Facilities	Notes	Units of Measurement	Golden Hills				
			Dimensions per Unit	Number of Units	Acres	Miles	
Turbine Pads/Towers		Square feet per tower	7,850	125	23	N/A	
Substation/Operations and Maintenance Facility							
Collector Substation	1	Acres	5	1	5	N/A	
O&M Facility	2	Acres	5	1	5	N/A	
Meteorological Towers (self-supporting)		Square feet per tower	900	6	0	N/A	
Electrical System Structures							
Northern Transmission Line Segment	3	Acres	0.5	1	0.5	N/A	
230-kV Transmission line	4	Square feet per pole	4	58	0	4.29	
Overhead 34.5-kV Collector Line Structures	5, 6	Square feet per pole	4	54	0	2.76	
Access Roads and Turnarounds							
New 16-foot roads with 2-foot shoulders		Square feet disturbed area per linear foot of road	20	215,679	99	41.00	
Total Permanently Disturbed Area					132	acres	

This table is based on the worst-case locations for Facility components as shown on Figure 1 (Facility Turbine Layout) in the amendment request Notes:

1. Includes substation/station and surrounding gravel within the fenced property. No temporary disturbance will occur outside the fenced area.
2. Includes building and graveled parking and storage areas. No temporary disturbance will occur outside the fenced area.
3. Additional 230-kilovolt transmission line and associated facilities to connect the Hay Canyon transmission line to Bonneville Power Administration's existing transmission tower structure just north of Klondike substation.
4. Assumes 398 feet average distance between poles.
5. Assumes worst-case scenario with 2.76 miles of overhead collectors, which is equal to 5 percent of the total miles (55.25) of collector
6. Assumes 269 feet average distance between poles.

N/A = not applicable

Attachment 4
Redlined Second Amended Site
Certificate

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THIRD SECOND-AMENDED SITE CERTIFICATE

**FOR THE
GOLDEN HILLS WIND PROJECT**

Issued by

OREGON ENERGY FACILITY SITING COUNCIL
625 Marion Street NE
Salem, OR 97301-3737

PHONE: 503-378-4040

FAX: 503-373-7806

Amending the
Site Certificate for the Golden Hills Wind Project
of January 30, 2015~~May 18, 2012~~

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**SECOND AMENDED SITE CERTIFICATE
FOR THE
GOLDEN HILLS WIND PROJECT**

I. INTRODUCTION

This site certificate for the Golden Hills Wind Project (“Golden Hills”) is issued and executed in the manner provided by ORS Chapter 469, by and between the State of Oregon (the “State”), acting by and through its Energy Facility Siting Council (the “Council”), and Golden Hills Wind Farm LLC (“GHWF” or the “certificate holder”).

The findings of fact, reasoning and conclusions of law underlying the terms and conditions of this site certificate are set forth in the Council’s Final Order in the Matter of the Application for a Site Certificate for the Golden Hills Wind Project (the “Final Order on the Application” or “Final Order”) issued on May 15, 2009, the Council’s Final Order in the Matter of the Request for Amendment #1 of the Site Certificate for the Golden Hills Wind Project (“Final Order on Amendment #1”) issued May 11, 2012, the Council’s Final Order in the Matter of the Request for Amendment #2 of the Site Certificate for the Golden Hills Wind Project (“Final Order on Amendment #2”), the Council’s Amended Site Certificate dated January 30, 2015, the Council’s Final Order in the Matter of the Request for Amendment #3 of the Council’s Site Certificate for the Golden Hills Wind Project (“Final Order on Amendment #3”) and incorporated herein by this reference. In interpreting this site certificate, any ambiguity shall be clarified by reference to the following, in order of priority: (1) this site certificate; (2) the Final Order on Amendment #~~3~~²; (3) the Final Order on Amendment #~~2~~¹; (4) the Final Order on Amendment #1; ~~(5)~~ the Final Order on the Application; and (5) the record of the proceedings that led to all the Final Orders.

The definitions used in ORS 469.300 and OAR 345-001-0010 apply to terms used in this site certificate, except where otherwise stated or where the context clearly indicates otherwise.

II. SITE CERTIFICATION

1. To the extent authorized by State law and subject to the conditions set forth herein, the State approves and authorizes the certificate holder to construct, operate and retire a wind energy facility, together with certain related or supporting facilities, at the site in Sherman County, Oregon, as described in Section III of this site certificate. ORS 469.401(1).
2. This site certificate is effective until it is terminated under OAR 345-027-0110 or the rules in effect on the date that termination is sought, or until the site certificate is revoked under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. ORS 469.401(1).
3. This site certificate does not address, and is not binding with respect to, matters that were not addressed in the Council’s Final Order on the Application for the facility. Such matters include, but are not limited to: (1) building code compliance; wage, hour and other labor regulations; local government fees and charges; and other design or operational issues that do not relate to siting the facility (ORS 469.401(4)); and (2) permits issued under statutes and rules for which the decision on compliance has been

1 delegated by the federal government to a State agency other than the Council.
2 ORS 469.503(3).

3 4. Both the State and the certificate holder shall abide by local ordinances and State law and
4 the rules of the Council in effect on the date this site certificate is executed.
5 ORS 469.401(2). In addition, upon a clear showing of a significant threat to the public
6 health, safety or the environment that requires application of later-adopted laws or rules,
7 the Council may require compliance with such later-adopted laws or rules.
8 ORS 469.401(2).

9 5. For a permit, license or other approval addressed in and governed by this site certificate,
10 the certificate holder shall comply with applicable State and federal laws adopted in the
11 future to the extent that such compliance is required under the respective State agency
12 statutes and rules. ORS 469.401(2).

13 6. Subject to the conditions herein, this site certificate binds the State and all counties, cities
14 and political subdivisions in Oregon as to the approval of the site and the construction,
15 operation and retirement of the facility as to matters that are addressed in and governed
16 by this site certificate. ORS 469.401(3).

17 7. Each affected State agency, county, city and political subdivision in Oregon with
18 authority to issue a permit, license or other approval addressed in or governed by this site
19 certificate shall, upon submission of the proper application and payment of the proper
20 fees, but without hearings or other proceedings, issue such permit, license or other
21 approval subject only to conditions set forth in this site certificate. ORS 469.401(3).

22 8. After issuance of this site certificate, each State agency or local government agency that
23 issues a permit, license or other approval for the facility shall continue to exercise
24 enforcement authority over such permit, license or other approval. ORS 469.401(3).

25 9. After issuance of this site certificate, the Council shall have continuing authority over the
26 site and may inspect, or direct the Oregon Department of Energy (“ODOE” or the
27 “Department”) to inspect, or request another State agency or local government to inspect,
28 the site at any time in order to ensure that the facility is being operated consistently with
29 the terms and conditions of this site certificate. ORS 469.430.

30 **III. DESCRIPTION**

31 **A. THE FACILITY**

32 **1. The Energy Facility**

33 ORS 469.300(11)(a)(J) defines the “energy facility” in this case as ~~lain-an~~ electric power
34 generating plant with an average electric generating capacity of 35 megawatts or more if the
35 power is produced from ... wind energy at a single energy facility.” The proposed “electric
36 power generating plant” would consist of up to ~~125267~~ wind turbine locations, each consisting
37 of a turbine tower and foundation, turbine pad area, nacelle, rotor and blade assembly, and step-
38 up transformer. Wind turbines would be placed in survey corridors as shown in the Application

1 for a Site Certificate. Golden Hills would have a peak electric generating capacity of up to 400
2 MW and an average electric generating capacity of about 133 MW.

3 GHWF has not yet selected the wind turbine model or models that would be installed in
4 the facility. GHWF is requesting a site certificate that would allow the installation of up to 125
5 ~~267 GE sle 1.5 MW~~ turbines ~~or any combination of turbines subject to specific restrictions.~~
6 ~~Under maximum conditions, with~~ turbine towers ~~measuring would measure~~ up to 95 80-meters
7 (~~3125263~~ feet) at the rotor hub, and the diameter of the rotor-swept area ~~measuring up to would~~
8 ~~be 126 96~~-meters (413315 feet).

9 A wind turbine features a nacelle mounted on a tubular steel tower. The nacelle houses
10 the generator and gearbox and supports the rotor and blades at the hub. The turbine tower
11 supports and provides access to the nacelle. Each turbine unit sits on a concrete pad that
12 accommodates the turbine pedestal, a step-up transformer and a turnout area for service vehicles.
13 The purpose of the step-up transformer is to increase the output voltage of the wind turbine to the
14 voltage of the power collection system. Underlying the pad would be a deep concrete turbine
15 foundation with a surface area dependent upon the type and size of wind turbine selected.

16 2. Related or Supporting Facilities

17 GHWF proposes to construct the following related or supporting facilities:

- 18 · Power collection system
- 19 · Substations
- 20 · 230-kV transmission line
- 21 ~~—500-kV transmission line~~
- 22 · Meteorological towers
- 23 · Supervisory Control and Data Acquisition (“SCADA”) System
- 24 · O&M facility
- 25 · Access roads
- 26 · Temporary laydown areas

27 **Power Collection System.** About 62-55 miles of power collection system, operating at
28 34.5 kV, would transport the power from the wind turbines to the substations. Some portion of
29 the power collection system may be installed above ground to avoid impacts or to accommodate
30 unforeseen geotechnical conditions.

31 **Substations.** The proposed facility would include ~~two one~~ substations, located in near the
32 center one in the eastern section of the Golden Hills site ~~and another in the western section of the~~
33 Golden Hills site. ~~Each The~~ substation would occupy a graveled and fenced area about 2-5 acres
34 in size to facilitate ~~a~~ transformers, switching equipment and a parking area.

35 **230-kV Transmission Line.** An approximately 5-mile 230-kV transmission line would
36 interconnect the substation in the eastern section of the Golden Hills site would interconnect
37 with an to the existing Hay Canyon 230-kV PPM Energy transmission line by means of an
38 aboveground 0.7-mile 230-kV transmission line. From there, electricity would be transmitted
39 using the existing Hay Canyon 230-kV line to the northern most transmission pole structure near

1 the Klondike Substation where up to approximately 700 feet of new 230-kV transmission line
2 will be constructed along with associated structures and equipment necessary to interconnect the
3 Facility to BPA’s transmission structure located approximately 300 feet north of the Klondike
4 Substation.

5 ~~**500-kV Transmission Line.** The substation in the western section of the Golden Hills~~
6 ~~site would interconnect with the existing BPA John Day Substation by means of an aboveground~~
7 ~~500-kV transmission line about 11 miles long.~~

8 **Meteorological Towers.** GHWF proposes to install up to six permanent meteorological
9 towers (“met towers”). The met towers would be unguyed tubular structures about ~~85-95~~
10 (~~279-3152~~ feet) tall and set in concrete foundations.

11 **SCADA System.** A fiber optic communications network would link the wind turbines to
12 a central computer at the O&M facility. The SCADA system would collect operating and
13 performance data from each wind turbine and Golden Hills as a whole and provide for remote
14 operation of the wind turbines.

15 **O&M Facility.** A 5,000-square-foot operations and maintenance (“O&M”) building
16 would be constructed at one or the other of two locations proposed by GHWF. The O&M
17 building would house office and workshop areas, a control room for the SCADA system, and a
18 kitchen, bathroom and shower. The five-acre O&M facility site would include parking for
19 vehicles. Domestic water use would not exceed 5,000 gallons per day, and domestic water
20 would be obtained from an on-site well. Domestic wastewater would be drained into an on-site
21 septic system.

22 **Access Roads.** Approximately ~~50-41~~ miles of new roads would be constructed to
23 provide access to the turbine strings and other facility components. Access roads would connect
24 to graveled turbine pad areas at the base of each wind turbine. The roads would be 20 feet wide
25 and constructed with crushed gravel. In addition, GHWF would improve and widen some
26 existing county and farm roads.

27 **Temporary Laydown Areas.** Up to seven principal, temporary laydown areas would be
28 used to stage construction and store supplies and equipment during construction. In addition,
29 temporary laydown areas would be required at the base of each proposed wind turbine. The
30 laydown areas would be covered with gravel, and the gravel would be removed and the areas
31 would be restored to their pre-construction conditions following completion of construction.

32 The certificate holder shall satisfy the following administrative condition:

33 (III.A.1) The certificate holder shall construct a facility substantially as described in the
34 site certificate and may select ~~up to 125 GE sle 1.5 megawatt or some~~
35 ~~combination of other~~ turbines, subject to the following restrictions and
36 compliance with other site certificate conditions. Before beginning construction,
37 the certificate holder shall provide to the Department a description of the turbine
38 types selected for the facility demonstrating compliance with this condition.

- 1 (a) The total number of turbines at the facility must not exceed ~~267~~125
2 turbines.
- 3 (b) The combined peak generating capacity of the facility must not exceed
4 400 megawatts.
- 5 (c) The turbine hub height must not exceed ~~95~~80-meters and the maximum
6 blade tip height must not exceed ~~128~~158 meters.
- 7 (d) The minimum blade tip clearance must be ~~19.832~~ meters above ground.
- 8 (e) The maximum combined weight of metals in the tower (including ladders
9 and platforms) and nacelle must not exceed ~~324~~336 U.S. tons per turbine.
- 10 (f) [ODOE: Recommend deleting this condition because whether an
11 amendment is triggered is governed by statute and rule.] ~~The certificate~~
12 ~~holder shall request an amendment of the site certificate to increase the~~
13 ~~combined peak generating capacity of the facility beyond 400 megawatts,~~
14 ~~to increase the number of wind turbines to more than 267 turbines, to~~
15 ~~install wind turbines with a hub height greater than 80 meters or a blade~~
16 ~~tip height greater than 128 meters, or to install turbines with a maximum~~
17 ~~combined weight of metals in the tower (including ladders and platforms)~~
18 ~~and nacelle greater than 324 U.S. tons per turbine.~~

19 B. LOCATION OF THE FACILITY

20 The facility will occupy about ~~2930,000~~29,500 acres and be located near Wasco in
21 Sherman County, Oregon. More particularly, the site would occupy portions of Sections 1-17,
22 Township 1 South, Range 17 East, Sections 6-7, Township 1 South, Range 18 East, Sections 29-
23 31, Township 1 North, Range 18 East, Sections 5-9, 14-23, and 25-36, Township 1 North, Range
24 17 East, Sections 1-3, 12-14, 23-26, and 35-36, Township 1 North, Range 16 East, Sections 29-
25 32, Township 2 North, Range 17 East, Sections 25-27 and 34-36, Township 2 North, Range 16
26 East. Sections 9, 10, 14-16, 22-26 and 34-36, Township 2 North, Range 16 East; Sections 29-32,
27 Township 2 North, Range 17 East; Sections 1-3, 13, 24, 25 and 36, Township 1 North, Range 16
28 East; Sections 5-8, 14-22, 25 and 27-36, Township 1 North, Range 17 East; Sections 1-14, 16
29 and 17, Township 1 South, Range 17 East; and Sections 6-8, Township 1 South, Range 18 East,
30 Willamette Meridian, Sherman County, Oregon.

31 C. THE SITE AND SITE BOUNDARY

32 The certificate holder shall satisfy the following administrative condition:

- 33 (III.C.1) Before beginning construction and after considering all micro-siting factors, the
34 certificate holder shall provide to the Department, the Oregon Department of Fish
35 and Wildlife (“ODFW”) and the Planning Director of Sherman County detailed
36 maps of the facility site, showing the final locations where the certificate holder
37 proposes to build facility components and a table showing the acres of temporary
38 and permanent habitat impact by habitat category and subtype. The maps shall
39 include the locations of temporary laydown areas and areas of temporary ground
40 disturbance associated with the construction of all Facility

~~component transmission lines~~. The detailed maps of the final facility layout site shall indicate the habitat categories of all areas that would be affected during construction. In classifying the affected habitat into habitat categories, the certificate holder shall consult with ODFW. The certificate holder shall not begin ground disturbance in an affected area until the habitat assessment has been approved by the Department. The Department may employ a qualified contractor to confirm the habitat assessment by on-site inspection.

D. CONSTRUCTION DEADLINES

The certificate holder shall satisfy the following administrative conditions:

(III.D.1) The certificate holder shall begin construction of the facility within by June 18, 201~~86~~. Under OAR 345-015-0085(9), an amended site certificate is effective upon execution by the Council Chair and the applicant. The Council may grant an extension of the deadline to begin construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted. [Amendment 2]

(III.D.2) The certificate holder shall complete construction of the facility by June 18, 202~~14~~¹⁹. Construction is complete when (1) the facility is substantially complete as defined by the certificate holder’s construction contract documents; (2) acceptance testing has been satisfactorily completed; and (3) the energy facility is ready to begin continuous operation consistent with the site certificate. The certificate holder shall promptly notify the Department of the date of completion of construction. The Council may grant an extension of the deadline for completing construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted. [Amendment 2]

(III.D.3) Before beginning construction, the certificate holder shall notify the Department in advance of any work on the site that does not meet the definition of “construction” in ORS 469.300(6), excluding surveying, exploration or other activities to define or characterize the site, and shall provide to the Department a description of the work and evidence that its value is less than \$250,000.

IV. SPECIFIC FACILITY CONDITIONS

The conditions listed in this section include conditions based on representations in the Application for a Site Certificate and supporting record. These conditions are required under OAR 345-027-0020(10). The certificate holder must comply with these conditions in addition to the conditions listed in Sections III, V, VI and VII. This section includes other specific facility conditions the Council finds necessary to ensure compliance with the siting standards of OAR Chapter 345, Divisions 22 and 24, and to protect the public health and safety. For conditions that require subsequent review and approval of a future action, ORS 469.402 authorizes the Council to delegate the future review and approval to the Department if, in the Council’s discretion, the delegation is warranted under the circumstances of the case.

A. [PLACEHOLDER]

1 **B. ORGANIZATIONAL EXPERTISE**

- 2 (IV.B.1) The certificate holder shall report promptly to the Department any change in its
3 corporate relationship with Orion Renewable Energy Group LLC. The certificate
4 holder shall report promptly to the Department any change in its access to the
5 resources, expertise and personnel of Orion Renewable Energy Group LLC.
- 6 (IV.B.2) Before beginning construction, the certificate holder shall notify the Department
7 of the identity and qualifications of the major design, engineering and
8 construction contractor(s) for the facility. The certificate holder shall select
9 contractors that have substantial experience in the design, engineering and
10 construction of similar facilities. The certificate holder shall report to the
11 Department any change of major contractors.
- 12 (IV.B.3) If the certificate holder chooses a third-party contractor to operate the facility, the
13 certificate holder shall submit to the Council the identity of the contractor so the
14 Council may review the qualifications and capability of the contractor to meet the
15 standards of OAR 345-022-0010. If the Council finds that a new contractor meets
16 these standards, the Council shall not require an amendment to the site certificate
17 for the certificate holder to hire the contractor.
- 18 (IV.B.4) Any matter of noncompliance under the site certificate shall be the responsibility
19 of the certificate holder. Any notice of violation issued under the site certificate
20 shall be issued to the certificate holder. Any civil penalties assessed under the site
21 certificate shall be levied on the certificate holder.
- 22 (IV.B.5) The certificate holder shall contractually require the engineering and procurement
23 contractor and all independent contractors and subcontractors involved in the
24 construction and operation of the facility to comply with all applicable laws and
25 regulations and with the terms and conditions of the site certificate. Such
26 contractual provision shall not operate to relieve the certificate holder of
27 responsibility under the site certificate.
- 28 (IV.B.6) The certificate holder shall obtain, or shall ensure that its contractors obtain,
29 necessary federal, State and local permits or approvals required for the
30 construction, operation and retirement of the facility. The certificate holder shall
31 work with local and State fire officials to ensure compliance with all fire code
32 regulations regarding public buildings.
- 33 (IV.B.7) During construction, the certificate holder shall have an on-site assistant
34 construction manager who is qualified in environmental compliance to ensure
35 compliance with all construction-related site certificate conditions. During
36 operation, the certificate holder shall have a facility manager who is qualified in
37 environmental compliance to ensure compliance with all ongoing site certificate
38 conditions. The certificate holder shall notify the Department of the name,
39 telephone number, fax number and e-mail address of these managers and shall
40 keep the Department informed of any change in this information.

