

LotusWorks
Summit Ridge I

LotusWorks – Summit Ridge I, LLC

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August 15, 2014

Mr. Eric Desmarais
Energy Facility Siting Analyst
OREGON DEPARTMENT OF ENERGY
625 Marion Street NE
Salem, OR 97301

Subject: Request to Extend Permit and Make Technical Changes

Reference: LotusWorks-Summit Ridge I Wind Farm Site Certificate dated August 19, 2011

Dear Mr. Desmarais,

This letter serves to notify the Oregon Department of Energy of our request to extend the Site Certificate for our Summit Ridge Wind Farm. This request also identifies certain technical changes we are asking the Department of Energy to consider and approve. In general our technical changes seek to increase the project's flexibility in wind turbine selection. We are also seeking to reduce the overall footprint of the project as well as the total number of turbines.

We are requesting the extension of the Site Certificate in accordance with OAR 345-027-0030. While we recognize that we have not met the requirement to submit the request to extend the permit at least six months before the applicable deadline, we firmly believe we can demonstrate good cause for the delay in submitting the request.

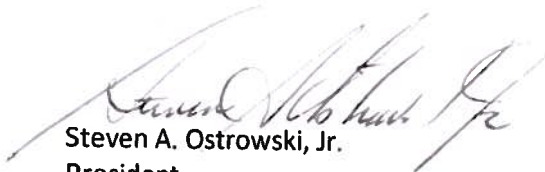
We ask that the Department of Energy give our request due consideration. We stand ready to provide any additional information that may be required to support our request and we look forward to the Department of Energy's positive response.



Page 2 of 72
August 15, 2014
Mr. Eric Desmarais

Please contact me should you have any questions regarding this request and/or the information contained within.

Sincerely,



Steven A. Ostrowski, Jr.
President

Attachments
Cc: File



Final Request for Amendment No 1 to the Site Certificate for the Summit Ridge Wind Project

Prepared for
Oregon Energy Facility Siting Council
August 2014

Prepared and Submitted by
LotusWorks-Summit Ridge I, LLC

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Section I – Introduction

Summit Ridge Wind Farm is a permitted wind-energy generation facility in Wasco County, Oregon with an electrical capacity of up to 200 MWs (MW). On August 19, 2011, the Oregon Energy Facility Siting Council issued a Site Certificate approving the facility. The facility as currently permitted will consist of up to 87 wind turbines as well as various related and supporting facilities, all located within permitted survey corridors of approximately 25,000 acres of privately owned, Exclusive Farm Use land located approximately 17 miles southeast of The Dalles and eight miles east of Dufur, Oregon. LotusWorks-Summit Ridge I, LLC is the Certificate Holder.

1.1 Proposed Changes

LotusWorks-Summit Ridge I, LLC (LWSR1) is submitting this request to amend the Site Certificate to extend the construction deadlines two years. In addition LWSR1 seeks to take advantage of the technical advances made in turbine technology over the last three years and broaden the selection of turbines that may be considered for use on the site. The broader selection of turbines will include larger generators, increased hub height and a greater rotor diameter. The total MWs generated at the site will be reduced to a maximum of 194.4. The maximum number of turbines to be used for the project will be reduced from the current approved total of 87 to a maximum of 72.

1.2 Request for Extension

LotusWorks Summit Ridge I, LLC realizes that requests for extension should have been made at least six months prior to the expiration of the permit. Summit Ridge was permitted with the intention of serving the California market. We thought we had achieved our objective in 2010 when we were shortlisted with Pacific Gas and Electric. Those negotiations came to a sudden halt when legislation was passed in California that limited purchases of out of state energy.

We have been actively engaged in seeking PPA's with numerous entities over the course of the last three years. To strengthen the competitiveness of our offering, we teamed with TransAlta in late-2012 and submitted proposals to Portland Gas and Electric, Google and Apple. In addition exploratory meetings were held with PacifiCorp regarding their interest in our project.

In each case, these potential energy purchasers sought pricing that would not financially support the construction of Summit Ridge. When we reviewed our position in February 2014, we did not see an opportunity for that scenario to change over the course of the next two years given projected energy prices in the Pacific Northwest and our inability to secure additional interest from potential energy purchasers in California

Also entering into our decision process was the fact that there were a number of site certificate conditions that must be met prior to the start of construction. These are a significant costs given we had no obvious buyer for our energy. We also explored whether authorizing the BPA to begin the



engineering and procurement work necessary to construct the needed interconnection substation would be considered as counting towards meeting the requirement of expending more than \$250,000 of construction costs. We were informed the \$9,000,000 expenditure would not count towards meeting the \$250,000 because it wasn't an on-site activity.

Given the lack of any real or even perceived opportunities, the amount of meaningful work we would have had to perform to prepare for construction and the fact that expending \$9,000,000 with the BPA would not count towards construction costs, the cost of applying for an extension and the fact that we would be committing to making lease payments to landowners for an additional two years, we made a business decision to not pursue an extension of our permit.

In May of this year we were approached by Verde Energy about our interest in supplying energy to a California entity. Those discussions continued and we just recently secured a Letter of Intent (Exhibit A) from Verde Energy LLC to enter into a Power Purchase Agreement to supply renewable energy to California entity for a period of at least 20 years following the construction of Summit Ridge.

We are therefore requesting the Siting Council to consider our extension request as provided for in 345-027-0030, Amendment to Extend Construction Beginning and Completion Deadlines which states in part:

or, if the certificate holder demonstrates good cause for the delay in submitting the request, no later than the appropriate deadline

We strongly believe the fact that there was no apparent market for our energy in February of this year; that we have kept the Department of Energy apprised of our progress throughout our efforts to secure a PPA and the fact that we continued to our efforts to secure a PPA to the point of securing an LOI to provide renewable energy to California demonstrates good cause for the delay in our filing for an extension.



Section 2 – Information Required Pursuant to OAR 345-027-0060 and OAR 345-027-0070(10) for Site Certificate Amendments

The following serves as the basis for our request to extend the construction time frame and make quantity and technical changes relative to the number and physical characteristics of wind turbines to be considered for use on site. In accordance with OAR 345-027-0060 we present our request as follows:

2.1 Information Required Pursuant to OAR 345-027-0060

OAR 345-027-0060 (1)(a) *The name and mailing address of the certificate holder and the name, mailing address, email address and phone number of the individual responsible for submitting the request.*

Response: Contact Information

- The name and mailing address of the certificate holder:

LotusWorks-Summit Ridge I, LLC
9611 NE 117th Ave
Suite 2840
Vancouver, WA 98662

- The name, mailing address, email address and phone number of the individual submitting the request:

Steven A. Ostrowski, Jr.
President
LotusWorks-Summit Ridge I, LLC
9611 NE 117th Ave
Suite 2840
Vancouver, WA 98662
P 360.737.9692
sostrowski@lotusworks.com

OAR 345-027-0060 (1)(b) *A description of the facility including its location and other information relevant to the proposed change.*

Response: Description of Proposed facility including its location and other information relevant to the proposed change:

LotusWorks-Summit Ridge I, LLC current Site Certificate allows it to develop, construct and operate a wind generation facility in Wasco County, Oregon with a generation capacity of approximately 200 MW.



The facility will be located on private land, approximately 17 miles southeast of The Dalles, Oregon. As currently permitted the facility consists of:

- 87 turbines with an maximum facility output of 200.1 MWs. Each turbine will be limited to a hub height no greater than 80 meters, a blade tip height no greater than 132 meters or a blade tip clearance not less than 28 meters above the ground.
- Substation with an approximately seven mile transmission line interconnecting to a new Bonneville Power Authority (BPA) on the Big Eddy – Maupin 230kV transmission line
- Operations and Maintenance (O&M) facility of approximately 10,000 square feet
- The project site boundary encompasses approximately 25,000 acres on privately owned land subject to long term wind leases with the landowners
- The Site Certificate was issued August 19, 2011 and has a requirement to start construction by August 19, 2014 and complete construction activity by August 19, 2017

LotusWorks-Summit Ridge I, LLC is requesting that the Siting Council approve the following changes to the existing site certificate:

- 72 turbines with a maximum facility output of 194.4 MWs. Each turbine will be limited to a hub height no greater than 91 meters, a blade tip height no greater than 152 meters or a blade tip clearance not less than 23 meters above the ground.
- A revised project site boundary that encompasses approximately 24,000 acres on privately owned land subject to long term wind leases with the landowners
- An two year extension of The Site Certificate was issued August 19, 2011 with a resulting requirement to start construction by August 19, 2016 and complete construction activity by August 19, 2019

OAR 345-027-0060 (1)(c) *A detailed description of the proposed change and the certificate holder's analysis of the proposed change under the criteria of OAR 345-027-0050(1).*

Response: A detailed description of the proposed change and the certificate holders analysis of the proposed change under the criteria of OAR 345-027-0050(1)

The following changes are proposed for the Summit Ridge wind farm

- The site certificate is extended for another two years thereby establishing a new construction start date of August 19, 2016.
- Likewise the completion date for construction is extended an additional two years so that construction must be complete within three years from the proposed new construction start date, August 19, 2019
- The total acreage of the project is reduced to approximately 24,000 acres from the 25,000 identified in the current permit
- That the turbine size limitations allowed for the site change to the following parameters.
 - ✓ The total number of turbines at the facility must not exceed 72 turbines



- ✓ The combined peak generating capacity of the facility must not exceed 194.4 megawatts and that the peak generating capacity of any individual turbine must not exceed 2.7 megawatts
- ✓ The turbine hub height should not exceed 91 meters and the maximum blade tip height must not exceed 152 meters
- ✓ The minimum blade tip clearance must be 23 meters above ground

Based on our analysis it is our opinion that these proposed changes necessitates a request to amend the site certificate in accordance with OAR 345-027-0050(1) Paragraph 1, item (c).

OAR 345-027-0060 (1)(d) *The specific language of the site certificate, including affected conditions, that the certificate holder proposes to change, add or delete by an amendment.*

Response: The specific language of the site certificate, including affected conditions that we propose to change, add or delete by this amendment are as follows:

For the ease of determining the change we will present each proposed change both in the current Site Certificate language followed immediately by our proposed change.

- Page 3, Paragraph 2.9 – Site Certification

Current language: The certificate holder shall request an amendment of the site certificate to increase the combined generating capacity of the facility beyond 200.1 megawatts. To increase the number of wind turbines to more than 87 wind turbines or to install wind turbines with a hub height greater than 80 meters, a blade tip height greater than 132 meters or a blade tip clearance less than 28 meters above the ground.

Proposed language: The certificate holder shall request an amendment of the site certificate to increase the combined generating capacity of the facility beyond 194.4 megawatts. To increase the number of wind turbines to more than 72 wind turbines or to install wind turbines with a hub height greater than 91 meters, a blade tip height greater than 152 meters or a blade tip clearance less than 23 meters above the ground.

- Page 3, Paragraph 3.0 – Location and Site Boundary

Current language: Summit Ridge I is located in Wasco County, Oregon approximately 17 miles southeast of The Dalles, and eight miles east of Dufur, Oregon. The facility site boundary encompasses approximately 25,000 acres on private land subject to long term end energy leases with the landowners.

Proposed language: Summit Ridge I is located in Wasco County, Oregon approximately 17 miles southeast of The Dalles, and eight miles east of Dufur, Oregon. The facility site

boundary encompasses approximately 24,000 acres on private land subject to long term end energy leases with the landowners.

- Page 4, Paragraph 3.0 – The Energy Facility

Current language: Summit Ridge I has a combined peak generating capacity of 200.1 megawatts (MW) (average electric generating capacity is approximately 67 MW). The facility consists of up to 87 wind turbines, each producing 1.8 to 2.3 MW of electrical power

Turbines will be mounted on tubular steel towers approximately 80 meters (263 feet) tall at the turbine hub, with a rotor diameter of 101 meters (331 feet).

Proposed language: Summit Ridge I has a combined peak generating capacity of 194.4 megawatts (MW) (average electric generating capacity is approximately 67 MW). The facility consists of up to 72 wind turbines, each producing 1.7 to 2.7 MW of electrical power

Turbines will be mounted on tubular steel towers not exceeding approximately 91 meters (299 feet) tall at the turbine hub, with a rotor diameter not exceeding 122 meters (400 feet).

- Page 8, Paragraph 5.5 – Pre-Construction Requirements

Current language: Before beginning construction, the certificate holder shall provide to the Department a description of the turbine types selected for the facility demonstrating compliance with this condition. The certificate holder may select turbines of any type, subject to the following restrictions and compliance with all other site certificate conditions:

- The total number of turbines at the facility must not exceed 87 turbines.
- The combined peak generating capacity of the facility must not exceed 200.1 megawatts and the peak generating capacity of any individual turbine must not exceed 2.3 megawatts.
- The turbine hub height must not exceed 80 meters and the maximum blade height must not exceed 132 meters above grade.
- The minimum blade tip clearance must be 28 meters above the ground.

Proposed language: Before beginning construction, the certificate holder shall provide to the Department a description of the turbine types selected for the facility demonstrating compliance with this condition. The certificate holder may select turbines of any type, subject to the following restrictions and compliance with all other site certificate conditions:

- The total number of turbines at the facility must not exceed 72 turbines.



- The combined peak generating capacity of the facility must not exceed 194.4 megawatts and the peak generating capacity of any individual turbine must not exceed 2.7 megawatts.
- The turbine hub height must not exceed 91 meters and the maximum blade height must not exceed 152 meters above grade.
- The minimum blade tip clearance must be 23 meters above the ground.

Reason for Change: Since our original request was submitted and approved by the Council there have been significant technical advancements in turbine design, especially turbines designed to service lower speed wind sites such as Summit Ridge. These advancements include more MWs/turbine, higher hub heights and larger diameter rotors. Further, we are aware of a least one new turbine manufacturer scheduled to be released a new lower wind turbine this fall. As a result we are requesting a broader range of turbine parameters so that we can maximize the number of turbine selections available for consideration. The wind market is highly competitive and we will need every economic advantage available to us to secure the long term success of the project.

With our request to increase the hub height and rotor diameters of the turbines, we are also requesting that the total number of turbines be decreased to a maximum number of 72. The actual final turbine count will be determined based on the turbine selected but in every case will stay within the currently approved project boundaries and corridors. We will be eliminating the most southern currently approved property with our revised array and believe that the reduction in the number of turbines will offset any concerns that may arise from the use of larger turbines.

In our determination of potential impacts from a change in turbine size we focused on the effects larger turbines might have on the protection of natural resources, visibility and noise control. Exhibits B & C are reports generated by third parties hired by us to address the protection of natural resources and visibility. It can be seen from both reports that the negative impact to both natural resources and visibility is minimal if not non-existent. In terms of habitat our proposed amendment provides a better result. This is due in large part to our decision to reduce the total number of turbines from 87 to a maximum of 72. You will also note that in our exhibits we have provided worst case examples by evaluating turbines with the greatest hub height and largest rotor diameter. It is very possible our final turbine selection will be turbines of lessor physical dimensions.

Not addressed by a third party study is what impact our final turbine selection would have on noise production. Noise is turbine specific and until a final turbine selection is made, we are unable to offer an exact response. We do offer the following as our commitment to compliance of all noise requirements:

- We are committed to adhering to every aspect of the requirements to minimize turbine noise as identified in Paragraph 12.2 of our existing Site Certificate including submitting our final turbine selection and design to the State prior to beginning construction. We will submit our selection to the Department of Energy prior to placing the turbine order. Included with our submittal will



be a noise analysis performed in a manner consistent with OAR 340-035-0035(1)(b)B)(iii)(IV) and (VI).

- We have received noise waivers from all of our landowners.

345-027-0060 (1)(e) *A list of the Council standards relevant to the proposed change*

Response: The list of EFSC standards relevant to the proposed change includes Division 22 (General Standards for Siting Facilities) and Division 24 (Specific Standards for Siting Facilities). Our response to the applicable standards is provided in Section 4. Summit Ridge is an electric generating facility using wind fueled turbine technology. As a result, certain provisions of Division 24 (e.g., standards applicable to gas plants, gas storage, non-generating facilities, etc.) are not discussed

345-027-0060(1)(f) *An analysis of whether the facility, with the proposed change, would comply with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances if the Council amends the site certificate as requested. For the purpose of this rule, a law, rule or ordinance is “applicable” if the Council would apply or consider the law, rule or ordinance under OAR 345-027-0070(10).*

Response: Section 4 of this document contains an analysis of whether the facility, with the proposed changes, would comply with the requirement of ORS Chapter 469, applicable EFSC rules, and applicable state and local laws, rules and ordinances if the Siting Council amends the existing site certificate as requested.

345-027-0060(1)(g) *An updated list of the owners of property located within or adjacent to the site of the facility, as described in OAR 345-021-0010(1)(f).*

Response: An updated list of property owners located within 500 feet of the Summit Ridge site boundary is included as Exhibit E. The list includes all known property owners within 500 feet of the project boundary as required by OAR 345-021-0010(1)(f)(C) as required for a site located within a farm or forest zone. These names are current as of one week prior to the submittal of this request.

345-027-0060(2) *In a request to amend a site certificate, the certificate holder shall provide the information described in applicable subsections of OAR 345-021-0000 and OAR 345-021-0010. The certificate holder may incorporate by reference relevant information that the certificate holder has previously submitted to the Department or that is otherwise included in the Department’s administrative record on the facility.*

Response: Other than the information presented in this Extension and Amendment Request, the information contained in the Application for Site Certificate for the Summit Ridge Wind Farm project and the information forming the basis for the Final Order approving the Site Certificate are incorporated by reference.



345-027-0060(3) *Before submitting a request to amend a site certificate, the certificate holder may prepare a draft request and may confer with the Department about the content of the request. Although the Council does not require the certificate holder to prepare a draft request and confer with the Department, the Council recommends that the certificate holder follow this procedure.*

Response: LotusWorks-Summit Ridge I, LLC did submit a draft of this document to the Oregon Department of Energy for review prior to submitting this formal request.

345-027-0060(4) *The certificate holder shall submit an original and two printed copies of the amendment request to the Department. Upon a request by the Department, the certificate holder must submit printed copies of the amendment request for members of the Council. In addition to the printed copies, the certificate holder shall submit the full amendment request in a non-copy-protected electronic format acceptable to the Department. The certificate holder shall provide additional copies of the amendment request to the Department upon request and copies or access to copies to any person requesting copies. If requested by the Department, the certificate holder shall send copies of the request to persons on a mailing list provided by the Department.*

Response: LotusWorks-Summit Ridge I, LLC submits an original and two printed copies of this Extension and Amendment Request and will provide additional copies as requested by the Department of Energy. In addition to the printed copies we are submitting the full amendment request in a non-copy protected CD.



2.2 Information Required Pursuant to OAR 345-027-0070(10)

OAR 345-027-0070 Review of a Request for Amendment

(10) In making a decision to grant or deny issuance of an amended site certificate, the Council shall apply the applicable substantive criteria, as described in OAR 345-022-0030, in effect on the date the certificate holder submitted the request for amendment and all other state statutes, administrative rules, and local government ordinances in effect on the date the Council makes its decision. The Council shall consider the following:

- (a) For an amendment that would change the site boundary or the legal description of the site, the Council shall consider, for the area added to the site by the amendment, whether the facility complies with all Council standards;*

Response: While the amendment does change the site boundary, it serves to reduce the overall size of the facility. For the remaining property all previously approved installation corridors remain unchanged.

- (b) For an amendment that extends the deadlines for beginning or completing construction, the Council shall consider:*

- (A) Whether the Council has previously granted an extension of the deadline;*

Response: EFSC has not previously granted an extension of the deadline for beginning or completing construction.

- (B) Whether there has been any change of circumstances that affects a previous Council finding that was required for issuance of a site certificate or amended site certificate; and*

Response: The proposed changes in this request do not seek to enlarge the existing site boundary; rather it seeks to reduce the overall size of the project. The reduction in the number of turbines from 87 to a maximum of 72 turbines also serves to negate any potential impact that might be caused by the increase in turbine hub height and rotor diameter being requested (See Exhibits B & C). We believe the increase in generator capacity is a non-issue.

- (C) Whether the facility complies with all Council standards, except that the Council may choose not to apply a standard if the Council finds that:*

- (i) The certificate holder has spent more than 50 percent of the budgeted costs on construction of the facility;*



(ii) The inability of the certificate holder to complete the construction of the facility by the deadline in effect before the amendment is the result of unforeseen circumstances that are outside the control of the certificate holder;

(iii) The standard, if applied, would result in an unreasonable financial burden on the certificate holder; and

(iv) The Council does not need to apply the standard to avoid a significant threat to the public health, safety or the environment;

Response: The facility complies with all EFSC standards set forth herein

(c) For any amendment not described above, the Council shall consider whether the amendment would affect any finding made by the Council in an earlier order.

Response: The amendment is captured under the response to OAR-345-027-0070(10)(b) and therefore subsection (c) does not apply.

(d) For all amendments, the Council shall consider whether the amount of the bond or letter of credit required under OAR 345-022-0050 is adequate.

Response: The amount of the bond or letter of credit was evaluated in the Final Application for Site Certificate. This amendment request does not seek to increase the existing site boundary; rather it decreases the site boundary and reduces the number of turbines. The maximum generating capacity is 5.7 MWs less than what was originally authorized. Therefore, no change in the bond amount is required at this time. This position will be re-evaluated upon finalization of the configuration of the project.



Section 3 – Information Required Pursuant to OAR 345-027-0030 for Extension of Construction Start and Completion Dates

The following serves to support our request to extend the construction start and completion dates for the Summit Ridge Wind project.

OAR 345-027-0030(1) *The certificate holder may request an amendment to extend the deadlines for beginning or completing construction of the facility that the Council has specified in a site certificate or an amended site certificate. The certificate holder shall submit a request that includes an explanation of the need for an extension and that conforms to the requirements of 345-027-0060 no later than six months before the date of the applicable deadline, or, if the certificate holder demonstrates good cause for the delay in submitting the request, no later than the applicable deadline.*

Response: LotusWorks Summit Ridge I, LLC realizes that requests for extension should have been made prior to February 19, 2014, six months prior to the expiration of the permit. Summit Ridge was permitted with the intention of serving the California market. We thought we had achieved our objective in 2010 when we were shortlisted with Pacific Gas and Electric. Those negotiations came to a sudden halt when legislation was passed in California that limited purchases of out of state energy.

We have been actively engaged in seeking PPA's with numerous entities over the course of the last three years. To strengthen the competitiveness of our offering, we teamed with TransAlta in late 2012 and submitted proposals to Portland Gas and Electric, Google and Apple. In addition exploratory meetings were held with PacifiCorp regarding their interest in our project.

In each case, these potential energy purchasers sought pricing that would not financially support the construction of Summit Ridge. When we reviewed our position in February 2014, we did not see an opportunity for that scenario to change over the course of the next two years given projected energy prices in the Pacific Northwest and our inability to secure additional interest from potential energy purchasers in California

Also entering into our decision process was the fact that there were a number of site certificate conditions that must be met prior to the start of construction. These are a significant costs given we had no obvious buyer for our energy. We also explored whether authorizing the BPA to begin the engineering and procurement work necessary to construct the needed interconnection substation would be considered as counting towards meeting the requirement of expending more than \$250,000 of construction costs. We were informed the \$9,000,000 expenditure would not count towards meeting the \$250,000 because it wasn't an on-site activity.

Given the lack of any real or even perceived opportunities, the amount of meaningful work we would have had to perform to prepare for construction and the fact that expending \$9,000,000 with the BPA would not count towards construction costs, the cost of applying for an extension and the fact that we



would be committing to making lease payments to landowners for an additional two years, we made a business decision to not pursue an extension of our permit.

The need for an extension is being driven by our receipt of an LOI on August 1st to enter into negotiation for a PPA with a California entity. In May of this year we were approached by Verde Energy about our interest in supplying energy to a California entity. Those discussions continued and we recently secured a Letter of Intent (Exhibit A) from Verde Energy LLC to enter into a Power Purchase Agreement to supply renewable energy to a California entity for a period of at least 20 years following the construction of Summit Ridge.

We are therefore requesting the Siting Council to consider our extension request as provided for in 345-027-0030, Amendment to Extend Construction Beginning and Completion Deadlines which states in part:

or, if the certificate holder demonstrates good cause for the delay in submitting the request, no later than the appropriate deadline

We strongly believe the fact that there was no apparent market for our energy in February of this year; that we have kept the Department of Energy apprised of our progress throughout our efforts to secure a LOI and the fact that we continued in our efforts to secure a PPA to the point of securing an LOI to provide renewable energy to California demonstrates good cause for the delay in our filing for an extension.

OAR 345-027-0030(2) *A request within the time allowed in section (1) to extend the deadlines for beginning or completing construction suspends those deadlines until the Council acts on the request.*

Response: LotusWorks-Summit Ridge I, LLC believes it has shown good cause for not filing this request by February 19, 2014. As such, this request is timely under OAR 345-027-0030(1) and the applicable deadlines for the construction deadlines in the Site Certificate are suspended until EFSC acts on this Extension and Amendment request.

OAR 345-027-0030(3) The Council shall review the request for amendment as described in OAR 345-027-0070.

Response: LotusWorks Summit Ridge I, LLC believes the net effect of the changes being proposed is minor. As such we request that the Siting Council not require an extended review as described under OAR 345-027-0070(2)

OAR 345-027-0030(4) *If the Council grants an amendment under this rule, the Council shall specify new deadlines for beginning or completing construction that are not more than two years from the deadlines in effect before the Council grants the amendment.*



Response: LotusWorks requests a two-year extension of the construction deadlines, specifically August 19, 2016 for starting construction and August 19, 2019 for completing construction.

Section 4 – Information Required Pursuant to OAR 345-027-0060(1)(e) and (f) for Compliance with Applicable Council Standards, Laws and Council Rules

4.1 OAR 345-022

This Section provides our detail response to OAR-345-027-0060(1)(e) and (f)

345-027-0060 (1)(e) *A list of the Council standards relevant to the proposed change*

Response: The list of EFSC standards relevant to the proposed change are in Division 22 (General Standards for Siting Facilities) and Division 24 (Specific Standards for Siting Facilities). The applicable standards are listed below. Summit Ridge is an electric generating facility using wind fueled turbine technology. As a result, certain provisions of Division 24 (e.g., standards applicable to gas plants, gas storage, non-generating facilities, etc.) are not discussed

The specific council standards relevant to the proposed change include:

- 345-022-0010 - Organizational Expertise
- 345-022-0020 - Structural Standard
- 345-022-0022 – Soil Protection
- 345-022-0030 – Land Use
- 345-022-0040 – Protected Areas
- 345-022-0050 – Retirement and Financial Assurance
- 345-022-0060 – Fish and Wildlife Habitat
- 345-022-0070 – Threatened and Endangered Species
- 345-022-0080 – Scenic Resources
- 345-022-0090 – Historic, Cultural and Archaeological Resources
- 345-022-0100 – Recreation
- 345-022-0110 – Public Services
- 345-022-0120 – Waste Minimization

345-022-0000 *General Standard of Review*

(1) To issue a site certificate for a proposed facility or to amend a site certificate, the Council shall determine that the preponderance of evidence on the record supports the following conclusions:



(a) The facility complies with the requirements of the Oregon Energy Facility Siting statutes, ORS 469.300 to ORS 469.570 and 469.590 to 469.619, and the standards adopted by the Council pursuant to ORS 469.501 or the overall public benefits of the facility outweigh the damage to the resources protected by the standards the facility does not meet as described in section (2);

(b) Except as provided in OAR 345-022-0030 for land use compliance and except for those statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council, the facility complies with all other Oregon statutes and administrative rules identified in the project order, as amended, as applicable to the issuance of a site certificate for the proposed facility. If the Council finds that applicable Oregon statutes and rules, other than those involving federally delegated programs, would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the Council cannot waive any applicable state statute.

