



MINUTES
March 4, 2011
5000 Discovery Center Drive
The Dalles, OR 97058

The meeting was called to order at 9:34 by Vice Chair, Lori Brogoitti. Roll Call: Lori Brogoitti, Bob Shiprack and Barry Beyeler were present. Trey Senn and Paul Sumner were present by phone. Chairman Wolfe was absent.

Oregon Department of Energy representatives were Sue Oliver, Todd Cornett, and Tamara Reid.

Jan Prewitt of the Department of Justice was also present.

Vice Chair Brogoitti announced that Council would welcome public comment after reviewing the Summit Ridge Wind Farm Draft Proposed Order and first reading. She also announced that Council could not accept any comments regarding the Summit Ridge Wind Farm Draft Proposed Order.

I. **Council Review of Summit Ridge Wind Farm Draft Proposed Order:** Sue Oliver introduced the Summit Ridge Wind Farm as a project under development by LotusWorks which is proposed to be located just west of the Deschutes River and 10 miles east of Dufur, in Wasco County, Oregon. The project area is about 25,500 acres of private agricultural land. Ms. Oliver also identified different locations on a map such as the Deschutes River, Maupin and the Big Eddy to Maupin Transmission Line to give reference to the location of the proposed project site. Bonneville Power Administration may potentially use the Big Eddy to Maupin Transmission Line to interconnect to other facilities; all that is needed is a substation. The type of wind turbine has not been selected as yet, but the maximum tip height is 430 feet with a maximum hub height of 262 feet. Nameplate capacity of the facility is 200.1 megawatts.

Ms. Oliver highlighted for the Council some of the Mandatory Site Certificate Conditions: Establishing a construction timeline and begin construction within three years, designing and operating the facility substantially as described in the site certificate and meeting certain requirements prior to construction including providing the Department with the final design and obtaining construction rights for the entire site. Recommended conditions include notification to ODOE of selected contractors, site certificate violations, and ownership transfers; Requirements applicable to contractors and sub-contractors; Requirement for an on-site environmental compliance manager during construction and the requirement to obtain all applicable federal, state and local permits necessary for construction.

Soil Protection: The application described the potential soil impacts and proposed mitigation measures. Recommended conditions: Construction in compliance with an approved Erosion Control Plan and Sedimentation Plan; Restoration of temporarily disturbed areas in compliance with an approved Revegetation and Weed Control Plan; and regular maintenance and inspection during construction and operations.

Land Use: Ms. Oliver also addressed Land Use issues and reported that the Draft Proposed Order applies Wasco County's applicable standards to the proposed facility. We added some conditions to meet some particular requirements for Wasco County, including lighting and signage, landowner consultation and Farm-Forest Management Easements to comply with some County requirements. Farming practices should not be interrupted more than in a minor way. Road work will involve improving existing roads, landowners are pleased with that.

Ms. Oliver reported that Protected Areas within the 20 mile analysis area were evaluated for visual impacts and impacts from noise, traffic, water use and water disposal. Impacts of greatest concern were potential visual impacts to the Columbia River Gorge National Scenic Area and the Deschutes River.

Retirement and Financial Assurance: Ms. Oliver stated that the applicant had estimated the retirement costs at approximately \$5.5 million and the Department estimated retirement costs at approximately \$6.7 million, but that the applicant provided evidence that it could obtain a Letter of Credit in the amount of \$9 million. The recommended conditions include mandatory conditions required under Division 27 with a minimum Letter of Credit amount of \$6.7 million.

She also reported that Council needs to find that conditions include compliance with the approved Wildlife Monitoring and Mitigation Plan and Habitat Mitigation Plan. Both plans have been reviewed by ODFW and they were overall satisfied with the plans. We did not officially receive a comment from ODFW on the plan, but on the application. Approximately 82 acres will be permanently impacted by the project. The plans generally include what kind of ground monitoring, surveys for fatalities, etc. Survey protocol is set in the plans. Golden and Bald Eagles are not listed as endangered species, but are part of the Bald and Golden Eagle Protection Act. Threatened and Endangered Species are protected under Federal Law not particularly under State Law. Standard Conditions are designed to protect avian species. The Site Certificate will include transmission lines, etc. and will be installed in such a manner as to protect these species. Turbine towers must be smooth walled and closed to prevent residency of birds.

Scenic Resources: The analysis area for Scenic Resources is twenty miles from the site boundary. Seven scenic resources are identified within the analysis area. Lower Deschutes River Canyon was the closest area, approximately 2 miles from the nearest part of the site boundary. Some restrictions are that the

Applicant cannot put up large signs, lighting needs to be turned downward, white or off-white colored buildings, and the buildings need to be of a structure that is consistent with other buildings in the area.

Recreational Area: Applicant has identified several recreational areas and the Department recommends in the DPO that the Council find four areas to be “important recreational opportunities.” Of the four, the Deschutes River Corridor was identified as having the greatest potential for visual impacts.

Public Health and Safety Standards: The Applicant must protect the public from hazards. The project is to be constructed on private property which will restrict public access. Each turbine is to be wired directly into the Operations and Maintenance Building so that they can be shut down quickly. Ms. Oliver also gave a brief overview of specific standards that apply to access roads, transmission lines and substations, Wildlife Protection, Visual Features and Lighting. The Department recommends that the site certificate include conditions requiring the certificate holder to conduct geotechnical investigations and consult with DOGAMI prior to construction to make sure that the turbine bases are on solid ground and avoid dangers with seismic activity.

Historic, Cultural and Archaeological Resources: Recommended conditions include requirements for field investigations, consultation with SHPO and an Archaeological Monitoring Plan. The Applicant has been working with SHPO and has a plan for avoiding and protecting any identified sites. If a new resource is detected, it will be protected.

Public Services: Jan Prewitt from the Oregon Department of Justice stated that Council cannot deny a site certificate for not meeting these standards. Public services conditions require Applicant to construct public sanitary facilities, fire protection, security, employee training, health and safety standards, and maintenance vehicles are to be equipped with shovels and fire extinguishers. Wide roads are only temporary to bring in large turbines but will be restored to natural condition. Applicant will work with Wasco Public Works to restore public roads to prior condition after equipment is in place.

Ms. Oliver also reviewed the issues of Hazardous Waste, Recycling Program, Noise Control, Removal/ Fill Law, Ground Water Act.

Public Health and Safety: She reviewed the recommended conditions, installing collection systems underground to the maximum extent possible, maintaining minimum clearances near transmission and collection systems. Other Conditions in the Council rules include consultation requirements, reporting and monitoring requirements.

The Department received 17 public comments on the Draft Proposed Order. Of the comments in opposition to the proposed project, the most significant concerns expressed were related to visual impacts, especially to the Deschutes River and the Columbia River Gorge National Scenic Area; and potential impacts to avian species, especially Golden and Bald Eagles. None of the proposed project is

located within the boundaries of any protected area, but turbines and parts of turbines will be visible from several protected area. The ability of someone in the scenic area of the Columbia River Gorge to see the project is identified as about 12 miles away and the facility will likely be visible from points on the Deschutes River. Lori Brogoitti asked about arranging a tour of the proposed facility.

Vice Chair Brogoitti announced the close of the Summit Ridge Draft Proposed Order First Reading.

Vice Chair Brogoitti requested public comment. Jed Farmer and Irene Gilbert both gave comments regarding the Antelope Ridge Wind Farm Project as did Wendell Baskins of the Oregon Historic Trails. Mr. Baskins gave comment thanking Council for bringing OHTC's issues to light.

Adjourned at 11:25 am