1 (IV.B.8) Within 72 hours after discovery of conditions or circumstances that may violate
2 the terms or conditions of the site certificate, the certificate holder shall report the
3 conditions or circumstances to the Department.

4 **C. RETIREMENT AND FINANCIAL ASSURANCE**

5 (IV.C.1) The certificate holder shall retire the facility if the certificate holder permanently
6 ceases construction or operation of the facility. The certificate holder shall retire
7 the facility according to a final retirement plan approved by the Council, as
8 described in OAR 345-027-0110, and prepared pursuant to Condition (IV.C.2).

9 (IV.C.2) Two years before closure of the energy facility, the certificate holder shall submit
10 to the Department a proposed final retirement plan for the facility and site,
11 pursuant to OAR 345-027-0110, including:

12 (a) A plan for retirement that provides for completion of retirement within
13 two years after permanent cessation of operation of the energy facility and
14 that protects the public health and safety and the environment;

15 (b) A description of actions the certificate holder proposes to take to restore
16 the site to a useful, non-hazardous condition suitable for agricultural use;
17 and

18 (c) A detailed cost estimate, a comparison of that estimate with the dollar
19 amount secured by a bond or letter of credit and any amount contained in a
20 retirement fund, and a plan for assuring the availability of adequate funds
21 for completion of retirement.

22 (IV.C.3) The certificate holder shall prevent the development of any conditions on the site
23 that would preclude restoration of the site to a useful, non-hazardous condition to
24 the extent that prevention of such site conditions is within the control of the
25 certificate holder.

26 (IV.C.4) Before beginning construction, the certificate holder shall submit to the State
27 through the Council a bond or letter of credit in the amount described herein
28 naming the State, acting by and through the Council, as beneficiary or payee. If
29 the certificate holder elects to build the facility in a single phase, the initial bond
30 or letter of credit amount is ~~\$14,084,425,000~~ ~~\$16,491,000~~ (in 2008 dollars),
31 adjusted to the date of issuance as described in (b), or the amount determined as
32 described in (a). If the certificate holder elects to build the facility in more than
33 one phase, the amount of the initial bond or letter of credit for each phase of
34 construction shall be the amount determined as described in (a). The certificate
35 holder shall adjust the amount of each bond or letter of credit on an annual basis
36 thereafter as described in (b).

37 (a) The certificate holder may adjust the amount of each bond or letter of
38 credit based on the final design configuration of the facility by applying
39 the unit costs and general costs illustrated in Table IV.C.1 of the Final
40 Order on the Application to the final design and calculating the financial

1 assurance amount as described in that order, adjusted to the date of
2 issuance as described in (b) and subject to approval by the Department.

3 (b) The certificate holder shall adjust the amount of each bond or letter of
4 credit, using the following calculation and subject to approval by the
5 Department:

6 (i) Adjust the subtotal component of the bond or letter of credit
7 amount (expressed in 2008 dollars) to present value, using the
8 U.S. Gross Domestic Product Implicit Price Deflator, Chain-
9 Weight, as published in the Oregon Department of Administrative
10 Services' "Oregon Economic and Revenue Forecast" or by any
11 successor agency (the "Index") and using the annual average index
12 value for 2008 dollars and the quarterly index value for the date of
13 issuance of the new bond or letter of credit. If at any time the
14 Index is no longer published, the Council shall select a comparable
15 calculation to adjust 2008 dollars to present value.

16 (ii) Calculate the adjusted performance bond amount as 1 percent of
17 the new subtotal (i).

18 (iii) Add the subtotal (i) to the adjusted performance bond amount
19 (ii) for the adjusted gross cost.

20 (iv) Calculate the adjusted administration and project management
21 costs as 10 percent of the adjusted gross cost (iii).

22 (v) Calculate the adjusted future developments contingency as
23 10 percent of the adjusted gross cost (iii).

24 (vi) Add the adjusted gross cost (iii) to the sum of adjusted
25 administration and project management costs (iv) and the adjusted
26 future developments contingency (v) and round the resulting total
27 to the nearest \$1,000 to determine the adjusted financial assurance
28 amount.

29 (c) The certificate holder shall use a form of bond or letter of credit approved
30 by the Council.

31 (d) The certificate holder shall use an issuer of the bond or letter of credit
32 approved by the Council.

33 (e) The certificate holder shall describe the status of the bond or letter of
34 credit in the annual report submitted to the Council under Condition
35 (VII.21.a.ii).

36 (f) The bond or letter of credit shall not be subject to revocation or reduction
37 before retirement of the facility site.

38 (IV.C.5) If the certificate holder elects to use a bond to meet the requirements of Condition
39 (IV.C.4), the certificate holder shall ensure that the surety is obligated to comply
40 with the requirements of applicable statutes, Council rules and this site certificate
41 when the surety exercises any legal or contractual right it may have to assume

1 construction, operation or retirement of the energy facility. The certificate holder
2 shall also ensure that the surety is obligated to notify the Council that it is
3 exercising such rights and to obtain any Council approvals required by applicable
4 statutes, Council rules and this site certificate before the surety commences any
5 activity to complete construction, operate or retire the energy facility.

6 (IV.C.6) The certificate holder shall report to the Department any release of hazardous
7 substances, pursuant to Oregon Department of Environmental Quality (“DEQ”)
8 regulations, within one working day after the discovery of such release. This
9 obligation shall be in addition to any other reporting requirements applicable to
10 such a release.

11 (IV.C.7) If the certificate holder has not remedied a release consistent with applicable
12 Oregon DEQ standards within six months after the date of the release, the
13 certificate holder shall submit to the Council for its approval an independently
14 prepared estimate of the additional cost of remediation or correction within such
15 six-month period.

- 16 (a) Upon approval of an estimate by the Council, the certificate holder shall
17 increase the amount of its bond or letter of credit by the amount of the
18 estimate.
- 19 (b) In no event, however, shall the certificate holder be relieved of its
20 obligation to exercise all due diligence in remedying a release of
21 hazardous substances.

22 (IV.C.8) All funds received by the certificate holder from the salvage of equipment and
23 buildings shall be committed to the restoration of the energy facility site to the
24 extent necessary to fund the approved site restoration and remediation.

25 (IV.C.9) The certificate holder shall pay the actual cost to restore the site to a useful, non-
26 hazardous condition at the time of retirement, notwithstanding the Council’s
27 approval in the site certificate of an estimated amount required to restore the site.

28 (IV.C.9) If the Council finds that the certificate holder has permanently ceased
29 construction or operation of the facility without retiring the facility according to a
30 final retirement plan approved by the Council, as described in OAR 345-027-0110
31 and prepared pursuant to Condition (IV.C.2), the Council shall notify the
32 certificate holder and request that the certificate holder submit a proposed final
33 retirement plan to the Department within a reasonable time not to exceed 90 days.

- 34 (a) If the certificate holder does not submit a proposed final retirement plan
35 by the specified date or if the Council rejects the retirement plan that the
36 certificate holder submits, the Council may direct the Department to
37 prepare a proposed a final retirement plan for the Council’s approval.
- 38 (b) Upon the Council’s approval of the final retirement plan prepared pursuant
39 to (a), the Council may draw on the bond or letter of credit described in
40 Condition (IV.C.4) and shall use the funds to restore the site to a useful,

1 non-hazardous condition according to the final retirement plan, in addition
2 to any penalties the Council may impose under OAR Chapter 345,
3 Division 29.

4 (c) If the amount of the bond or letter of credit is insufficient to pay the actual
5 cost of retirement, the certificate holder shall pay any additional cost
6 necessary to restore the site to a useful, non-hazardous condition.

7 (d) After completion of site restoration, the Council shall issue an order to
8 terminate the site certificate if the Council finds that the facility has been
9 retired according to the approved final retirement plan.

10 **D. LAND USE**

11 (IV.D.1) The certificate holder shall construct the public road improvements described in
12 the Application for a Site Certificate to meet or exceed road standards for the road
13 classifications in the County’s Transportation System Plan and Zoning Ordinance
14 because roads will require a more substantial section to bear the weight of the
15 vehicles and turbine components than would usually be constructed by the
16 County.

17 (IV.D.2) The certificate holder shall ensure that no equipment or machinery is parked or
18 stored on any county road except while in use.

19 (IV.D.3) The site certificate holder shall, in consultation with affected landowners, design
20 and construct private access roads to minimize the division of existing farm units.

21 (IV.D.4) The certificate holder shall not locate any aboveground facility structure
22 (including wind turbines, O&M building, substations and met towers, but not
23 including aboveground power collection and transmission lines and poles and
24 junction boxes) within 50 feet from any property line or within 50 feet from the
25 right of way of any arterial or major collector road.

26 (IV.D.5) Aboveground transmission line structures shall not occupy areas that show gross
27 indicators of landslide activity or marginal stability.

28 (IV.D.6) Collector lines in the Natural Hazards Combining Zone (“NH zone”) shall be
29 placed under ground except in instances where it is more practical to install
30 aboveground power collection lines and provided that the aboveground power
31 collection lines will be designed to minimize slope stability and other NH zone
32 hazards. The site-specific geotechnical investigation required prior to
33 construction shall address native soil and bedrock stability concerns at cuts, fills
34 and culvert crossings, and shall include design and construction recommendations
35 to minimize the potential for destabilizing marginally stable slopes and the
36 potential for stream erosion.

37 (IV.D.7) Prior to start of construction, the certificate holder shall submit for Sherman
38 County Planning Department concurrence the plans and profiles described at
39 SCZO 3.7.5(e).

- 1 (IV.D.8) Construction staging areas shall be limited to areas outside the NH zone.
- 2 (IV.D.9) Roads or streets in the NH zone shall be stabilized by planking, gravel or
3 pavement as deemed necessary, and roadways shall be built without installation of
4 excessive fill, diversion of water or excessive cuts unless the site investigation
5 determines that such conditions will not be detrimental to the area or create
6 unwarranted maintenance problems or additional hazards.
- 7 (IV.D.10) The certificate holder shall locate access roads and temporary construction
8 laydown and staging areas, including those associated with construction of
9 transmission lines or placement of conductors on third-party transmission lines, to
10 minimize disturbance with farming practices and, wherever feasible, as
11 determined in consultation with affected landowners, shall place turbines and
12 transmission interconnection lines along the margins of cultivated areas to reduce
13 the potential for conflict with farm operations. The certificate holder shall place
14 aboveground transmission and collector lines and poles and junction boxes along
15 property lines and public road rights-of-way to the extent practicable.
- 16 (IV.D.11) During operation of the facility, the certificate holder, in cooperation with
17 landowners, shall avoid impact on cultivated land to the extent reasonably
18 possible when performing facility repair and maintenance activities.
- 19 (IV.D.12) Where necessary and feasible, the certificate holder shall provide access across
20 construction trenches to fields within the facility site and otherwise provide
21 adequate and timely access to properties during critical periods in the farming
22 cycle, such as harvest.
- 23 (IV.D.13) Before beginning construction of the facility, the certificate holder shall record a
24 Farm Management Easement covering the properties on which the certificate
25 holder locates wind power generation facilities. The certificate holder shall
26 record the easements in the real property records of Sherman County and shall file
27 a copy of the recorded easement with the Sherman County Planning Director.
- 28 (IV.D.14) The certificate holder shall remove from Special Farm Assessment the portions of
29 parcels on which facilities are located and shall pay all property taxes due and
30 payable after the Special Farm Assessment is removed from such properties.
- 31 (IV.D.15) Within 90 days after beginning operation, the certificate holder shall provide to
32 the Department and to the Sherman County Planning Director the actual latitude
33 and longitude location or Stateplane NAD 83(91) coordinates of each turbine
34 tower, connecting lines and transmission lines. In addition, the certificate holder
35 shall provide to the Department and to the Sherman County Planning Director, a
36 summary of as-built changes in the facility compared to the original plan, if any.
- 37 (IV.D.16) The certificate holder shall work with the Sherman County Weed Control
38 manager to take appropriate measures to prevent the invasion, during and after the
39 facility's construction, of any weeds on the Sherman County noxious weed list.

- 1 (IV.D.17) The certificate holder shall cooperate with the Sherman County Road Department
2 to ensure that any unusual damage or wear caused by the use of the county's
3 roads by the developer during the construction of the facility will be the
4 responsibility of the developer. The Road Department will provide an assessment
5 of road conditions in the facility area prior to the start of construction of the
6 facility and an evaluation of the roads following completion of the facility to
7 determine any significant change in condition. In addition, no equipment or
8 machinery of the developers shall be parked or stored on any county road except
9 while in use.
- 10 (IV.D.18) Prior to start of construction, the certificate holder shall, in consultation with
11 Sherman County, assign a 9-1-1 5-digit rural address to every tower road that
12 intersects a State or county road. The county will provide and install the signage
13 for these addresses.
- 14 (IV.D.19) Prior to beginning construction, the certificate holder will:
- 15 (a) Designate a route or routes for the transport of wind turbine construction
16 material (including water, aggregate, concrete, machinery and tower
17 pieces), with the intention of minimizing damage to non-designated roads,
18 and provide these designations to the County Road Master;
- 19 (b) Provide to the County Road Master a written summary of possible
20 anticipated road damage to the designated route or routes, and an estimate
21 of the cost of repair to the designated route or routes;
- 22 (c) Establish and maintain an escrow account for so long as construction is
23 ongoing, funded in an amount equal to the estimated cost to repair the
24 designated route or routes consistent with the estimate provided in (b); and
- 25 (d) Conduct an inspection of the roads along the designated route or routes
26 before and after construction with a representative of the Sherman County
27 Road Department and an independent third party with the required
28 expertise to inspect and evaluate paved and graveled roads. In the event a
29 dispute arises, the third party shall be the final arbiter. The cost of the
30 hiring of the third party shall be borne by the applicant.
- 31 (IV.D.20) Before beginning construction of facility access roads, the certificate holder shall
32 confer with the Sherman County Road Master regarding any utility permits
33 needed for county road right-of-ways and obtain permits for construction of all
34 approach roads onto county roads, all in accordance with Sherman County
35 Ordinance No. 35-2007.
- 36 (IV.D.21) The certificate holder shall comply with Sherman County Zoning Ordinance
37 Section 4.14.4, Access Connection and Driveway Design, in connection with
38 construction of the O&M facility and substations.
- 39 (IV.D.22) Prior to construction, Certificate Holder shall demonstrate that the final location
40 of turbines within the micro-siting corridors approved by the Council will satisfy

1 setback requirements prescribed by Section 4 of the Sherman County Wind
2 Setback Ordinance (Ordinance No. 39-2007) unless the Council or Oregon
3 Department of Energy has approved a variance to such setback for the turbine or
4 the Certificate Holder has negotiated a setback agreement with the affected
5 adjacent property owner or wind project developer. [Amendment #1]

6 **E. SOIL PROTECTION**

7 (IV.E.1) The certificate holder shall conduct all construction work in compliance with an
8 Erosion and Sediment Control Plan (the “ESCP”) satisfactory to the Oregon DEQ
9 and as required under the National Pollutant Discharge Elimination System Storm
10 Water Discharge General Permit #1200-C. The certificate holder shall include in
11 the ESCP any procedures necessary to meet local erosion and sediment control
12 requirements or storm water management requirements.

13 (IV.E.2) Where temporary impacts will occur in cultivated areas, the certificate holder
14 shall salvage approximately three feet of topsoil and stockpile this topsoil in
15 windrows. The certificate holder shall protect the windrows with plastic sheeting
16 or mulch. Upon removal of the temporary features, the certificate holder shall
17 cultivate the subsoil to a depth of at least 12 inches (except where bedrock
18 prohibits achieving this depth) and then redistribute the salvaged topsoil to match
19 adjacent grades.

20 (IV.E.3) During facility operation, the certificate holder shall routinely inspect and
21 maintain all roads, pads and trenched areas and, as necessary, maintain or repair
22 erosion control measures. The certificate holder shall restore areas that are
23 temporarily disturbed during facility maintenance or repair activities to
24 predisturbance condition or better.

25 (IV.E.4) During construction and operation of the facility, the certificate holder shall
26 implement a plan, developed in consultation with the Sherman County Weed
27 Control manager, to control the introduction and spread of noxious weeds.

28 (IV.E.5) During construction, the certificate holder shall ensure that the wash down of
29 concrete trucks occurs only at a contractor-owned batch plant or at tower
30 foundation locations. If such wash down occurs at tower foundation locations,
31 then the certificate holder shall ensure that wash down wastewater does not run
32 off the construction site into otherwise undisturbed areas and that the wastewater
33 is disposed of on backfill piles and buried underground with the backfill over the
34 tower foundation.

35 (IV.E.6) During facility operation, if blade-washing becomes necessary, the certificate
36 holder shall ensure that there is no runoff of wash water from the site or
37 discharges to surface waters, storm sewers or dry wells. The certificate holder
38 shall not use acids, bases or metal brighteners with the wash water. The
39 certificate holder may use biodegradable, phosphate-free cleaners sparingly.

1 **F. PROTECTED AREAS**

2 [No conditions]

3 **G. SCENIC RESOURCES**

4 (IV.G.1) To reduce the visual impact of the facility, the certificate holder shall:

- 5 (a) Mount nacelles on smooth steel structures painted uniformly in a neutral
- 6 color to blend with the surrounding landscape;
- 7 (b) Paint substation structures in a neutral color to blend with the surrounding
- 8 landscape;
- 9 (c) Not allow any advertising to be used on any part of the facility;
- 10 (d) Use only those signs required for facility safety or required by law, except
- 11 that the certificate holder may erect a sign to identify the facility; and
- 12 (e) Maintain any signs allowed under this condition in good repair.

13 (IV.G.2) The certificate holder shall design and construct the O&M facility to be generally
14 consistent with the character of similar buildings used by commercial farmers or
15 ranchers in the area and shall paint the building in a neutral color to blend with the
16 surrounding landscape.

17 (IV.G.3) During operation of the facility, the certificate holder shall not use exterior
18 nighttime lighting except:

- 19 (a) The minimum turbine tower lighting required or recommended by the
- 20 Federal Aviation Administration (the “FAA”);
- 21 (b) Security lighting at the O&M facility and substations, provided that such
- 22 lighting is shielded or directed downward to reduce glare;
- 23 (c) Minimum lighting necessary for repairs or emergencies; and
- 24 (d) As otherwise required by federal, State or local law.

25 **H. RECREATION**

26 [No conditions]

27 **I. PUBLIC HEALTH AND SAFETY STANDARDS**

28 (IV.I.1) The certificate holder shall follow manufacturer’s recommended handling
29 instructions and procedures to prevent damage to turbine or turbine tower
30 components that could lead to failure.

31 (IV.1.2) The certificate holder shall install and maintain self-monitoring devices on each
32 turbine, connected to a fault annunciation panel or SCADA system at the O&M
33 facility to alert operators to potentially dangerous conditions. The certificate

holder shall equip each turbine with vibration-sensing equipment that will shut down the turbine in the event of abnormal levels of vibration.

(IV.I.3) The certificate holder shall construct turbine towers with no exterior ladders or access to the turbine blades and shall install locked tower access doors. The certificate holder shall keep tower access doors locked at all times except when authorized personnel are present.

(IV.1.4) The certificate holder shall have an operational safety-monitoring program and shall inspect all turbines and turbine tower components on a regular basis. The certificate holder shall maintain or repair turbine and turbine tower components as necessary to protect public safety.

(IV.1.5) For turbine types having pad-mounted step-up transformers, the certificate holder shall install the transformers at the base of each tower in locked cabinets designed to protect the public from electrical hazards and to avoid creation of artificial habitat for raptor prey.

(IV.1.6) To protect the public from electrical hazards, the certificate holder shall enclose the facility substations with appropriate fencing and locked gates.

(IV.1.7) Before beginning construction, the certificate holder shall submit to the FAA and the Oregon Department of Aviation (“ODA”) a Notice of Proposed Construction or Alteration identifying the proposed final locations of the turbines and related or supporting facilities and shall provide a copy of this notice to the Department. The certificate holder shall notify the Department of the FAA’s and ODA’s responses as soon as they have been received.