Response: In approving the Site Certificate for Summit Ridge, EFSC previously found that Summit Ridge complies with the requirements of its standards. The changes we are proposing are positive in nature and only serve to increase the suitability of the project for its intended application and purpose. EFSC may rely on its previous findings and determine that Summit Ridge, as amended, satisfies OAR 345-022-000(1)

345-22-10 Organizational Expertise

(1) To issue a site certificate, the Council must find that the applicant has the organizational expertise to construct, operate and retire the proposed facility in compliance with Council standards and conditions of the site certificate. To conclude that the applicant has this expertise, the Council must find that the applicant has demonstrated the ability to design, construct and operate the proposed facility in compliance with site certificate conditions and in a manner that protects public health and safety and has demonstrated the ability to restore the site to a useful, non-hazardous condition. The Council may consider the applicant's experience, the applicant's access to technical expertise and the applicant's past performance in constructing, operating and retiring other facilities, including but not limited to, the number and severity of regulatory citations issued to the applicant.

(2) The Council may base its findings under section (1) on a rebuttable presumption that an applicant has organizational, managerial and technical expertise, the applicant has an ISO 9000 or ISO 1400 certified program and proposes to design, construct and operate the facility according to that program.

(3) If the applicant does not itself obtain a state or local government permit or approval for which the Council would ordinarily determine compliance but instead relies on a permit or approval issued to a third party, the Council, to issue a site certificate, must find that the third party has, or has reasonable likelihood of obtaining, the necessary permit or approval, and that the applicant has, or has a reasonable likelihood of entering into, a contractual or other arrangement with the third party for access to the resource or service secured by that permit or approval.

(4) If the applicant relies on a permit or approval issued to a third party and the third party does not have the necessary permit or approval at the time the Council issues the site certificate, the Council



Response:

A. Certificate Holder's Expertise

EFSC previously found that Summit Ridge complied with the General Standards of Review. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have also been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC is capable.

B. Third Party Permits

EFSC previously found that third parties either have the necessary permits or have a reasonable likelihood of obtaining the necessary permits. This proposed amendment does not affect the previous finding.

345-022-0020 Structural Standard

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that:

(a) The applicant, through appropriate site-specific study, has adequately characterized the site as to the Maximum Considered Earthquake Ground Motion as shown for the site in the 2009 International Building Code and maximum probable ground motion, taking into account ground failure and amplification for the site specific soil profile under the maximum credible and maximum probable seismic events; and

(b) The applicant can design, engineer, and construct the facility to avoid dangers to human safety presented by seismic hazards affecting the site that are expected to result from maximum probable ground motion events. As used in this rule "seismic hazard" includes ground shaking, ground failure, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement, and subsidence;

(c) The applicant, through appropriate site-specific study, has adequately characterized the potential geological and soils hazards of the site and its vicinity that could, in the absence of a seismic event, adversely affect, or be aggravated by, the construction and operation of the proposed facility; and

(d) The applicant can design, engineer and construct the facility to avoid dangers to human safety presented by the hazards identified in subsection (c).

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.



Response: EFSC previously found that Summit Ridge complied with the Structural Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have also been reviewed with Wasco County prior to submittal of this request and found acceptable. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Structural Standard.

(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: This rule is not applicable to Summit Ridge

345-022-0022 Soil Protection

To issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to soils including, but not limited to, erosion and chemical factors such as salt deposition from cooling towers, land application of liquid effluent, and chemical spills.

Response: EFSC previously found that Summit Ridge complied with the Soil Protection Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Soil Protection Standard.

345-022-0030 Land Use

(1) To issue a site certificate, the Council must find that the proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission.

(2) The Council shall find that a proposed facility complies with section (1) if:

(a) The applicant elects to obtain local land use approvals under ORS 469.504(1)(a) and the Council finds that the facility has received local land use approval under the acknowledged comprehensive plan and land use regulations of the affected local government; or

(b) The applicant elects to obtain a Council determination under ORS 469.504(1)(b) and the Council determines that:

(A) The proposed facility complies with applicable substantive criteria as described in section (3) and the facility complies with any Land Conservation and Development Commission administrative rules and goals and any land use statutes directly applicable to the facility under ORS 197.646(3);



(B) For a proposed facility that does not comply with one or more of the applicable substantive criteria as described in section (3), the facility otherwise complies with the statewide planning goals or an exception to any applicable statewide planning goal is justified under section (4); or

(C) For a proposed facility that the Council decides, under sections (3) or (6), to evaluate against the statewide planning goals, the proposed facility complies with the applicable statewide planning goals or that an exception to any applicable statewide planning goal is justified under section (4).

(3) As used in this rule, the “applicable substantive criteria” are criteria from the affected local government’s acknowledged comprehensive plan and land use ordinances that are required by the statewide planning goals and that are in effect on the date the applicant submits the application. If the special advisory group recommends applicable substantive criteria, as described under OAR 345-021-0050, the Council shall apply them. If the special advisory group does not recommend applicable substantive criteria, the Council shall decide either to make its own determination of the applicable substantive criteria and apply them or to evaluate the proposed facility against the statewide planning goals.

(4) The Council may find goal compliance for a proposed facility that does not otherwise comply with one or more statewide planning goals by taking an exception to the applicable goal. Notwithstanding the requirements of ORS 197.732, the statewide planning goal pertaining to the exception process or any rules of the Land Conservation and Development Commission pertaining to the exception process, the Council may take an exception to a goal if the Council finds:

(a) The land subject to the exception is physically developed to the extent that the land is no longer available for uses allowed by the applicable goal;

(b) The land subject to the exception is irrevocably committed as described by the rules of the Land Conservation and Development Commission to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or

(c) The following standards are met:

(A) Reasons justify why the state policy embodied in the applicable goal should not apply;

(B) The significant environmental, economic, social and energy consequences anticipated as a result of the proposed facility have been identified and adverse impacts will be mitigated in accordance with rules of the Council applicable to the siting of the proposed facility; and

(C) The proposed facility is compatible with other adjacent uses or will be made compatible through measures designed to reduce adverse impacts.



(5) If the Council finds that applicable substantive local criteria and applicable statutes and state administrative rules would impose conflicting requirements, the Council shall resolve the conflict consistent with the public interest. In resolving the conflict, the Council cannot waive any applicable state statute.

(6) If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(10)(a)(C) to (E) or for a related or supporting facility that does not pass through more than one local government jurisdiction or more than three zones in any one jurisdiction, the Council shall apply the criteria recommended by the special advisory group. If the special advisory group recommends applicable substantive criteria for an energy facility described in ORS 469.300(10)(a)(C) to (E) or a related or supporting facility that passes through more than one jurisdiction or more than three zones in any one jurisdiction, the Council shall review the recommended criteria and decide whether to evaluate the proposed facility against the applicable substantive criteria recommended by the special advisory group, against the statewide planning goals or against a combination of the applicable substantive criteria and statewide planning goals. In making the decision, the Council shall consult with the special advisory group, and shall consider:

(a) The number of jurisdictions and zones in question;

(b) The degree to which the applicable substantive criteria reflect local government consideration of energy facilities in the planning process; and

(c) The level of consistence of the applicable substantive criteria from the various zones and jurisdictions.

Response: EFSC previously found that Summit Ridge complied with the Land Use Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. The proposed changes are shown in Exhibit C Figure C-2-Sheet 4 and Figure C-2 Sheet 6. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Land Use Standard.

345-022-0040 Protected Areas

(1) Except as provided in sections (2) and (3), the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. References in this rule to protected areas designated under federal or state statutes or regulations are to the designations in effect as of May 11, 2007:

(a) National parks, including but not limited to Crater Lake National Park and Fort Clatsop National Memorial;



(b) National monuments, including but not limited to John Day Fossil Bed National Monument, Newberry National Volcanic Monument and Oregon Caves National Monument;

(c) Wilderness areas established pursuant to The Wilderness Act, 16 U.S.C. 1131 et seq. and areas recommended for designation as wilderness areas pursuant to 43 U.S.C. 1782;

(d) National and state wildlife refuges, including but not limited to Ankeny, Bandon Marsh, Baskett Slough, Bear Valley, Cape Meares, Cold Springs, Deer Flat, Hart Mountain, Julia Butler Hansen, Klamath Forest, Lewis and Clark, Lower Klamath, Malheur, McKay Creek, Oregon Islands, Sheldon, Three Arch Rocks, Umatilla, Upper Klamath, and William L. Finley;

(e) National coordination areas, including but not limited to Government Island, Ochoco and Summer Lake;

(f) National and state fish hatcheries, including but not limited to Eagle Creek and Warm Springs;

(g) National recreation and scenic areas, including but not limited to Oregon Dunes National Recreation Area, Hell's Canyon National Recreation Area, and the Oregon Cascades Recreation Area, and Columbia River Gorge National Scenic Area;

(h) State parks and waysides as listed by the Oregon Department of Parks and Recreation and the Willamette River Greenway;

(i) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;

(j) State estuarine sanctuaries, including but not limited to South Slough Estuarine Sanctuary, OAR Chapter 142;

(k) Scenic waterways designated pursuant to ORS 390.826, wild or scenic rivers designated pursuant to 16 U.S.C. 1271 et seq., and those waterways and rivers listed as potentials for designation;

(L) Experimental areas established by the Rangeland Resources Program, College of Agriculture, Oregon State University: the Prineville site, the Burns (Squaw Butte) site, the Starkey site and the Union site;

(m) Agricultural experimental stations established by the College of Agriculture, Oregon State University, including but not limited to:

*Coastal Oregon Marine Experiment Station, Astoria
Mid-Columbia Agriculture Research and Extension Center, Hood River
Agriculture Research and Extension Center, Hermiston
Columbia Basin Agriculture Research Center, Pendleton
Columbia Basin Agriculture Research Center, Moro*



*North Willamette Research and Extension Center, Aurora
East Oregon Agriculture Research Center, Union
Malheur Experiment Station, Ontario
Eastern Oregon Agriculture Research Center, Burns
Eastern Oregon Agriculture Research Center, Squaw Butte
Central Oregon Experiment Station, Madras
Central Oregon Experiment Station, Powell Butte
Central Oregon Experiment Station, Redmond
Central Station, Corvallis
Coastal Oregon Marine Experiment Station, Newport*

(n) Research forests established by the College of Forestry, Oregon State University, including but not limited to McDonald Forest, Paul M. Dunn Forest, the Blodgett Tract in Columbia County, the Spaulding Tract in the Mary's Peak area and the Marchel Tract;

(o) Bureau of Land Management areas of critical environmental concern, outstanding natural areas and research natural areas;

(p) State wildlife areas and management areas identified in OAR chapter 635, Division 8

(2) Notwithstanding section (1), the Council may issue a site certificate for a transmission line or a natural gas pipeline or for a facility located outside a protected area that includes a transmission line or natural gas or water pipeline as a related or supporting facility located in a protected area identified in section (1), if other alternative routes or sites have been studied and determined by the Council to have greater impacts. Notwithstanding section (1), the Council may issue a site certificate for surface facilities related to an underground gas storage reservoir that have pipelines and injection, withdrawal or monitoring wells and individual wellhead equipment and pumps located in a protected area, if other alternative routes or sites have been studied and determined by the Council to be unsuitable.

(3) The provisions of section (1) do not apply to transmission lines or natural gas pipelines routed within 500 feet of an existing utility right-of-way containing at least one transmission line with a voltage rating of 115 kilovolts or higher or containing at least one natural gas pipeline of 8 inches or greater diameter that is operated at a pressure of 125 psig.

Response: EFSC previously found that Summit Ridge complied with the Protected Area Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Protected Area Standard.

In anticipation of the amendment submittal, David Evans and Associates, Inc (DEA), who prepared the analysis submitted in Summit Ridge's 2010 Application was hired to perform a comparison of the 2010



analysis to the potential turbine array being proposed by this amendment request. Specifically DEA compared the two worst case scenarios of the amendment request to the 2010 analysis. The results of their analysis can be found in Exhibit C. DEA's conclusion: "Implementation of Alternative A or B would result in less visibility of turbines from Protected Areas than the 2010 layout, most notably along the Deschutes River Canyon. There is not a significant difference in visibility between Alternative A and Alternative B."

345-022-0050 Retirement and Financial Assurance

To issue a site certificate, the Council must find that:

(1) The site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility.

(2) The applicant has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition.

Response: EFSC previously found that Summit Ridge complied with the Retirement and Financial Assurance Standard. No changes have been made that would warrant reconsideration of the prior finding. The number of turbines and the size of Site Boundary have been reduced. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Retirement and Financial Use Standard.

345-022-0060 Fish and Wildlife Habitat

To issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are consistent with the fish and wildlife habitat mitigation goals and standards of OAR 635-415-0025 in effect as of September 1, 2000.

Response: : EFSC previously found that Summit Ridge complied with the Fish and Wildlife Habitat Standard. No changes have been made that would warrant reconsideration of the prior finding. The overall number of turbines and the size of Site Boundary have been reduced. These changes according to Northwest Wildlife Consultants, Inc. (Exhibit B) are "also likely to result in a reduction in habitat fragmentation, displacement, and other potential indirect impacts to wildlife." It is for these reasons we believe EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Fish and Wildlife Habitat Standard.

345-022-0070 Threatened and Endangered Species

To issue a site certificate, the Council, after consultation with appropriate state agencies, must find that:

(1) For plant species that the Oregon Department of Agriculture has listed as threatened or endangered under ORS 564.105(2), the design, construction and operation of the proposed facility, taking into account mitigation:



(a) Are consistent with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3); or

(b) If the Oregon Department of Agriculture has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(2) For wildlife species that the Oregon Fish and Wildlife Commission has listed as threatened or endangered under ORS 496.172(2), the design, construction and operation of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

Response: EFSC previously found that Summit Ridge complied with the Threatened and Endangered Species. No changes have been made that would warrant reconsideration of the prior finding. The overall number of turbines and the size of Site Boundary have been reduced. These changes according to Northwest Wildlife Consultants, Inc. (Exhibit B) are “expected to entail a decreased risk to golden eagles relative to the project as currently permitted.” It is for these reasons we believe EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Threatened and Endangered Species Standard.

345-022-0080 Scenic Resources

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans, tribal land management plans and federal land management plans for any lands located within the analysis area described in the project order.

(2) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: EFSC previously found that Summit Ridge complied with the Scenic Resources Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Scenic Resources Standard.

In anticipation of the amendment submittal, David Evans and Associates, Inc (DEA), who prepared the analysis submitted in Summit Ridge’s 2010 Application was hired to perform a comparison of the 2010 analysis to the potential turbine array being proposed by this amendment request. Specifically DEA compared the two worst case scenarios of the amendment request to the 2010 analysis. The results of their analysis can be found in Exhibit C. DEA’s conclusion: “Implementation of Alternative A or B would result in less visibility of turbines from Scenic and Aesthetic Values than the 2010 layout, most notably

along the Deschutes River Canyon and White River Canyon. There is not a significant difference in visibility between Alternative A and Alternative B.”

345-022-0090 Historic, Cultural and Archaeological Resources

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to:

(a) Historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places;

(b) For a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in ORS 358.905(1)(c); and

(c) For a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: EFSC previously found that Summit Ridge complied with the Cultural and Archaeological Resources Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Cultural and Archaeological Resources Standard.

345-022-0100 Recreation

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of a facility, taking into account mitigation, are not likely to result in a significant adverse impact to important recreational opportunities in the analysis area as described in the project order. The Council shall consider the following factors in judging the importance of a recreational opportunity:

(a) Any special designation or management of the location;

(b) The degree of demand;

(c) Outstanding or unusual qualities;



(d) Availability or rareness;

(e) Irreplaceability or irretrievability of the opportunity.

Response: EFSC previously found that Summit Ridge complied with the Protected Area Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Protected Area Standard.

In anticipation of the amendment submittal, David Evans and Associates, Inc (DEA), who prepared the analysis submitted in Summit Ridge's 2010 Application was hired to perform a comparison of the 2010 analysis to the potential turbine array being proposed by this amendment request. Specifically DEA compared the two worst case scenarios of the amendment request to the 2010 analysis. The results of their analysis can be found in Exhibit C. DEA's conclusion: "Implementation of Alternative A or B would result in less turbine visibility in the Deschutes River Corridor than the 2010 layout and about the same visibility along the Wasco County Scenic Highway. There is not a significant difference in visibility between Alternative A and B."

345-022-0110 Public Services

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to the ability of public and private providers within the analysis area described in the project order to provide: sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools.

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: EFSC previously found that Summit Ridge complied with the Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Please find letters in Exhibit D of continued support from the Waco County Sheriff, The Dalles Water Department and the City of Dufur's Fire and EMS teams. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Cultural and Archaeological Resources Standard.



345-022-0120 Waste Minimization

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that, to the extent reasonably practicable:

(a) The applicant's solid waste and wastewater plans are likely to minimize generation of solid waste and wastewater in the construction and operation of the facility, and when solid waste or wastewater is generated, to result in recycling and reuse of such wastes;

(b) The applicant's plans to manage the accumulation, storage, disposal and transportation of waste generated by the construction and operation of the facility are likely to result in minimal adverse impact on surrounding and adjacent areas.

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

(3) The Council may issue a site certificate for a special criteria facility under OAR 345-015-0310 without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: EFSC previously found that Summit Ridge complied with the Waste Minimization Standard. No changes have been made that would warrant reconsideration of the prior finding. The proposed changes have been reviewed with Wasco County and found acceptable prior to submittal to the Council. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Waste Minimization Standard.

4.2 OAR 345-024

This Section provides our detail response to following OAR 345-024 standards

- OAR 345-024-0010 Public Health and Safety Standards for Wind Energy Facilities
- OAR 345-024-0015 Siting Standards for Wind Energy Facilities
- OAR 345-024-0090 Transmission Lines

345-024-0010 Public Health and Safety Standards for Wind Energy Facilities

To issue a site certificate for a proposed wind energy facility, the Council must find that the applicant:

(1) Can design, construct and operate the facility to exclude members of the public from close proximity to the turbine blades and electrical equipment.



(2) Can design, construct and operate the facility to preclude structural failure of the tower or blades that could endanger the public safety and to have adequate safety devices and testing procedures designed to warn of impending failure and to minimize the consequences of such failure.

Response: EFSC previously found that Summit Ridge complied with the Public Health and safety Standards for Wind Energy Facilities. No changes have been made that would warrant reconsideration of the prior finding. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Public Health and Safety Standards for Wind energy Facilities.

345-024-0015 Cumulative Effects Standard for Wind Energy Facilities

To issue a site certificate for a proposed wind energy facility, the Council must find that the applicant can design and construct the facility to reduce cumulative adverse environmental effects in the vicinity by practicable measures including, but not limited to, the following:

(1) Using existing roads to provide access to the facility site, or if new roads are needed, minimizing the amount of land used for new roads and locating them to reduce adverse environmental impacts.

(2) Using underground transmission lines and combining transmission routes.

(3) Connecting the facility to existing substations, or if new substations are needed, minimizing the number of new substations.

(4) Designing the facility to reduce the risk of injury to raptors or other vulnerable wildlife in areas near turbines or electrical equipment.

(5) Designing the components of the facility to minimize adverse visual features.

(6) Using the minimum lighting necessary for safety and security purposes and using techniques to prevent casting glare from the site, except as otherwise required by the Federal Aviation Administration or the Oregon Department of Aviation.

Response: EFSC previously found that Summit Ridge complied with the Cumulative Effects Standard for Wind Energy Facilities. No changes have been made that would warrant reconsideration of the prior finding. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Cumulative Effects Standard for Wind Energy Facilities.

345-024-0090 Siting Standards for Transmission Lines

To issue a site certificate for a facility that includes any transmission line under Council jurisdiction, the Council must find that the applicant:



(1) Can design, construct and operate the proposed transmission line so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public;

(2) Can design, construct and operate the proposed transmission line so that induced currents resulting from the transmission line and related or supporting facilities will be as low as reasonably achievable.

Response: EFSC previously found that Summit Ridge complied with the Siting Standards for Transmission Lines. No changes have been made that would warrant reconsideration of the prior finding. Therefore EFSC should find LotusWorks-Summit Ridge I, LLC I in compliance with the Siting Standard for Transmission Lines.

345-027-0060(1)(f) *An analysis of whether the facility, with the proposed change, would comply with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances if the Council amends the site certificate as requested. For the purpose of this rule, a law, rule or ordinance is "applicable" if the Council would apply or consider the law, rule or ordinance under OAR 345-027-0070(10).*

Response: As described in the aforementioned responses, LotusWorks-Summit Ridge I, LLC has analyzed and demonstrated that the Summit Ridge wind farm, as amended, would comply with all applicable requirements outlined in OAR 345-027-0060(1)(f).



EXHIBIT A

Letter of Intent from Verde Energy, LLC

Verde Energy, LLC

John Steiner
Manager
jsteiner@rtci.net

24597 Collett Rd
Oreana, ID 83650
(208) 869-7300

August 11, 2014

Mr. Steven A. Ostrowski, Jr.
LotusWorks-Summit Ridge I, LLC
9611 NE 117th Ave
Suite 2840
Vancouver, WA 98662

Subject: Letter of Intent to Enter into a Power Purchase Agreement

Reference: Summit Ridge I, Wind Farm – Wasco County, Oregon

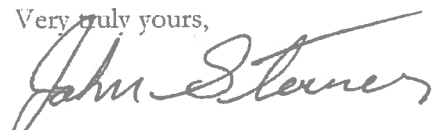
Dear Mr. Ostrowski,

Verde Energy LLC has received official notice we are to receive a Letter of Intent (LOI) from a California entity, which currently wishes to remain anonymous, expressing their intent to enter into a Power Purchase Agreement (PPA) for the energy produced by your Summit Ridge Wind Farm. We anticipate receipt of the formal LOI from this entity on or before August 15th. The LOI is based on this entity purchasing all of Summit Ridge's energy production for a minimum term of twenty (20) years. Please consider this document as our Letter of Intent to LotusWorks-Summit Ridge I, LLC identifying our intent to assign our Power Purchase Agreement with this California entity to LotusWorks Summit Ridge I, LLC.

Upon receipt of the LOI, Verde Energy, LLC and LotusWorks Summit Ridge I, LLC will jointly conclude negotiating the terms and conditions of the PPA with the entity. We anticipate approval of the PPA within six months of receipt of the Letter of Intent.

While the negotiations with the entity are ongoing, we will finalize negotiations with you that will assign the PPA to your firm. Upon the mutually acceptable conclusion of all negotiations, the PPA and all of its responsibilities and benefits will become the sole property of LotusWorks-Summit Ridge I, LLC.

Very truly yours,



John Steiner



EXHIBIT B

Northwest Wildlife Memorandum on Effect of Requested Changes on Fish and Wildlife Habitat and Endangered Species



Northwest
Wildlife
Consultants, Inc.

MEMORANDUM

Date: August 8, 2014

To: Steven Ostrowski, LotusWorks
Eric Desmarais, ODOE

From: Rick Gerhardt, Wildlife Biologist, Northwest Wildlife Consultants, Inc.

Subject: Summit Ridge Wind Power Farm—Assessment of Impacts to Wildlife of Proposed Turbine Change

LotusWorks is proposing to install different turbines at their Summit Ridge Wind Power Farm than those currently provided for in the Summit Ridge Site Certificate (EFSC, 2011). The turbines now proposed may be up to 2.7 megawatts, with rotors up to 122 meters long, and with towers up to 91 m tall. These changes will allow LotusWorks to decrease the total number of turbines—from 87 to 75 or 72. Northwest Wildlife Consultants, Inc. (NWC) was contacted by LotusWorks to comment on the potential impacts to wildlife of this increase in generator, rotor, and tower size. This memorandum represents those comments.

Intuitively, slight increases in tower height and rotor diameter—and thus in the area swept by rotors—involves a slight increase in the potential for collision by birds or bats at a particular turbine. Attempts to directly test this assumption (using turbines of different sizes in a single fatality monitoring study, e.g., Gritski et al., 2010) have yielded sample sizes too small to allow for any statistically-significant conclusions. Likewise, an *a posteriori* comparison by NWC of avian and bat fatality rates at various Columbia Plateau wind energy facilities found no patterns or correlations that suggest confirmation of the intuition that an increase in rotor-swept area is associated with an increase in fatalities.

More importantly, however, the decrease in the overall number of turbines (that this increase in rotor diameter allows) is expected to yield a significant decrease both in overall collision potential and in habitat loss and associated impacts to wildlife, such as habitat fragmentation, displacement, etc. This reduction in number of turbines will allow LotusWorks to eliminate turbines originally sited in habitats deemed more valuable to wildlife (Category 3 habitats including Revegetated Grassland, Native Perennial Grassland, and Rabbitbrush/Buckwheat Shrub-steppe).

No state or federal threatened or endangered wildlife species were encountered during surveys of the proposed project. There is, however, national and regional concern by the United States Fish and Wildlife Service (USFWS) regarding the potential of wind energy facilities to present a risk to golden eagles. With this in mind, LotusWorks contracted NWC to perform golden eagle nest surveys and monitoring (Gerhardt et al., 2010) and to conduct telemetry studies of a resident adult male from the active territory nearest the project (Gerhardt, 2014) and a young eagle from the next nearest territory (Gerhardt, 2012). Although both of these birds exhibited very little use of the project area as originally proposed and permitted, the proposed turbine changes will allow the elimination of those turbines nearest these golden eagle territories and in the areas where telemetry studies indicated use by these birds. The proposed turbine change is thus expected to entail a decreased risk to golden eagles relative to the project as currently permitted.

The proposed change to a smaller number of turbines—albeit with larger rotor diameters—is expected to result in a net benefit to wildlife and their habitats. It is anticipated that this change will result in fewer birds and bats colliding with turbines at this project. In addition, it will result in less temporary habitat disturbance and permanent habitat loss, particularly in higher quality habitats and in portions of the originally-permitted project that are closer to sensitive areas (including golden eagle territories and areas of documented use by golden eagles). The proposed change is also likely to result in a reduction in habitat fragmentation, displacement, and other potential indirect impacts to wildlife.

References

- Energy Facility Siting Council (EFSC) of the State of Oregon. 2011. Site Certificate for the Summit Ridge Wind Farm. Available at:
http://www.oregon.gov/energy/Siting/docs/SRW/SRW_SC_081911.pdf
- Gerhardt, R. 2012. Summit Ridge Wind Power Project—Summary of Results of Telemetry of Juvenile Golden Eagle at Oakbrook Territory June 15, 2011–Apr. 2, 2012. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Inc., Pendleton, Oregon.
- Gerhardt, R. 2014. Summit Ridge Wind Power Project—Summary of Results of Telemetry of Adult Golden Eagle at Beavertail Territory Feb. 9, 2011–Feb. 8, 2014. Prepared by Northwest Wildlife Consultants, Inc., Pendleton, Oregon.
- Gerhardt, R., R. Gritski, and B. Anderson. 2010. Ecological baseline studies and impact assessment for the Summit Ridge Wind Power Project, Wasco County, Oregon, consolidated report. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Inc., Pendleton, Oregon.
- Gritski, B., S. Downes, and K. Kronner. 2010. Klondike III (Phase 1) Wind Power Project wildlife fatality monitoring study, October 2007–October 2009. Prepared for Iberdrola Renewables, Portland, Oregon. Prepared by Northwest Wildlife Consultants, Inc., Pendleton, Oregon.



Exhibit C
David Evans Report on the Effect of Requested Turbine
Changes on Scenic Resources



DAVID EVANS
AND ASSOCIATES INC.

MEMORANDUM

DATE: August 12, 2014
TO: Steve Ostrowski
LotusWorks
Eric Desmarais
Oregon Department of Energy
FROM: Sean P. Sullivan, LA
SUBJECT: Summit Ridge Wind Farm-Evaluation of Visual Changes
PROJECT: LOTW0000-0003
COPIES: File

INTRODUCTION AND INTENT

LotusWorks is considering several different turbine components and layouts from what is currently authorized by the Oregon Department of Energy's Site Certificate for the Summit Ridge Wind Farm in Wasco County, Oregon. This document serves to analyze the impact of two options that represent the most significant physical change over what is approved in the current Site Certificate. Alternative A would feature 72 turbines with 80m hubs and 113m diameter rotors. Alternative B would feature 72 turbines with 91m hubs and 122m diameter rotors. The current Site Certificate authorizes 87 turbines with 80m hubs and 104m diameter rotors (herein "2010 layout"). Both of the alternatives propose fewer, but larger turbines.

In order to evaluate the potential changes in visual impacts to Protected Areas (Exhibit L), Scenic and Aesthetic Values (Exhibit R), and Recreational Opportunities (Exhibit T), David Evans and Associates, Inc. (DEA) performed visual analyses replicating what was prepared for the authorized turbine configuration for each of the two alternatives. The resulting analyses have been compared against the original results to determine the relative amount of change in visual impact to the resources identified in Exhibits L, R, and T. A discussion of the changes in turbine visibility comparing each alternative with the 2010 layout follows. Figures and visual simulations are attached.

SUMMARY OF CHANGES PROPOSED UNDER THE TWO ALTERNATIVES

The 15 southernmost turbines are proposed for elimination from the project. The Site Boundary has been adjusted accordingly. Figure C-2, Sheets 4 and 6 (attached) have been updated to reflect these changes; areas proposed for elimination are identified with hatching.

Alternative A features 72 turbines with 80m hubs and 113m diameter rotors. Alternative B features 72 turbines with 91m hubs and 122m diameter rotors. The layout (i.e., the horizontal location) of the 72 remaining turbines is identical for both alternatives and matches the 2010 layout without the 15 eliminated turbines.

METHODS USED FOR THIS MEMORANDUM

A visibility analysis was performed for each of the alternatives using Geographic Information Systems (GIS) and U.S. Geological Survey (USGS) digital elevation models (DEM), following the same methodology described in Exhibit R in the original Application for Site Certificate (ASC). The analyses incorporated the new turbine layout and specifications (i.e., component dimensions) for both alternatives. The results of these analyses are shown on Figures 1 and 2 for Protected Areas and Figures 5 and 6 for Scenic and Aesthetic Values. Analyses were not performed for Recreational Opportunities (i.e., Exhibit T) because as with the ASC, the resources discussed in Exhibit T are also evaluated in Exhibits L and R.

To clearly illustrate the net changes in visibility patterns under the two alternatives against the 2010 layout, comparative analyses were performed to determine where turbines would be newly visible and where turbines would no longer be visible in the landscape. The results of these analyses are mapped on Figures 3 and 4 for Protected Areas and Figures 7 and 8 for Scenic and Aesthetic Values. In these figures, blue shading illustrates areas where any portion of any turbine(s) would be visible in the 2010 layout, but no longer visible in the alternative (i.e., a decrease in visibility). Red shading illustrates areas where any portion of any turbine(s) would be visible in the alternative, but was not visible in the 2010 layout (i.e., an increase in visibility).

In addition, new visual simulations incorporating the turbine dimensions for both alternatives were prepared for each viewpoint location provided in the original ASC. The simulations provide a qualitative comparison of what could be seen from a given point in the landscape. The new simulations, shown alongside the original simulations, are illustrated for each alternative in Figures 9 through 18. It should be noted that changes in software, turbine digital models, digital elevation model resolution, and available aerial imagery affect the simulations. In other words, it was not possible to perfectly replicate the previous simulations. Efforts were made to match the perspectives as closely as possible with the available information.

Field studies were not conducted to verify the modeling results. As with the original analyses, the models do not account for vegetation, which would likely screen views of the project from the forested and riparian habitats present in the analysis area.

FINDINGS AND CONCLUSIONS

The results of the analyses are summarized below for resources studied in Exhibits L, R, and T. Overall, both alternatives result in a net reduction in turbine visibility to the resources identified these exhibits, most notably in the Deschutes River Canyon and White River Canyon. Generally, results for both alternatives are very similar, although Alternative B would be slightly more visible than Alternative A given Alternative B's larger turbines. Still, both alternatives would be less visible than the authorized 2010 layout.

Exhibit L – Protected Areas

Figures 3 and 4 illustrate the change in visibility for Protected Areas for Alternatives A and B, respectively.

For both alternatives, significant reduction in turbine visibility would occur along the Deschutes Federal Wild and Scenic River and Deschutes State Scenic Waterway, although a slight increase would occur along the slopes and rims of the lower canyon. Results indicate that the project would no longer be visible from the White River Federal Wild and Scenic River, and reductions in visibility would occur in the White River Wildlife Area and the Badger Creek Wilderness Area.

Results suggest that slight increases in visibility may occur at Doug's Beach State park (14.8 miles distant), Lower Klickitat Federal Wild and Scenic River (18.3 miles distant), and Botanical/Scenic Areas Within Columbia River Gorge ACEC (15.8 miles distant). Given the viewing distances, changes in impacts would be negligible, if any.

Results for the remaining Protected Areas, including the Wasco County Scenic Highway, suggest that changes, if any, would be slight with both increases and decreases in turbine visibility depending on the viewer's location, and generally occur in locations that are not readily accessible to the public.

Implementation of Alternative A or B would result in less visibility of turbines from Protected Areas than the 2010 layout, most notably along the Deschutes River Canyon. There is not a significant difference in turbine visibility between Alternative A and Alternative B.

Exhibit R – Scenic and Aesthetic Values

Figures 7 and 8 illustrate the change in visibility for Protected Areas for Alternatives A and B, respectively.

A significant reduction in turbine visibility would occur in the Lower Deschutes River Canyon, particularly in the southern portion of the analysis area. Taller turbines for both Alternatives A and B would yield slight increases in visibility along the northern portion of the analysis area. A significant reduction in turbine visibility would also occur in the White River Canyon (i.e., Bureau of Land Management (BLM) Area of High Visual Quality).

The results indicate a modest reduction in visibility from the Mt. Hood National Forest, but these results are likely a false positive due to prolific forest habitat within this resource (i.e., the existing vegetation already screens views of the project, so any further reductions wouldn't be noticed).

Turbine visibility from the Columbia River Gorge National Scenic Area (CRGNSA), John Day River Canyon, Oregon Trail National Historic Trail High-Potential Sites, Journey Through Time Scenic Byway, Wasco County Resources, and Sherman County Resources would remain about the same, although there would be a slight increase in visibility from the CRGNSA in areas that are not readily accessible to the public. It should be noted that the project would not be visible from the John Day River and only visible at distances of over 18 miles from very limited portions of the river's upper rims. Nor would the project be visible from the Oregon Trail sites or impact Wasco County and Sherman County Resources.

Implementation of Alternative A or B would result in less visibility of turbines from Scenic and Aesthetic Values than the 2010 layout, most notably along the Deschutes River Canyon and White River Canyon. There is not a significant difference in visibility between Alternative A and Alternative B.

Exhibit T – Recreational Opportunities

Figures for Exhibit T were not prepared because the resources identified in Exhibit T are covered by Exhibits L and R. Important recreational opportunities include: Deschutes River Corridor; Mack's Canyon Archaeological and Recreational Site; Lower Deschutes Back Country Byway; and Wasco County Scenic Highway Segment. The Mack's Canyon Site and Lower Deschutes Back Country Byway occur within the Deschutes River Corridor and are addressed in discussions above for Exhibits L and R. The Wasco County Scenic Highway Segment is discussed above in Exhibit L.

Steve Ostrowski
Eric Desmarais
August 12, 2014
Page 4

Alternative A and B would results in less turbine visibility in the Deschutes River Corridor than the 2010 layout and about the same visibility along the Wasco County Scenic Highway. There is not a significant difference in visibility between Alternatives A and B.











Conclusions

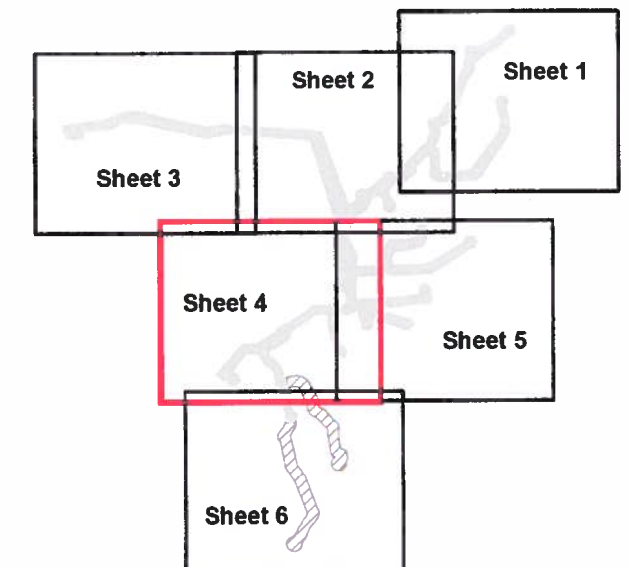
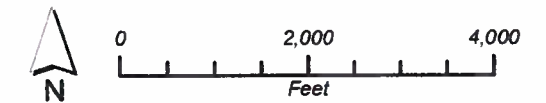
Based on these findings, potential visibility of turbines proposed in Alternatives A and B seen from identified Protected Areas, Scenic and Aesthetic Values, and Recreational Opportunities would be reduced compared to the authorized 2010 layout. There is not a significant difference in turbine visibility between Alternatives A and B. Therefore, it would be reasonable for Oregon Department of Energy (ODOE) to accept the changes in turbine layout proposed by LotusWorks without requiring additional analysis of resources studied under Exhibits L, R, and T.

Attachments/Enclosures:
Figures C-2, Sheets 4 and 6
Figures 1 through 18

Figure C-2 Project Layout Sheet 4

Legend

-  Site Boundary (2014)
-  Site Boundary (2009) - Eliminated Area
-  Existing Roads to be Improved
-  Proposed Access Roads
-  Bonneville 230 KV Line
-  Proposed Substation
-  Proposed Batch Plant Location
-  Proposed Laydown Areas
-  Proposed Met Tower Locations
-  Proposed Turbine Locations



Data Sources:
LotusWorks, 2009, 2014
Pioneer Surveying and Engineering, Inc., 2009
USGS 30x60 Quadrangles: (Oregon) Condon,
Goldendale, Hood River, and Mt. Hood

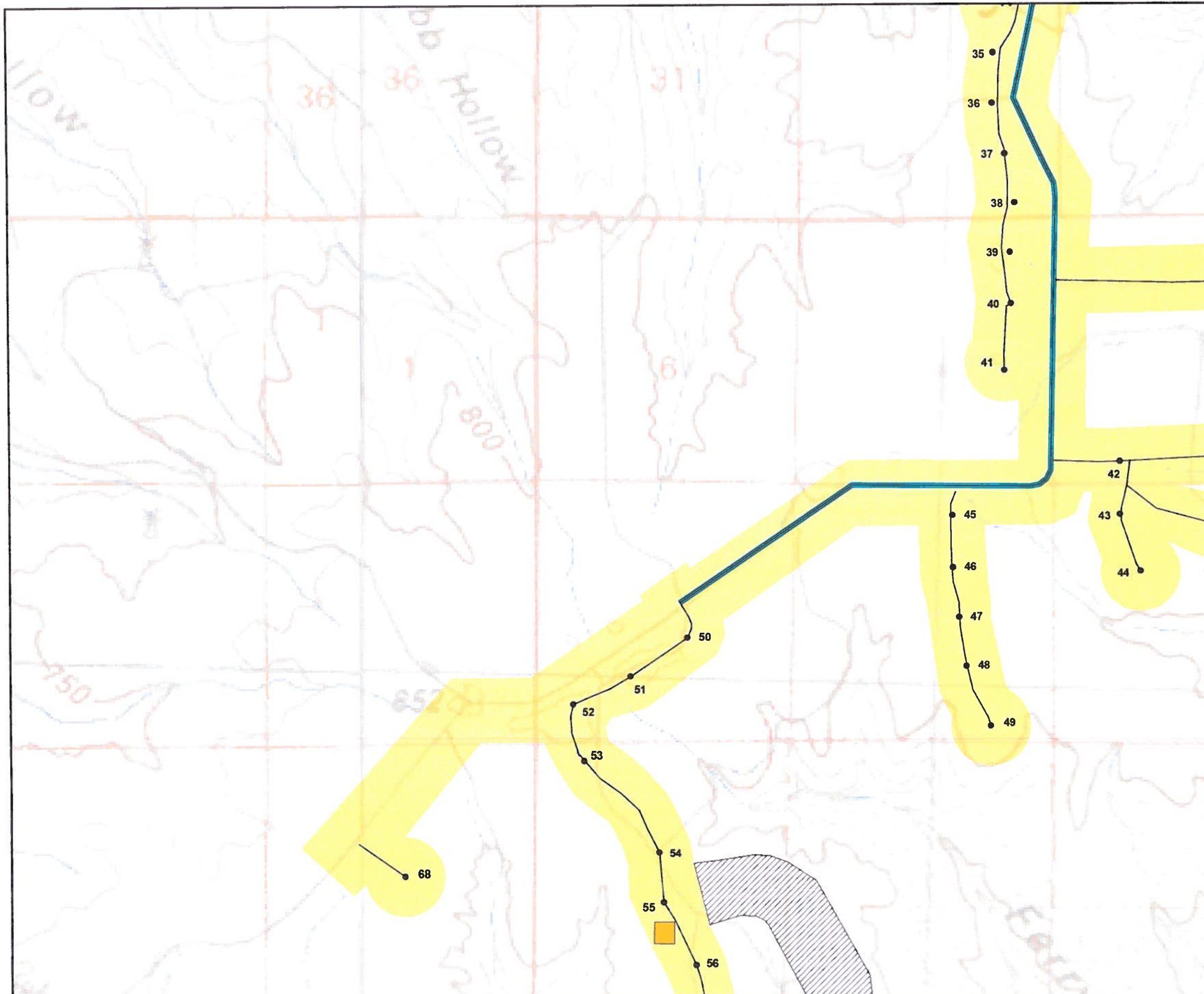










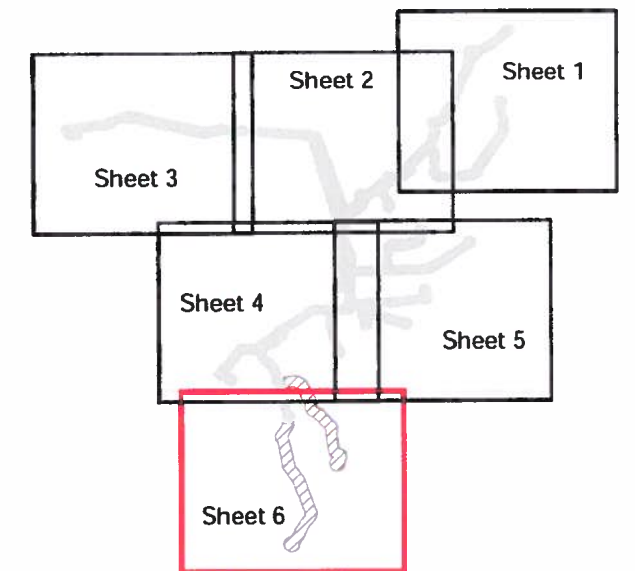
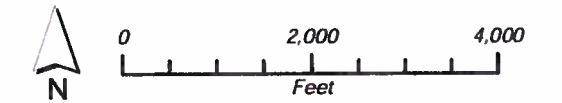


Figure C-2 Project Layout Sheet 6

Legend

-  Site Boundary (2014)
-  Site Boundary (2009) - Eliminated Area
-  Existing Roads to be Improved
-  Proposed Access Roads
-  Bonneville 230 KV Line
-  Proposed Substation
-  Proposed Batch Plant Location
-  Proposed Laydown Areas
-  Proposed Met Tower Locations
-  Proposed Turbine Locations



Data Sources:
LotusWorks, 2009, 2014
Pioneer Surveying and Engineering, Inc., 2009
USGS 30x60 Quadrangles: (Oregon) Condon,
Goldendale, Hood River, and Mt. Hood

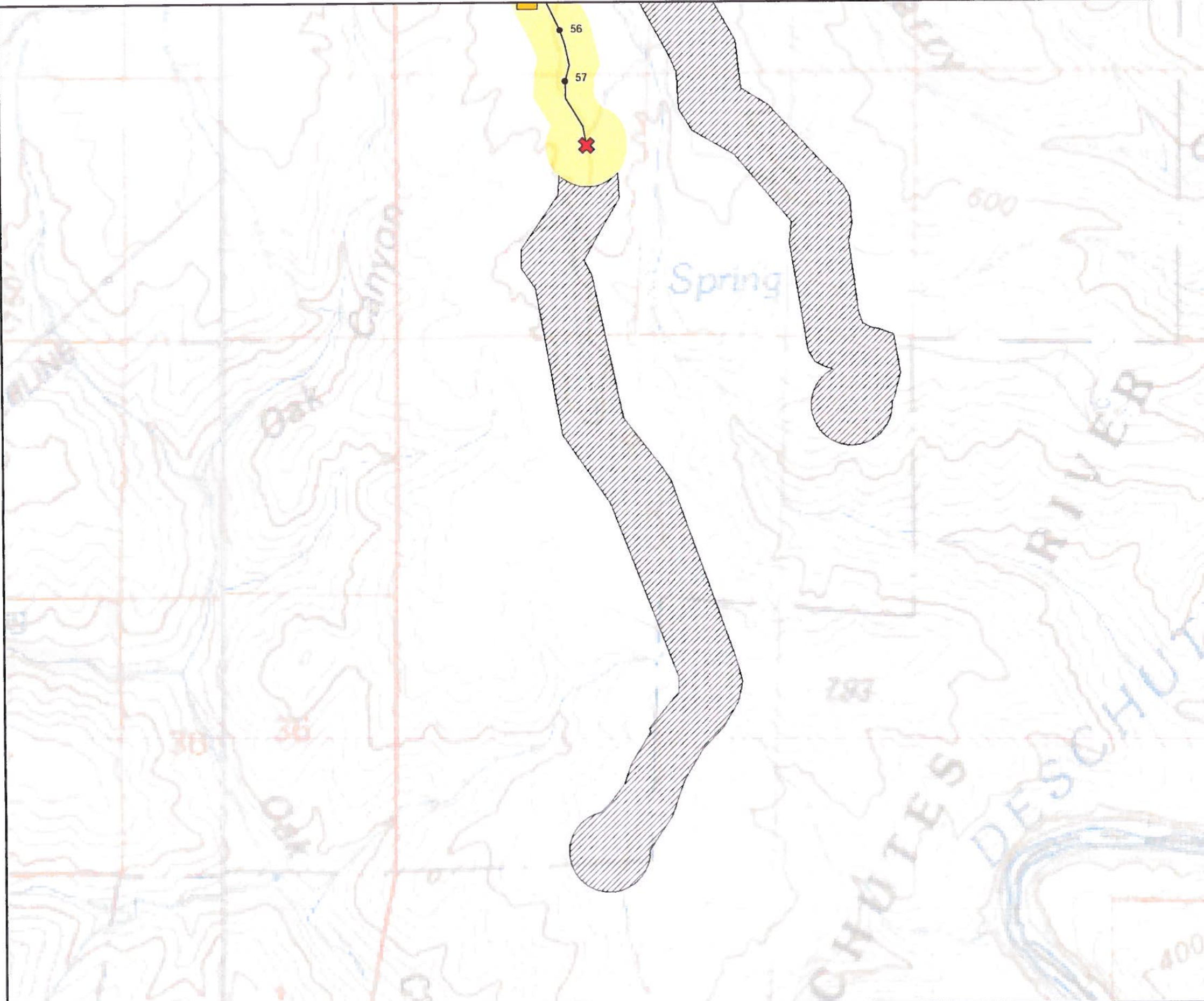
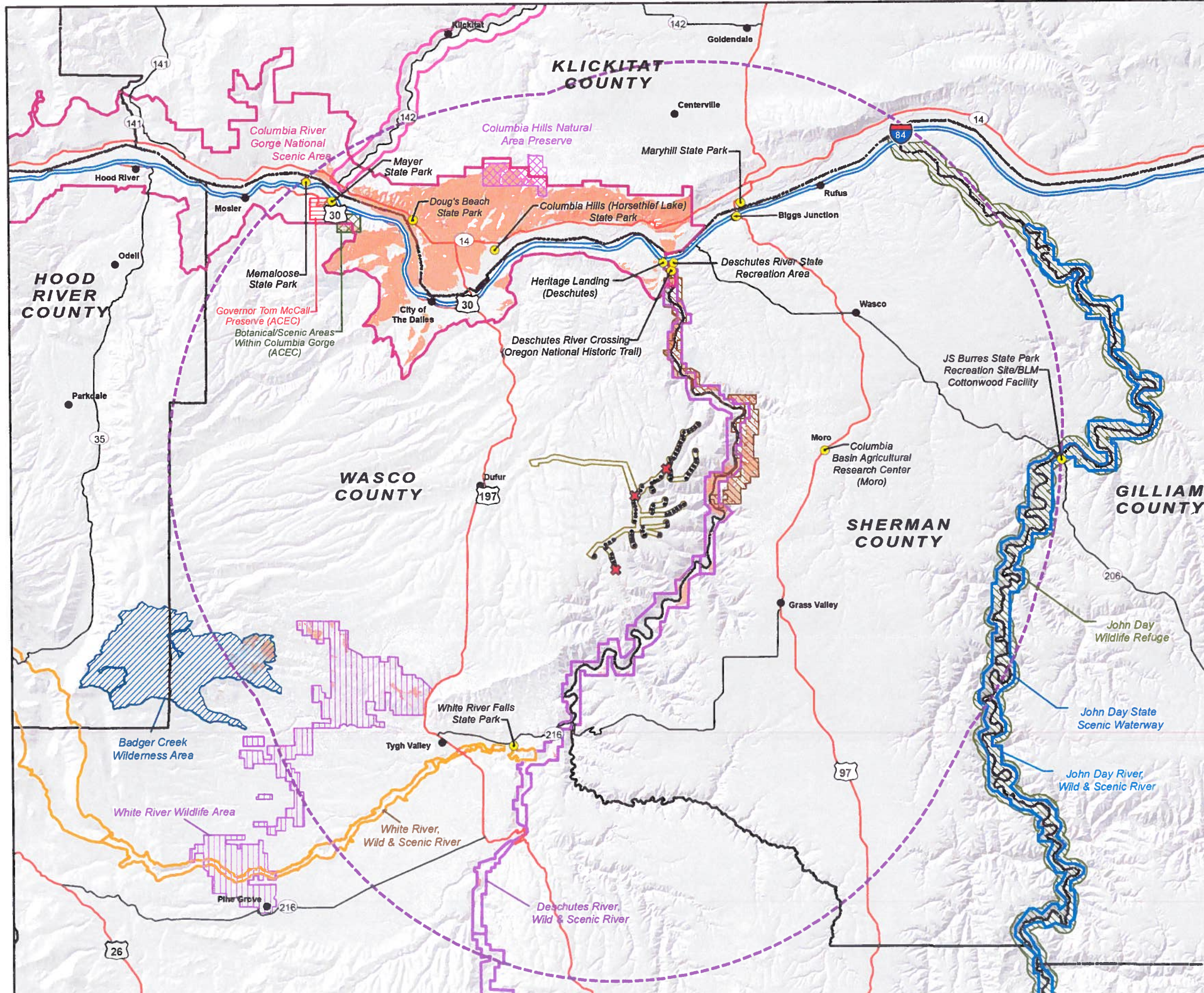


Figure 1
Visibility Analysis for Protected Areas, Alternative A

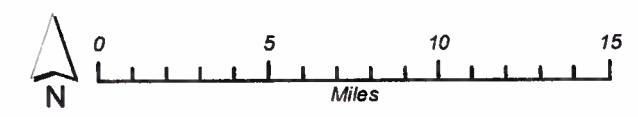


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- Areas Where Proposed Turbines Likely Visible (shown only in Protected Areas)

Protected Areas

- Protected Areas Analysis Area (20 Mi)
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

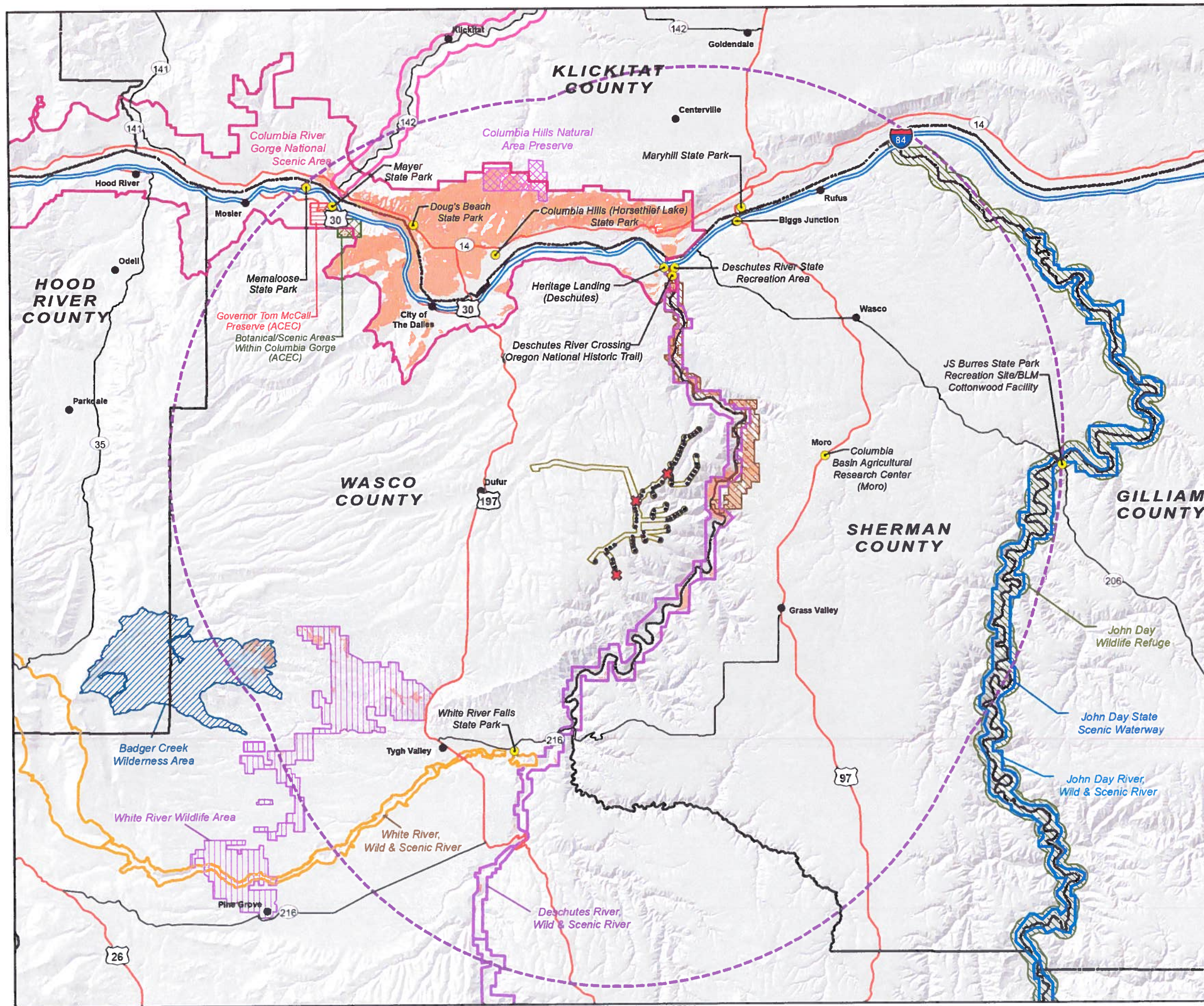


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 2
Visibility Analysis for Protected Areas, Alternative B



Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- Areas Where Proposed Turbines Likely Visible (shown only in Protected Areas)

Protected Areas

- Protected Areas Analysis Area (20 Mi)
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

Scale: 0 5 10 15 Miles

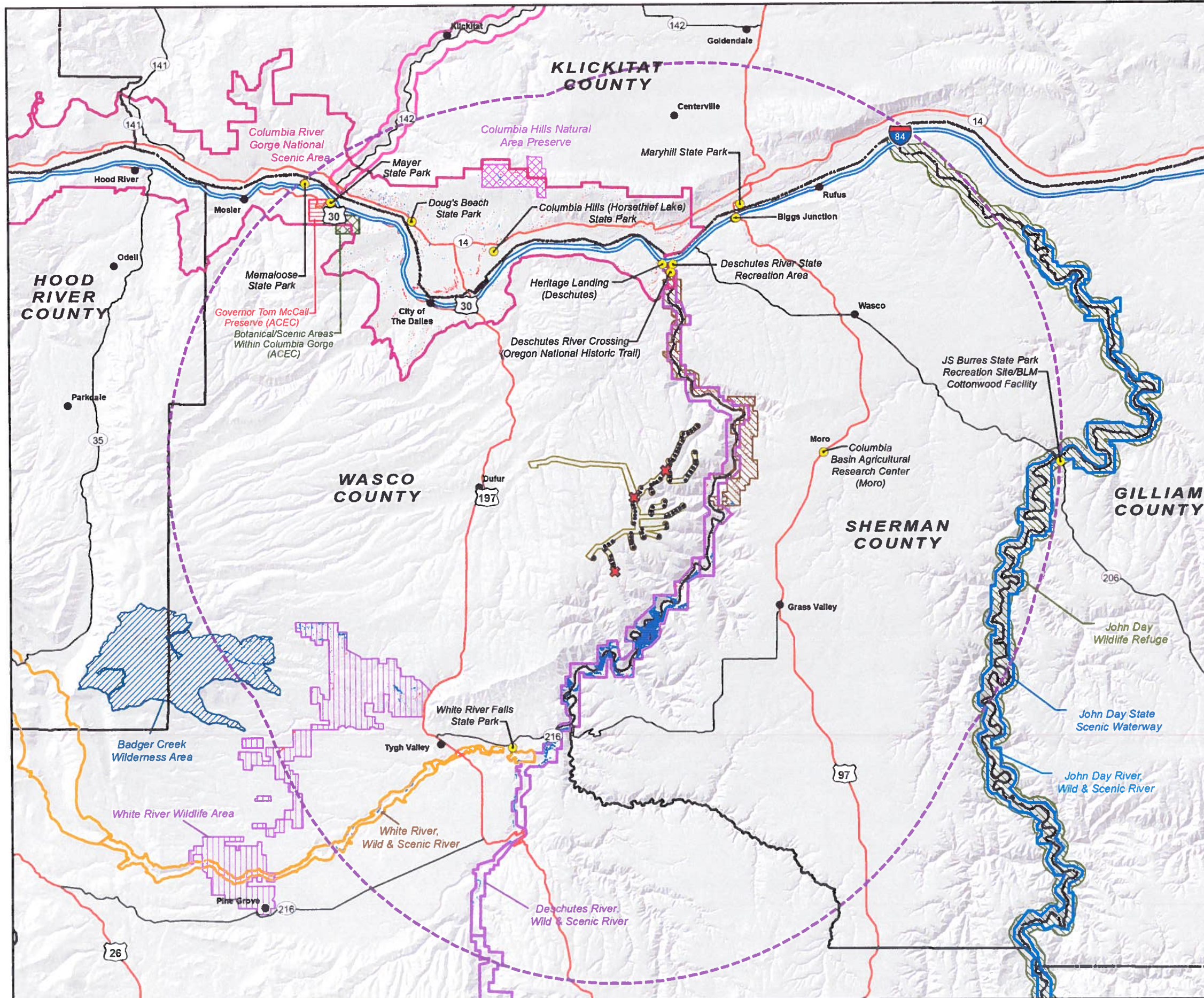
Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service

LotusWorks Summit Ridge I

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Figure 3
 Comparison of Visibility Analyses
 Alternative A and 2010 Layout
 for Protected Areas



Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible

Protected Areas

- Protected Areas Analysis Area (20 Mi)
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

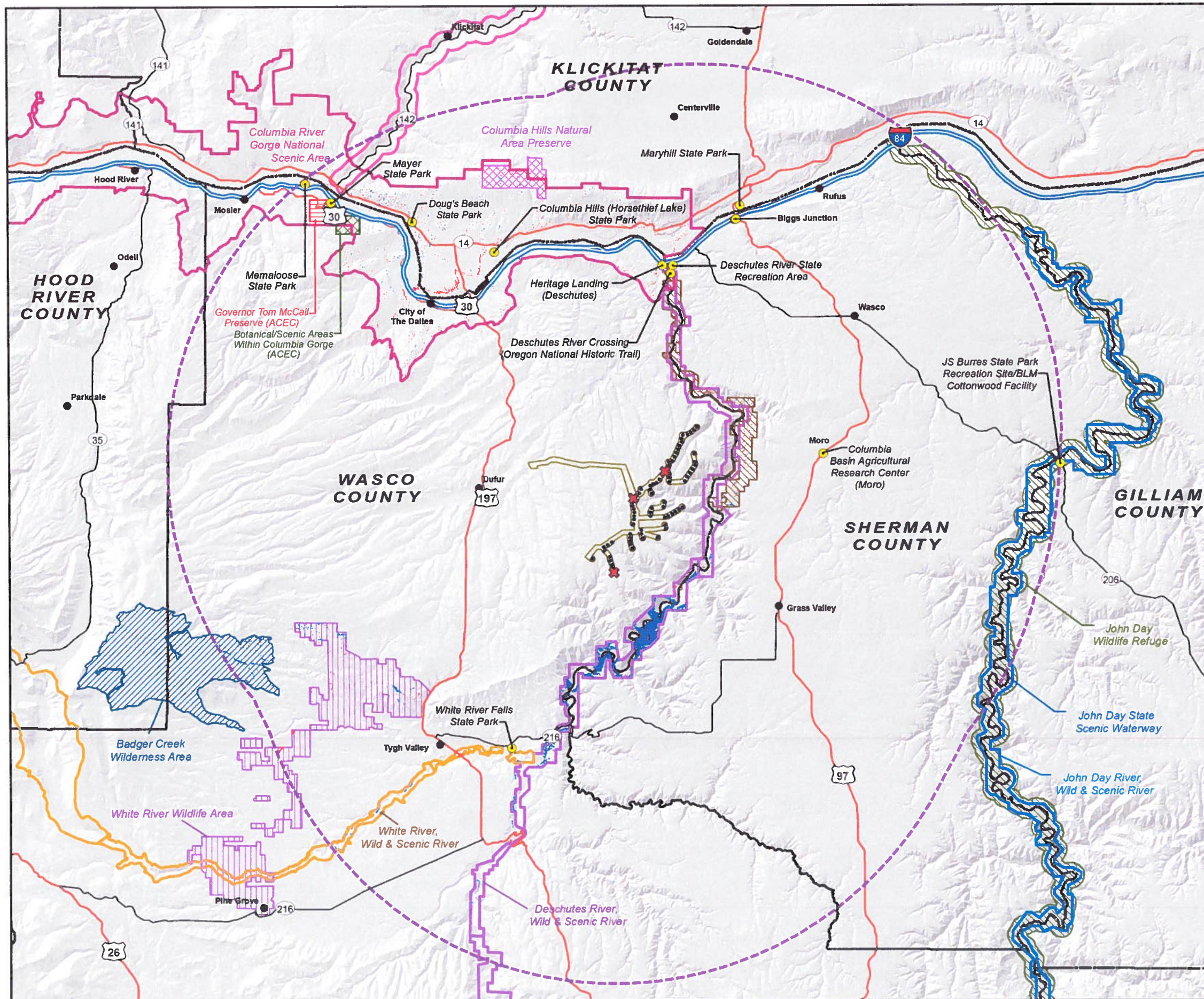


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 4
Comparison of Visibility Analyses
Alternative B and 2010 Layout
for Protected Areas

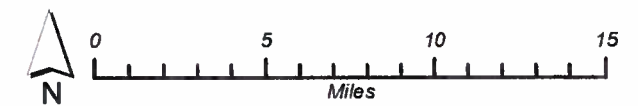


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible

Protected Areas

- Protected Areas Analysis Area (20 Mi)
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

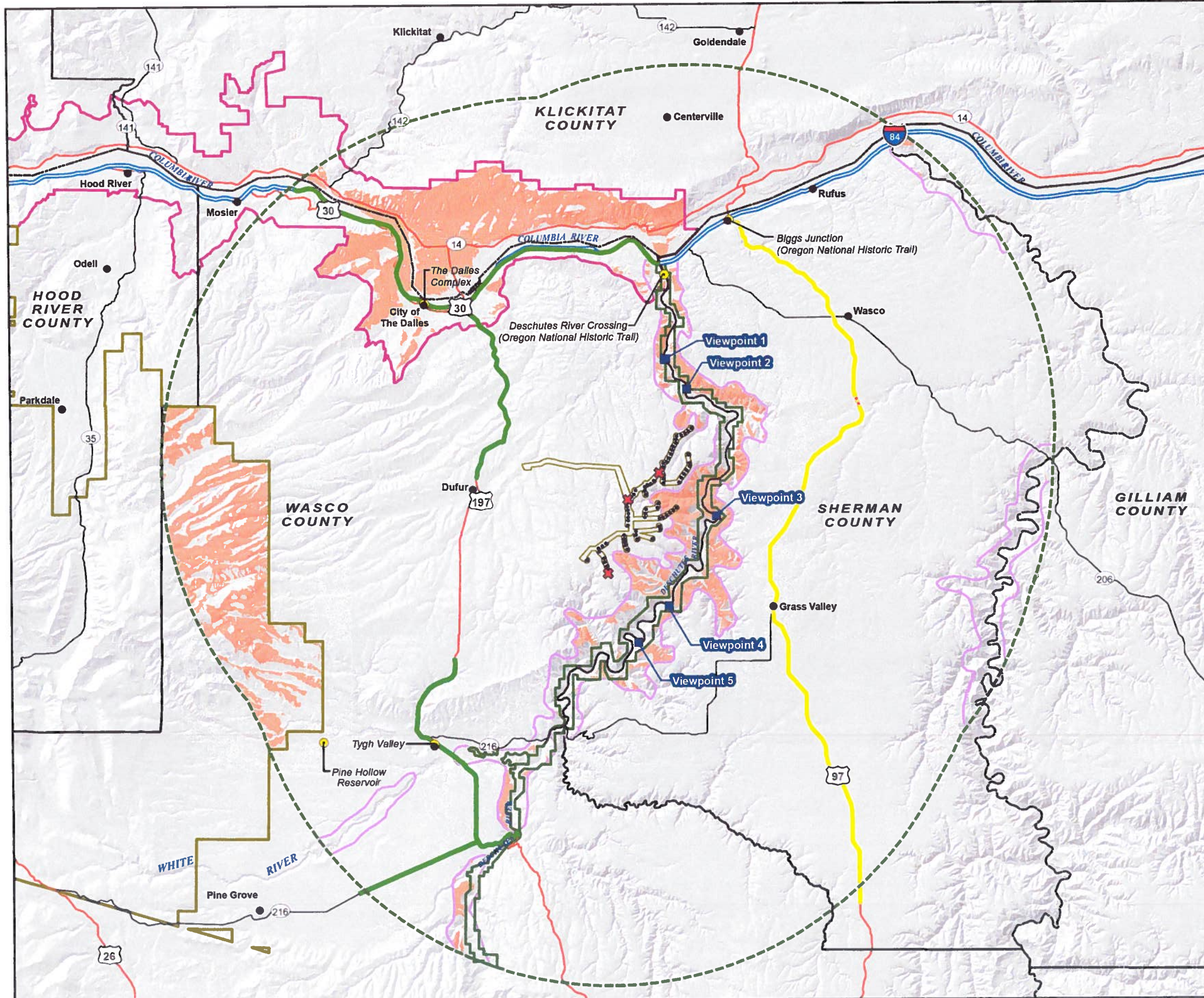


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 5
Visibility Analysis for
Scenic and Aesthetic Values,
Alternative A

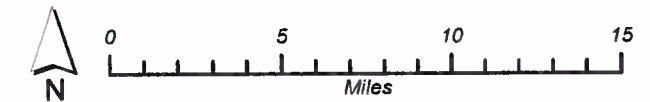


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- Areas Where Proposed Turbines Likely Visible (shown only in Scenic and Aesthetic Resource Boundaries)

Scenic Area

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic River
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

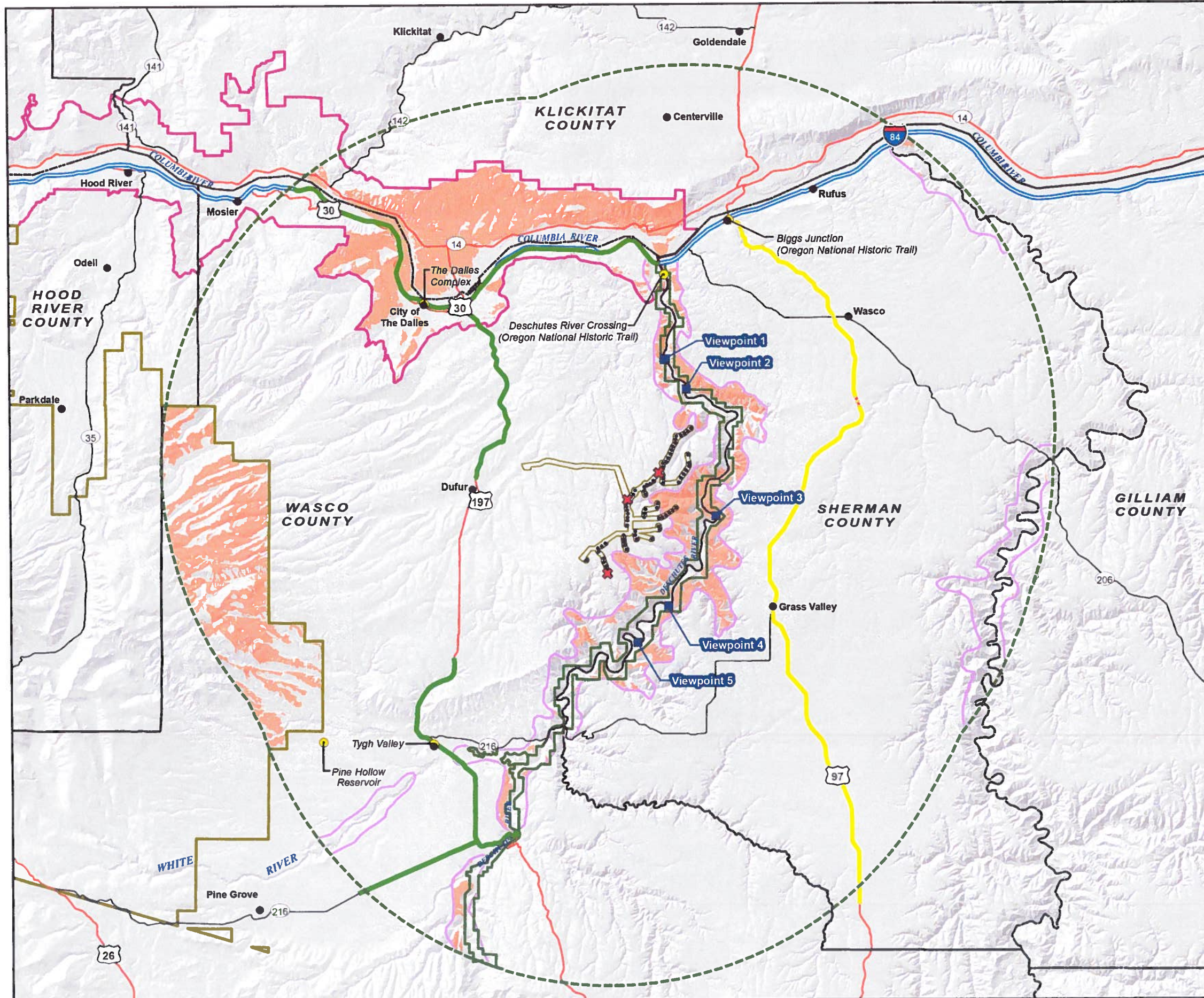


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 6
Visibility Analysis for
Scenic and Aesthetic Values,
Alternative B



Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- Areas Where Proposed Turbines Likely Visible (shown only in Scenic and Aesthetic Resource Boundaries)

Scenic Area

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic River
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

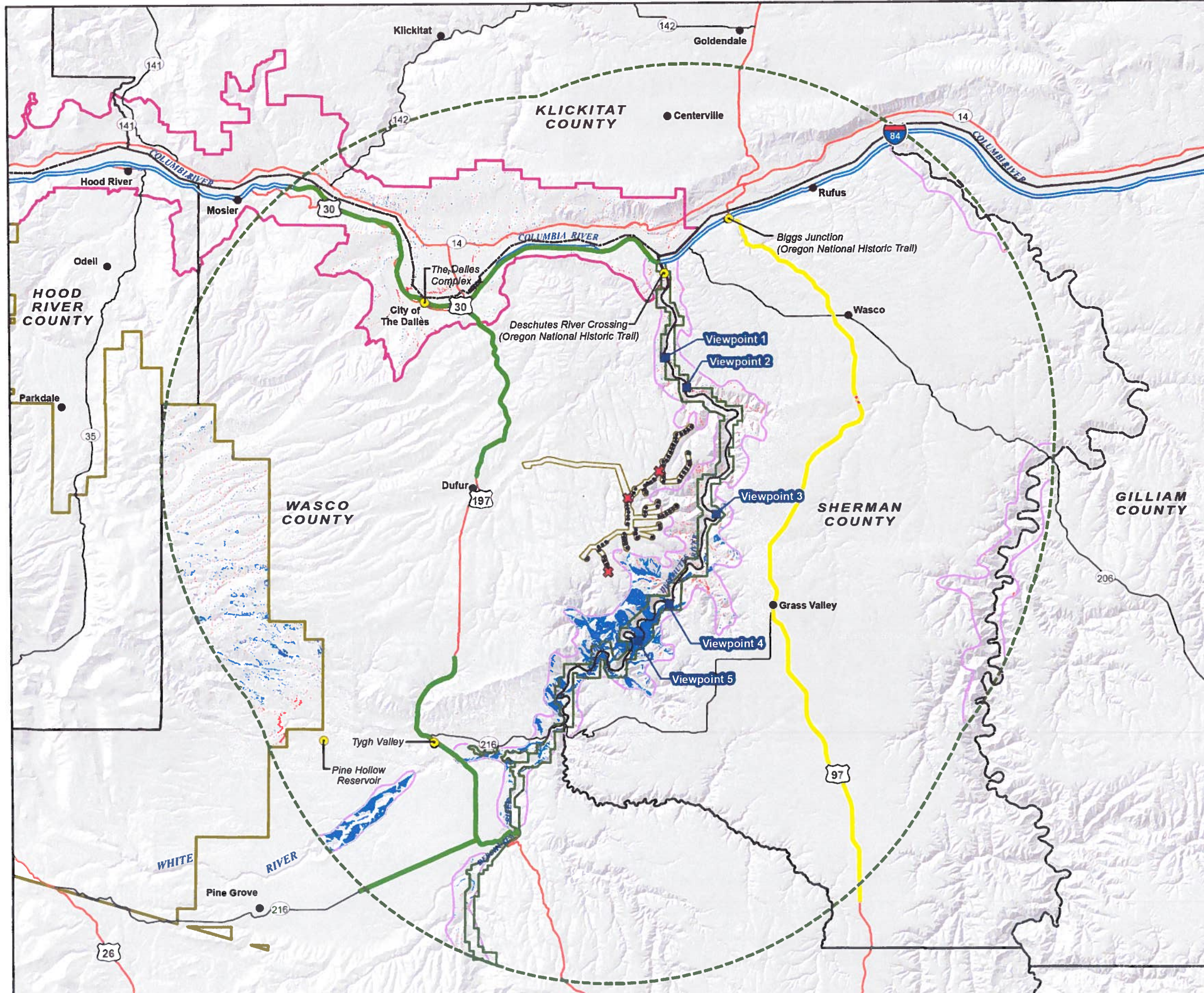


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 7
 Comparison of Visibility Analyses
 Alternative A and 2010 Layout
 for Scenic and Aesthetic Values

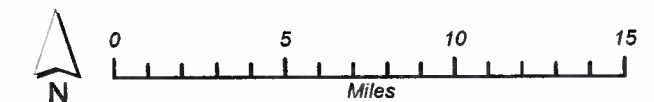


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible

Scenic Areas

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic Rivers
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

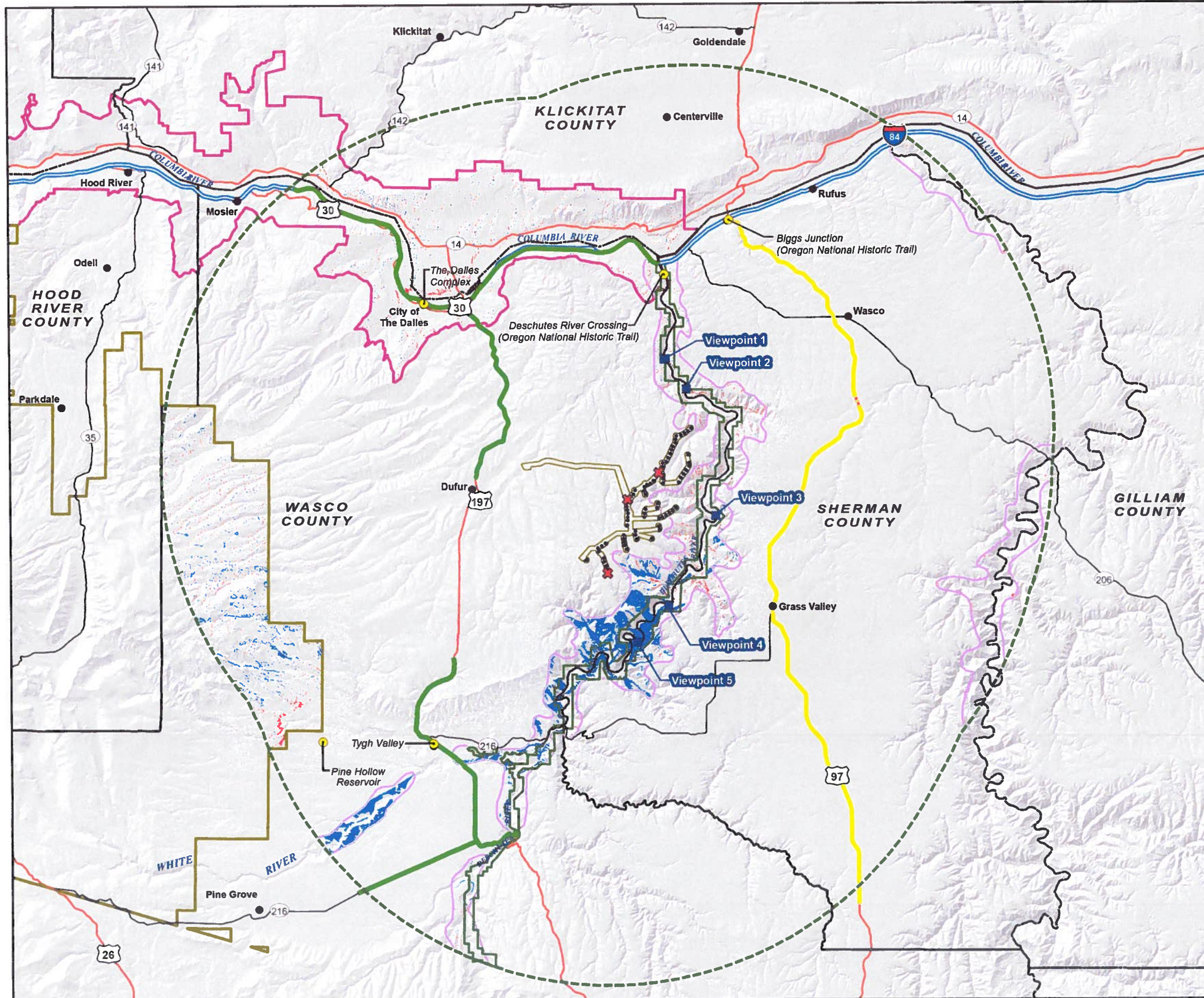


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 8
 Comparison of Visibility Analyses
 Alternative B and 2010 Layout
 for Scenic and Aesthetic Values



Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible

Scenic Areas

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic Rivers
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area



Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service

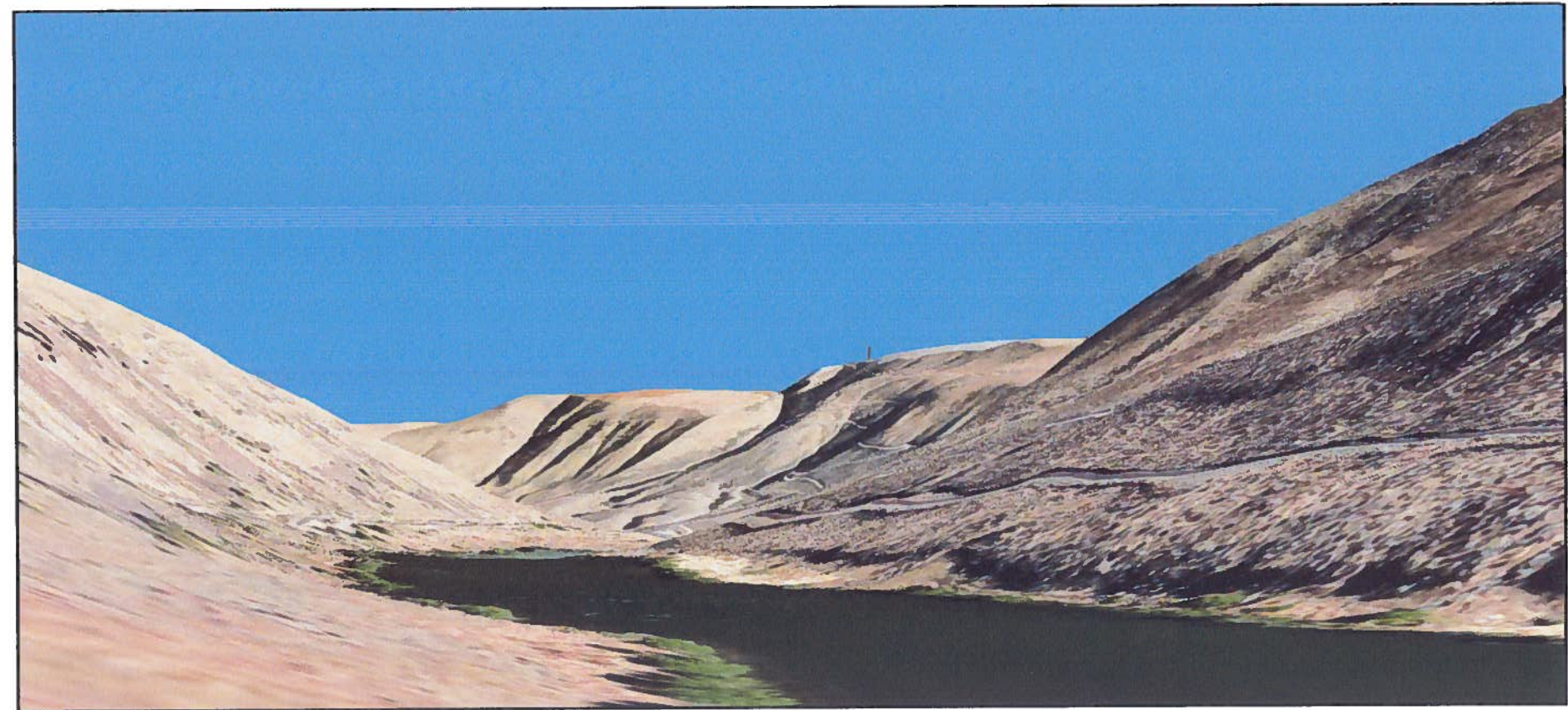


LotusWorks
 Summit Ridge I





2010 Layout



Alternative A

LotusWorks - Summit Ridge I, LLC

Figure 9

*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 1, Near Game
Commission Camp*