(IV.I.8) The certificate holder shall construct all facility components in compliance with the following setback requirements:

- (a) The certificate holder shall maintain a minimum distance of 110 percent of maximum blade tip height, measured from the centerline of the turbine tower to the nearest edge of any public road right-of-way. The certificate holder shall assume a minimum right-of-way width of 60 feet.
- (b) The certificate holder shall maintain a minimum distance of 1,320 feet, measured from the centerline of the turbine tower to the center of the nearest residence existing at the time of tower construction.
- (c) The certificate holder shall maintain a minimum distance of 110 percent of maximum blade tip height, measured from the centerline of the turbine tower to the nearest boundary of the certificate holder’s lease area.

J. SITING STANDARDS FOR WIND ENERGY FACILITIES

[No conditions]

1 **K. SITING STANDARDS FOR TRANSMISSION LINES**

2 (IV.K.1) The certificate holder shall install the underground segments of the 34.5-kV
3 collector system at a minimum depth of three feet.

4 **L. THREATENED AND ENDANGERED SPECIES**

5 (IV.L.1) The certificate holder shall report the results of the database review and
6 consultation to the Department and to ODFW and, if there have been new
7 documentations of nesting bald eagles or peregrine falcons within two miles of
8 the facility, the certificate holder shall implement appropriate measures to protect
9 the species from adverse impact, as approved by the Department and ODFW.

10 (IV.L.2) The certificate holder shall implement measures to mitigate impacts to sensitive
11 wildlife habitat during construction including, but not limited to, the following:

12 (a) Preparing maps to show sensitive areas, such as nesting or denning areas
13 for sensitive wildlife species, that are off limits to construction personnel;

14 (b) Ensuring that a qualified person instructs construction personnel to be
15 aware of wildlife in the area and to take precautions to avoid injuring or
16 destroying wildlife or significant wildlife habitat; and

17 (c) Avoiding unnecessary road construction, temporary disturbance and
18 vehicle use.

19 (IV.L.3) Prior to the beginning of construction of the facility the certificate holder shall
20 perform new field surveys for threatened and endangered species following the
21 survey protocol set forth in the Application for Site Certificate. The certificate
22 holder shall report the results of the field surveys to the Department, ODFW, and
23 the Oregon Department of Agriculture. If the surveys identify the presence of
24 threatened or endangered species within the site boundary, the certificate holder
25 shall implement appropriate measures to avoid a significant reduction in the
26 likelihood of survival or recovery of the species, as approved by the Department,
27 ODFW, and the Oregon Department of Agriculture.

28 **M. FISH AND WILDLIFE HABITAT**

29 (IV.M.1) The certificate holder shall implement the Habitat Mitigation and Revegetation
30 Plan submitted by the certificate holder in its August 2008 application supplement
31 and attached to the Final Order as Attachment B, as amended from time to time.
32 Prior to start of construction, the certificate holder shall acquire the legal right to
33 create, enhance, maintain and protect a habitat mitigation area so long as the site
34 certificate is in effect by means of outright purchase, conservation easement or
35 similar conveyance and shall provide a copy of the documentation to the
36 Department. The nominal lease term shall be at least 30 years, with an option to
37 extend if the facility continues operations past year 30. The mitigation area shall
38 be as shown in figures 1, 2 and 3 of Attachment B to the Final Order. Any

- 1 different mitigation area shall require prior approval of the Department in
2 consultation with ODFW.
- 3 (IV.M.2) The certificate holder shall restore areas outside the permanent footprint that are
4 disturbed during construction according to the methods and monitoring
5 procedures described in the revegetation plan included in the Final Order as
6 Attachment B and as amended from time to time. Mitigation and restoration
7 requirements in the plan shall apply to all laydown areas and other areas of
8 temporary disturbance, including those associated with construction of
9 transmission lines.
- 10 (IV.M.3) Permanent met towers shall not have guy wires.
- 11 (IV.M.4) The certificate holder shall survey the status of known raptor nests within 0.5
12 miles before ground-disturbing activities begin. If an active nest is found, and
13 ground-disturbing activities are scheduled to begin before the end of the sensitive
14 nesting and breeding season (mid-April to mid-August), the certificate holder will
15 not engage in ground-disturbing activities within a 0.25-mile buffer around the
16 nest until the nest fledges young or the nest fails, unless ODFW approves an
17 alternative plan. If ground-disturbing construction activities continue into the
18 sensitive nesting and breeding season for the following year, the certificate holder
19 will not engage in ground-disturbing activities within the 0.25-mile buffer if the
20 nest site is found to be active until the nest fledges young or the nest fails, unless
21 ODFW approves an alternate plan.
- 22 (IV.M.5) The certificate holder will survey the status of known loggerhead shrikes nests
23 and visit sites where non-nesting loggerhead shrikes were observed in order to
24 determine old and new nest sites. Ground-disturbing activities will be sequenced
25 with active raptor nests, using a 150-meter buffer.
- 26 (IV.M.6) Trees in Category 3 upland tree habitat shall not be physically harmed or
27 removed.
- 28 (IV.M.7) The certificate holder shall conduct wildlife monitoring as described in the
29 Wildlife Monitoring and Mitigation Plan that is included as Attachment A to the
30 Final Order and as amended from time to time.
- 31 (IV.M.8) The certificate holder shall design and construct all aboveground transmission line
32 support structures following the practices suggested by the Avian Powerline
33 Interaction Committee (APLIC 1996, referenced in the Application for a Site
34 Certificate, at P-33) and shall install anti-perching devices on transmission pole
35 tops and cross arms where the poles are within the site or are located within one-
36 quarter mile of any wind turbine.
- 37 (IV.M.9) The certificate holder may construct turbines and other facility components within
38 the 900-foot corridors shown on Figures P-1 through P-10 of the Application for a
39 Site Certificate and August 2008 supplement, subject to the following
40 requirements addressing potential habitat impact:

- (a) The certificate holder shall not construct any facility components within areas of Category 1 or Category 2 habitat and shall avoid temporary disturbance of Category 1 or Category 2 habitat, except for those acreages allowed in Table IV.M.1 in the Final Order.
- (b) The certificate holder shall design and construct facility components that are the minimum size needed for safe operation of the energy facility.

(IV.M.10) During construction, the certificate holder shall protect the area within a 1300-foot buffer around any active nests of the following species during the sensitive period, as provided in this condition:

Species	Sensitive Period	Early Release Date
Swainson's hawk	April 1 to August 15	May 31
Golden eagle	February 1 to August 31	May 31
Ferruginous hawk	March 15 to August 15	May 31
Burrowing owl	April 1 to August 15	July 15

The 1300-foot buffer may be reduced, with Department approval, if there is an adequate physical barrier between the nest site and the construction impacts such that a 1300-foot buffer proves to be excessive.

During the year in which construction of any phase occurs, the certificate holder shall use a protocol approved by ODFW to determine whether there are any active nests of these species within a half-mile of any areas that would be disturbed during construction. If a nest is occupied by any of these species after the beginning of the sensitive period, the certificate holder shall not engage in high-impact construction activities (activities that involve blasting, grading or other major ground disturbance) or allow high levels of construction traffic within 1300 feet of the nest site, or such lesser distance as may be approved by the Department in the event there is an adequate physical barrier between the nest site and the construction impacts.

In addition, the certificate holder shall flag the boundaries of the 1300-foot buffer area, or such lesser distance as may be approved by the Department in the event there is an adequate physical barrier between the nest site and the construction impacts, and shall instruct construction personnel to avoid any unnecessary activity within the buffer area. The certificate holder shall direct a qualified independent third-party biological monitor, as approved by the Department, to observe the active nest sites during the sensitive period for signs of disturbance and to notify the Department of any noncompliance with this condition. If the monitor observes nest site abandonment or other adverse impact to nesting activity, the certificate holder shall implement appropriate mitigation, in consultation with ODFW and subject to the approval of the Department, unless the adverse impact is clearly shown to have a cause other than construction activity. The certificate holder may begin or resume high-impact construction activities before the ending day of the sensitive period if any known nest site is not occupied by the early release date. If a nest site is occupied, then the certificate holder may begin or resume high-impact construction before the ending

1 day of the sensitive period with the approval of ODFW, but after the young are
2 fledged. The certificate holder shall use a protocol approved by ODFW to
3 determine when the young are fledged (meaning the young are independent of the
4 core nest site).

5 (IV.M.11) The certificate holder shall conduct two (2) years of raptor nest surveys with at
6 least one (1) year of the surveys occurring prior to the beginning of construction.
7 The raptor nest surveys shall be conducted following the instructions set forth in
8 the Raptor Nest Survey Protocol for Golden Hills Wind Project included as
9 Attachment C to the Second Amended Site Certificate.

10 **V. STANDARDS NOT APPLICABLE TO SITE CERTIFICATE ELIGIBILITY**

11 Under ORS 469.501(4), the Council may issue a site certificate without making the
12 findings required by the standards discussed in this section (Structural Standard; Historic,
13 Cultural and Archaeological Resources Standard; Public Services Standard; and Waste
14 Minimization Standard). Nevertheless, the Council may impose site certificate conditions based
15 on the requirements of these standards.

16 **A. STRUCTURAL STANDARD**

17 (V.A.1) The certificate holder shall submit a site-specific geotechnical investigation report
18 to the Oregon Department of Geology & Mineral Industries (“DOGAMI”). The
19 investigation and report shall conform to the Oregon State Board of Geologist
20 Examiners guidelines titled “Guidelines for Engineering Geologic Reports” and
21 “Guidelines for Site-Specific Seismic Hazard Reports for Essential and
22 Hazardous Facilities and Major and Special-Occupancy Structures in Oregon.”
23 The certificate holder shall provide the Department with the report and with
24 evidence of concurrence by DOGAMI prior to start of construction.

25 (V.A.2) The certificate holder shall instruct the consulting geologist and engineer to study
26 slope stability issues and include conclusions and recommendations about slope
27 stability in the site-specific geotechnical report.

28 (V.A.3) The certificate holder shall design and construct the facility in accordance with
29 requirements set forth by the State’s Building Code Division and any other
30 applicable codes and design procedures.

31 (V.A.4) The certificate holder shall design, engineer and construct the facility to avoid
32 dangers to human safety presented by non-seismic hazards. As used in this
33 condition, “non-seismic hazards” include settlement, landslides, flooding and
34 erosion.

35 (V.A.5) The certificate holder shall ensure that wind turbine corridors and major structures
36 are constructed with sufficient setbacks from all steeper slopes to minimize the
37 potential for creating unstable or marginally stable conditions.

1 **B. HISTORIC, CULTURAL AND ARCHAEOLOGICAL RESOURCES STANDARD**

2 (V.B.1) The certificate holder shall design the facility to avoid impacts to sites 35SH217,
3 35SH220, GH site 6 (above ground resource), 35SH219 and GH Isolate 6.

4 (V.B.2) For sites 35SH215, 35SH216 and 35SH221, the certificate holder shall avoid
5 impacts to these sites during construction and subsequent operations. The
6 certificate holder shall develop a Cultural Resource Management Plan (the
7 “CRMP”) that includes a 30-meter buffer area around these listed sites designated
8 as a “no-work zone” for all ground-disturbing activities. The certificate holder
9 shall submit the CRMP to the State Historic Preservation Office (the “SHPO”) for
10 concurrence and shall provide to the Department documentation confirming
11 SHPO concurrence prior to start of construction.

12 (V.B.3) The certificate holder shall consult with the SHPO regarding the development of a
13 CRMP that will address the protection of aboveground historic resources and
14 belowground archeological resources. The CRMP shall include established
15 protocol and procedures for unanticipated discoveries, such as the discovery of
16 new archeological sites or Native American human remains during ground-
17 disturbing activities, and shall document how these protocols will follow State
18 laws and rules at ORS 358.905-961, ORS 390.235, OAR 736-051-0090 and
19 ORS 97.740-760 as in effect on the date of this site certificate.

20 (V.B.4) Before beginning construction of any phase of the facility, the certificate holder
21 shall provide to the Department a map showing the final design locations of all
22 components of that phase of the facility and areas that would be temporarily
23 disturbed during construction, and also showing the areas surveyed by Tetra Tech
24 in preparing the Archeological Inventory for Golden Hills Wind Energy
25 Development included in the Application for a Site Certificate as Attachment S-1.
26 If there are any additional areas where ground-disturbing activities will occur that
27 were not part of the original facility area, the certificate holder shall contact the
28 SHPO to determine whether there will be additional impacts to cultural resources.

29 (V.B.5) The certificate holder shall ensure that a qualified archaeologist instructs
30 construction personnel on the identification of cultural resources

31 (V.B.6) If any cultural resources are discovered during construction activities, all work at
32 that location shall cease immediately and the certificate holder shall contact the
33 SHPO to determine whether it is necessary to have an archeologist travel to the
34 worksite and assess the discovery or monitor construction activities.

35 (V.B.7) “No access” buffers shall be identified on construction plans and temporarily
36 demarcated in the field before and during construction. The facility
37 Environmental Inspector shall monitor flagged “no access” buffers around
38 archeological sites during construction to prevent accidental damage to cultural
39 resources. These flags or markers shall not be moved or removed during

1 construction activities, and construction personnel shall be advised of these
2 restrictions.

3 (V.B.8) The certificate holder shall ensure that construction personnel cease all ground-
4 disturbing activities in the immediate area if any archaeological or cultural
5 resources are found during construction of the facility until a qualified
6 archaeologist can evaluate the significance of the find. No construction personnel
7 will be allowed in the discovery area except for facility management in
8 consultation with the SHPO. The certificate holder shall notify the Department
9 and the SHPO of the find. If the SHPO determines that the resource is significant,
10 the certificate holder shall make recommendations to the Council for mitigation,
11 including avoidance or data recovery, in consultation with the Department, the
12 SHPO, the appropriate Oregon tribes and other appropriate parties. The
13 certificate holder shall not restart work in the affected area until the certificate
14 holder has demonstrated to the Department that it has complied with State
15 archaeological protection and archaeological permit laws in coordination with the
16 SHPO.

17 (V.B.9) The certificate holder shall ensure that construction personnel proceed carefully in
18 the vicinity of the mapped alignment of the Oregon Trail. If any intact physical
19 evidence of the trail is discovered, the certificate holder shall avoid any
20 disturbance to the intact segments by redesign, reengineering or restricting the
21 area of construction activity. The certificate holder shall promptly notify the
22 Department and the SHPO of the discovery. The certificate holder shall consult
23 with the Department and with the SHPO to determine appropriate mitigation
24 measures.

25 (V.B.10) Upon completion of construction, the certificate holder shall consult with the
26 Oregon Historic Trails Advisory Council regarding the appropriate content of an
27 interpretive sign. After such consultation, the certificate holder shall place in a
28 publicly accessible location a sign giving notice of the historic background of the
29 facility site and surrounding areas.

30 **C. PUBLIC SERVICES STANDARD**

31 (V.C.1) During operation of the facility, the certificate holder shall obtain water for on-
32 site use from one well located at the O&M facility, subject to compliance with
33 applicable permit requirements. During operation of the facility, the certificate
34 holder shall not use more than 5,000 gallons of water per day from the on-site
35 well.

36 (V.C.2) During construction and operation of the facility, the certificate holder shall install
37 on-site security and shall require on-site security personnel to establish a line of
38 communication with the Sherman County Sheriff's Office to regularly report on
39 the status of on-site security operations.

1 (V.C.3) Before beginning construction the certificate holder shall develop and implement
2 a fire safety and response plan for both construction and operation phases in
3 consultation with the Oregon State Fire Marshal, the Sherman County Emergency
4 Services, North Sherman Fire and Rescue, Moro Rural Fire Protection District
5 and other first-response agencies the facility will rely upon for fire protection
6 services. A copy of the plan must be provided to the Department at least 30 days
7 before beginning construction. The plan must be updated at least annually by the
8 agencies identified in (a) below and a copy provided to the agencies identified in
9 (a), (b), and (c) and to the Department within 30 days of the update. The fire
10 safety and response plan shall address, at a minimum, the following:

- 11 a. Identification of agencies that participated in developing the plan;
- 12 b. Identification of agencies that are designated as first response agencies or
13 are included in any mutual aid agreements with the facility;
- 14 c. A list of any other mutual aid agreements or fire protection associations in
15 the vicinity of the facility;
- 16 d. Complete contact information for each agency listed in (a), (b), and
17 (c) above, including at least two facility contacts available on a 24-hour
18 basis;
- 19 e. Communication protocols for both routine and emergency events and the
20 incident command system to be used in the event a fire response by
21 multiple agencies is needed at the facility;
- 22 f. Access and fire response at the facility site during construction and
23 operations. Fire response plans during construction shall address regular
24 and frequent communication amongst the agencies regarding the number
25 and location of construction sites within the site boundary, access roads
26 that are completed and those still under construction, location of water
27 receptacles, and a temporary signage system until permanent addresses
28 and signs are in place;
- 29 g. The minimum designated time period of the fire season (i.e., May 1
30 through October 15) and the criteria to modify the designated fire season
31 to respond to changing conditions;
- 32 h. The number, size, and location of onsite water receptacles to be staged
33 around the facility site for firefighting purposes during the fire season; and
- 34 i. Training needs (both for facility personnel and for first responders).
- 35 j. Copies of mutual aid, fire protection association, or other agreements
36 entered into concerning fire protection at the facility site.

37 (V.C.4) During construction of the facility, the certificate holder shall ensure that
38 construction vehicles and equipment are operated on graveled areas to the extent
39 possible and that open flames, such as cutting torches, are kept away from grassy
40 areas.

- 1 (V.C.5) During construction and operation of the facility, the certificate holder shall
2 ensure that the O&M facility and all service vehicles are equipped with shovels
3 and portable fire extinguishers of a 4A50BC or equivalent rating.
- 4 (V.C.6) During construction of the facility, the certificate holder shall maintain a water
5 truck on site to respond to potential fire incidents.
- 6 (V.C.7) The certificate holder shall construct turbines on concrete pads with a minimum
7 of 10 feet of nonflammable and non-erosive ground cover on all sides. The
8 certificate holder shall cover turbine pad areas with nonflammable, non-erosive
9 material immediately following exposure during construction and shall maintain
10 the pad area covering during operation of the facility.
- 11 (V.C.8) During operation of the facility, the certificate holder shall ensure that all on-site
12 employees receive annual fire prevention and response training, including tower
13 rescue training, from qualified instructors or members of local fire districts and
14 shall ensure that all employees are instructed to keep vehicles on roads and off dry
15 grassland, except when off-road operation is required for emergency purposes.
- 16 (V.C.9) Upon beginning operation of the facility, the certificate holder shall provide to
17 North Sherman Fire Protection District and Moro Rural Fire Protection District a
18 site plan indicating the identification number assigned to each turbine and the
19 location of all facility structures. During operation of the facility, the certificate
20 holder shall ensure that appropriate district personnel have an up-to-date list of the
21 names and telephone numbers of facility personnel available to respond on a 24-
22 hour basis in case of an emergency on the facility site.
- 23 (V.C.10) Before and during beginning construction of the facility, the certificate holder
24 shall develop and implement a construction-phase traffic management plan with
25 all affected local jurisdictions.
- 26 (V.C.11) During construction of the facility, the certificate holder shall implement
27 measures to reduce traffic impacts, including:
- 28 (a) Providing notice to all affected local jurisdictions in advance of deliveries;
29 (b) Providing notice to adjacent landowners and residents of Biggs Junction in
30 advance of deliveries; and
31 (c) Requiring flaggers to be at appropriate locations at appropriate times
32 during construction to direct traffic and reduce accident risks.
- 33 (V.C.12) Prior to start of construction, the certificate holder shall obtain from the Sherman
34 County Road Department an assessment of road conditions in the facility area
35 prior to the start of construction of the facility. The certificate holder shall also
36 obtain from the county road department an evaluation of the roads following
37 completion of the facility to determine any significant change in condition. The
38 certificate shall cooperate with the Sherman County Road Department to ensure
39 that any unusual damage or wear caused by the use of the county's roads by the

1 developer during the construction of the facility will be the responsibility of the
2 developer. In addition, no equipment or machinery of the developers shall be
3 parked or stored on any county road except while in use.

4 (V.C.13) Prior to beginning construction, the certificate holder will

- 5 (a) Designate a route or routes for the transport of wind turbine construction
6 material (including water, aggregate, concrete, machinery and tower
7 pieces), with the intention of minimizing damage to non-designated roads,
8 and provide these designations to the County Road Master;
- 9 (b) Provide to the County Road Master a written summary of possible
10 anticipated road damage to the designated route or routes, and an estimate
11 of the cost of repair to the designated route or routes;
- 12 (c) Establish and maintain an escrow account for so long as construction is
13 ongoing funded in an amount equal to the estimated cost to repair the
14 designated route or routes consistent with the estimate provided in (b); and
- 15 (d) Conduct an inspection of the roads along the designated route or routes
16 before and after construction with a representative of the Sherman County
17 Road Department and an independent third party with the required
18 expertise to inspect and evaluate paved and graveled roads. In the event a
19 dispute arises, the third party shall be the final arbiter. The cost of the
20 hiring of the third party shall be borne by the certificate holder.

21 (V.C.14) The certificate holder shall work with Sherman County Emergency Manager to
22 assign a 9-1-1 5-digit rural address to every tower road that intersects a State or
23 county road. The county will provide and install the signage for these addresses.

24 **D. WASTE MINIMIZATION STANDARD**

25 (V.D.1) During construction, the certificate holder shall implement a waste management
26 plan that includes, but is not limited to, the following measures:

- 27 (a) Recycling steel and other metal scrap;
- 28 (b) Recycling wood waste;
- 29 (c) Recycling packaging wastes, such as paper and cardboard;
- 30 (d) Collecting non-recyclable waste for transport to a landfill; and
- 31 (e) Segregating all hazardous wastes, such as used oil, oily rags and oil-
32 absorbent materials, lubricant and cleaning solution containers, mercury-
33 containing lights, and lead-acid and nickel-cadmium batteries, for disposal
34 by a licensed firm specializing in the proper recycling or disposal of
35 hazardous wastes.

36 (V.D.2) During operation, the certificate holder shall implement a waste management plan
37 that includes, but is not limited to, the following measures:

- 38 (a) Training employees to minimize and recycle solid waste;

- 1 (b) Recycling paper products, metals, glass and plastics;
- 2 (c) Recycling used oil and hydraulic fluid;
- 3 (d) Collecting non-recyclable waste for transport to a landfill; and
- 4 (e) Segregating all hazardous wastes, such as used oil, oily rags and oil-
- 5 absorbent materials, oil and cleaning solution containers, mercury-
- 6 containing lights, and lead-acid and nickel-cadmium batteries, for disposal
- 7 by a licensed firm specializing in the proper recycling or disposal of
- 8 hazardous wastes.

9 (V.D.3) During construction, the certificate holder shall provide portable toilets for on-site
10 sewage handling and shall ensure that they are pumped and cleaned regularly by a
11 licensed contractor.

12 (V.D.4) During operation, the certificate holder shall discharge sanitary wastewater
13 generated at the O&M facility to a licensed on-site septic system in compliance
14 with county permit requirements. The certificate holder shall design the septic
15 system with a discharge capacity of less than 5,000 gallons per day.

16 **VI. OTHER APPLICABLE REGULATORY REQUIREMENTS**

17 **A. REQUIREMENTS UNDER COUNCIL JURISDICTION**

18 **1. NOISE CONTROL REGULATIONS**

19 (VI.A.1.1) To reduce noise impacts at nearby residential areas, the certificate holder shall:

- 20 (a) Confine the noisiest operation of heavy construction equipment to the
- 21 daylight hours;
- 22 (b) Require contractors to install and maintain exhaust mufflers on all
- 23 combustion engine-powered equipment; and
- 24 (c) Establish a complaint response system at the construction manager's
- 25 office to address noise complaints.

26 (VI.A.1.2) The certificate holder shall submit, for Department approval prior to construction,
27 a complete new noise analysis for the facility ~~based on the final design layout as~~
28 ~~designed~~ and generate a new table listing each noise-sensitive property, as defined
29 in OAR 340-035-0015(38), and the predicted maximum hourly L₅₀ noise level at
30 each noise-sensitive property. In addition, the certificate holder shall provide the
31 predicted sound levels contributed by each turbine at each noise-sensitive
32 property that does not provide a waiver of the ambient noise rule. The certificate
33 holder shall perform the analysis using the CADNA/A by DataKustik GmbH of
34 Munich, Germany, and shall base the analysis on the final facility design
35 including final choice of turbine and location of all facility components. The
36 analysis shall demonstrate to the satisfaction of the Department that each of the
37 following requirements have been met:

- 1 (a) For any noise-sensitive property, the certificate holder shall identify the
 2 final design locations of all turbines to be built and perform a noise
 3 analysis demonstrating, in accordance with OAR
 4 340-035-0035(1)(b)(B)(iii)(IV), that the total hourly L₅₀ noise level
 5 generated by the facility would not exceed 50 dBA at the appropriate
 6 measurement point. The certificate holder shall assume the following
 7 input parameters:
- 8 · The maximum sound power level warranted by the manufacturer or
 9 confirmed by other means acceptable to the Department;
 - 10 · The exact locations of the proposed turbines;
 - 11 · Attenuation of sound due to absorption to be calculated using a
 12 methodology satisfactory to the Department;
 - 13 · The use of 50° F temperature and 70 percent relative humidity in the
 14 analysis;
 - 15 · A 2dB safety margin shall be added to turbine sound power levels;
 - 16 · No credit for shielding of any residence by terrain; and
 - 17 · All receptors treated as simultaneously downwind of all turbines.
- 18 (b) If the hourly L₅₀ noise levels caused by the facility at any noise-sensitive
 19 property would increase the ambient noise level at any noise-sensitive
 20 property over the full set of wind conditions ranging from cut in to full
 21 load by more than 10 dBA, the certificate holder shall obtain a legally
 22 effective easement or real covenant from that property owner pursuant to
 23 which the owner of the property authorizes the certificate holder's
 24 operation of the facility to increase ambient statistical noise levels L₅₀ and
 25 L₅₀ by more than 10 dBA at the appropriate measurement point. A legally
 26 effective easement or real covenant shall (i) include a legal description of
 27 the burdened property (the noise-sensitive property); (ii) be recorded in the
 28 real property records of the county; (iii) expressly benefit the certificate
 29 holder; (iv) expressly run with the land and bind all future owners, lessees
 30 or holders of any interest in the burdened property; and (v) not be subject
 31 to revocation without the certificate holder's written approval.
- 32 (c) If, for any noise-sensitive property where the hourly L₅₀ noise levels
 33 caused by the facility would increase by more than 10 dBA above the
 34 ambient level over the full range of wind conditions measured for that
 35 property and where the certificate holder has not obtained a legally
 36 effective easement or real covenant as described in (b), the certificate
 37 holder shall identify measures to reduce noise at that property either by
 38 eliminating or moving turbines, and shall perform the noise analysis again
 39 to demonstrate, in accordance with OAR 340-035-0035(1)(b)(B)(iii)(IV),
 40 that the total noise generated by the facility would meet the ambient noise
 41 degradation test at the appropriate measurement point at that noise-

1 sensitive property. The certificate holder shall obtain Department
2 concurrence of the new analysis prior to start of construction.

3 (VI.A.1.3) During operation, the certificate holder shall maintain a complaint response
4 system to address noise complaints. The certificate holder shall promptly notify
5 the Department of any complaints received regarding facility noise and of any
6 actions taken by the certificate holder to address those complaints. Prior to start
7 of commercial operation, the certificate holder shall notify, in writing, the owners
8 of potentially affected noise-sensitive properties identified in Exhibit X of the
9 completed Application for a Site Certificate. The notice shall inform the property
10 owners of the procedure and contact information for filing a complaint regarding
11 the noise level from the facility once it is operating. The certificate holder shall
12 document the issuance of this notice and provide that documentation to the
13 Department.

14 (VI.A.1.4) Prior to start of commercial operation, the certificate holder shall submit a plan
15 for complaint-based operational noise monitoring to the Department. Commercial
16 operation shall not commence until the Department has concurred in writing with
17 the complaint-based noise monitoring protocol. The plan shall provide for testing
18 at houses whose owners or occupants submit a complaint to the Council or the
19 Department. The plan shall include a schedule for completion of required testing
20 and a date certain by which written results shall be provided to the Council. If the
21 owner of the property that filed the complaint refuses to grant access for the
22 purpose of performing the noise test described in this condition after reasonable
23 attempts are made by the certificate holder to receive permission for access, then
24 the Department shall not require further corrective action.

25 **2. REMOVAL FILL LAW**

26 [No conditions]

27 **3. GROUND WATER ACT**

28 [No conditions]

29 **4. PUBLIC HEALTH AND SAFETY**

30 (VI.A.4.1) The certificate holder shall take reasonable steps to reduce or manage human
31 exposure to electric and magnetic fields, including, but not limited to:

- 32 (a) Constructing all aboveground transmission lines at least 200 feet from any
33 residence or other occupied structure, measured from the centerline of the
34 transmission line;
- 35 (b) Fencing all areas near the facility substations to ensure that substation
36 equipment is not accessible to the public;
- 37 (c) Providing to landowners a map of underground and overhead transmission
38 lines on their property and advising landowners of possible health risks;
39 and

1 (d) Designing and maintaining all transmission lines so that alternating
2 current electric fields do not exceed 9 kV per meter at one meter above the
3 ground surface in areas accessible to the public.

4 (VI.A.4.2) In advance of, and during, preparation of detailed design drawings and
5 specifications for 230-kV, 500-kV and 34.5-kV transmission lines, the certificate
6 holder shall consult with the Utility Safety and Reliability Section of the Oregon
7 Public Utility Commission to ensure that the designs and specifications are
8 consistent with applicable codes and standards.

9 (VI.A.4.3) Prior to start of construction, the certificate holder shall submit to ODOE a
10 procedure for coordinating, with all affected local electric service utilities and
11 transmission service providers, crane movements under electric transmission lines
12 during construction and maintenance of the facility. The procedure shall address
13 subjects including, but not limited to, minimum advance notification prior to any
14 crane movement under an electric transmission or distribution line, protocols for
15 determining adequate line clearance and specific crane path locations. With the
16 procedure, the certificate holder shall provide evidence of concurrence by each
17 affected electric service utility or transmission service provider. The certificate
18 holder shall ensure that all employees, construction contractors and subcontractors
19 adhere to this procedure throughout construction and maintenance of the facility.

20 **VII. CONDITIONS REQUIRED BY COUNCIL RULES**

21 This section lists conditions required by OAR 345-027-0020 (Mandatory Conditions in
22 Site Certificates), OAR 345-027-0023 (Site Specific Conditions), OAR 345-027-0028
23 (Monitoring Conditions), and OAR Chapter 345, Division 26 (Construction and Operation Rules
24 for Facilities). These conditions should be read together with the specific facility conditions
25 listed in Sections III, W, V, and VI to ensure compliance with the siting standards of OAR
26 Chapter 345, Divisions 22 and 24, and to protect the public health and safety. In these
27 conditions, the definitions in OAR 345-001-0010 apply.

28 The obligation of the certificate holder to report information to the Department or the
29 Council under the conditions listed in this section and in Sections III, W, V, and VI is subject to
30 the provisions of ORS 192.502 et seq. and ORS 469.560. To the extent permitted by law, the
31 Department and the Council will not publicly disclose information that may be exempt from
32 public disclosure if the certificate holder has clearly labeled such information and stated the basis
33 for the exemption at the time of submitting the information to the Department or the Council. If
34 the Department or the Council receives a request for the disclosure of the information, the
35 Department or the Council, as appropriate, will make a reasonable attempt to notify the
36 certificate holder and will refer the matter to the Attorney General for a determination of whether
37 the exemption is applicable, pursuant to ORS 192.450.

38 In addition to these conditions, the certificate holder is subject to all conditions and
39 requirements contained in the rules of the Council and in local ordinances and State laws in
40 effect on the date the site certificate is executed. Under ORS 469.401(2), upon a clear showing
41 of a significant threat to the public health, safety or the environment that requires application of

1 later-adopted laws or rules, the Council may require compliance with such later-adopted laws or
2 rules.

3 The Council recognizes that many specific tasks related to the design, construction,
4 operation, and retirement of the facility will be undertaken by the certificate holder's agents or
5 contractors. Nevertheless, the certificate holder is responsible for ensuring compliance with all
6 provisions of the site certificate.

7 (VII.1) OAR 345-027-0020(1): The Council shall not change the conditions of the site
8 certificate except as provided for in OAR Chapter 345, Division 27.

9 (VII.2) OAR 345-027-0020(2): The certificate holder shall submit a legal description of
10 the site to the Department of Energy within 90 days after beginning operation of
11 the facility. The legal description required by this rule means a description of
12 metes and bounds or a description of the site by reference to a map and
13 geographic data that clearly and specifically identifies the outer boundaries that
14 contain all parts of the facility.

15 (VII.3) OAR 345-027-0020(3): The certificate holder shall design, construct, operate,
16 and retire the facility:

- 17 (a) Substantially as described in the site certificate;
- 18 (b) In compliance with the requirements of ORS Chapter 469, applicable
19 Council rules, and applicable state and local laws, rules and ordinances in
20 effect at the time the site certificate is issued; and
- 21 (c) In compliance with all applicable permit requirements of other state
22 agencies.

23 (VII.4) OAR 345-027-0020(4): The certificate holder shall begin and complete
24 construction of the facility by the dates specified in the site certificate. [*See*
25 *Conditions (III.D.1) and (III.D.2).*]

26 (VII.5) OAR 345-027-0020(5): Except as necessary for the initial survey or as otherwise
27 allowed for wind energy facilities, transmission lines or pipelines under this
28 section, the certificate holder shall not begin construction, as defined in OAR
29 345-001-0010, or create a clearing on any part of the site until the certificate
30 holder has construction rights on all parts of the site. For the purpose of this rule,
31 "construction rights" means the legal right to engage in construction activities.
32 For wind energy facilities, transmission lines or pipelines, if the certificate holder
33 does not have construction rights on all parts of the site, the certificate holder may
34 nevertheless begin construction, as defined in OAR 345-001-0010, or create a
35 clearing on a part of the site if the certificate holder has construction rights on that
36 part of the site and:

- 37 (a) The certificate holder would construct and operate part of the facility on
38 that part of the site even if a change in the planned route of the
39 transmission line or pipeline occurs during the certificate holder's
40 negotiations to acquire construction rights on another part of the site; or

- 1 (b) The certificate holder would construct and operate part of a wind energy
2 facility on that part of the site even if other parts of the facility were
3 modified by amendment of the site certificate or were not built.
- 4 (VII.6) OAR 345-027-0020(6): If the Council requires mitigation based on an
5 affirmative finding under any standards of Division 22 or Division 24 of OAR
6 Chapter 345, the certificate holder shall consult with affected state agencies and
7 local governments designated by the Council and shall develop specific mitigation
8 plans consistent with Council findings under the relevant standards. The
9 certificate holder must submit the mitigation plans to the Office and receive
10 Office approval before beginning construction or, as appropriate, operation of the
11 facility.
- 12 (VII.7) OAR 345-027-0020(7): The certificate holder shall prevent the development of
13 any conditions on the site that would preclude restoration of the site to a useful,
14 non-hazardous condition to the extent that prevention of such site conditions is
15 within the control of the certificate holder.
- 16 (VII.8) OAR 345-027-0020(8): Before beginning construction of the facility, the
17 certificate holder shall submit to the State of Oregon, through the Council, a bond
18 or letter of credit in a form and amount satisfactory to the Council to restore the
19 site to a useful, non-hazardous condition. The certificate holder shall maintain a
20 bond or letter of credit in effect at all times until the facility has been retired. The
21 Council may specify different amounts for the bond or letter of credit during
22 construction and during operation of the facility. *[See Condition IV.C.4.]*
- 23 (VII.9) OAR 345-027-0020(9): The certificate holder shall retire the facility if the
24 certificate holder permanently ceases construction or operation of the facility.
25 The certificate holder shall retire the facility according to a final retirement plan
26 approved by the Council, as described in OAR 345-027-0110. The certificate
27 holder shall pay the actual cost to restore the site to a useful, non-hazardous
28 condition at the time of retirement, notwithstanding the Council's approval in the
29 site certificate of an estimated amount required to restore the site.
- 30 (VII.10) OAR 345-027-0020(10): The Council shall include as conditions in the site
31 certificate all representations in the site certificate application and supporting
32 record the Council deems to be binding commitments made by the applicant.
- 33 (VII.11) OAR 345-027-0020(11): Upon completion of construction, the certificate holder
34 shall restore vegetation to the extent practicable and shall landscape all areas
35 disturbed by construction in a manner compatible with the surroundings and
36 proposed use. Upon completion of construction, the certificate holder shall
37 remove all temporary structures not required for facility operation and dispose of
38 all timber, brush, refuse and flammable or combustible material resulting from
39 clearing of land and construction of the facility.

- 1 (VII.12) OAR 345-027-0020(12): The certificate holder shall design, engineer and
2 construct the facility to avoid dangers to human safety presented by seismic
3 hazards affecting the site that are expected to result from all maximum probable
4 seismic events. As used in this rule “seismic hazard” includes ground shaking,
5 landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement
6 and subsidence.
- 7 (VII.13) OAR 345-027-0020(13): The certificate holder shall notify the Department, the
8 State Building Codes Division and the Department of Geology and Mineral
9 Industries promptly if site investigations or trenching reveal that conditions in the
10 foundation rocks differ significantly from those described in the application for a
11 site certificate. After the Department receives the notice, the Council may require
12 the certificate holder to consult with the Department of Geology and Mineral
13 Industries and the Building Codes Division and to propose mitigation actions.
- 14 (VII.14) OAR 345-027-0020(14): The certificate holder shall notify the Department, the
15 State Building Codes Division and the Department of Geology and Mineral
16 Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes
17 are found at or in the vicinity of the site.
- 18 (VII.15) OAR 345-027-0020(15): Before any transfer of ownership of the facility or
19 ownership of the site certificate holder, the certificate holder shall inform the
20 Department of the proposed new owners. The requirements of OAR
21 345-027-0100 apply to any transfer of ownership that requires a transfer of the
22 site certificate.
- 23 (VII.16) OAR 345-027-0020(16): If the Council finds that the certificate holder has
24 permanently ceased construction or operation of the facility without retiring the
25 facility according to a final retirement plan approved by the Council, as described
26 in OAR 345-027-0110, the Council shall notify the certificate holder and request
27 that the certificate holder submit a proposed final retirement plan to the Office
28 within a reasonable time not to exceed 90 days. If the certificate holder does not
29 submit a proposed final retirement plan by the specified date, the Council may
30 direct the Department to prepare a proposed a final retirement plan for the
31 Council’s approval. Upon the Council’s approval of the final retirement plan, the
32 Council may draw on the bond or letter of credit described in OAR
33 345-027-0020(8) to restore the site to a useful, non-hazardous condition
34 according to the final retirement plan, in addition to any penalties the Council
35 may impose under OAR Chapter 345, Division 29. If the amount of the bond or
36 letter of credit is insufficient to pay the actual cost of retirement, the certificate
37 holder shall pay any additional cost necessary to restore the site to a useful, non-
38 hazardous condition. After completion of site restoration, the Council shall issue
39 an order to terminate the site certificate if the Council finds that the facility has
40 been retired according to the approved final retirement plan.
- 41 (VII.17) OAR 345-027-0023(4): If the facility includes any transmission line under
42 Council jurisdiction:

- 1 (a) The certificate holder shall design, construct and operate the transmission
2 line in accordance with the requirements of the National Electrical Safety
3 Code 2007 edition; and
- 4 (b) The certificate holder shall develop and implement a program that
5 provides reasonable assurance that all fences, gates, cattle guards, trailers,
6 or other objects or structures of a permanent nature that could become
7 inadvertently charged with electricity are grounded or bonded throughout
8 the life of the line.