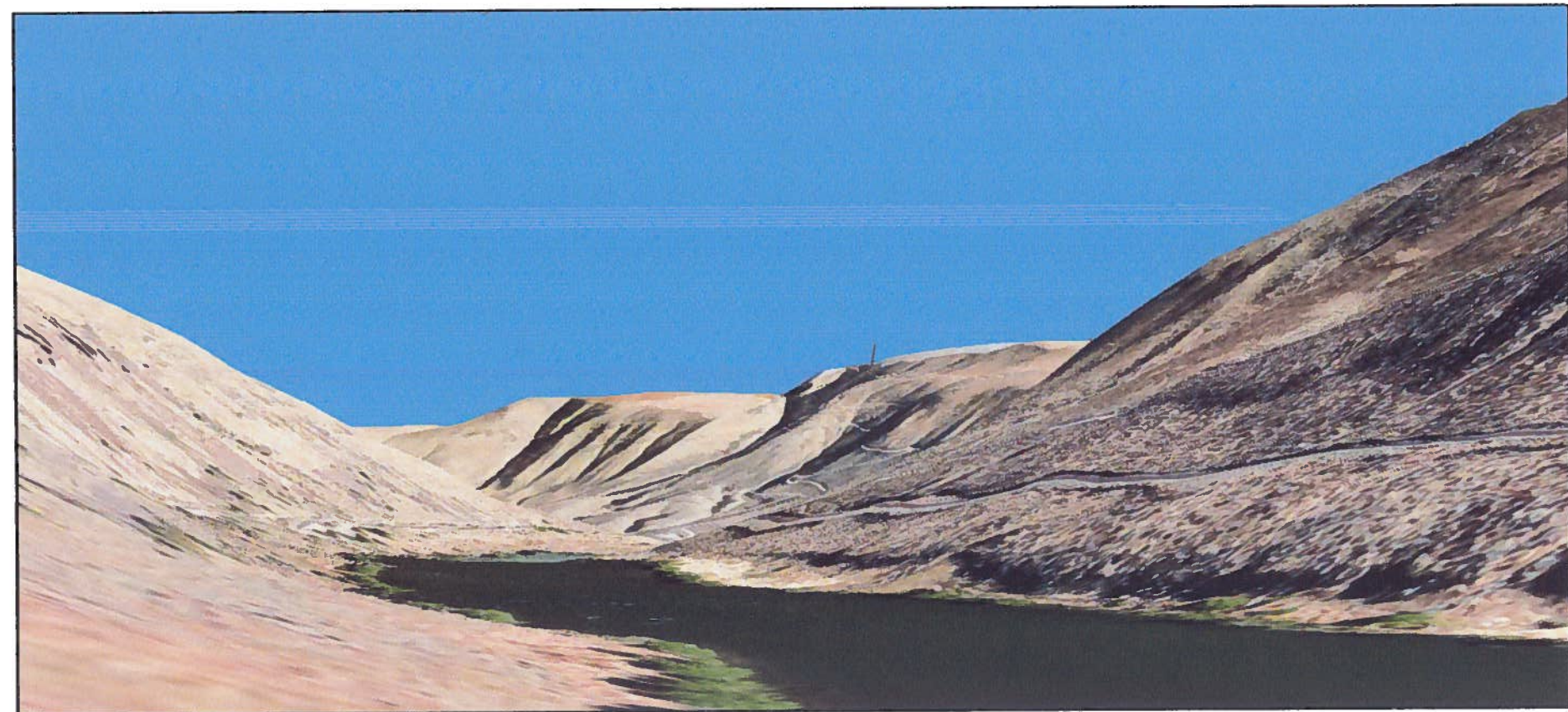


Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





2010 Layout



Alternative B

LotusWorks - Summit Ridge I, LLC

Figure 10
*Comparison of Visualizations
 Alternative B and 2010 Layout
 from Viewpoint 1, Near Game
 Commission Camp*



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.



LotusWorks
 Summit Ridge I

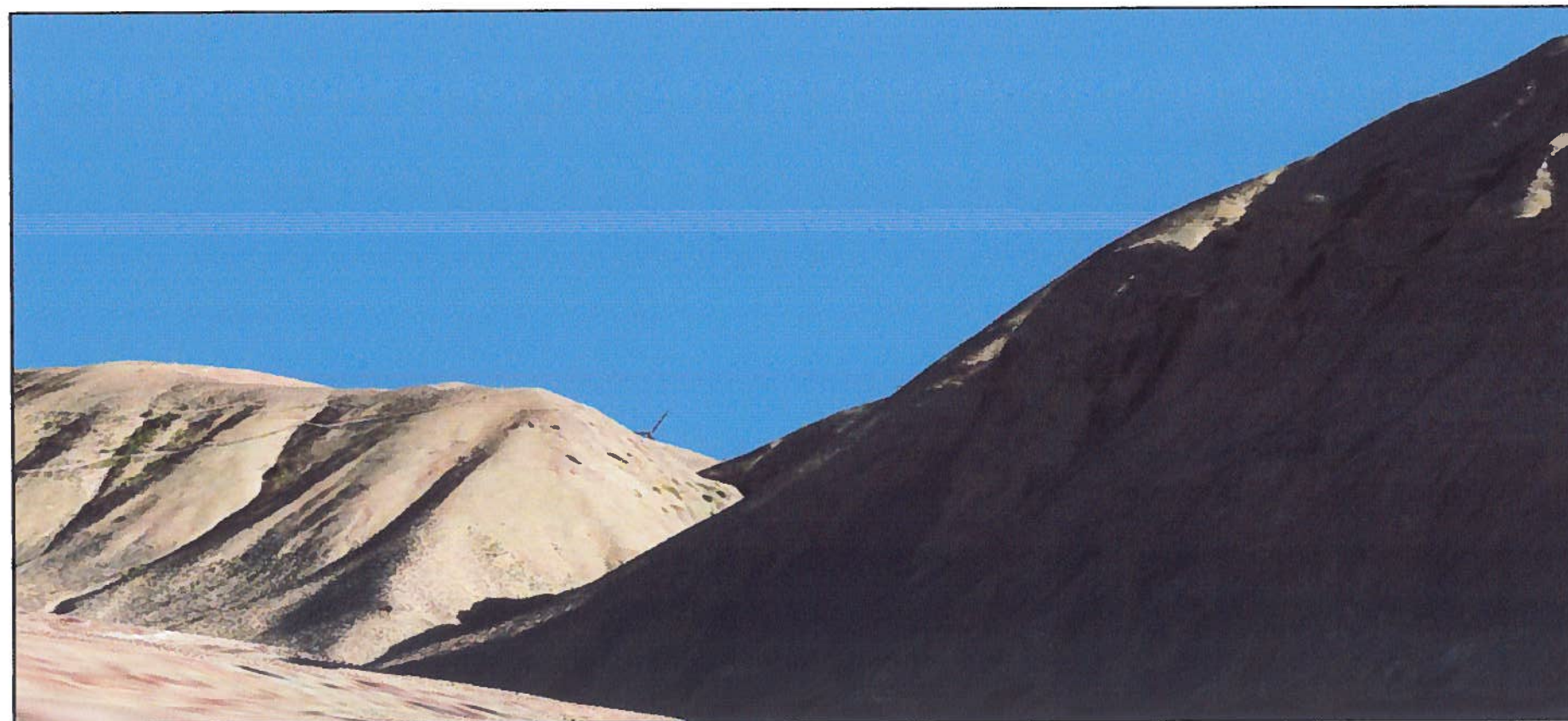


Figure 11

*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 2, Bedsprings*



2010 Layout



Alternative A



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.



LotusWorks
Summit Ridge I

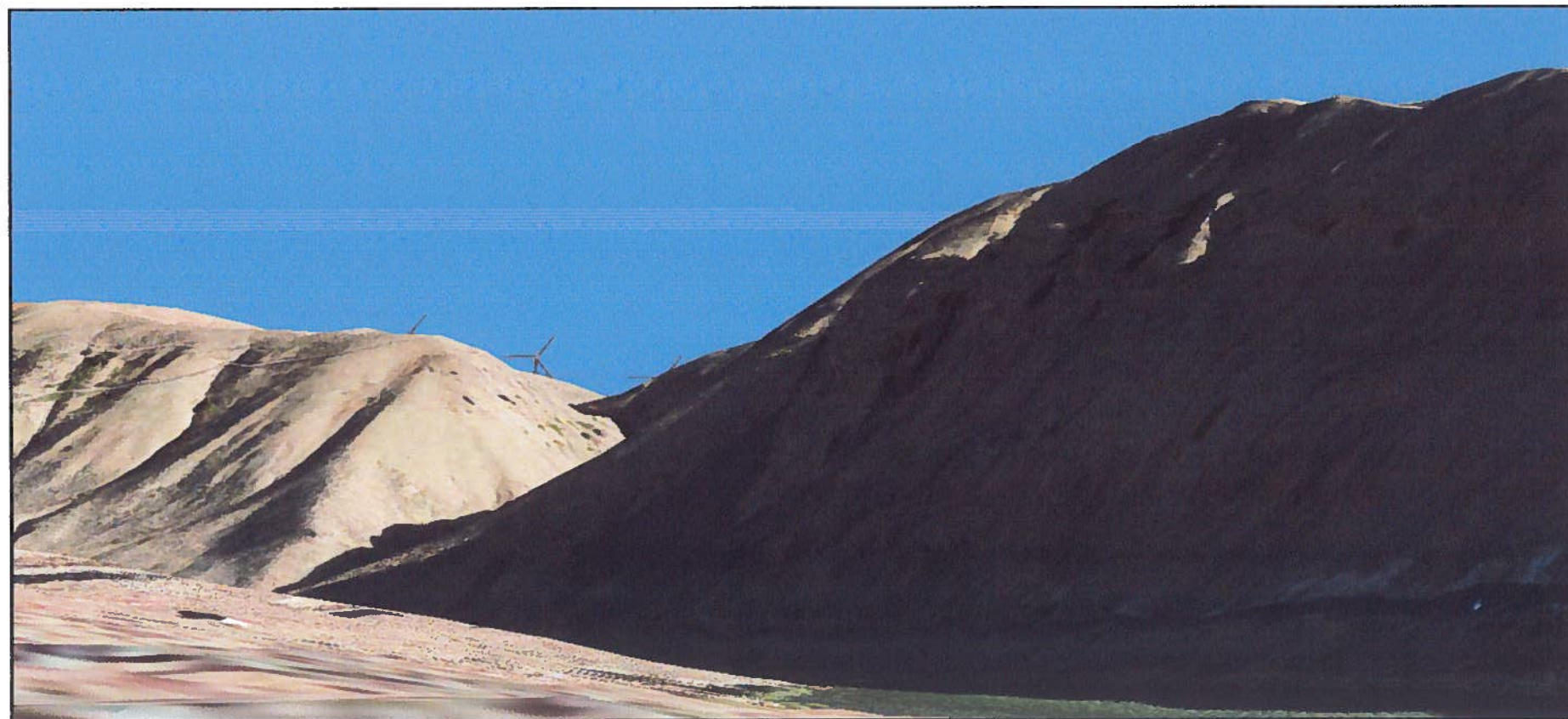


Figure 12

*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 2, Bedsprings*



2010 Layout



Alternative B

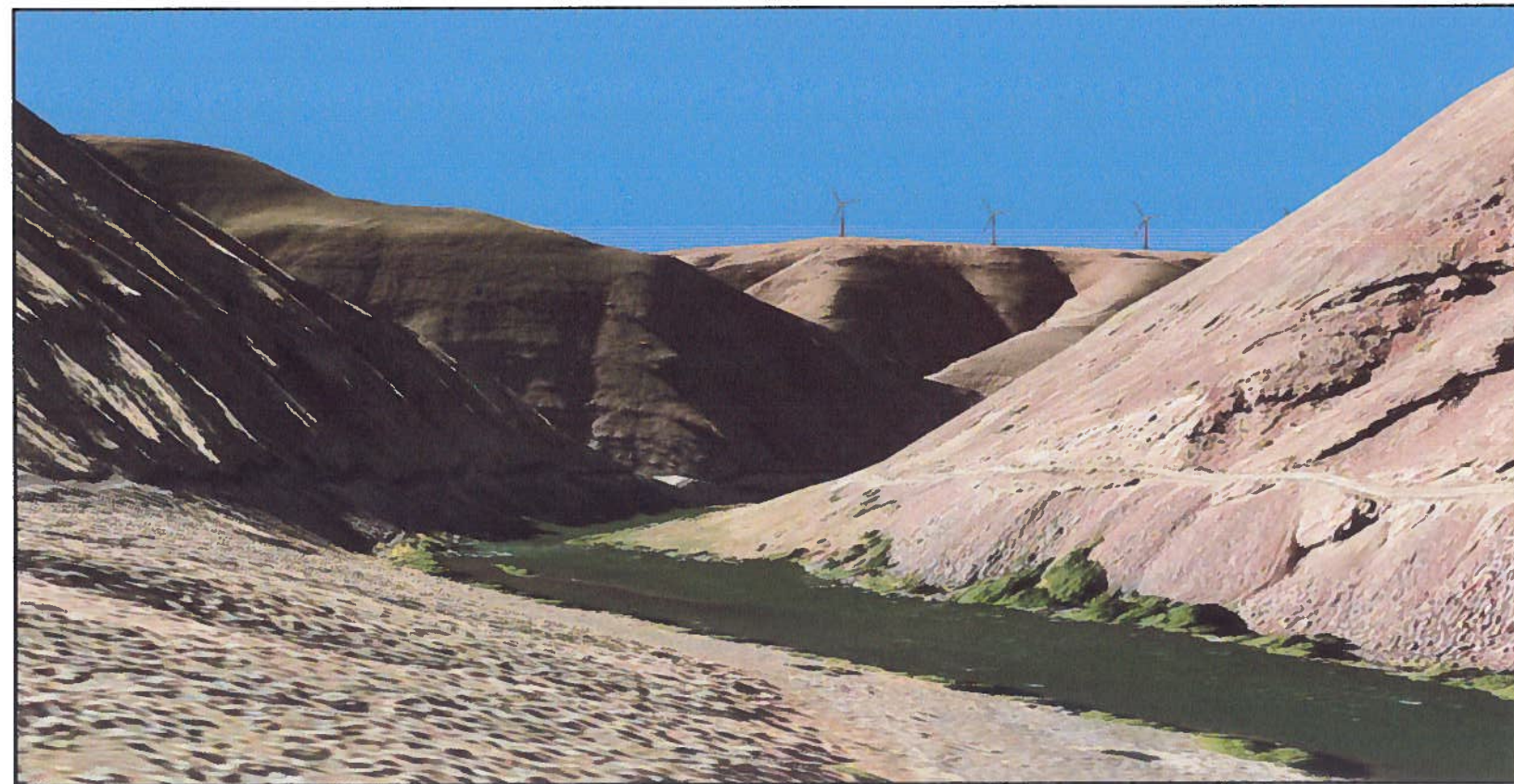


Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





2010 Layout



Alternative A

LotusWorks - Summit Ridge I, LLC

Figure 13
*Comparison of Visualizations
 Alternative A and 2010 Layout
 from Viewpoint 3,
 Snake-in-the-Box*

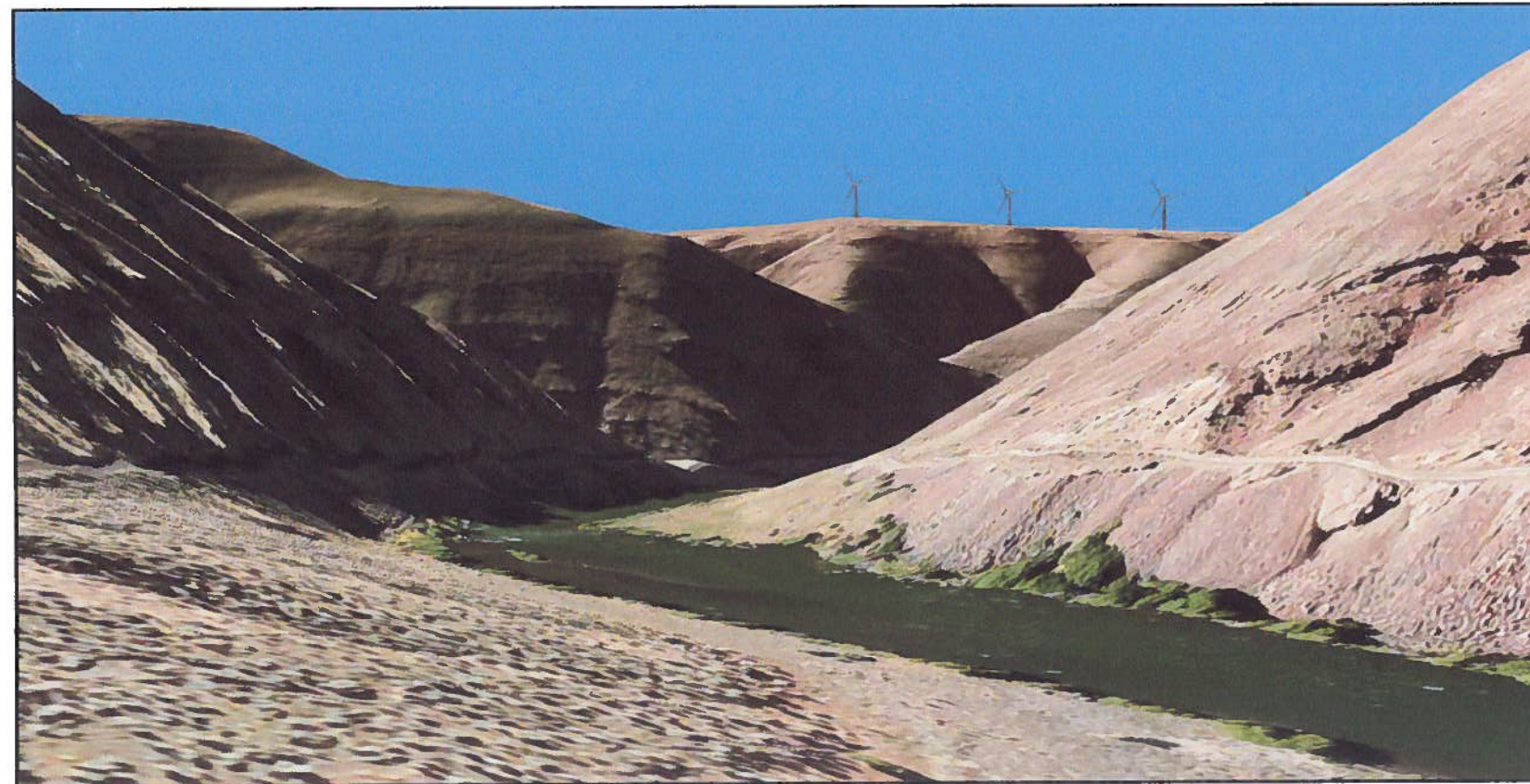


Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





2010 Layout



Alternative B

LotusWorks - Summit Ridge I, LLC

Figure 14
*Comparison of Visualizations
 Alternative B and 2010 Layout
 from Viewpoint 3,
 Snake-in-the-Box*



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.



LotusWorks
 Summit Ridge I





2010 Layout



Alternative A

LotusWorks - Summit Ridge I, LLC

Figure 15
*Comparison of Visualizations
 Alternative A and 2010 Layout
 from Viewpoint 4,
 Box Elder Canyon*



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.



LotusWorks
 Summit Ridge I





2010 Layout



Alternative B

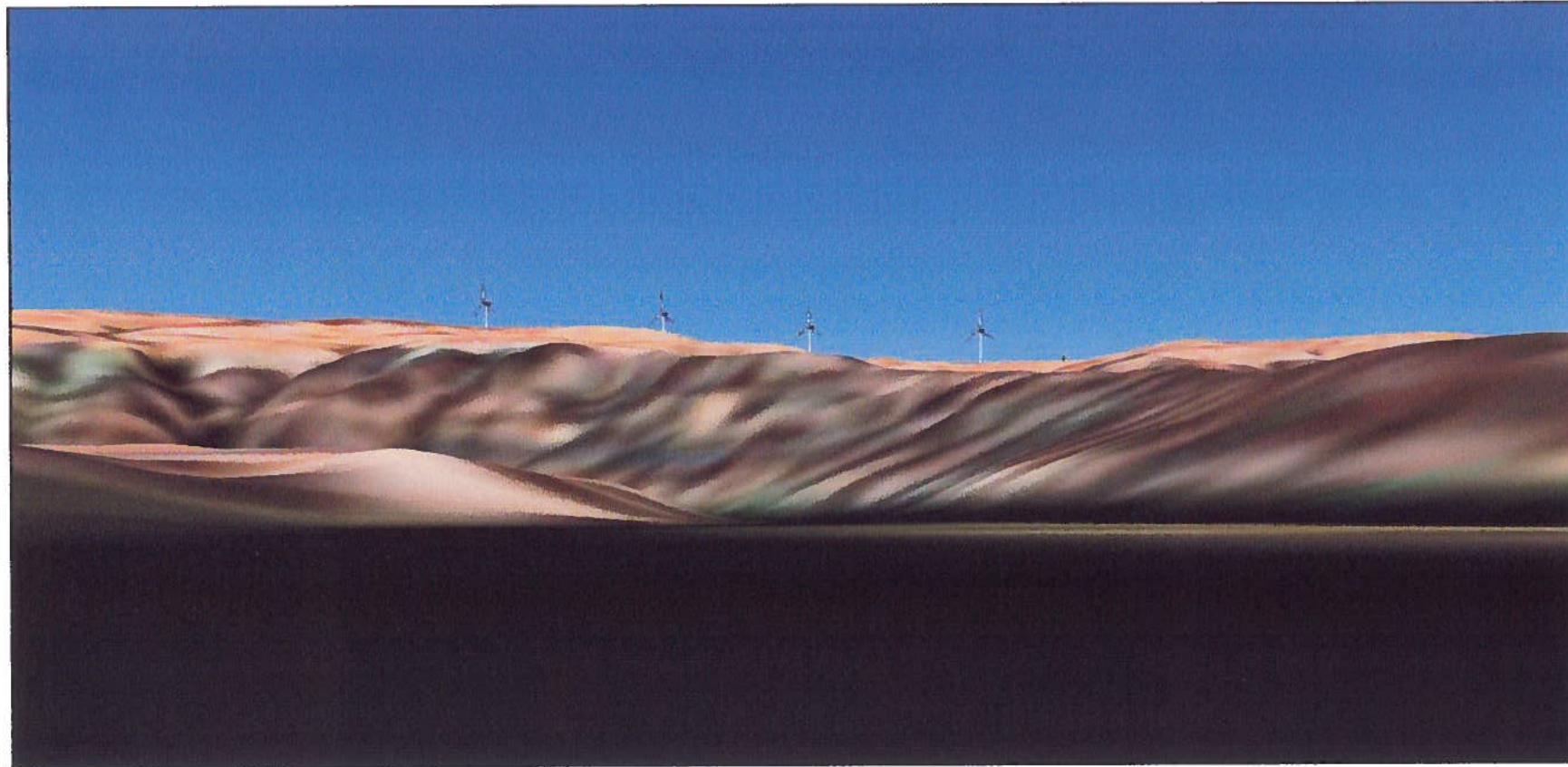
LotusWorks - Summit Ridge I, LLC

Figure 16
*Comparison of Visualizations
 Alternative B and 2010 Layout
 from Viewpoint 4,
 Box Elder Canyon*