9 (VII.18) OAR 345-027-0023(5): If the proposed energy facility is a pipeline or a
10 transmission line or has, as a related or supporting facility, a pipeline or
11 transmission line, the Council shall specify an approved corridor in the site
12 certificate and shall allow the certificate holder to construct the pipeline or
13 transmission line anywhere within the corridor, subject to the conditions of the
14 site certificate. If the applicant has analyzed more than one corridor in its
15 application for a site certificate, the Council may, subject to the Council's
16 standards, approve more than one corridor.

17 (VII.19) OAR 345-027-0028: The following general monitoring conditions apply:

- 18 (a) The certificate holder shall consult with affected state agencies, local
19 governments and tribes and shall develop specific monitoring programs
20 for impacts to resources protected by the standards of divisions 22 and 24
21 of OAR Chapter 345 and resources addressed by applicable statutes,
22 administrative rules and local ordinances. The certificate holder must
23 submit the monitoring programs to the Department of Energy and receive
24 Department approval before beginning construction or, as appropriate,
25 operation of the facility.
- 26 (b) The certificate holder shall implement the approved monitoring programs
27 described in OAR 345-027-0028(1) and monitoring programs required by
28 permitting agencies and local governments.
- 29 (c) For each monitoring program described in OAR 345-027-0028(1) and (2),
30 the certificate holder shall have quality assurance measures approved by
31 the Department before beginning construction or, as appropriate, before
32 beginning commercial operation.
- 33 (d) If the certificate holder becomes aware of a significant environmental
34 change or impact attributable to the facility, the certificate holder shall, as
35 soon as possible, submit a written report to the Department describing the
36 impact on the facility and any affected site certificate conditions.

37 (VII.20) OAR 345-026-0048: Following receipt of the site certificate or an amended site
38 certificate, the certificate holder shall implement a plan that verifies compliance
39 with all site certificate terms and conditions and applicable statutes and rules. As
40 a part of the compliance plan, to verify compliance with the requirement to begin
41 construction by the date specified in the site certificate, the certificate holder shall
42 report promptly to the Department of Energy when construction begins.

1 Construction is defined in OAR 345-001-0010. In reporting the beginning of
2 construction, the certificate holder shall describe all work on the site performed
3 before beginning construction, including work performed before the Council
4 issued the site certificate, and shall state the cost of that work. For the purpose of
5 this exhibit, “work on the site” means any work within a site or corridor, other
6 than surveying, exploration or other activities to define or characterize the site or
7 corridor. The certificate holder shall document the compliance plan and maintain
8 it for inspection by the Department or the Council.

9 (VII.21) OAR 345-026-0080: The certificate holder shall report according to the
10 following requirements:

- 11 (a) General reporting obligation for energy facilities under construction or
12 operating:
 - 13 (i) Within six months after beginning construction, and every six
14 months thereafter during construction of the energy facility and
15 related or supporting facilities, the certificate holder shall submit a
16 semiannual construction progress report to the Department of
17 Energy. In each construction progress report, the certificate holder
18 shall describe any significant changes to major milestones for
19 construction. The certificate holder shall include such information
20 related to construction as specified in the site certificate. When the
21 reporting date coincides, the certificate holder may include the
22 construction progress report within the annual report described in
23 OAR 345-026-0080.
 - 24 (ii) By April 30 of each year after beginning construction, the
25 certificate holder shall submit an annual report to the Department
26 addressing the subjects listed in OAR 345-026-0080. The Council
27 Secretary and the certificate holder may, by mutual agreement,
28 change the reporting date.
 - 29 (iii) To the extent that information required by OAR 345-026-0080 is
30 contained in reports the certificate holder submits to other state,
31 federal or local agencies, the certificate holder may submit
32 excerpts from such other reports to satisfy this rule. The Council
33 reserves the right to request full copies of such excerpted reports.
- 34 (b) In the annual report, the certificate holder shall include the following
35 information for the calendar year preceding the date of the report:
 - 36 (i) Facility Status: An overview of site conditions, the status of
37 facilities under construction, and a summary of the operating
38 experience of facilities that are in operation. In this section of the
39 annual report, the certificate holder shall describe any unusual
40 events, such as earthquakes, extraordinary windstorms, major
41 accidents or the like that occurred during the year and that had a
42 significant adverse impact on the facility.

- 1 (ii) Reliability and Efficiency of Power Production: For electric power
2 plants, the plant availability and capacity factors for the reporting
3 year. The certificate holder shall describe any equipment failures
4 or plant breakdowns that had a significant impact on those factors
5 and shall describe any actions taken to prevent the recurrence of
6 such problems.
- 7 (iii) Fuel Use: For thermal power plants:
- 8 (A) The efficiency with which the power plant converts fuel
9 into electric energy. If the fuel chargeable to power heat
10 rate was evaluated when the facility was sited, the
11 certificate holder shall calculate efficiency using the same
12 formula and assumptions, but using actual data; and
- 13 (B) The facility's annual hours of operation by fuel type and,
14 every five years after beginning operation, a summary of
15 the annual hours of operation by fuel type as described in
16 OAR 345-024-0590(5).
- 17 (iv) Status of Surety Information: Documentation demonstrating that
18 bonds or letters of credit as described in the site certificate are in
19 full force and effect and will remain in full force and effect for the
20 term of the next reporting period.
- 21 (v) Monitoring Report: A list and description of all significant
22 monitoring and mitigation activities performed during the previous
23 year in accordance with site certificate terms and conditions, a
24 summary of the results of those activities, and a discussion of any
25 significant changes to any monitoring or mitigation program,
26 including the reason for any such changes.
- 27 (vi) Compliance Report: A description of all instances of
28 noncompliance with a site certificate condition. For ease of
29 review, the certificate holder shall, in this section of the report, use
30 numbered subparagraphs corresponding to the applicable sections
31 of the site certificate.
- 32 (vii) Facility Modification Report: A summary of changes to the
33 facility that the certificate holder has determined do not require a
34 site certificate amendment in accordance with OAR 345-027-0050.
- 35 (viii) Nongenerating Facility Carbon Dioxide Emissions: For
36 nongenerating facilities that emit carbon dioxide, a report of the
37 annual fuel use by fuel type and annual hours of operation of the
38 carbon dioxide emitting equipment as described in OAR
39 345-024-0630(4).
- 40 (VII.22) OAR 345-026-0105: The certificate holder and the Department of Energy shall
41 exchange copies of all correspondence or summaries of correspondence related to
42 compliance with statutes, rules and local ordinances on which the Council
43 determined compliance, except for material withheld from public disclosure under

1 state or federal law or under Council rules. The certificate holder may submit
2 abstracts of reports in place of full reports; however, the certificate holder shall
3 provide full copies of abstracted reports and any summarized correspondence at
4 the request of the Department.

5 (VII.23) OAR 345-026-0170(1): The certificate holder shall notify the Department of
6 Energy within 72 hours of any occurrence involving the facility if:

7 (a) There is an attempt by anyone to interfere with its safe operation;

8 (b) A natural event such as an earthquake, flood, tsunami or tornado, or a
9 human-caused event such as a fire or explosion affects or threatens to
10 affect the public health and safety or the environment; or

11 (c) There is any fatal injury at the facility.

12 VIII. SUCCESSORS AND ASSIGNS

13 To transfer this site certificate or any portion thereof or to assign or dispose of it in any
14 other manner, directly or indirectly, the certificate holder shall comply with OAR 345-027-0100.

15 IX. SEVERABILITY AND CONSTRUCTION

16 If any provision of this agreement and certificate is declared by a court to be illegal or in
17 conflict with any law, the validity of the remaining terms and conditions shall not be affected,
18 and the rights and obligations of the parties shall be construed and enforced as if the agreement
19 and certificate did not contain the particular provision held to be invalid.

20 X. GOVERNING LAW AND FORUM

21 This site certificate shall be governed by the laws of the State of Oregon. Any litigation
22 or arbitration arising out of this agreement shall be conducted in an appropriate forum in Oregon.

23 XI. EXECUTION

24 This site certificate may be executed in counterparts and will become effective upon
25 signature by the Chair of the Council and the authorized representative of the certificate holder.

26 **IN WITNESS WHEREOF**, this site certificate has been executed by the State of
27 Oregon, acting by and through its Energy Facility Siting Council, and by Golden Hills Wind
28 Farm LLC.

29 ENERGY FACILITY SITING COUNCIL

GOLDEN HILLS WIND FARM LLC

30
31
32 By: _____
33 Barry Beyeler, Chair
34 Oregon Energy Facility Siting Council

By: _____
Print: _____

35
36 Date: _____

Date: _____

Attachment 5
Habitat Categories and Classifications
with Acreages of Impact

Attachment 5. Habitat Categories and Classifications within Proposed Site Boundary with Acreages of Impact

Habitat Category	Habitat Classification	Impacts	
		Temporary Facilities (acres disturbed)	Permanent Facilities (acres disturbed)
1	Conservation Reserve Enhancement Program (CREP)	0.0	0.0
1	Grassland (GR)	0.0	0.0
1	Shrub-steppe (SS)	0.0	0.0
1	Upland Trees (UT)	0.0	0.0
1	Upland Trees Exotic Shrubs (UT/ES)	0.0	0.0
Category 1 Total		0.0	0.0
2	CREP	2.0	0.0
2	Perennial Stream (PS)	0.0	0.0
2	Riparian Trees (RT)	0.0	0.0
2	Shrub-steppe (SS)	0.9	0.0
2	UT	0.0	0.0
2	Pond (WP)	0.0	0.0
Category 2 Total		2.9	0.0
3	Conservation Reserve Program (CRP)	17.2	1.3
3	GR	39.8	4.2
3	Grassland Cliff (GR/CL)	0.0	0.0
3	(Intermittent Stream) IS	0.0	0.0
3	RT	0.0	0.0
3	SS	0.0	0.0
3	UT	0.0	0.0
3	UT/ES	0.0	0.0
Category 3 Total		57.0	5.5
4	GR	6.5	0.1
Category 4 Total		6.5	0.1
Category 5 Total		(None Identified)	
6	Agricultural (AG)	942.7	126.5
6	Developed (DE)	2.2	0.0
6	Road	57.3	0.2
Category 6 Total		1002.2	126.7
TOTAL		1069	132

Attachment 6
Retirement Cost Estimate and
Financial Assurance Letter

COST ESTIMATE FOR FACILITY SITE RESTORATION

(Unit Costs in 2nd Quarter 2010 Dollars)

Adjustment Factor: 0.982178

Current Quarter:

4Q 2008

GDP Index 2nd Quarter 2010:

101

<http://www.oregon.gov/DAS/OEA/economic.shtml>

GDP Index Current Quarter:

99.2

Use GDP deflator.

Cost Estimate Component	Quantity	Unit Cost	Extension
Turbines			
- Disconnect electrical, ready for disassembly (per turbine)	125	\$252	\$31,500
- Remove turbine blades, hubs and nacelles (per turbine)	125	\$5,900	\$737,500
- Remove turbine towers (per ton of steel)	42,000	\$82	\$3,444,000
- Remove turbine foundations (per cubic yard)	4,713	\$52	\$245,050
- Remove pad transformer and foundation (per turbine)	125	\$2,614	\$326,750
- Restore turbine site including spur road (per turbine)	125	\$2,187	\$273,375
Met Towers			
- Dismantle and dispose of met towers (per tower)	6	\$11,656	\$69,936
O&M Facilities			
- Dismantle and dispose of O&M facilities (per unit)	1	\$97,175	\$97,175
Substations			
- Dismantle and dispose of substations (per unit)	1	\$187,019	\$187,019
Transmission Lines			
- Remove aboveground single-circuit collector (per mile)	2.76	\$3,270	\$9,025
- Remove aboveground double-circuit collector (per mile)	0	\$4,241	\$0
- Remove aboveground 230-kV transmission line (per mile)	4.39	\$30,582	\$134,255
- Junction boxes - Remove electrical to 4' below grade (per unit)	22	\$51	\$1,122
Access Roads			
- Road removal, grading and seeding (per mile)	41	\$29,426	\$1,206,466
Restore Additional Areas Disturbed by Facility Removal			
- Grading and seeding around access roads, met towers, O&M facilities and turbine turnouts (per acre)	249	\$8,706	\$2,167,794
- Seeding around collector line structures, transmission lines, crane paths and temporary laydown areas (per acre)	805	\$3,398	\$2,735,390
General Costs			
- Permits, mobilization, engineering, overhead			\$451,365
Subtotal			\$12,117,722
Subtotal Adjusted to Current Dollars		4Q 2008	\$11,901,763
Performance Bond @ 1%			\$119,018
Gross Cost (Adjusted)			\$12,020,780
Administration and Project Management @ 10%			\$1,202,078
Future Developments Contingency @ 10%			\$1,202,078
Total Site Restoration Cost (current dollars)			\$14,424,936
Total Site Restoration Cost (rounded to nearest \$1,000)			\$14,425,000

March 7, 2016

Maxwell Woods
Oregon Department of Energy
625 Marion Street NE
Salem, OR 97301-3737

Re: Golden Hills Wind Project

Dear Mr. Woods,

We handle the surety bonds and commercial insurance for Orion Renewable Energy Group LLC, a parent company of Golden Hills Wind Farm LLC, and have done so for the past several years.

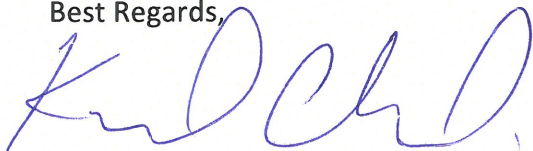
We have reviewed Golden Hills Wind Farm LLC's proposal for the referenced project and are confident that they will be able to secure the surety bonds needed for this project. They are submitting this letter as evidence that they are capable of providing performance and payment bonds up to \$14,424,936 on the referenced project.

Final approval prior to issuance would require review of the contract documents, bond forms and financial review of our client at the time that such bonds are required. Should you decide to request bonds from Golden Hills Wind Farm LLC, we believe their surety partner will provide favorable consideration.

It is understood of course, that any arrangement for performance and payment bonds is a matter between this agency, Golden Hills Wind Farm LLC and their surety company. We assume no liability to third parties or to you, if for any reason we do not execute said bonds.

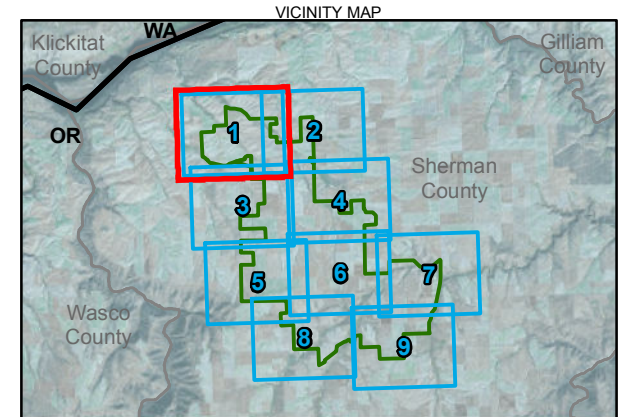
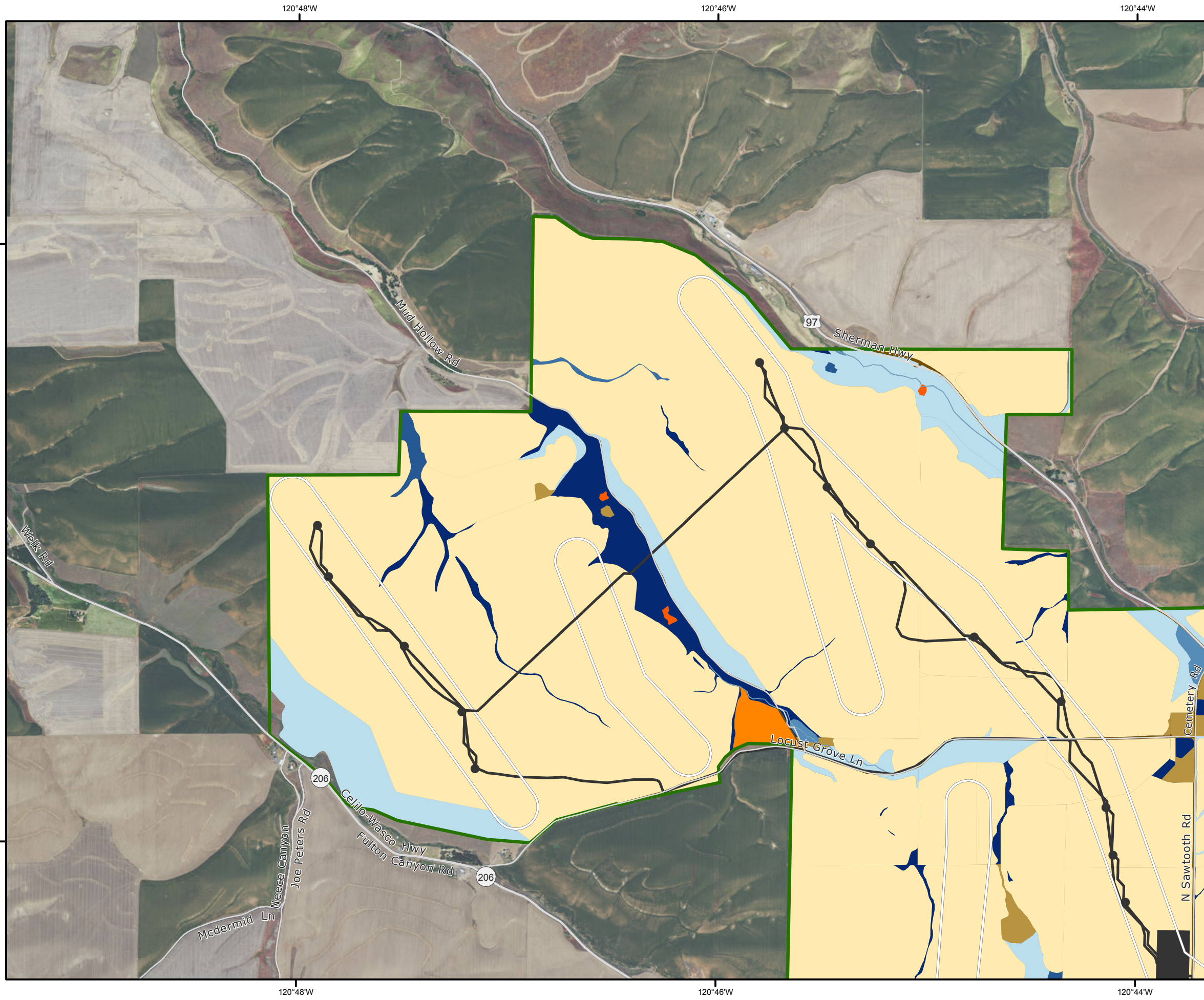
We are proud to recommend Golden Hills Wind Farm LLC for this project. If you have any further questions, please do not hesitate to contact us.