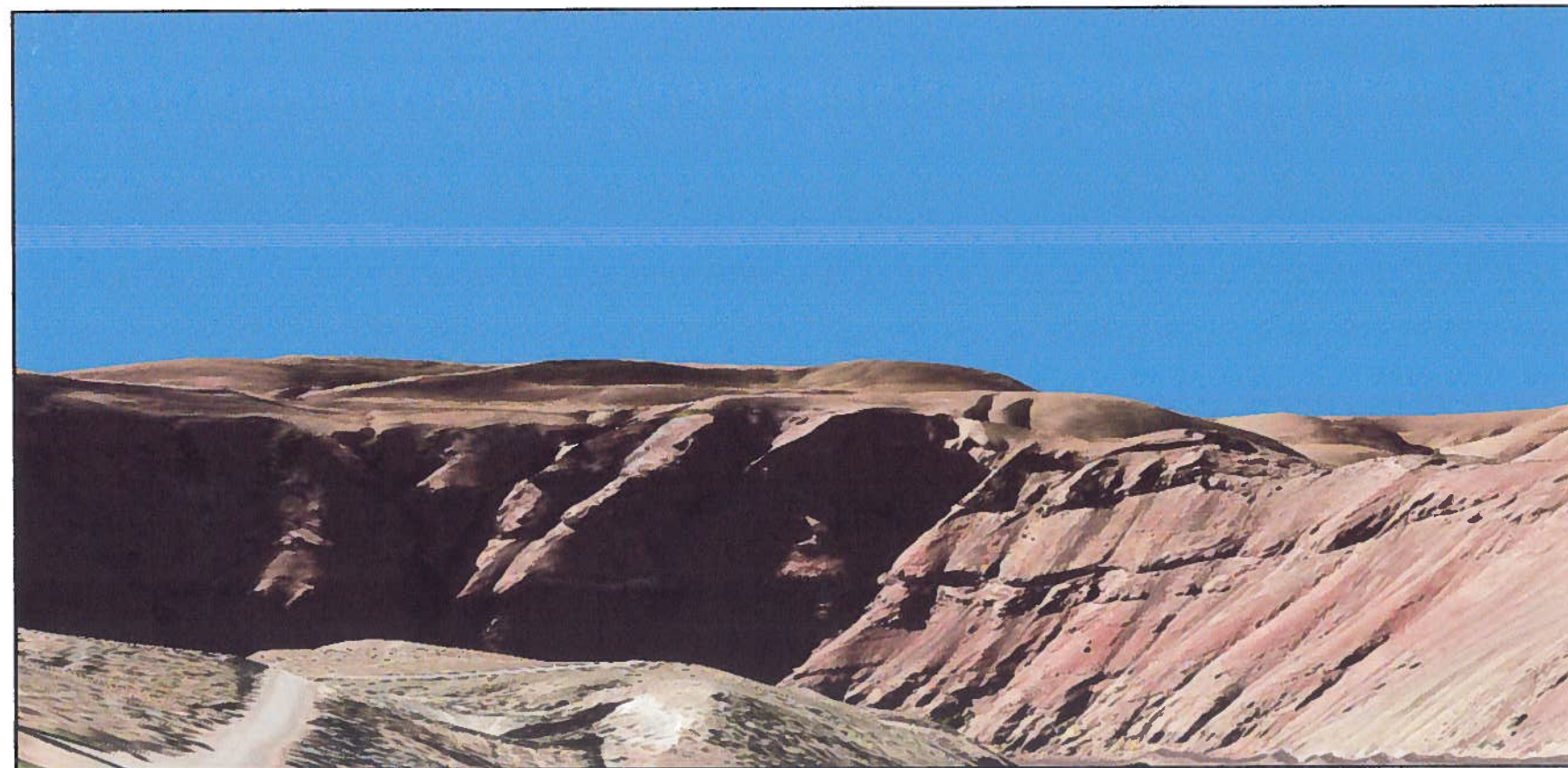


Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





2010 Layout



Alternative A

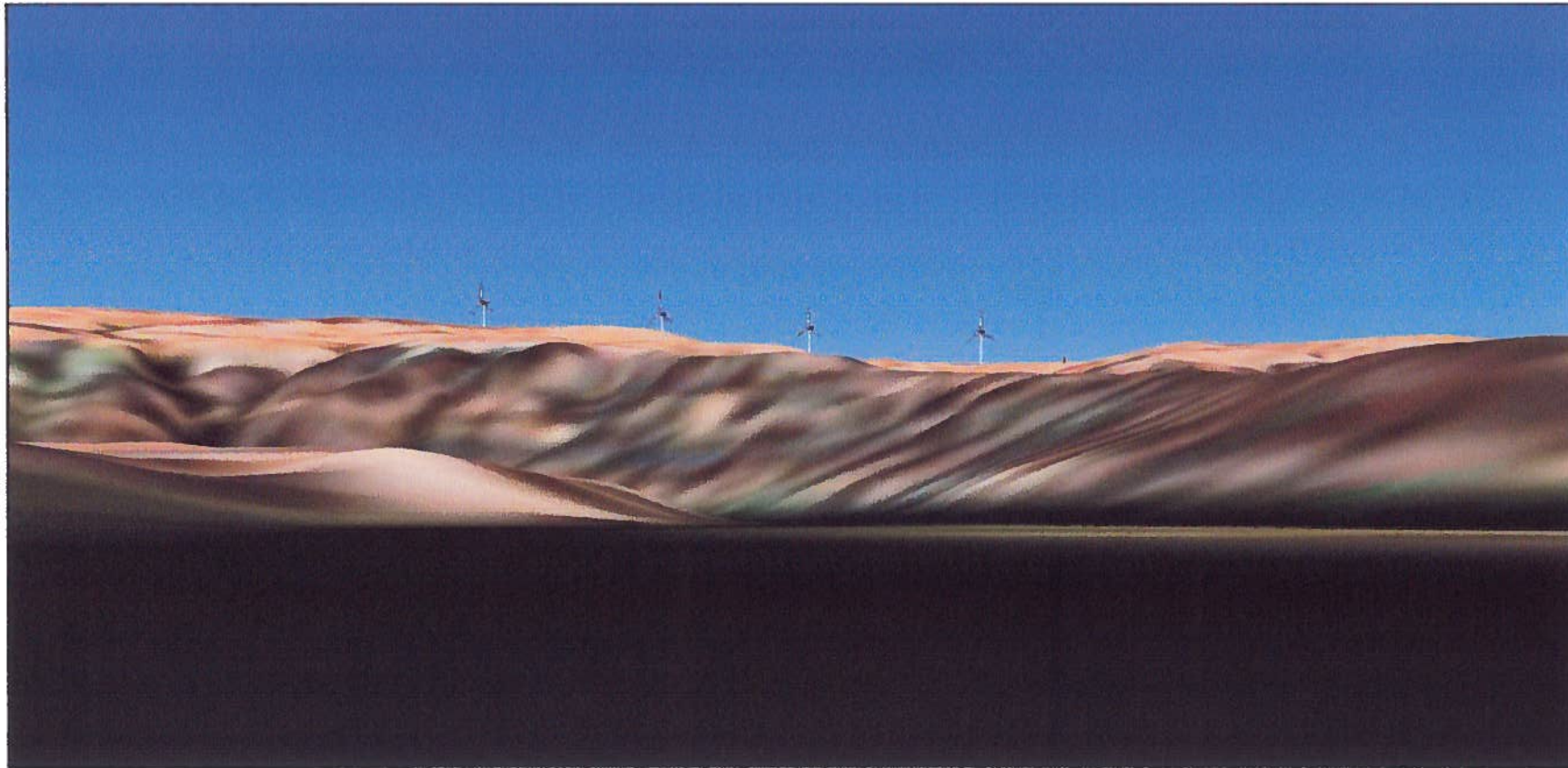
LotusWorks - Summit Ridge I, LLC

Figure 17
*Comparison of Visualizations
 Alternative A and 2010 Layout
 from Viewpoint 5,
 Cedar Island*



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





2010 Layout



Alternative B

LotusWorks - Summit Ridge I, LLC

Figure 18
*Comparison of Visualizations
 Alternative B and 2010 Layout
 from Viewpoint 5,
 Cedar Island*



Original visual simulations were created using a combination of Arc2Earth and Google Earth Pro. Updated simulations were created with ESRI ArcGlobe.





Exhibit D
Letters Confirming Continued Support from Public
Service Entities



Exhibit D1 –Wasco County Sheriff



WASCO COUNTY

SHERIFF

511 Washington St., Suite #102
The Dalles, Oregon 97058
Phone 541-506-2580
Fax 541-506-2581

August 8, 2014

Steven A Ostrowski, Jr
President
Lotusworks-Summit Ridge 1, LLC
9611 NE 117th Ave, Suite 2840
Vancouver, Wa 98662
Phone (360) 737-9692
Fax (360) 737-9835

Mr. Ostrowski,

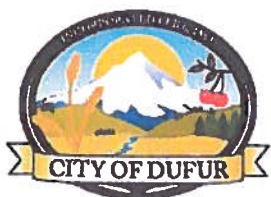
The Summit Ridge project is within the Wasco County Sheriff Office jurisdiction. I do not foresee any conflicts or problems that would result from this project being placed on the east side of Wasco County. If you need any further assistance please do not hesitate to contact the Sheriff Office at (541) 506-2580.

Sincerely,

Rick Eiesland
Wasco County Sheriff



Exhibit D.2 – City of Dufur Fire and EMS



PO Box 145
Dufur, Oregon 97021

Phone 541-467-2349
Fax 541-467-2353
TTY 1-800-735-2900

August 11, 2014

Steven A. Ostrowski, Jr.
President
LotusWorks-Summit Ridge I, LLC
9611 NE 117th Ave Suite 2840
Vancouver, WA 98662

Dear Steve:

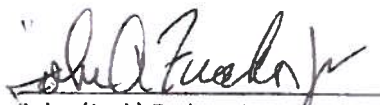
In regards to your email to Dufur Fire and Ambulance Service regarding the construction of Summit Ridge Wind Farm and our concerns; I broke this down into two sections – Fire and EMS.

Fire: We feel that for the ground fire Columbia Rural would be the fastest to respond and Dufur would also respond. A structure fire, Dufur Fire would be first to respond. When Dufur responds outside the Dufur city limits, it is on contract or billable to the land owner or their insurance company. Dufur bills according to the State Fire Marshal Standardized Cost Schedule.

EMS: (Ambulance) Dufur would be the first to respond as Summit Ridge Wind Farm is in our service district area. Our concern is any rope rescue that would need to be done. Dufur EMT's are not trained or equipped to do any type of rope rescue. Dufur will provide all medical response to anyone on the ground.

Sincerely,

Dufur Volunteer Fire and Ambulance Service


John (Jack) Frakes, Jr
Dufur Volunteer Fire Chief

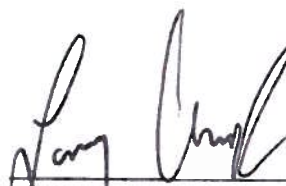

Larry Clark
EMS Director



Exhibit D.3 – City of The Dalles Department of Public Works



CITY OF THE DALLES
Department of Public Works
1215 West First Street
The Dalles, Oregon 97058

City of The Dalles
Public Works
1215 W 1st Street
The Dalles, OR 97058

Ray Johnson, Water Division
Water Distribution Manager
Ph: 541-296-5401 x 2012
Fax: 541-296-4346
Email: rjohnson@ci.the-dalles.or.us

August 11, 2014

To:
Steven A. Ostrowski, Jr.
President
CM Division-LotusWorks
9611 NE 117th Avenue
Suite 2840
Vancouver, WA 98662
P 360.737.9692
F 360.737.9835
C 360.910.7625
sostrowski@lotusworks.com
www.lotusworks.com

The City of The Dalles has the capability and is willing to provide construction water to LotusWorks for the Lotus-Summit Ridge 1 project as detailed below. All current water usage fees will be applied at time of service request.

Project name: Lotus-Summit Ridge 1
Location: Wasco County about 10 miles south of The Dalles
Construction Start:
 Early start – June 2010
 Late start – September 2010
Construction Complete:
 December 2011
Total water needs: 12-15 million gallons (estimated)
Anticipated peak daily usage: 90,000 gallons (estimated)
Delivery method: Via tanker supplied by LotusWorks



EXHIBIT E

UPDATED LANDOWNER'S LISTING



The proposed Facility permit corridors are located outside of the urban growth boundary within zoned farmland. Therefore, a list of property owners within 500 feet of the Facility is included below.

PARTICIPATING LAND OWNERS	OWNER STREET
Malvin C Ball C/O Stanley H & Linda A Ashbrook	75 Heimrich Street Dufur, Oregon 97021
Kelly Kieran & Rita LLC	2857 NE Hamblet Portland, Oregon 97212
Sharon G Craft, ET AL	63883 Center Ridge Road Dufur, Oregon 97021
Kortge Brothers LLC	5663 Mill Creek Road The Dalles, Oregon 97058
William E Hammel, ET AL	7075 Fifteen Mile Road The Dalles, Oregon 97058
Robert K & Nancy J Hammel	62250 Tygh Ridge Road Dufur, Oregon 97021
Bureau of Land Management	3050 Northeast 3rd Street Prineville, Oregon 97754
RN Ranches LLC C/O David Zarewski	1888 Oak Knoll Ct. Lake Oswego OR 97034
R N Ranches, LLC C/O Cathryn Christy	P.O. Box 1370 Kenwood, CA 95452
Carleton L and Pamela R Clausen	1816 Liberty Way The Dalles, OR 97058
John F Clausen, ET AL	83417 Dufur Valley Road Dufur, Oregon 97021



PARTICIPATING LAND OWNERS	OWNER STREET
Thelma J Adkisson and Merril M. Adkisson Family Trust	1000 Vey Way #354 The Dalles, OR 97058
KC & Carolyn S Kortge Rich and Mary Ann Kortge	1820 Liberty Way The Dalles, Oregon 97058

ADJACENT WITHIN 500 FEET LAND OWNERS	
OWNER	STREET
Oregon Department of Fish and Wildlife	3406 Cherry Avenue NE Keizer, Oregon 97303
James Q Johnson	6352 Roberts Market Road The Dalles, Oregon 97058
Bureau of Land Management	3050 Northeast 3rd Street Prineville, Oregon 97754
Paul & Dixie E Shanno	82163 Dufur Valley Road Dufur, Oregon 97021
Billie J Kortge, ET AL C/O Robert Black ET AL	4817 Old Stump Drive NW Gig Harbor, WA 98332
Gard Fulton Family Limited PTR	3775 Fifteen Mile Road The Dalles, Oregon 97058
John & Patricia R Clausen	83417 Dufur Valley Road Dufur, Oregon 97021
Mike Kortge/Gary Van Orman	6857 Roberts Market Road The Dalles, Oregon 97058-9631
Bruce L Bayley, ET AL	6331 SW Radcliff Street Portland, Oregon 97219



ADJACENT WITHIN 500 FEET LAND OWNERS – con't	
OWNER	STREET
Kelly Kieran & Rita LLC	2857 NE Hamblet Portland, Oregon 97212
Kortge Brothers, LLC	5663 Mill Creek Road The Dalles, Oregon 97058
John F Clausen C/O Ryan J Clausen	83417 Dufur Valley Road Dufur, Oregon 97021
Daniel L & Mercedes Bolton	85931 Adkisson Road Dufur, Oregon 97021
Paul & Velma Limmeroth	2520 Ward Road The Dalles, Oregon 97058
Mary Underhill C/O Medora Wyatt	3813 Faith Home Road Ceres, CA 95307
Oregon State Highway Commission	355 Capitol St. N.E. Salem, OR 97301-3871
Martin A & Beverly L Underhill	PO Box 266 Dufur, Oregon 97021
Hollis & Anna S Bolton	86365 Steuber Road Dufur, Oregon 97021
Robert J Hastings	1701 Broadway Street, PMB J Vancouver, WA 98663
John W & Marlene Manigal	63470 Center Ridge Road Dufur, Oregon 97021
John & Patricia R Clausen	83417 Dufur Valley Road Dufur, Oregon 97021
Frances L Limmeroth Trust C/O Ruth Alexander, Trustee	63439 Dufur Gap Road Dufur, Oregon 97021



William E & Barbara K Hammel	7075 Fifteen Mile Road The Dalles, Oregon 97058
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**LotusWorks – Summit Ridge I, LLC**

9611 NE 117th Avenue
Suite 2840
Vancouver, WA 98662-2403

360.737.9692

October 23, 2014

Mr. Eric Desmarais
Energy Facility Siting Analyst
Oregon Department of Energy
625 Marion St. NE
Salem, OR 97301-3737

Subject: Response to Request for Additional Information #1

Reference: ODOE Letter dated September 30, 2014

Dear Mr. Desmarais:

This document serves as our response to the above reference letter. In developing our response we have actively engaged both the Oregon Department of Fish and Wildlife and the Oregon Department of Agriculture. It is our understanding both agencies agree that our proposed response as put forth in this document satisfies their respective requirements. We are very appreciative to both organizations for their time and input in assisting us in arriving at a solution that satisfies their respective requirements while allowing the project to proceed.

In response to the specific items identified as requiring addition information in your request, we offer the following:

1. Our response to additional information regarding Habitat Mitigation and Raptor nest surveys is provided in two documents. We have enlisted the services of Northwest Wildlife Consultant's, Inc. (NWWC) to prepare an amended Habitat Mitigation Plan (OAR-635-415-0025) for the Summit Ridge Wind Project. A copy of the amended plan is included as an Appendix A to this document.

In addition, NWWC working with us and the Oregon Department of Fish and Wildlife, has developed our proposed response to agency concerns regarding raptor nest surveys. Our response is put forth in the October 17, 2014 memo from Rick Gerhardt of NWWC which is included as Appendix B to this document.



2. Similarly, NWWC working with us and the Oregon Department of Agriculture has developed our proposed response to agency concerns regarding threatened and endangered plant species (OAR-345-022-0070). Our response is put forth in the October 17, 2014 memo from Rick Gerhardt of NWWC which is included as Appendix B to this document.
3. Included as Appendix C to this document is a memorandum from David Evans and Associates that serves as our response to the request for additional information regarding visual impacts due to the requested increase in turbine hub heights and rotor diameter. The memorandum address questions or requests concerning:
 - a. Locations where turbines were previously visible with the smaller turbine size and would now still be visible with the larger turbine size.
 - b. Provide new visual simulations that have been completed using the same program and software revision with an explanation of why the site chosen would be the most visually impacted and therefore the best locations to create visual simulations from. We also identify why we believe the selected sites are the most visually impacted.
4. Appendix D is a detailed paragraph by paragraph response providing an evaluation of how the facility will be in compliance with current Wasco County Land Use Standards applicable to Summit Ridge as required by OAR-345-027-0070(10).
5. The aforementioned David Evans and Associates Memorandum included as Appendix C provides an analysis of Summit Ridge's impact to Cottonwood Canyon State Park as identified in OAR 345-022-0040.
6. Appendix E serves to document our review of impact of Summit Ridge on available Public Services as required by OAR 345-022-0110. Further in addition to the written confirmation previously provided we are including written confirmation in the form of e-mails from Mel's Sanitary Service, Wasco Public School District No 21 and Mid-Columbia Medical Center identifying their ability to support the project.

Finally in regards to the question as to what constitutes the site boundary. We concur that the facility, all related and supporting facilities, and all other impacts, temporary or permanent, must occur within the site boundary that was reflected in Exhibit C of the Final Application for Site Certificate as modified by our Request for Amendment #1. We do not anticipate the need



for additional areas outside of this for roads, laydown areas or any other temporary or permanent disturbance.

We believe our response satisfies elements of the Request for Information #1. Should you have questions or require additional clarification please do not hesitate to contact me at sostrowski@lotusworks.com or (360)737.9692.

Thank you for your assistance by providing answers to questions regarding our response. We look forward to moving our Amendment #1 to the next phase of the approval process.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven A. Ostrowski, Jr.", written in a cursive style.

Steven A. Ostrowski, Jr
President
LotusWorks-Summit Ridge I, LLC

Cc: Project File

Attachments



LotusWorks-Summit Ridge I, LLC
Response to Request for Information #1
Appendix A

Revised Habitat Mitigation Plan

**Habitat Mitigation Plan
for the
Summit Ridge Wind Project
(As Amended)**

Prepared for:

LotusWorks

9611 NE 117th Avenue, Suite 2840
Vancouver, Washington 98662

Prepared by:

Rick Gerhardt

Northwest Wildlife Consultants, Inc.

815 NW 4th St.
Pendleton, Oregon 97801



Revised October 21, 2014

Introduction

This document was originally prepared for the Summit Ridge Wind Project (Project) Site Certificate Application (SCA) submitted to the Oregon Department of Energy (ODOE) in 2010. It has been updated in association with a request by LotusWorks for an Amendment to the Site Certificate in order to address two sets of changes. One is a decrease in the number of turbines proposed for installation, which resulted in a decrease in the acreages of both permanent and temporary impacts. The other is a change (in 2013) in the way the Oregon Department of Fish and Wildlife (ODFW) categorizes several habitat types (including exotic annual grassland, old field, revegetated grassland, native perennial grassland, and rabbitbrush/buckwheat shrub-steppe habitats) when they lie within designated deer and/or elk winter habitat (ODFW, 2013). The proposed concepts of this Habitat Mitigation Plan (HMP) were originally discussed with the Oregon Department of Fish and Wildlife in December 2009 and again on March 30, 2010; the changes contained herein were made in response to ODFW comments on the Request for an Amendment and were discussed with ODFW personnel in October 2014.

The Summit Ridge Wind Project is located in Wasco County, Oregon. As part of the SCA (Exhibits P and Q), Northwest Wildlife Consultants, Inc. (NWC) completed habitat mapping and quality assessment of the Project area, and conducted site-specific biological studies that included rare plant surveys, avian use surveys, a grassland bird displacement study, special status vertebrate wildlife species surveys, a raptor nest survey, an inventory of bat species, and big game observations, as well as reviews for potential occurrence of or records of special status species (Gerhardt et al., 2009a, 2009b). Based on a combination of the results of these studies, Project impact estimates provided by LotusWorks and David Evans Associates (DEA), experience with such mitigation, and knowledge of the wildlife and habitats impacted by wind energy development in the Columbia Plateau, NWC offers the concepts in this document as recommendations for inclusion in the Project's final Habitat Mitigation Plan. Details on habitat types, subtypes, and Categories 1–6 can be found in the SCA, Exhibit P.

Description of Project Impacts

As presently designed (as of October 17, 2014), the Summit Ridge Wind Project will consist of up to 72 2.7 megawatt (MW) turbines. The Project is expected to have a generating capacity of 200 megawatts. Other associated facilities include turbine pads, maintenance roads, overhead and underground electrical cables, an operations and maintenance building, a batch plant, and one 230-kilovolt overhead transmission line.

Most of the Project's footprint (area to be covered by permanent facilities) will occupy dryland agriculture, which is Category 6 habitat. No Category 1 habitat will be impacted, but a small amount of habitat traditionally designated Category 2 (big sagebrush shrub-steppe) will be permanently impacted. Most of the remaining footprint will occupy habitats originally designated Category 3 (revegetated grassland, native perennial grassland, or rabbitbrush/buckwheat shrub-steppe) or Category 4 (old field or exotic annual grassland)

but now designated by ODFW as Category 2 because the land lies within designated deer and/or elk winter range (ODFW, 2013).

In addition to the permanent impacts mentioned above, construction of the Project will entail temporary impacts to the same types and categories of habitat. Temporary impacts are summarized as follows: no Category 1 impacts, a small amount of impact to traditional Category 2 habitat, some impacts to habitats traditionally designated Category 3 and Category 4 but now designated by ODFW as Category 2, and mostly Category 6 habitat will be impacted. Grassland habitats that were traditionally Category 3 (revegetated grassland and native perennial grassland) are expected to require two to five years after restoration activities start to achieve a trend towards recovery to a mature state of grassland cover. Old field and exotic annual grassland habitats are expected to be improved—within two or three years—as restoration will result in more native grasses and far fewer of the invasive, noxious weeds that existed prior to disturbance). Native forbs in perennial grasslands (as well as in shrub-steppe) may not recover to pre-construction diversity or will take longer to recolonize the restored areas. Shrub-steppe habitats—Category 2 and (traditionally) Category 3—may take much longer to achieve the shrub species maturity and height that existed prior to construction.

Calculation of the Size of the Mitigation Area

The Habitat Mitigation Area (HMA) must be large enough and have the characteristics to meet the standards set by the Oregon Department of Fish and Wildlife (ODFW) in their Wildlife Habitat Mitigation Policy (OAR 635-415-0025). These standards include “no net loss” and a “net benefit” in habitat quality and quantity for Category 2 habitats, and “no net loss” of habitat for Categories 3 and 4. Mitigation standards for Category 6 involve minimizing direct habitat loss and avoiding impacts to off-site habitat.

For the purposes of this discussion, the acreages of impact are the current estimate of the maximum affected area. The actual areas of disturbance will be determined based on the final design layout of the Project. It is anticipated that ODOE and ODFW will require that they be provided with the final design layout and the associated impact acreages prior to the beginning of Project construction.

Current maximum habitat impact estimates of the Summit Ridge Wind Project (including the transmission line) are:

<u>Habitat Category</u>	<u>Permanent Impacts</u>	<u>Temporary Impacts</u>
Category 2 (traditional)	0.43	0.37
Category 2 (big game)	25.80	35.15
Category 6*	41.78	47.16
Total Acres	68.01	82.68

* no mitigation required

Based on these impact estimates, calculation of the mitigation area requirement is as follows:

Category 2 (Traditional)

Footprint: 0.43 acres (2:1 ratio)

Temporary impacts: 0.37 acres (2:1 ratio)

Mitigation area required: $(0.43 \times 2) + (0.37 \times 2) = 1.60$ acres

Category 2 (Big Game)

Footprint: 25.80 acres (>1:1 ratio)

Temporary impacts: revegetated grassland 17.19 acres (1:1); native perennial grassland and shrub-steppe 6.23 acres (1:1 ratio); old field and exotic annual grassland 10.86 acres (1:1)

Mitigation area required: $25.80 + 17.19 + 6.23 + 10.86 = > 60.08$ acres

Total mitigation area required: Approximately 65 acres (i.e., > 61.68 acres)

Description of the Habitat Mitigation Area (HMA)

According to ODFW standards, areas appropriate for mitigation of Category 2 habitat impacts must be “in proximity” to the Project and have potential for habitat and enhancement. The applicant has identified four habitat parcels for consideration by ODFW and ODOE (Figure 1). These range in size from 15 to 77 acres, and are revegetated grasslands of varying quality. NWC believes that the identified parcels have adequate potential for mitigating the habitat loss expected to occur and for providing benefit for the wildlife species most likely to be impacted by habitat loss associated with the Project, including grasshopper sparrow (*Ammodramus savannarum*), Brewer’s sparrow (*Spizella breweri*), vesper sparrow (*Pooecetes gramineus*), and loggerhead shrike (*Lanius ludovicianus*). The referenced parcels for mitigation have been discussed with ODFW, LotusWorks, NWC, and the associated landowners, and other parcels may be considered as well.

Possible Habitat Enhancement Options

It is assumed that the habitat designated for mitigation will be conserved and protected from alteration for the life of the Project. Besides such legal protection, actions that are proposed for enhancement of the mitigation area include fencing out livestock (if not already fenced), modification of livestock grazing (wildlife habitat values take precedence over livestock grazing), weed control, revegetation with native plants, and fire control.

Monitoring

It is expected that a comprehensive program of monitoring the HMA and the success of its protection and enhancements will be required by ODOE and ODFW. Such monitoring will be conducted by an independent and qualified specialist (wildlife biologist/botanist). Annual monitoring will include assessments of quality of vegetation, success of weed control measures, recovery of native grasses and forbs (in response to reductions in livestock grazing), and success of revegetation measures (where applicable). In addition, some requirement for periodic monitoring of avian species use of the area (especially during the breeding season) is recommended for understanding the enhancement success. Details of monitoring time frames and success criteria will be designed after the final site is selected.

Results of all monitoring will be reported to ODOE and ODFW on an annual basis, along with a report of the mitigation/enhancement measures undertaken that year.

Criteria for Success

Success of this Habitat Mitigation Plan will be predicated upon several criteria. These include increased vegetative cover consisting of desired native vegetation (relative to the structure prior to initiation of enhancement actions), similar or increased avian use of the area (similar or increased diversity of species), success of noxious weed control, increased recruitment of native forbs, and increased seed production of native bunchgrasses.

References

- Gerhardt, R., R. Gritski, B. Anderson. 2009a. Ecological baseline studies and impact assessment for the Summit Ridge Wind Power Project, Wasco County, Oregon—Interim Report. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Pendleton, Oregon.
- Gerhardt, R., R. Gritski, B. Anderson. 2009b. Ecological baseline studies and impact assessment for the Summit Ridge Wind Power Project, Wasco County, Oregon—Addendum. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Pendleton, Oregon.
- Oregon Department of Fish and Wildlife (ODFW). 2013. ODFW's data clearinghouse: ODFW winter range for eastern Oregon. Available online at:
<http://nrimp.dfw.state.or.us/DataClearinghouse/default.aspx?p=202&XMLname=885.xml>.



LotusWorks-Summit Ridge I, LLC
Response to Request for Information #1
Appendix B

Northwest Wildlife Consultants Memorandum regarding
Endangered and Threatened Plant Species and Raptor
Nest Surveys dated October 17, 2014



Northwest
Wildlife
Consultants, Inc.

MEMORANDUM

Date: October 17, 2014

To: Steven Ostrowski, LotusWorks

From: Rick Gerhardt, Wildlife Biologist
Northwest Wildlife Consultants, Inc.

Subject: Proposal to address ODFW and ODA concerns about Amendment to Summit Ridge Wind Farm Site Certificate

In response to LotusWork's request for an amendment to the Summit Ridge Wind Farm Site Certificate, the Oregon Department of Energy (ODE) received comments from both the Oregon Department of Agriculture (ODA) and the Oregon Department of Fish and Wildlife (ODFW) in September 2014. The ODA commented that the rare plant surveys conducted for the original application are outdated, and the ODFW commented that the original raptor nest surveys are outdated (Desmarais, 2014). LotusWorks has contracted Northwest Wildlife Consultants, Inc. (NWC), which conducted the initial wildlife, plant, and habitat surveys, to prepare a proposal for conducting the requested additional rare plant and raptor nest surveys. This memorandum represents that proposal.