Best Regards,



Karl Choltus
SVP - Surety Practice Leader

Attachment 7
Habitat Classifications within Proposed
Site Boundary



- Habitat Classifications**
- 2, SS
 - 2, UT
 - 3, CRP
 - 3, GR
 - 3, IS
 - 3, RT
 - 3, SS
 - 3, UT
 - 4, GR
 - 6, AG
 - 6, DE
 - 6, Road
 - Facility Site Boundary
 - Approved Micrositing Corridor
 - Project Features: Facilities, Roads, Power Lines, Laydown Areas
 - Interstate or Highway
 - Public Road (Paved)
 - County Boundary

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl

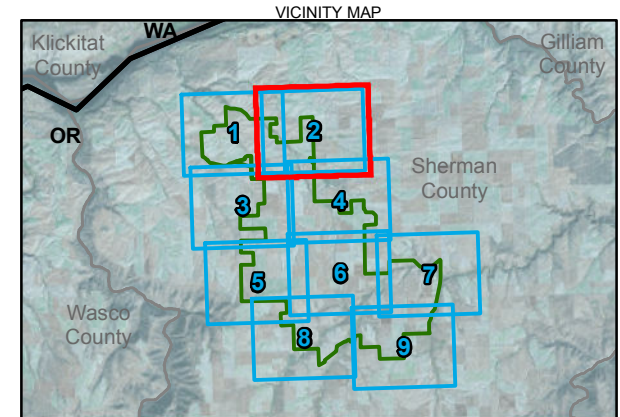
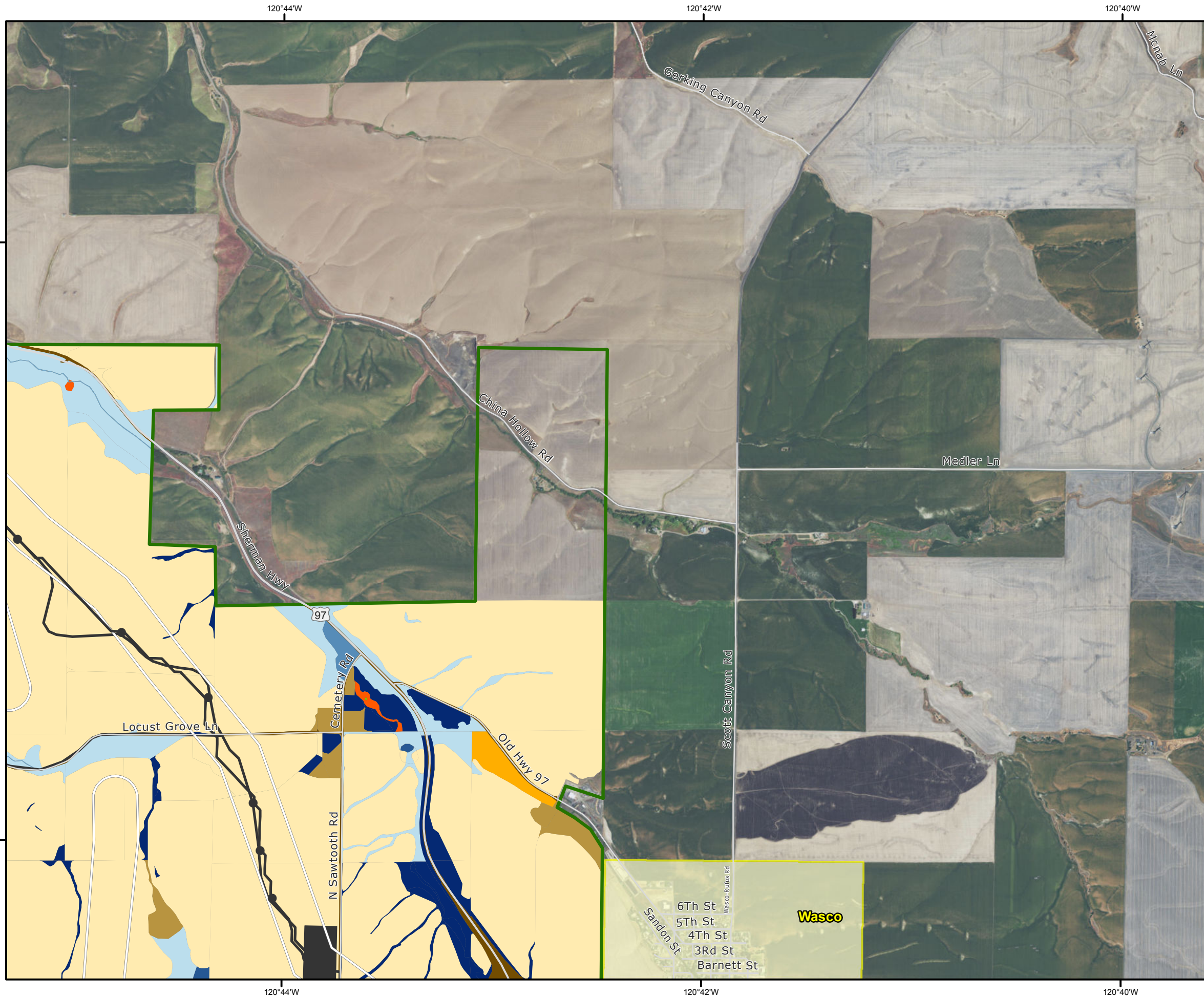
Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI

0 0.25 0.5 1
 Miles

1 inch equals 0.38 miles

Attachment 7 (REVISED) - Page 1 of 9
Habitat Classifications Within
Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3





- Habitat Classifications**
- 1, UT
 - 2, RT
 - 2, UT
 - 3, GR
 - 3, IS
 - 3, RT
 - 3, UT
 - 6, AG
 - 6, DE
 - 6, Road
 - Facility Site Boundary
 - Approved Micrositing Corridor
 - Project Features: Facilities, Roads, Power Lines, Laydown Areas
 - Interstate or Highway
 - Public Road (Paved)
 - City Boundary
 - County Boundary

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl

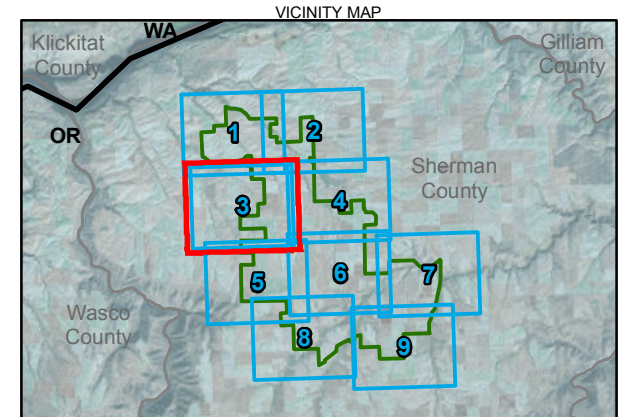
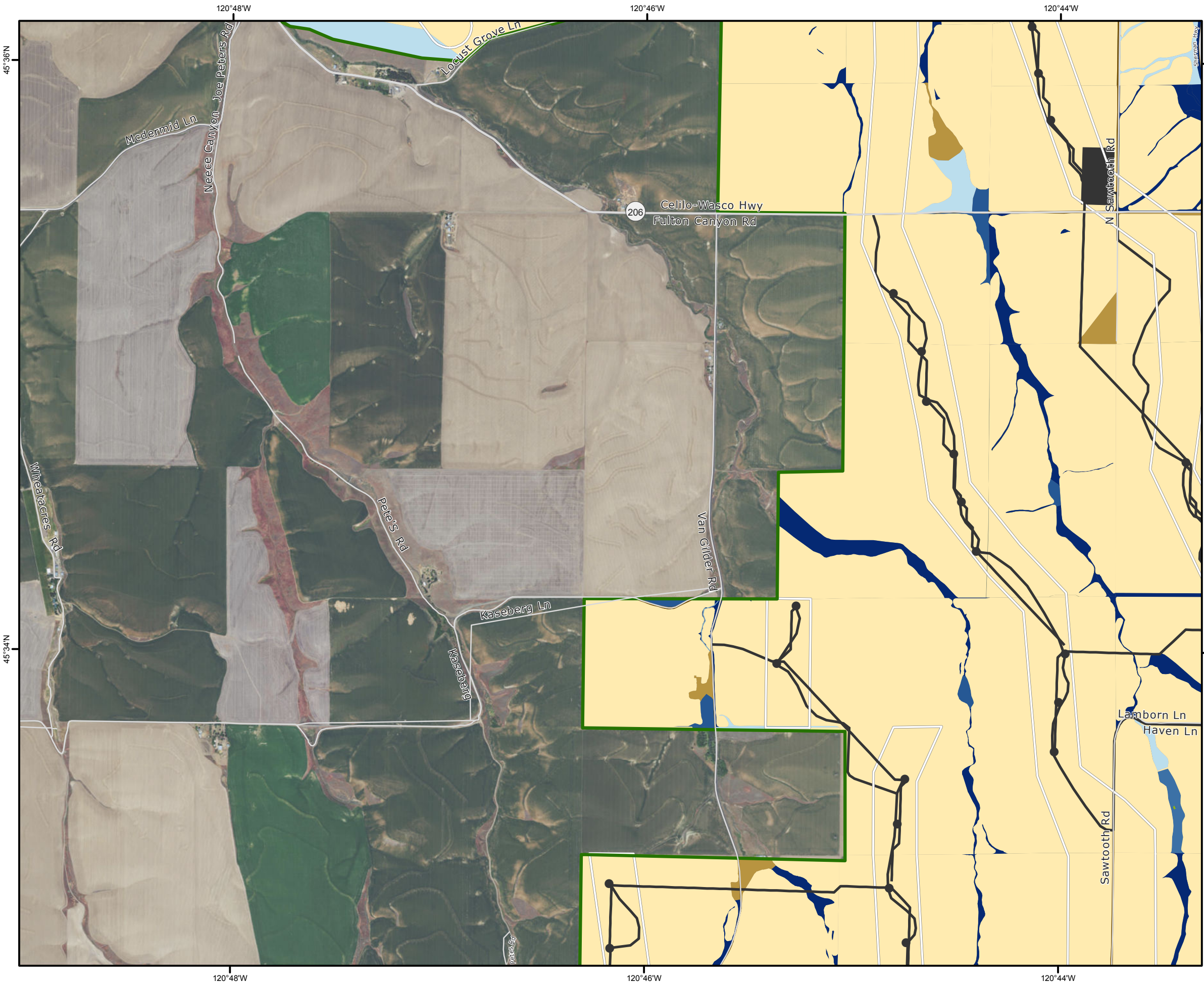
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Attachment 7 (REVISED) - Page 2 of 9
Habitat Classifications Within
Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3

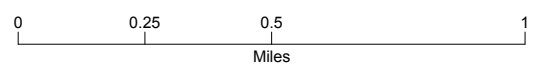




Habitat Classifications

- 1, UT
- 3, GR
- 3, IS
- 3, SS
- 3, UT
- 4, GR
- 6, AG
- 6, DE
- 6, Road
- Facility Site Boundary
- Approved Micrositing Corridor
- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Interstate or Highway
- Public Road (Paved)
- County Boundary

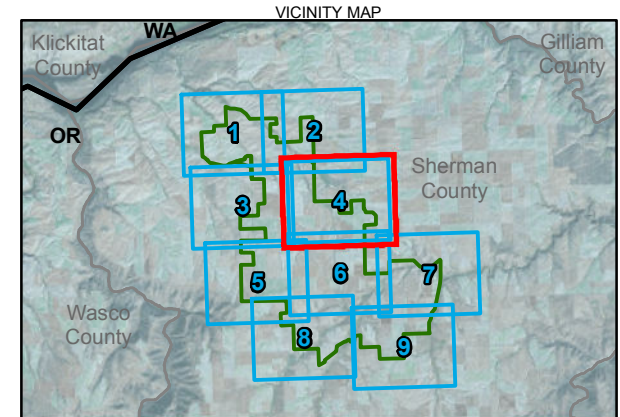
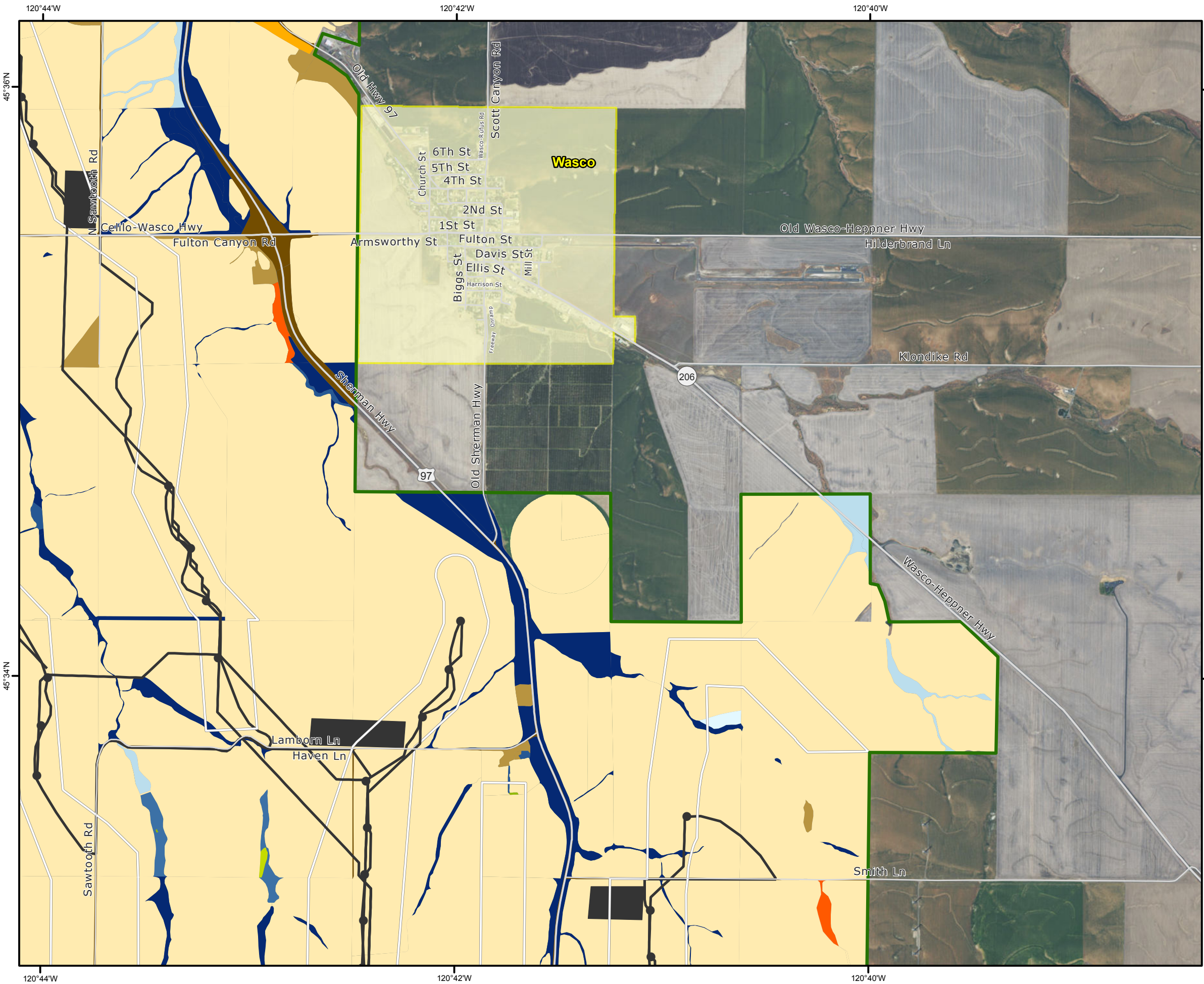
Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl
 Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



1 inch equals 0.38 miles

Attachment 7 (REVISED) - Page 3 of 9
Habitat Classifications Within
Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3





Habitat Classifications

- 1, UT
- 1, UT/ES
- 2, RT
- 2, UT
- 3, CRP
- 3, GR
- 3, SS
- 3, UT
- 4, GR
- 6, AG
- 6, DE
- 6, Road
- Facility Site Boundary
- Approved Micrositing Corridor
- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Interstate or Highway
- Public Road (Paved)
- City Boundary
- County Boundary

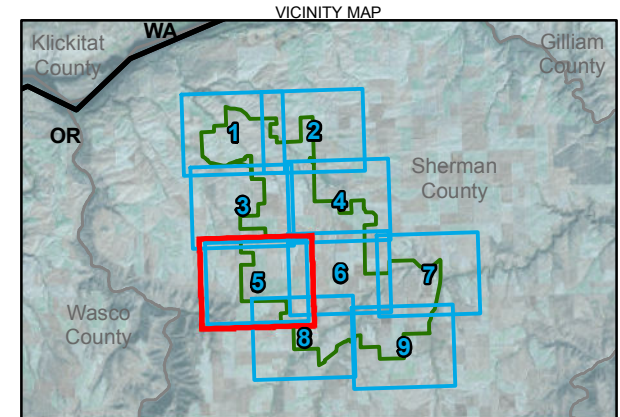
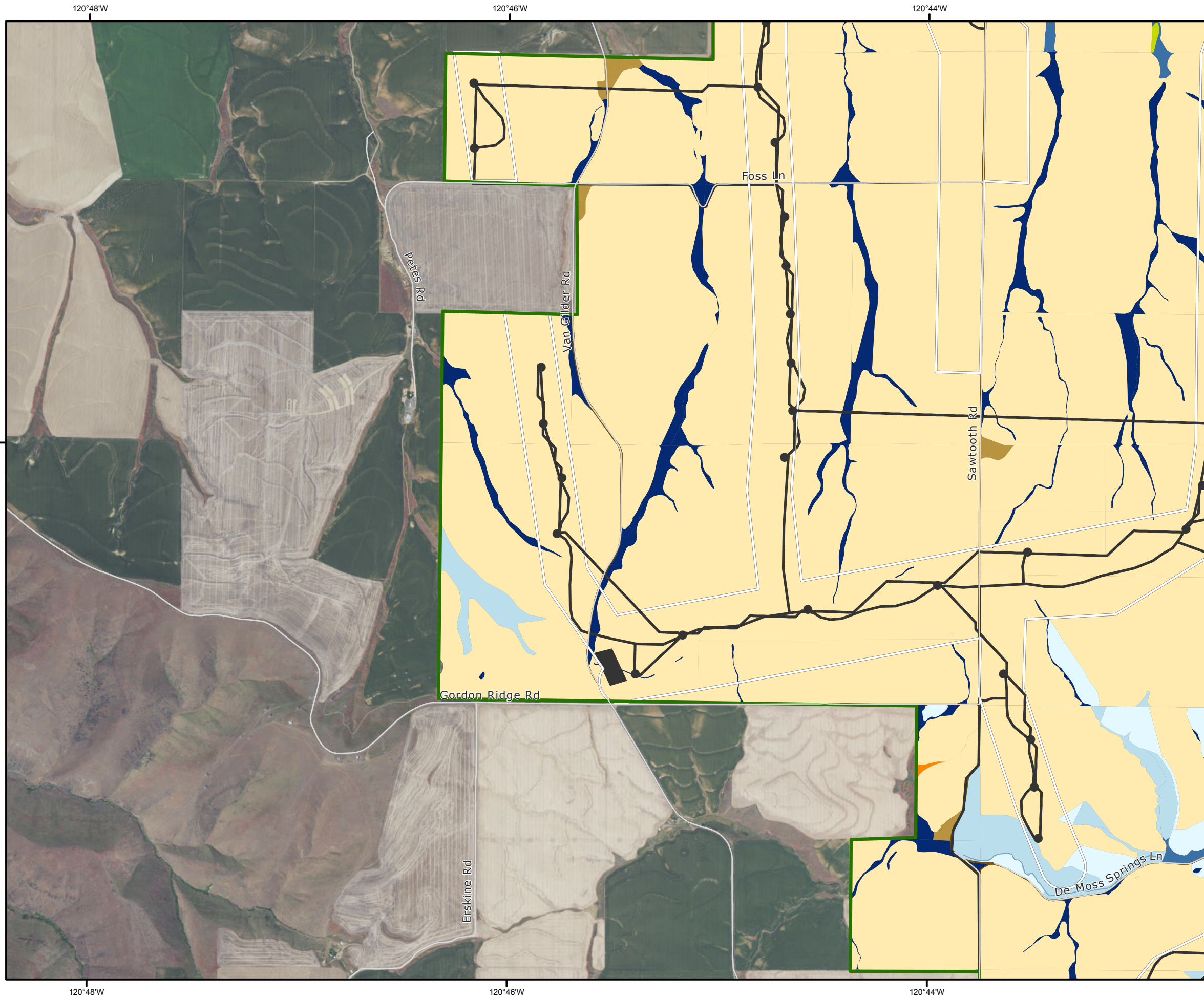
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 FIPS 3601 Feet Intl

Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI

0 0.25 0.5 1
 Miles

1 inch equals 0.38 miles





Habitat Classifications

- 1, UT/ES
- 2, SS
- 3, CRP
- 3, GR
- 3, IS
- 3, SS
- 3, UT
- 4, GR
- 6, AG
- 6, DE
- 6, Road
- Facility Site Boundary
- Approved Micrositing Corridor
- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Public Road (Paved)
- County Boundary

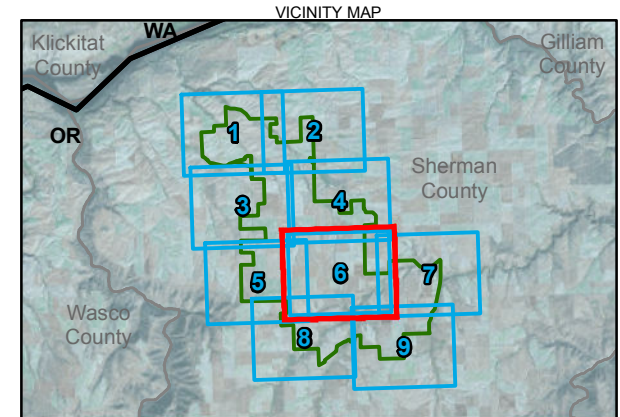
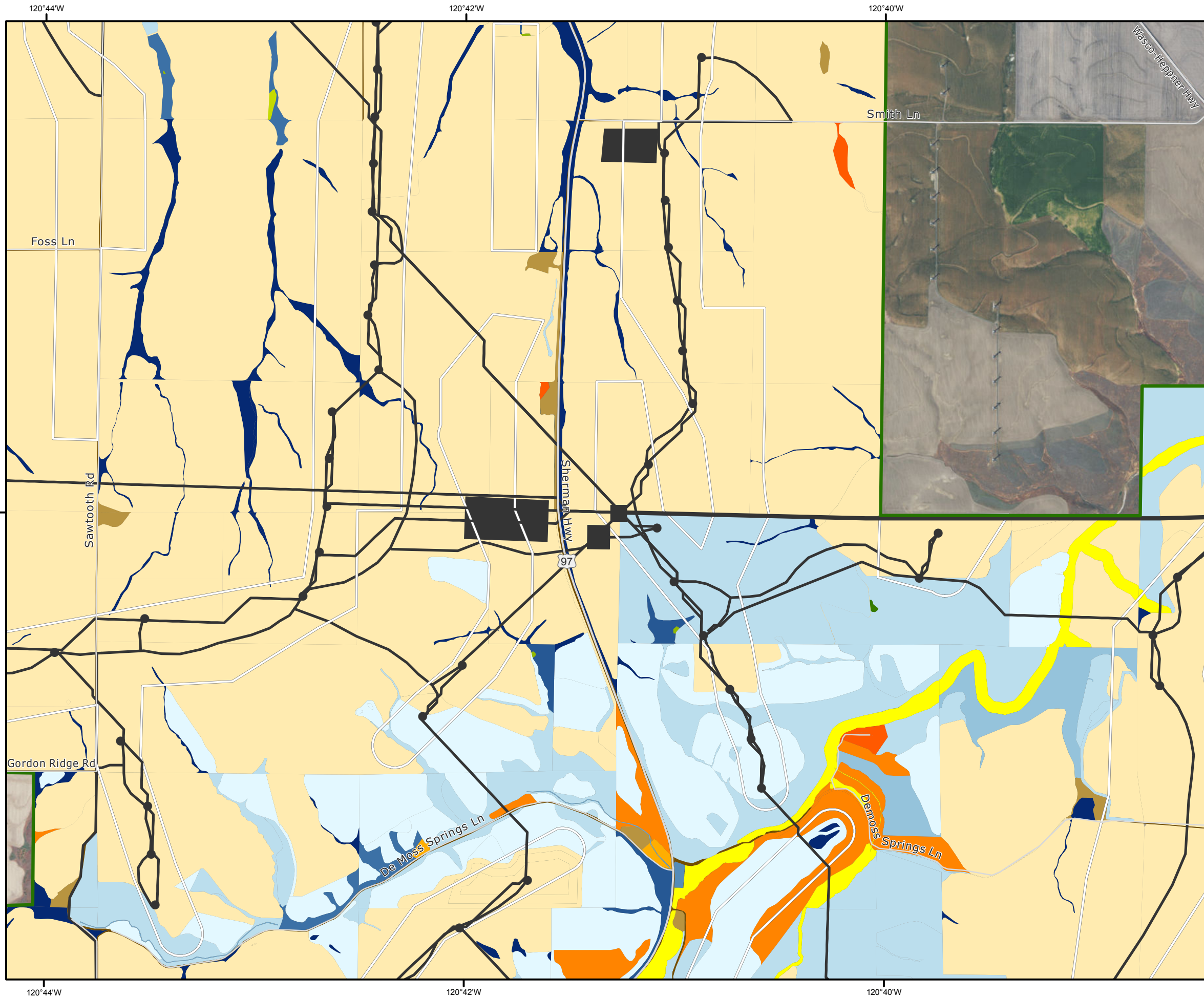
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 FIPS 3601 Feet Intl

Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI

0 0.25 0.5 1
 Miles

1 inch equals 0.38 miles





Habitat Classifications

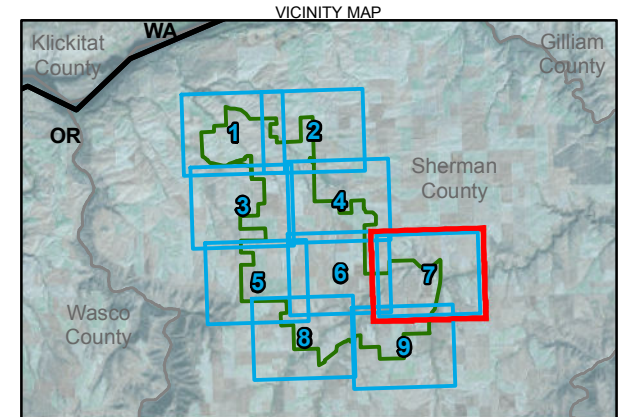
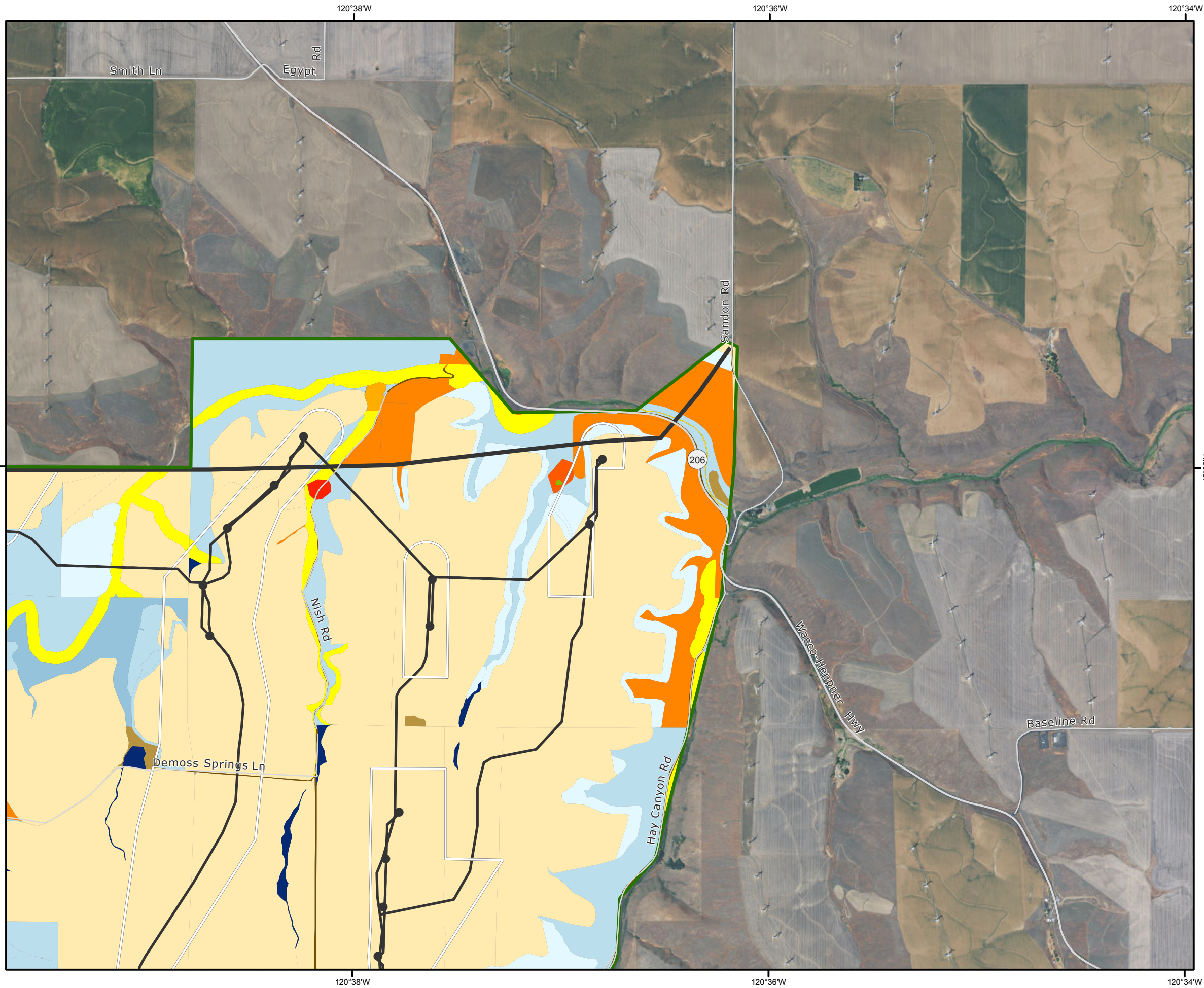
- 1, GR
- 1, UT
- 1, UT/ES
- 2, CREP
- 2, PS
- 2, RT
- 2, SS
- 2, UT
- 3, CRP
- 3, GR
- 3, GR/CL
- 3, IS
- 3, RT
- 3, SS
- 3, UT
- 4, GR
- 6, AG
- 6, DE
- 6, Road
- Facility Site Boundary
- Approved Micrositing Corridor
- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Interstate or Highway
- Public Road (Paved)
- County Boundary

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl
 Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI

0 0.25 0.5 1
 Miles

1 inch equals 0.38 miles

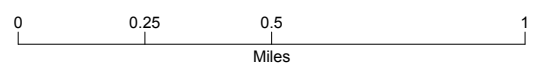




Habitat Classifications

- 1, UT
- 2, CREP
- 2, PS
- 2, RT
- 2, SS
- 2, UT
- 2, WP
- 3, CRP
- 3, GR
- 3, GR/CL
- 3, IS
- 4, GR
- 6, AG
- 6, DE
- 6, Road
- Facility Site Boundary
- Approved Micrositing Corridor
- Interstate or Highway
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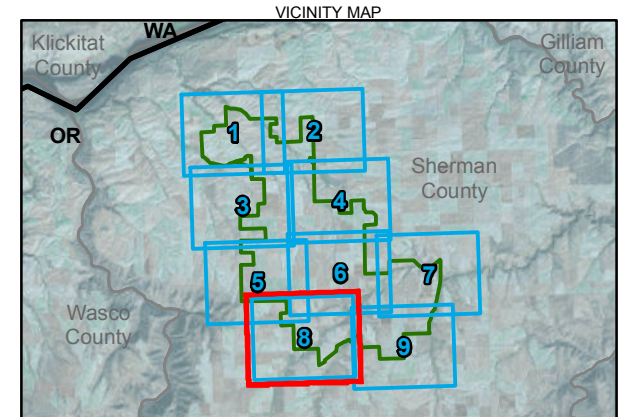
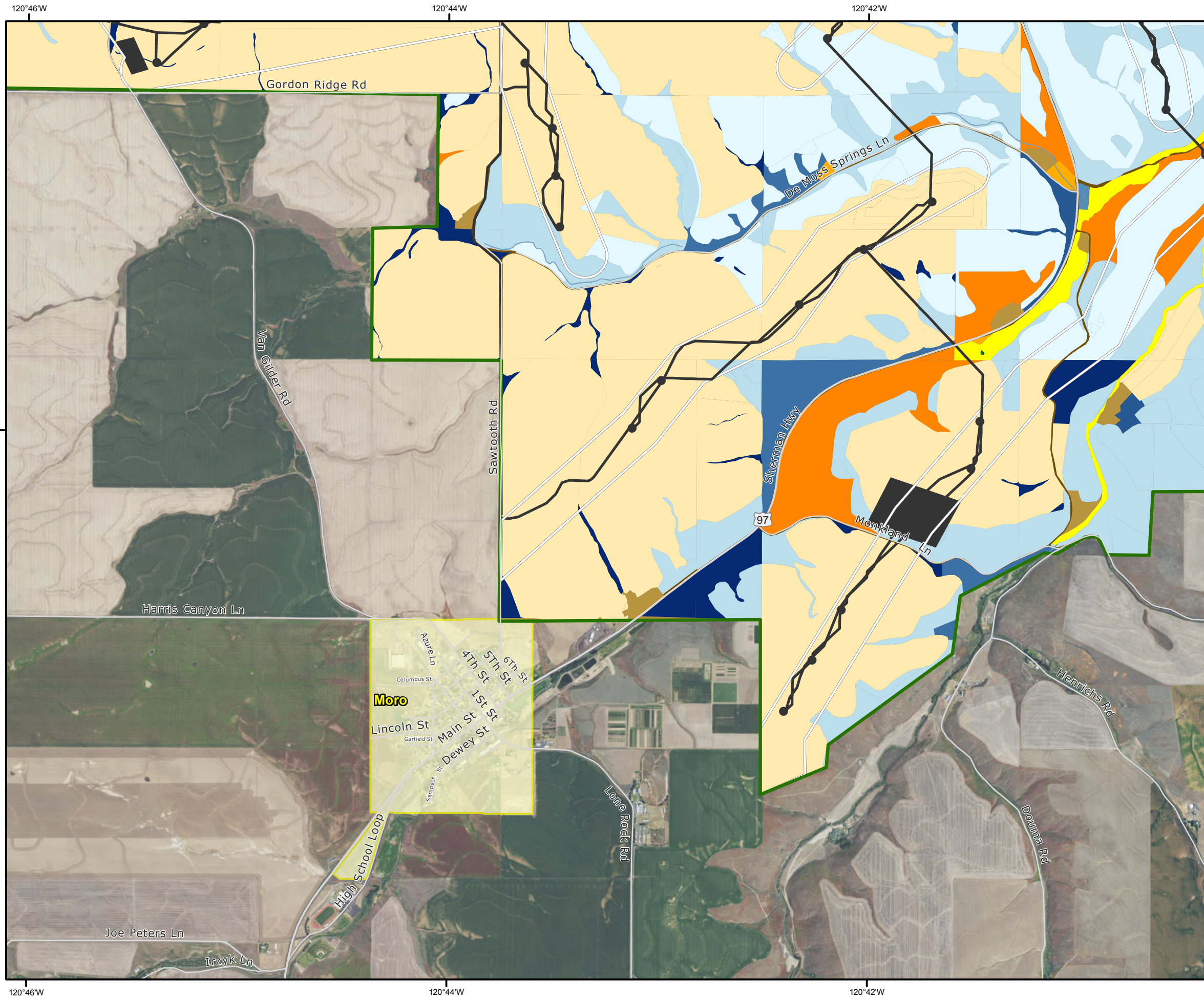
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 Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



1 inch equals 0.38 miles

Attachment 7 (REVISED) - Page 7 of 9
Habitat Classifications Within
Proposed Site Boundary
 Supplement to Golden Hills Wind Project Request for Amendment No. 3





Habitat Classifications

- 1, CREP
- 2, CREP
- 2, RT
- 2, SS
- 3, CRP
- 3, GR
- 3, IS
- 3, RT
- 3, SS
- 3, UT
- 4, GR
- 6, AG
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- 6, Road
- Facility Site Boundary
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- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Interstate or Highway
- Public Road (Paved)
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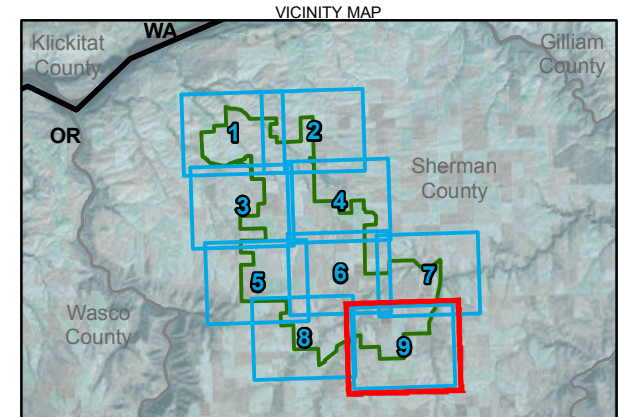
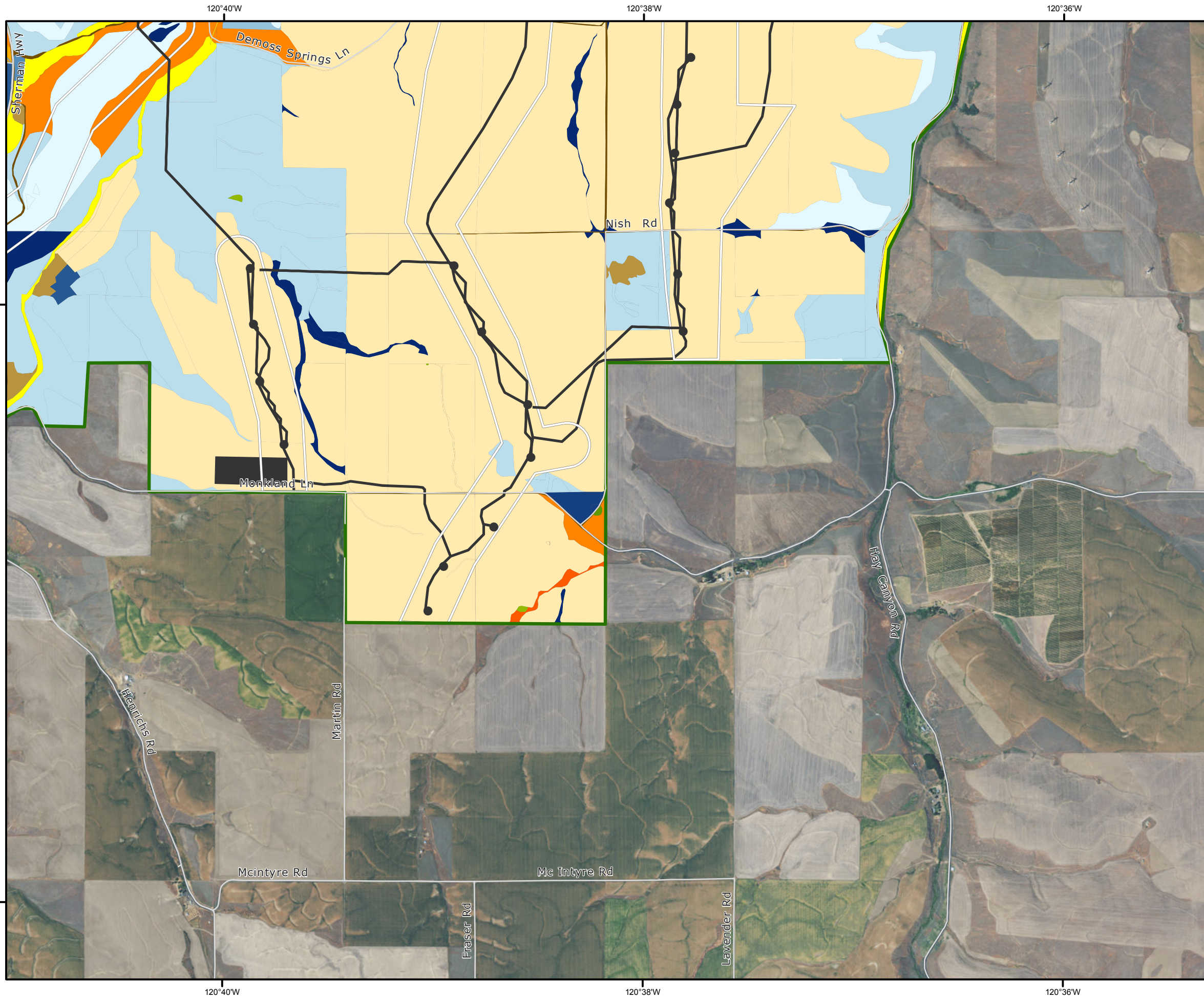
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Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI

0 0.25 0.5 1
 Miles

1 inch equals 0.38 miles

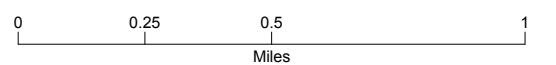




Habitat Classifications

- 1, SS
- 1, UT
- 2, CREP
- 2, PS
- 2, RT
- 2, SS
- 2, UT
- 3, CRP
- 3, GR
- 3, GR/CL
- 3, IS
- 3, RT
- 3, UT
- 3, UT/ES
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- Project Features: Facilities, Roads, Power Lines, Laydown Areas
- Interstate or Highway
- Public Road (Paved)
- County Boundary

Coordinate System: NAD 1983 StatePlane Oregon North
 FIPS 3601 Feet Intl
 Data Sources: Wasco Co. GIS, 2015; Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA; ESRI



1 inch equals 0.38 miles



Attachment 8
Report Documenting March 2016
Biological Resources Survey Results

SURVEY REPORT

Biological Resources Investigation for the Golden Hills Wind Project, Sherman County, Oregon

Prepared for

Golden Hills Wind Farm LLC

March 2016



CH2M HILL Engineers, Inc.
2020 SW 4th Avenue
Suite 300
Portland, OR 97201

Contents

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4.3 Discussion	3
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Appendixes

- A Figures
- B Photographs

Figures (located in Appendix A)

- 1 Facility Site Layout
- 2 Transmission Line Extension Survey Area
- 3 Substation Expansion Survey Area

Acronyms and Abbreviations

ODA	Oregon Department of Agriculture
ODFW	Oregon Department of Fish and Wildlife
ORBIC	Oregon Biodiversity Information Center
project	Golden Hills Wind Project
USFWS	U.S. Fish and Wildlife Service

1.0 Introduction

This report presents the results of a biological resources investigation conducted on March 4, 2016, by CH2M HILL Engineers, Inc., for the Golden Hills Wind Project (project), a permitted wind energy generation facility of up to 400 megawatts proposed for development in Sherman County, Oregon. Golden Hills Wind Farm LLC proposes to construct and operate the project. The project will be located on privately owned, exclusive farm use land both east and west of Highway 97, between the cities of Wasco and Moro (Figure 1, Appendix A).