Rare Plants

The original special status plant species surveys were conducted in June 2009, and methods and results are described in the ecological baseline studies and impact assessment and in the site certificate application for the Summit Ridge Wind Power Project (Gerhardt et al., 2010a; LotusWorks, 2010). Prior to field surveys, a literature review yielded a list of 19 plant species of concern with the potential for occurrence within leased lands associated with this project; of these, one was a state threatened species and four were state candidate species (Appendix C, Gerhardt et al., 2010a). Among the 111 species of vascular plant species recorded on the project (Appendix E, Gerhardt et al., 2010a), none of these listed or candidate species was found, and none of the 19 species of concern was found. Moreover, no suitable habitat was believed to occur on the project for three of the four candidate species, and there was low likelihood of occurrence for the remaining candidate species (dwarf evening-primrose) or the threatened species (Tygh Valley milk-vetch). Since those surveys were conducted in 2009, there has been no substantive change in land management practices, and livestock grazing continues to occur on most or all of the habitats. Thus, there is very low likelihood that these species of concern have colonized portions of the project since that time.

Nonetheless, LotusWorks is proposing an additional survey in all potentially suitable habitat within 200 feet of proposed turbine string center lines, access roads, and other facilities. Surveys will be conducted in late May or early June 2015. The target species will include the two mentioned above and the other three state candidate species (diffuse stickseed, hepatic monkeyflower, and Henderson's ryegrass). Searches will be conducted using an intuitively controlled survey method commonly used for rare plant surveys (USDA BLM, 1998; Elzinga et al., 1998). More detailed descriptions of the methods to be employed can be found in Gerhardt et al. (2010a). Following completion of this survey, a summary report will be submitted to ODA and ODE.

Raptor Nests

The original raptor nest survey was conducted from a helicopter by an experienced NWC raptor biologist in early May 2009 (Gerhardt et al., 2010a), with an additional survey conducted along the proposed transmission line in May 2010 (Gerhardt et al., 2010b). Nests of several common raptor species were identified within 2 miles of the proposed facilities; these included turkey vulture, red-tailed hawk, prairie falcon, great horned owl, and long-eared owl (Gerhardt et al., 2010). There were no nests documented for any federal or state listed or candidate raptor species or for any state sensitive raptor species.

LotusWorks is proposing an additional raptor nest survey covering the proposed project area and a buffer of 0.5 mile of all proposed turbines, roads, and other facilities. The survey will be conducted in May 2015 (and prior to the start of construction), a time at which early nesting species (e.g., great horned owl) will still be on or near nests and late nesting species (e.g., Swainson's hawk) will have initiated incubation. (The project is outside the documented breeding range of the three state sensitive raptor species generally of concern in the Columbia Plateau Ecoregion, Swainson's hawk, ferruginous hawk, and burrowing owl.) This survey will be conducted primarily from the ground, but a helicopter will be used if there are areas that might contain raptor nests that cannot be efficiently examined from the ground. More detailed descriptions of the methods to be employed can be found in Gerhardt et al. (2014a).

Following completion of this survey, a summary report will be submitted to ODFW and ODE.

Should construction of this project not begin in 2015, then a second additional raptor nest survey will be conducted in the spring of the year of construction. The survey area and methods will be as described above, and a summary report will be submitted to ODFW and ODE.

References

- Desmarais, E. 2014. Letter from E. Desmarais, ODE, to S. Ostrowski, LotusWorks, dated September 30, 2014 requesting additional information regarding the Summit Ridge Wind Farm Site Certificate Amendment.
- Elzinga, C. L., D. W. Salzer, and J. W. Willoughby. 1998. Measuring and monitoring plant populations. TR 1730-1. USDI Bureau of Land Management, Denver, Colorado. 477pp.
- Gerhardt, R., R. Gritski, and B. Anderson. 2010a. Ecological baseline studies and impact assessment for the Summit Ridge Wind Power Project, Wasco County, Oregon, consolidated report. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Inc., Pendleton, Oregon.
- Gerhardt, R., R. Gritski, B. Anderson. 2010b. Raptor nest survey of the proposed transmission line, Summit Ridge Wind Power Project, Wasco County, Oregon. Addendum to Consolidated Report. Prepared for LotusWorks, Vancouver, Washington. Prepared by Northwest Wildlife Consultants, Pendleton, Oregon.
- LotusWorks—Summit Ridge I, LLC. 2010. Site Certificate Application. Submitted to Oregon Energy Facility Siting Council on August 24, 2010.
- USDA Bureau of Land Management. 1998. Survey protocols for survey and manage strategy 2: Vascular Plants, V 2.0. Available online at: <http://www.blm.gov/or/plans/surveyandmanage/SP/VascularPlants>



LotusWorks-Summit Ridge I, LLC
Response to Request for Information #1
Appendix C

David Evans and Associates Memorandum dated
October 16, 2014 regarding Visual Analysis and
Cottonwood Canyon State Park



DAVID EVANS
AND ASSOCIATES INC.

MEMORANDUM

DATE: October 16, 2014
TO: Steve Ostrowski
LotusWorks
Eric Desmarais
Oregon Department of Energy
FROM: Sean P. Sullivan, LA
SUBJECT: Summit Ridge Wind Farm Amendment Request - RAI #1 Response
PROJECT: LOTW0000-0003
COPIES: File

This memorandum responds to Comments 3 and 5 in Oregon Department of Energy's (ODOE) Request for Additional Information (RAI) #1, issued September 30, 2014 for the Summit Ridge Wind Farm Amendment Request. Excerpts from the RAI are included below in italics, followed by DEA's response.

Comment 3, Part 1

You have provided sufficient information and analysis in the Amendment Request of where, due to the change in turbine size, the turbines would no longer be visible where they previously were not. Where you have not provided sufficient information or analysis, is in the location where the turbines were previously visible with the smaller turbine size and would now still be visible with the larger turbine size.

DEA Response:

Figures 3, 4, 7, and 8 have been revised to include the areas (shown in yellow) where turbines were previously visible in the approved 2010 layout and would remain visible with the larger turbine size.

Model results indicate that visibility patterns would generally remain about the same throughout the analysis area, except in the southern portion of the Deschutes River Canyon and the White River Canyon where visibility is significantly reduced (shown in blue) due to the removal of the 15 southernmost turbines.

Comment 3, Part 2

Provide the department with new visual simulations that have been completed using the same program, with an explanation of why the sites chosen would be the most visually impacted and therefore the best locations to create visual simulations from. If they are not the most visually impacted sites, provide simulations from the most visually impacted sites and describe how the facility will be in compliance with the requirements of OAR 345-022-0040 and OAR 345-022-0080.

DEA Response:

Figures 9 through 18 have been revised to include visual simulations completed using the same software.

As stated in the Application for Site Certificate, Exhibit R, “Viewpoint locations were determined based on the visibility analysis and fieldwork to reflect “worst case” conditions when viewed from important or significant scenic and aesthetic resources. In other words, these viewpoints include locations with relatively high use (based on ease of access and presence of developed recreational facilities) and positions from which turbines would be most visible.”

For further clarification, viewpoints were located along developed trails (e.g., abandoned railroad grade) and roads paralleling the river. These points are generally higher on the canyon side slopes and would thus provide a better vantage point from which to view turbines, if visible. Topography was also considered in locating viewpoints. For example, Viewpoint 3 at Snake-in-the-Box is purposely oriented toward a side canyon with the most direct views of proposed turbines, even though views into side canyons towards turbines are not typical in the subject landscape; that is, views are typically oriented up river and down river, not into side canyons.

Viewpoints 4 and 5 were selected in the original analysis because they represented viewpoints from which proposed turbines would be most visible from readily accessible locations along the Deschutes River Canyon. The turbines that would have been visible from these viewpoints have been removed from the project, as shown in the attached simulations (Figures 15 through 18).

In summary, the original five viewpoints were selected to represent the most visually impacted sites. Impacts at Viewpoints 1, 2, and 3 remain about the same as shown in the simulations. Impacts at Viewpoints 4 and 5 no longer exist because the subject turbines have been removed from the project.

Comment 5

In September 2013 Cottonwood Canyon State Park was created and is located within the analysis area for protected areas. Because the park was created after the site certificate was issued, it was not evaluated in the Site Certificate Application. In order for us to evaluate the impact of this park on compliance with the Protected Area standard, please analyze the facility’s impact on Cottonwood Canyon Park under OAR 345-22-0040 (Protected Areas).

DEA Response:

Regarding noise resulting from facility construction or operation, the ASC states that the Facility would be inaudible from all Protected Areas. Since other Protected Areas are much closer to the Facility than Cottonwood Canyon State Park, it is reasonable to assume that the Facility would be inaudible from the park, and thus no impact would result from noise.

Regarding increased traffic resulting from facility construction or operation, the ASC states that other Protected Areas are at a great enough distance as to be unaffected by traffic. Since Cottonwood Canyon State Park is one of the most distant Protected Areas from the Facility, it is reasonable to assume that traffic would not impact the park.

Regarding water use during construction or operation, the ASC states that during construction, water would be trucked in primarily be for use in making concrete and dust control. During operation, domestic water use would be provided by an exempt well. These uses would have no impact on Cottonwood Canyon State Park.

Steve Ostrowski
Eric Desmarais
October 16, 2014
Page 3

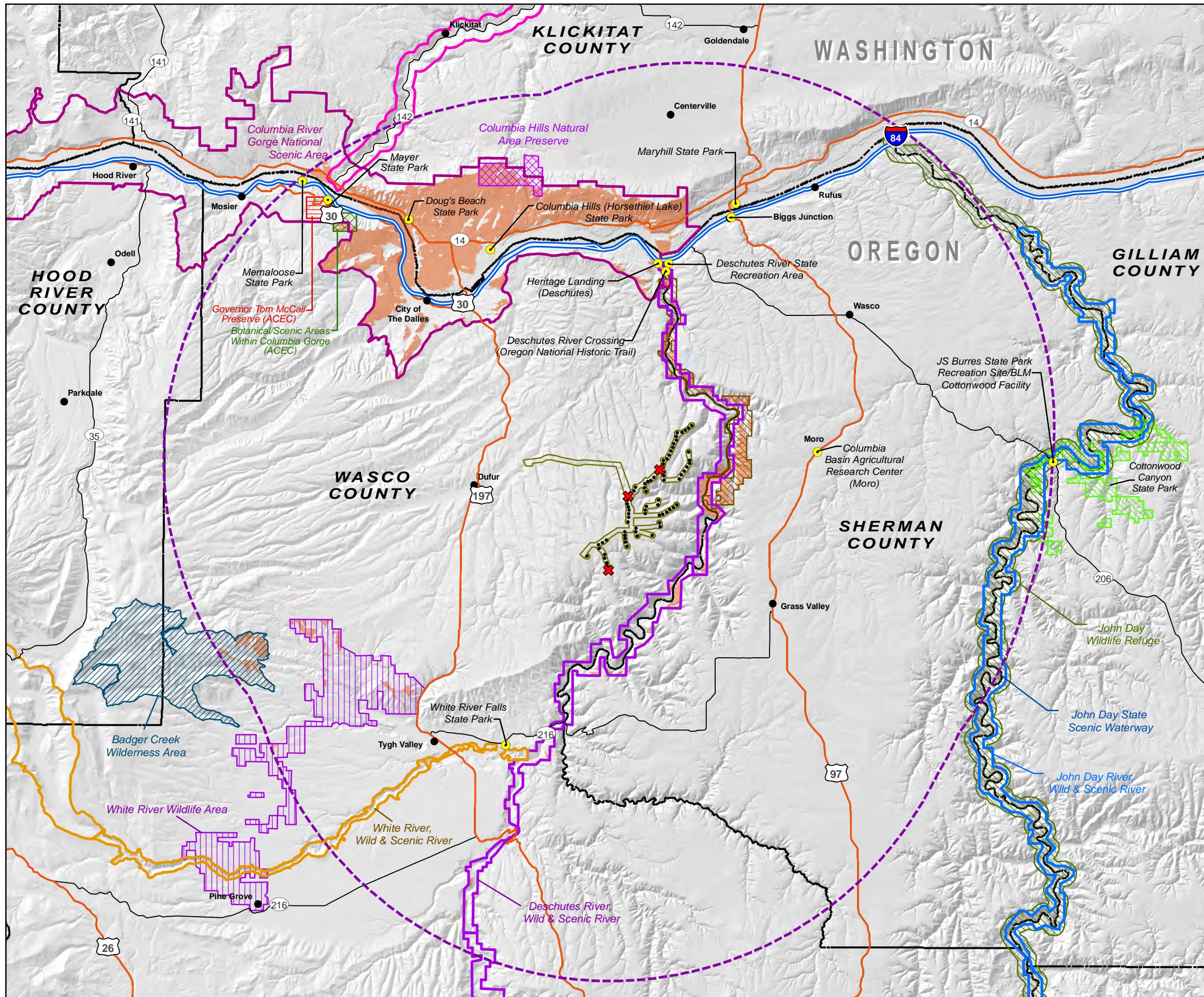
Regarding wastewater disposal resulting from construction or operation, the ASC indicates that wastewater would be minimal and would be managed on site. Wastewater disposal would not impact Cottonwood Canyon State Park.

Regarding visual impacts resulting from facility structures or plumes, Figures 1 through 4 have been revised to include Cottonwood Canyon State Park. The park is located approximately 18.5 miles east of the nearest turbine. Modeling results indicate that the proposed turbines for Alternatives A and B would not be visible from the park within the analysis area. Therefore, there would be no visual impact to Cottonwood Canyon State Park.

Attachments/Enclosures:
Figures 1 through 18

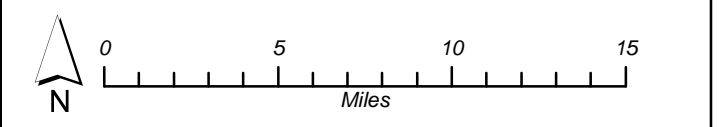
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Figure 1
Visibility Analysis for Protected Areas, Alternative A



- Legend**
- Site Boundary (2014)
 - Interstate Highway
 - Other Highway
 - Major Road
 - County Boundary
 - Proposed Met Tower Location
 - Proposed Turbine Location (2014)
 - Areas Where Proposed Turbines Likely Visible (shown only in Protected Areas)

- Protected Areas**
- Protected Areas Analysis Area (20 Mi)
 - Cottonwood Canyon State Park
 - Deschutes State Scenic Waterway
 - John Day State Scenic Waterway
 - White River State Scenic Waterway
 - Klickitat River, Wild & Scenic River
 - Columbia River Gorge National Scenic Area
 - Lower Deschutes Wildlife Area
 - White River Wildlife Area
 - John Day Wildlife Refuge
 - Columbia Hills Natural Area Preserve
 - Botanical/Scenic Areas within Columbia Gorge (ACEC)
 - Governor Tom McCall Preserve (ACEC)
 - Site Specific Protected Areas



Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



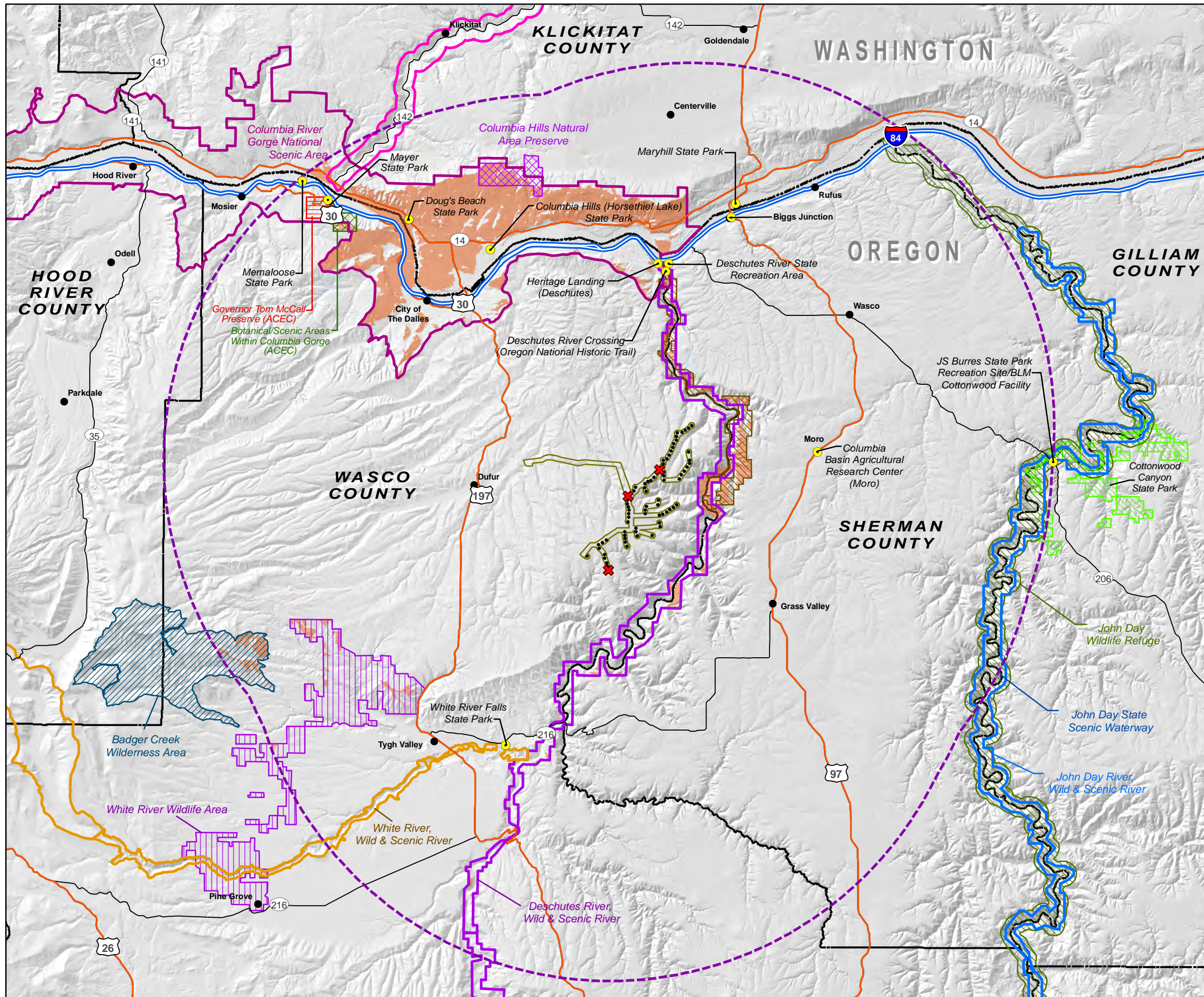



Figure 2
Visibility Analysis for Protected Areas, Alternative B



Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- County Boundary
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- Areas Where Proposed Turbines Likely Visible (shown only in Protected Areas)

Protected Areas

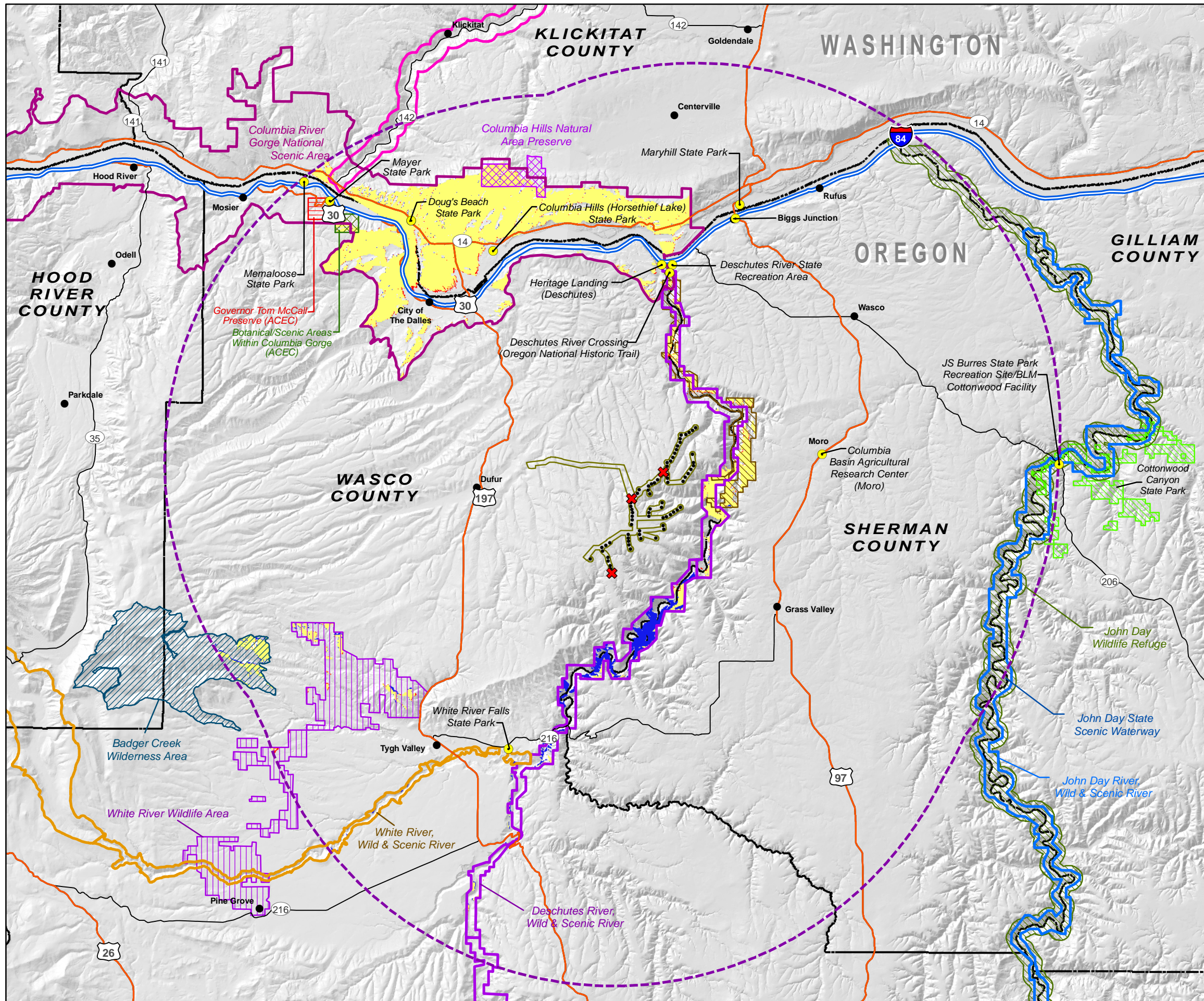
- Protected Areas Analysis Area (20 Mi)
- Cottonwood Canyon State Park
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

0 5 10 15
 Miles

Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service

Figure 3
Comparison of Visibility Analyses
Alternative A and 2010 Layout
for Protected Areas

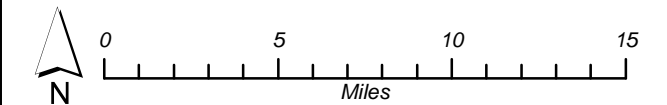


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- County Boundary
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible
- Areas Where Proposed Turbines Likely Visible for Alternative A and 2010 Layout

Protected Areas

- Protected Areas Analysis Area (20 Mi)
- Cottonwood Canyon State Park
- Deschutes State Scenic Waterway
- John Day State Scenic Waterway
- White River State Scenic Waterway
- Klickitat River, Wild & Scenic River
- Columbia River Gorge National Scenic Area
- Lower Deschutes Wildlife Area
- White River Wildlife Area
- John Day Wildlife Refuge
- Columbia Hills Natural Area Preserve
- Botanical/Scenic Areas within Columbia Gorge (ACEC)
- Governor Tom McCall Preserve (ACEC)
- Site Specific Protected Areas

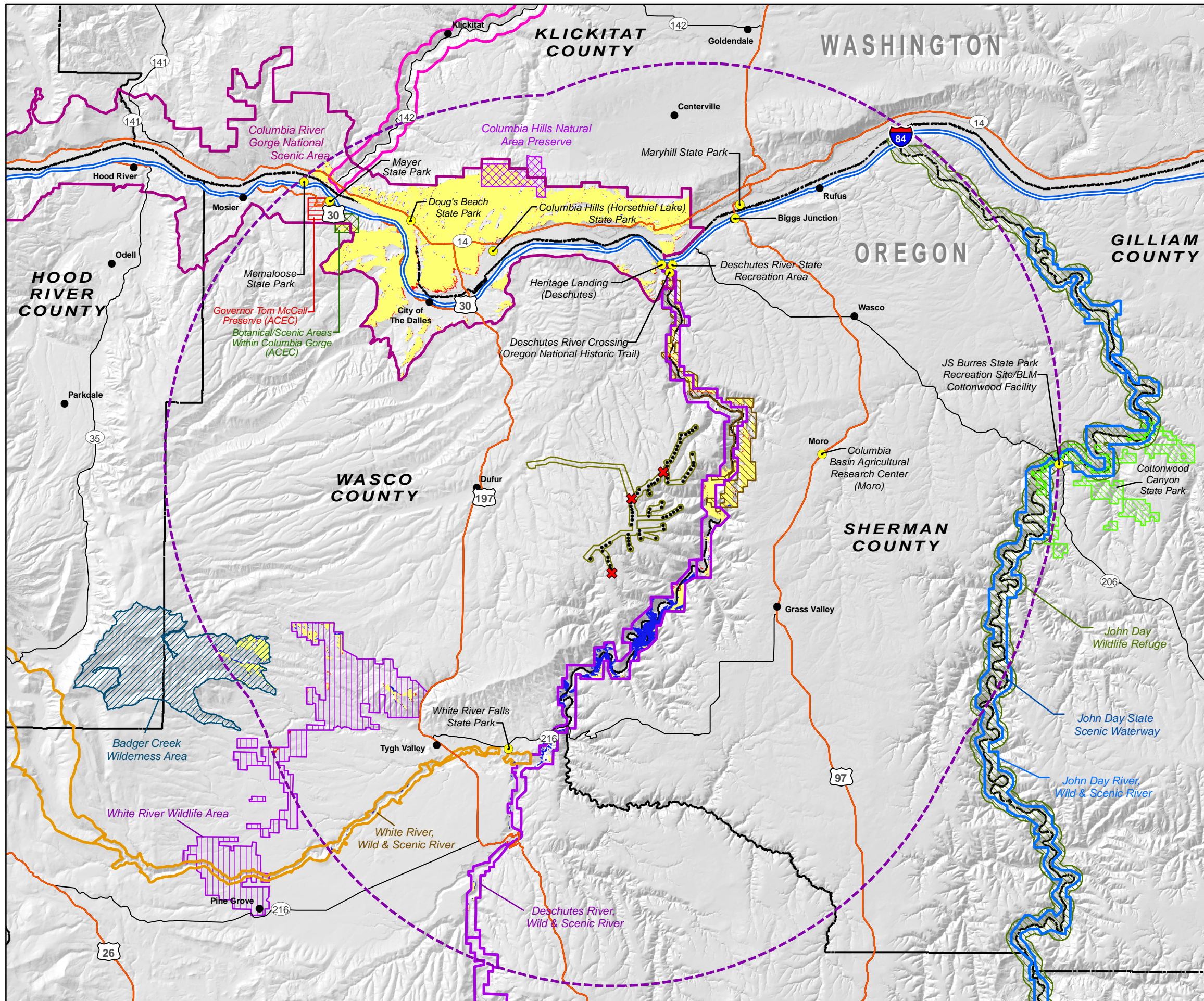


Data Sources:

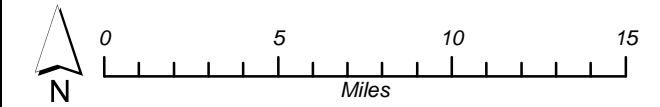
- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 4
 Comparison of Visibility Analyses
 Alternative B and 2010 Layout
 for Protected Areas