The proposed project will install up to 125 turbines sited within 900-foot micro-siting corridors. Related and supporting facilities will include a substation, an underground power-collection system, approximately 5 miles of 230-kilovolt transmission line to connect to an existing 230-kV transmission line, an operations and maintenance building, access roads, and meteorological towers. Previous biological resources investigations were conducted and the Energy Facility Siting Council found that the project complies with Oregon Administrative Rule (OAR) 345-022-0060, Fish and Wildlife Habitat Standard,¹ and with OAR 345-022-0070, Threatened and Endangered Species Standard.² The biological resources investigation documented in this report focused on ground-disturbing activities associated with expanding the previously permitted substation from 2 to 5 acres and extending the previously permitted 230-kV transmission line by approximately 700 feet.

2.0 Project Description

The project is located in Sherman County, Oregon. The proposed substation expansion is located in Township 1 North, Range 17 East, Sections 27, 28, 33, and 34, approximately 4 miles south of Wasco, Oregon. The substation survey area encompasses 20 acres to provide future flexibility in construction and design. The proposed transmission line extension is located in Township 1 North, Range 18 East, Sections 7 and 8, in the community of Klondike, Oregon, approximately 4.5 miles east of Wasco, Oregon (Figure 1). This element of the project includes connecting an existing transmission power pole on the west side of the Schoolhouse substation (Power Pole A) to the Bonneville Power Administration transmission tower (Power Pole B) approximately 700 feet to the north. The transmission line survey area is 400 feet each side of centerline and encompasses 12.5 acres.

3.0 Survey

The biological resource survey was conducted in compliance with the local, state, and federal requirements identified in Section 3.1, following the methodology described in Section 3.2.

3.1 Regulatory Requirements

The Federal Endangered Species Act (16 United States Code Sections 1531-1544) and the Oregon Endangered Species Act (Oregon Revised Statute 496.171 through 192) prohibits taking (meaning to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of species protected under the Acts. The Oregon Department of Fish and Wildlife's (ODFW's) Habitat Mitigation Policy (Oregon Administrative Rule 635-415-000 through 0025T) applies when ODFW is implementing its own development actions and when developing recommendations to

¹ Final Order on Amendment No. 2, p. 36 (January 30, 2015).

² Final Order on Amendment No. 2, p. 38 (January 30, 2015).

other state, federal, or local agencies regarding development action for which mitigation for impacts to fish and wildlife habitat is authorized or required by federal, state, or local environmental laws or land use regulations.

3.2 Methodology

3.2.1 Desktop Survey

Resources consulted for the preliminary desktop survey of biological resources in the substation expansion and transmission line extension areas included aerial imagery, the U.S. Fish and Wildlife Service (USFWS), the Oregon Department of Agriculture (ODA), ODFW, the project site certificate, and associated amendments containing biological resource data.

Information pertaining to federally listed species was obtained from the USFWS Information, Planning, and Conservation System. Information pertaining to wetlands and other waters was obtained from the USFWS National Wetland Inventory online mapper (USFWS, 2016).

Oregon state-listed species are managed by two separate agencies. ODA manages plants, and ODFW manages wildlife. Information pertaining to state-listed plants in Sherman County was obtained from ODA's Plant Conservation Program Web site (ODA, 2016). Information pertaining to Sherman County species listed by ODFW was obtained from the Oregon Biodiversity Information Center (ORBIC, 2013).

3.2.2 Field Survey

Biological resource surveys were conducted on March 4, 2016, by a qualified biologist. Vegetation surveys were conducted to identify plant communities, noxious weeds, and rare plant habitat by walking line transects spaced approximately 100 feet apart. Habitat categorization surveys were conducted concurrently with vegetation surveys. General wildlife observations were also recorded to document wildlife species. The incidental wildlife observations were conducted concurrently with the habitat and vegetation surveys. Photographs were taken at each site (Appendix B). The photographs were used to document vegetation types after the field survey was completed. The survey areas also were assessed for threatened and endangered species potential habitat.

4.0 Results

This section summarizes the desktop and field survey results.

4.1 Desktop Survey

The USFWS (2015), ODA (2016), and ORBIC (2013) literature reviews did not identify any endangered, threatened, proposed, or candidate species listed at the state or federal level. The literature reviews also did not identify critical habitats for the survey areas that were not previously identified in the site certificate and associated amendments.

4.2 Field Survey

The only vegetation type identified during the March 4, 2016, site visit was agricultural land consisting of actively farmed wheat fields. Onsite investigation of the survey areas found no suitable habitat for endangered, threatened, proposed, or candidate species listed at the state or federal level.

The substation expansion area and extended 700-foot-long, 230-kV transmission line corridor are dominated by recently tilled and planted wheat fields and some scattered Russian thistle (*Salsola kali*) (Figures 2 and 3, Appendix A). No trees or shrubs were identified in the survey areas or immediate vicinity.

No wetlands or other waters were identified in the survey areas. Existing facilities identified within and adjacent to both survey areas include graveled roads, transmission lines, and a substation.

Two ravens and an unidentified raptor were observed flying approximately 0.5 mile northeast of the existing Klondike substation. Passerines, including horned larks (*Eremophila alpestris*), were also observed at both survey areas. Multiple instances of deer sign (tracks and scat) and a few small mammal burrows were observed during biological resource surveys.

4.3 Discussion

Based on pre-field review of publicly and privately available resources, as well as surveys conducted in the expanded substation and extended transmission line areas on March 4, 2016, the risk of impacting sensitive biological resources is very low because no suitable habitat that could support sensitive species was observed in the survey areas or immediate vicinity. Additionally, no sensitive plant or animal species were observed during the surveys. Raptor nesting habitat available in the survey areas was limited to transmission line towers and is neither unique nor high quality. Deer signs (scat and tracks) confirmed that the area is used by deer. Riparian habitat, important for wildlife, was absent.

Actively farmed wheat fields provide habitat for deer and small mammals and thus foraging habitat for raptors. Sign of small rodents (burrows) was observed during the surveys. The level of hunting use by raptors is not known. No raptors were observed hunting or roosting in the survey areas or vicinity.

No habitat for threatened or endangered species was identified in the survey areas.

5.0 References

Oregon Biodiversity Information Center (ORBIC). 2013. *Rare, Threatened and Endangered Species of Oregon*. Institute for Natural Resources, Portland State University, Portland, Oregon. 111 pp.

Oregon Department of Agriculture (ODA) Plant Conservation Program. 2016. *Oregon Listed Plants by County*. <http://www.oregon.gov/ODA/programs/PlantConservation/Pages/ListedPlants.aspx>. Accessed March 1, 2016.

Oregon Department of Energy, Energy Facility Siting Council. 2015. *Final Order on Amendment No. 2 for the Golden Hills Wind Project* (issued January 30, 2015) and *Second Amended Site Certificate* (fully executed on February 11, 2015).

U.S. Fish and Wildlife Service (USFWS). 2015. *Information, Planning, and Conservation System*. <http://ecos.fws.gov/ipac/gettingStarted/map>. Accessed December 1, 2015.

U.S. Fish and Wildlife Service (USFWS). 2016. *National Wetland Inventory Online Mapper*. <http://www.fws.gov/wetlands/Data/Mapper.html>. Accessed March 1, 2016.

Appendix A

Figures

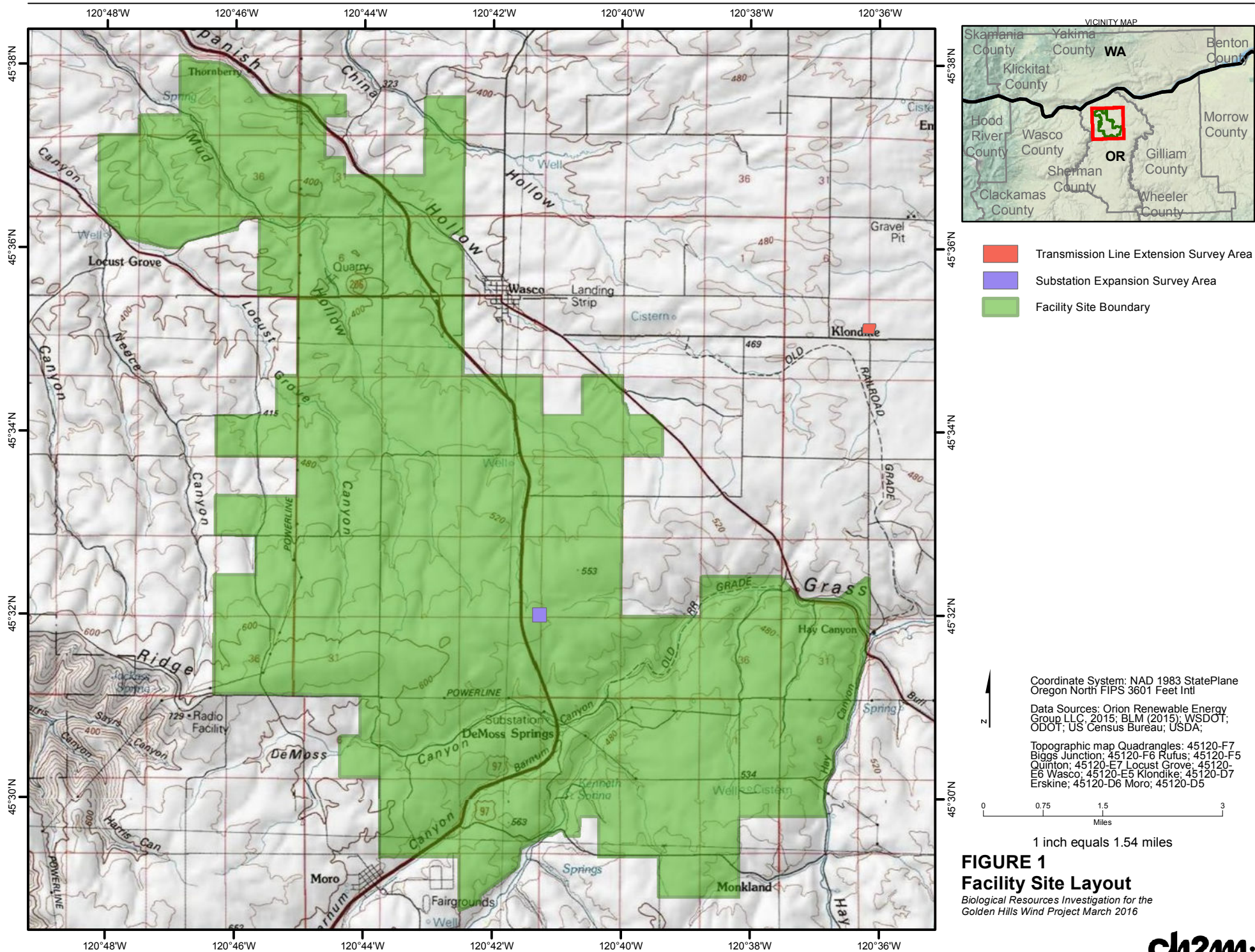


FIGURE 1
Facility Site Layout

Biological Resources Investigation for the Golden Hills Wind Project March 2016

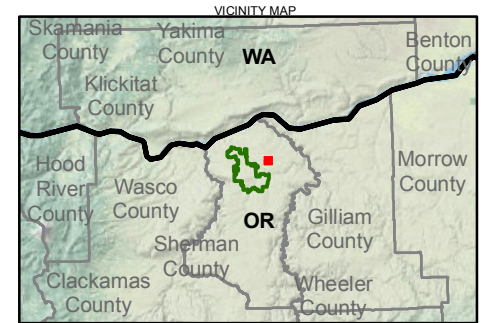
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45°35'N

45°35'N

120°36'W



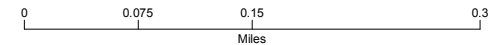
 Transmission Line Extension Survey Area



Coordinate System: NAD 1983 StatePlane Oregon North FIPS 3601 Feet Intl

Data Sources: Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA;

Topographic map Quadrangles: 45120-E6 Wasco; 45120-E5 Klondike.

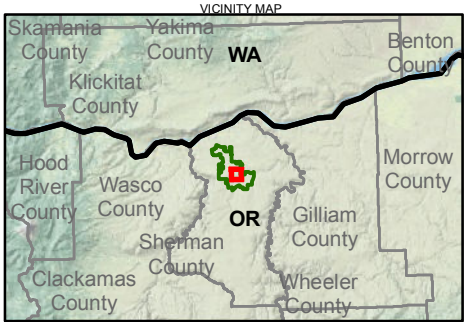
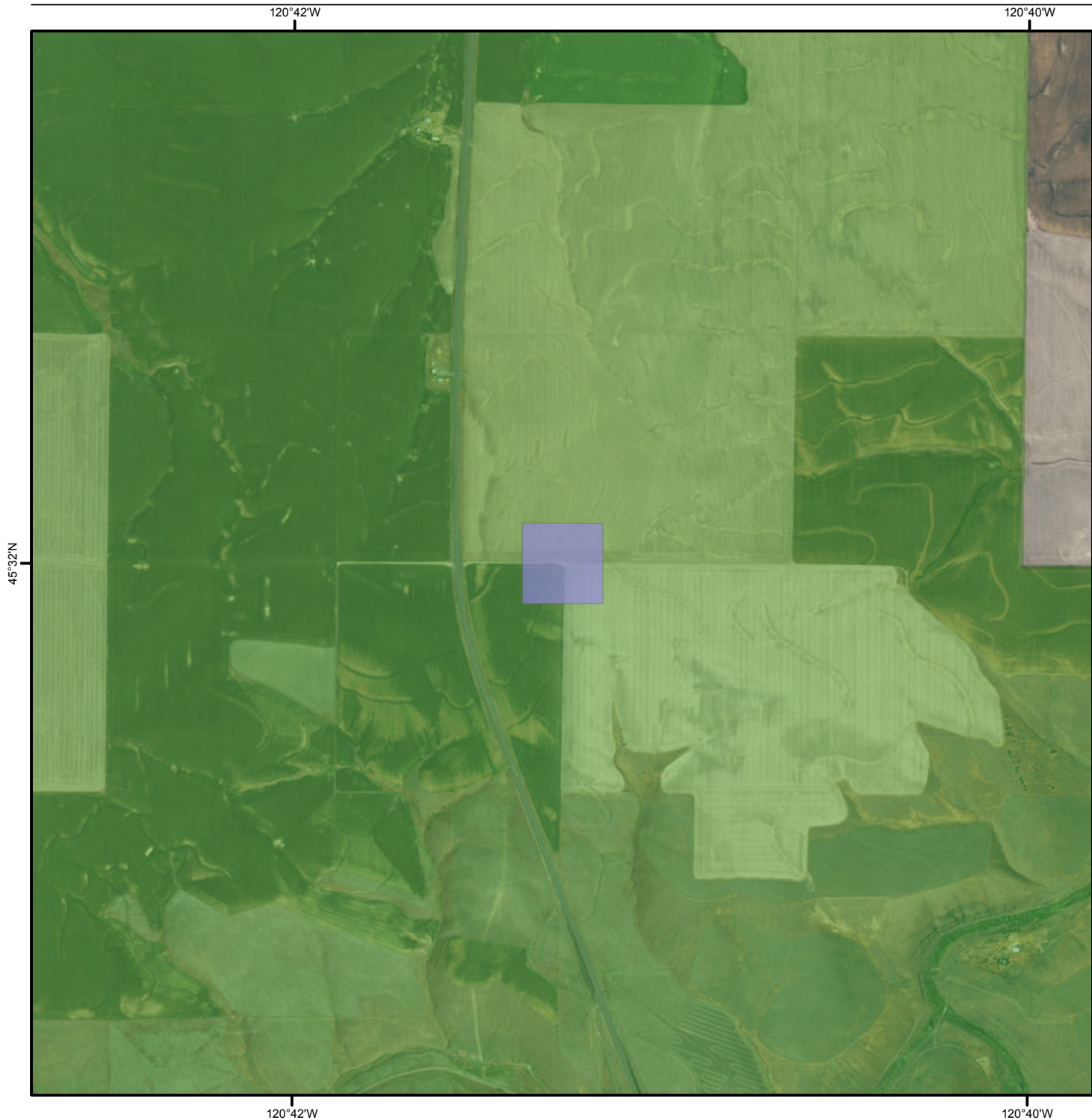


1 inch equals 0.13 miles

FIGURE 2
Transmission Line Extension Survey Area

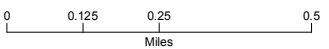
Biological Resources Investigation for the Golden Hills Wind Project March 2016





- Substation Expansion Survey Area
- Facility Site Boundary

Coordinate System: NAD 1983 StatePlane Oregon North FIPS 3601 Feet Intl
 Data Sources: Orion Renewable Energy Group LLC, 2015; BLM (2015); WSDOT; ODOT; US Census Bureau; USDA;
 Topographic map Quadrangles: 45120-E6 Wasco.



1 inch equals 0.32 miles

FIGURE 3
Substation Expansion Survey Area
Biological Resources Investigation for the Golden Hills Wind Project March 2016

Appendix B Photographs

APPENDIX B

Photographs



Photo 1: Substation expansion area, looking south toward characteristic habitat. Deer sign in the foreground.



Photo 2: Transmission line extension area, looking northeast toward existing transmission line and Klondike substation.

Attachment 9
Report Documenting March 2016
Cultural Resources Survey Results
[Restricted Distribution—Provided Under Separate Cover]