- Legend**
- Site Boundary (2014)
 - Interstate Highway
 - Other Highway
 - Major Road
 - County Boundary
 - Proposed Met Tower Location
 - Proposed Turbine Location (2014)
 - New Areas Where Proposed Turbines Now Likely Visible
 - Areas Where Proposed Turbines No Longer Visible
 - Areas Where Proposed Turbines Likely Visible for Alternative B and 2010 Layout
- Protected Areas**
- Protected Areas Analysis Area (20 Mi)
 - Cottonwood Canyon State Park
 - Deschutes State Scenic Waterway
 - John Day State Scenic Waterway
 - White River State Scenic Waterway
 - Klickitat River, Wild & Scenic River
 - Columbia River Gorge National Scenic Area
 - Lower Deschutes Wildlife Area
 - White River Wildlife Area
 - John Day Wildlife Refuge
 - Columbia Hills Natural Area Preserve
 - Botanical/Scenic Areas within Columbia Gorge (ACEC)
 - Governor Tom McCall Preserve (ACEC)
 - Site Specific Protected Areas

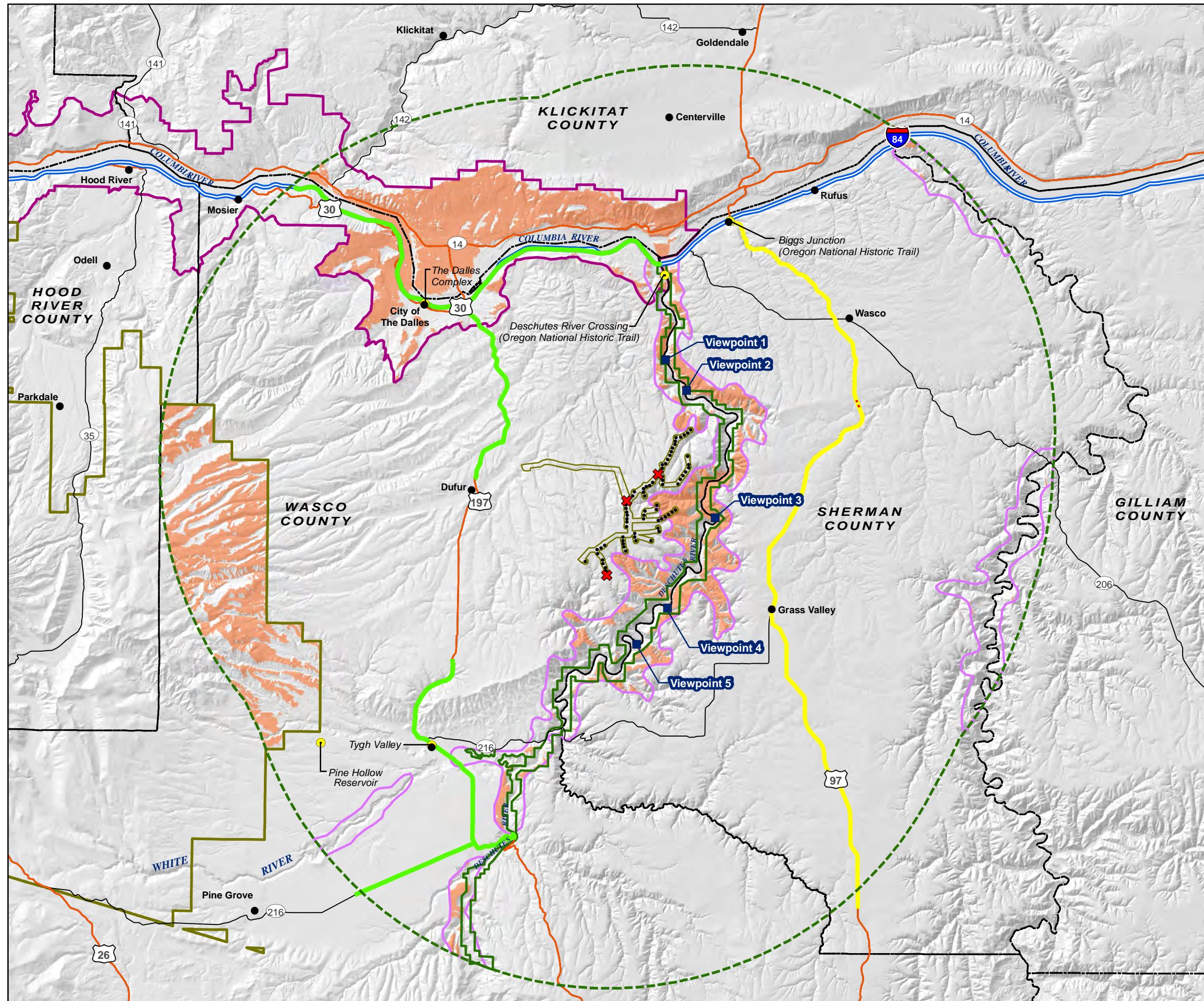


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 5
*Visibility Analysis for
 Scenic and Aesthetic Values,
 Alternative A*

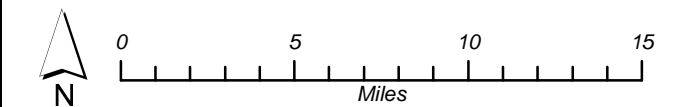


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- Areas Where Proposed Turbines Likely Visible (shown only in Scenic and Aesthetic Resource Boundaries)

Scenic Area

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic River
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

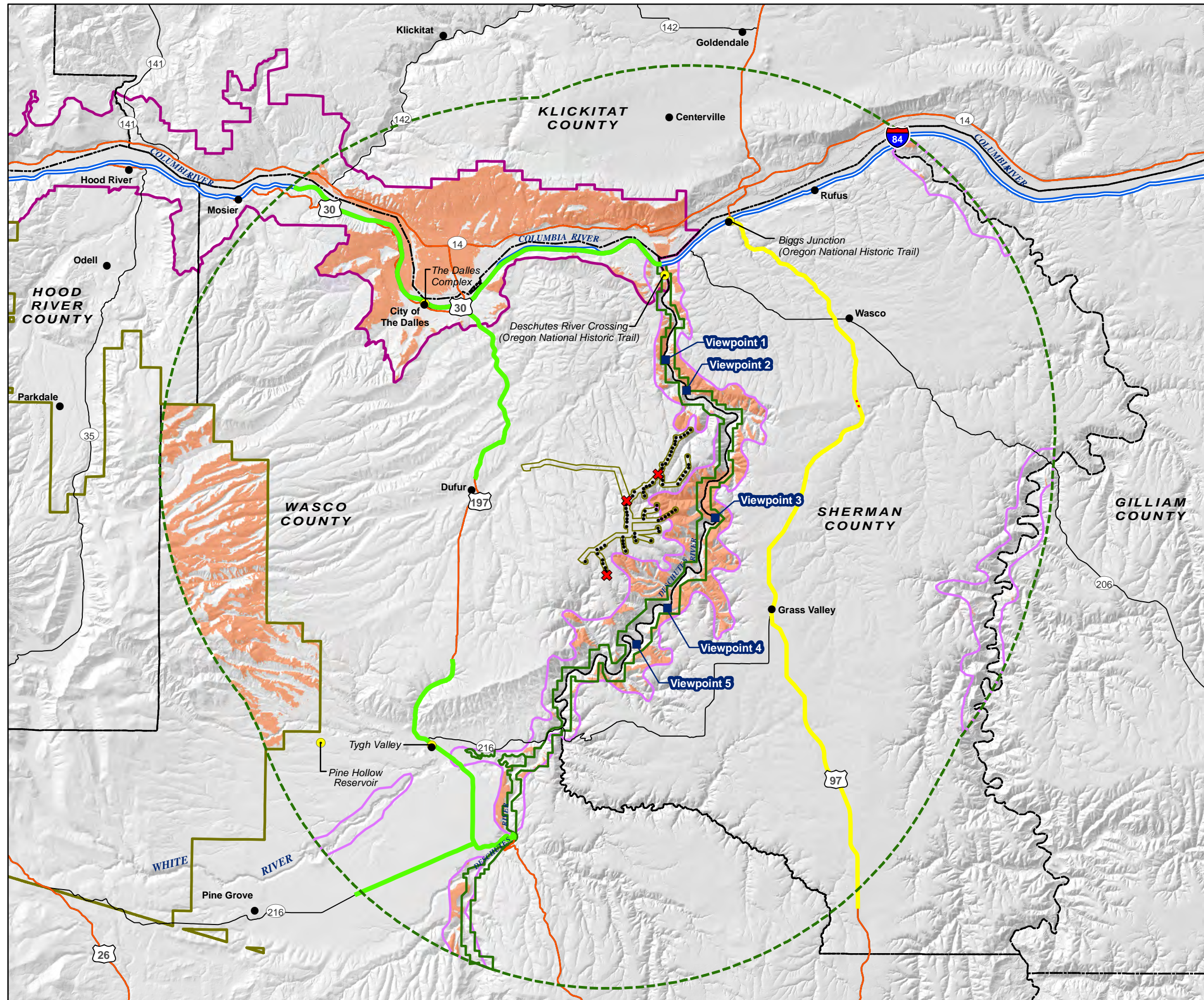


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 6
Visibility Analysis for Scenic and Aesthetic Values, Alternative B

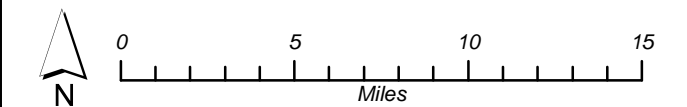


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Simulation Viewpoint Location
- Areas Where Proposed Turbines Likely Visible (shown only in Scenic and Aesthetic Resource Boundaries)

Scenic Area

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic River
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

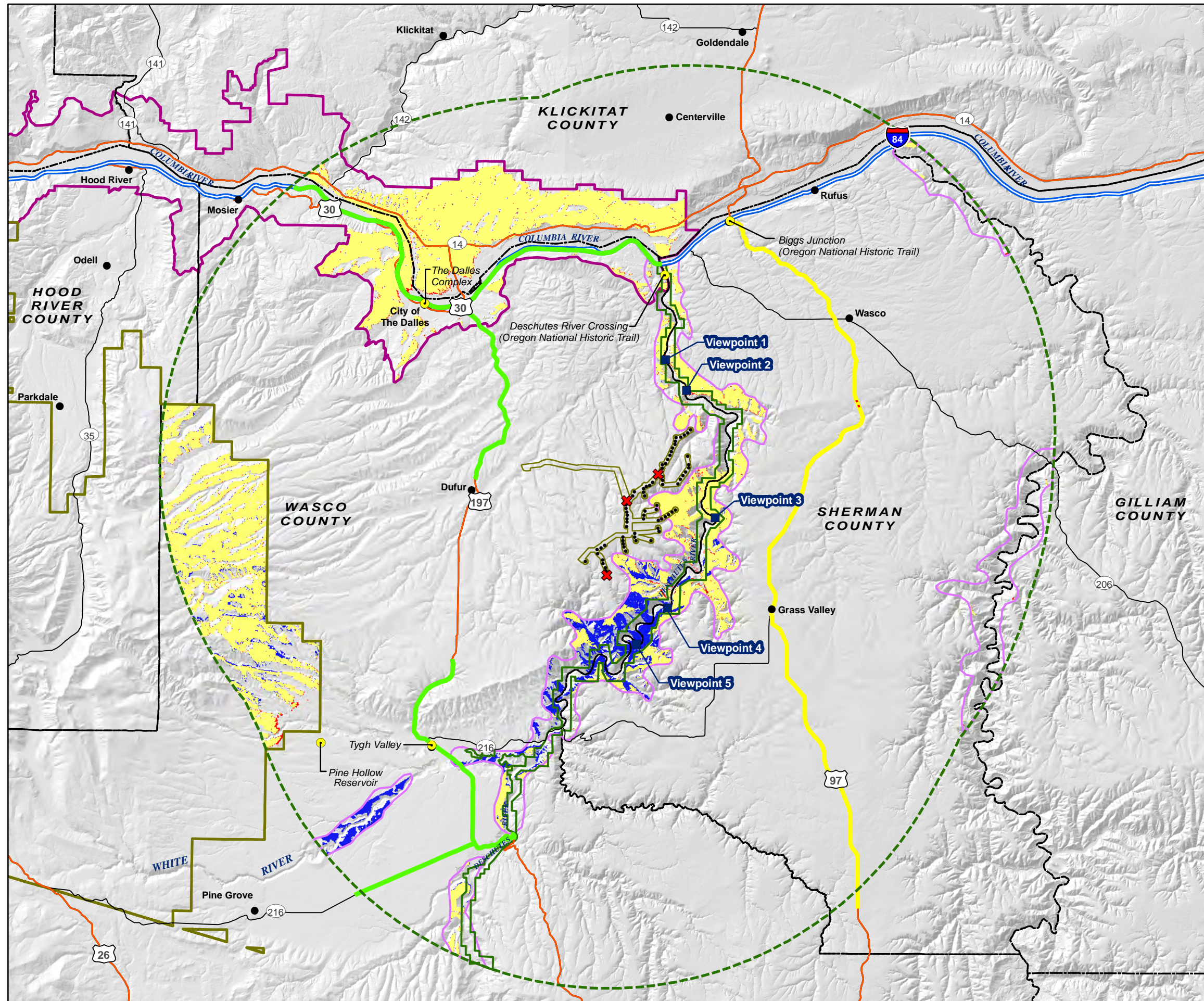


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 7
 Comparison of Visibility Analyses
 Alternative A and 2010 Layout
 for Scenic and Aesthetic Values

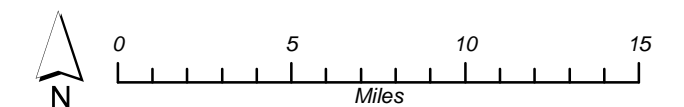


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- Simulation Viewpoint Location
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible
- Areas Where Proposed Turbines Likely Visible from Alternative A and 2010 Layout

Scenic Areas

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic Rivers
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area

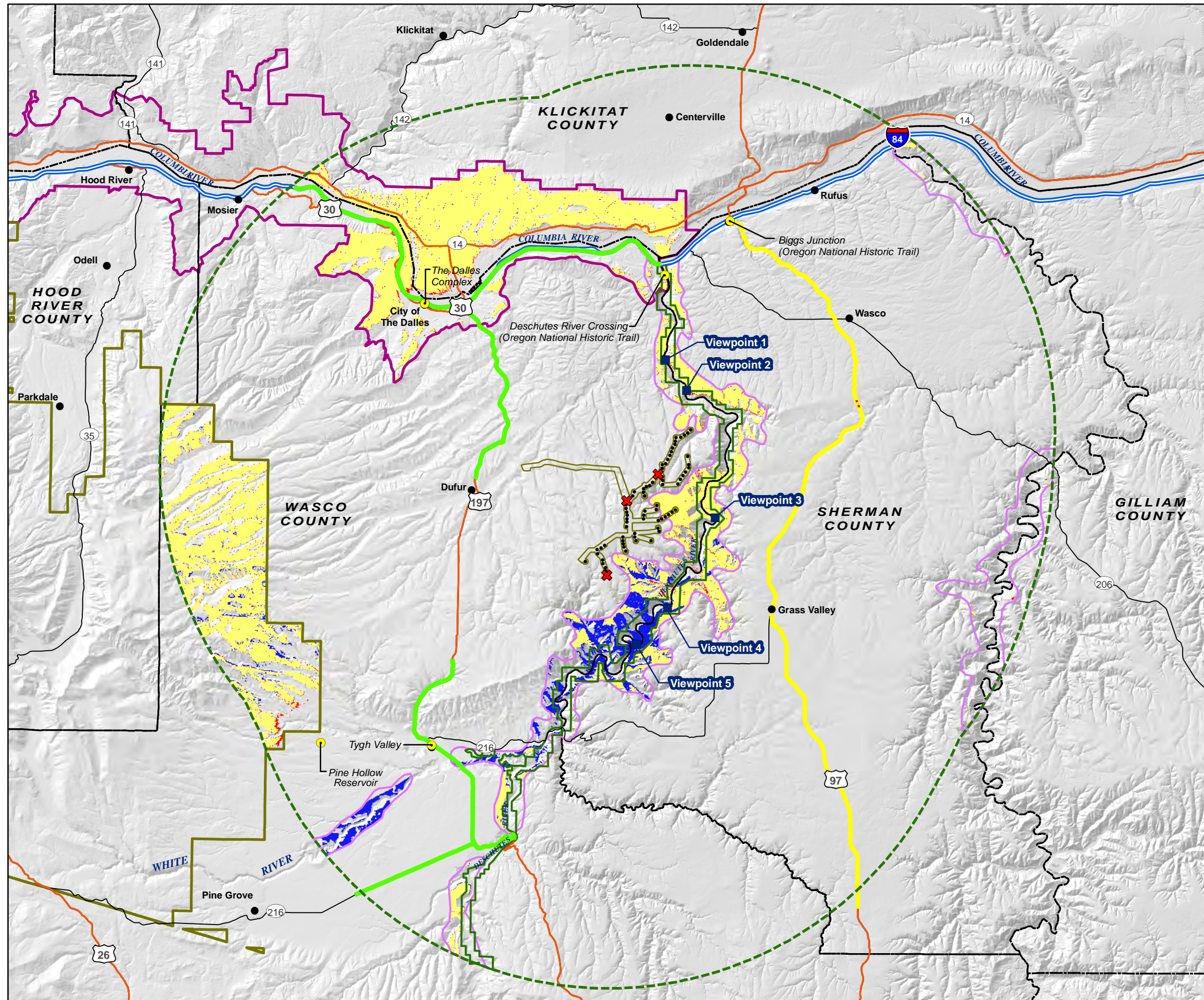


Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 8
 Comparison of Visibility Analyses
 Alternative B and 2010 Layout
 for Scenic and Aesthetic Values

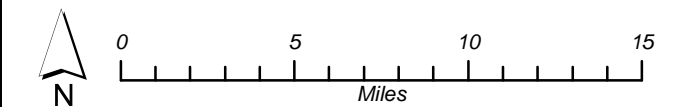


Legend

- Site Boundary (2014)
- Interstate Highway
- Other Highway
- Major Road
- Proposed Met Tower Location
- Proposed Turbine Location (2014)
- Simulation Viewpoint Location
- New Areas Where Proposed Turbines Now Likely Visible
- Areas Where Proposed Turbines No Longer Visible
- Areas Where Proposed Turbines Likely Visible from Alternative B and 2010 Layout

Scenic Areas

- Scenic and Aesthetic Values Analysis Area (20 MI)
- Wasco County Scenic Highways
- Journey Through Time Scenic Byway (US 97)
- Federal Wild and Scenic Rivers
- BLM Area of High Visual Quality
- Mt. Hood National Forest
- Columbia River Gorge National Scenic Area



Data Sources:

- Bureau of Land Management
- LotusWorks, 2009, 2014
- Oregon Geospatial Enterprise Office (GEO)
- Two Rivers Resource Management Plan, Record of Decision, June 1986
- US Forest Service



Figure 9

*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 1, Near Game
Commission Camp*



2010 Layout



Alternative A



Simulations were created with ESRI ArcGlobe.



Figure 10

*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 1, Near Game
Commission Camp*



2010 Layout



Alternative B



Simulations were created with ESRI ArcGlobe.



Figure 11

*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 2, Bedsprings*



2010 Layout



Alternative A



Simulations were created with ESRI ArcGlobe.



Figure 12
*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 2, Bedsprings*



2010 Layout



Alternative B



Simulations were created with ESRI ArcGlobe.



Figure 13
*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 3,
Snake-in-the-Box*



2010 Layout



Alternative A



Simulations were created with ESRI ArcGlobe.



Figure 14
*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 3,
Snake-in-the-Box*



2010 Layout



Alternative B



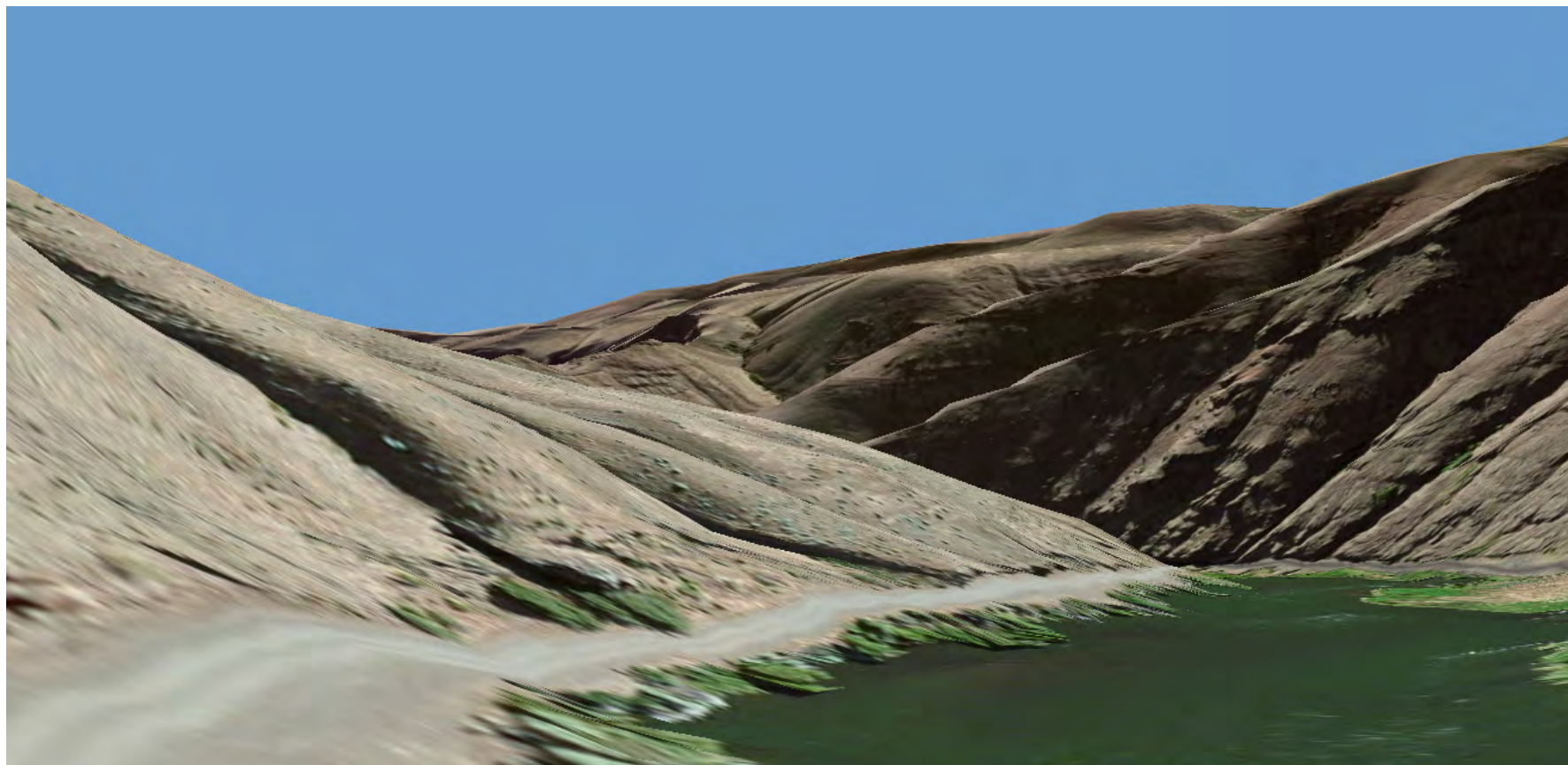
Simulations were created with ESRI ArcGlobe.



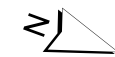
Figure 15
*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 4,
Box Elder Canyon*



2010 Layout



Alternative A



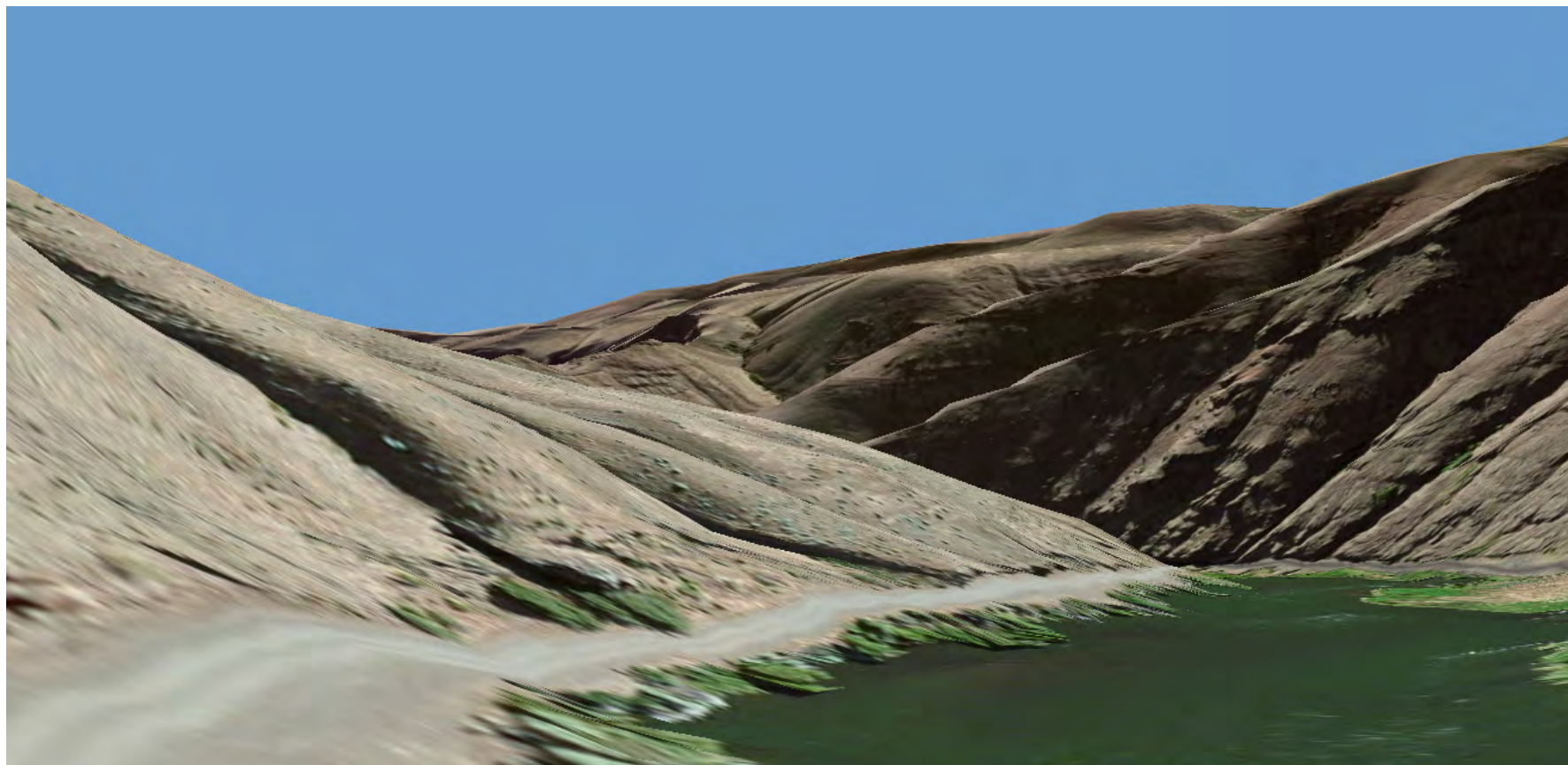
Simulations were created with ESRI ArcGlobe.



Figure 16
*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 4,
Box Elder Canyon*



2010 Layout



Alternative B



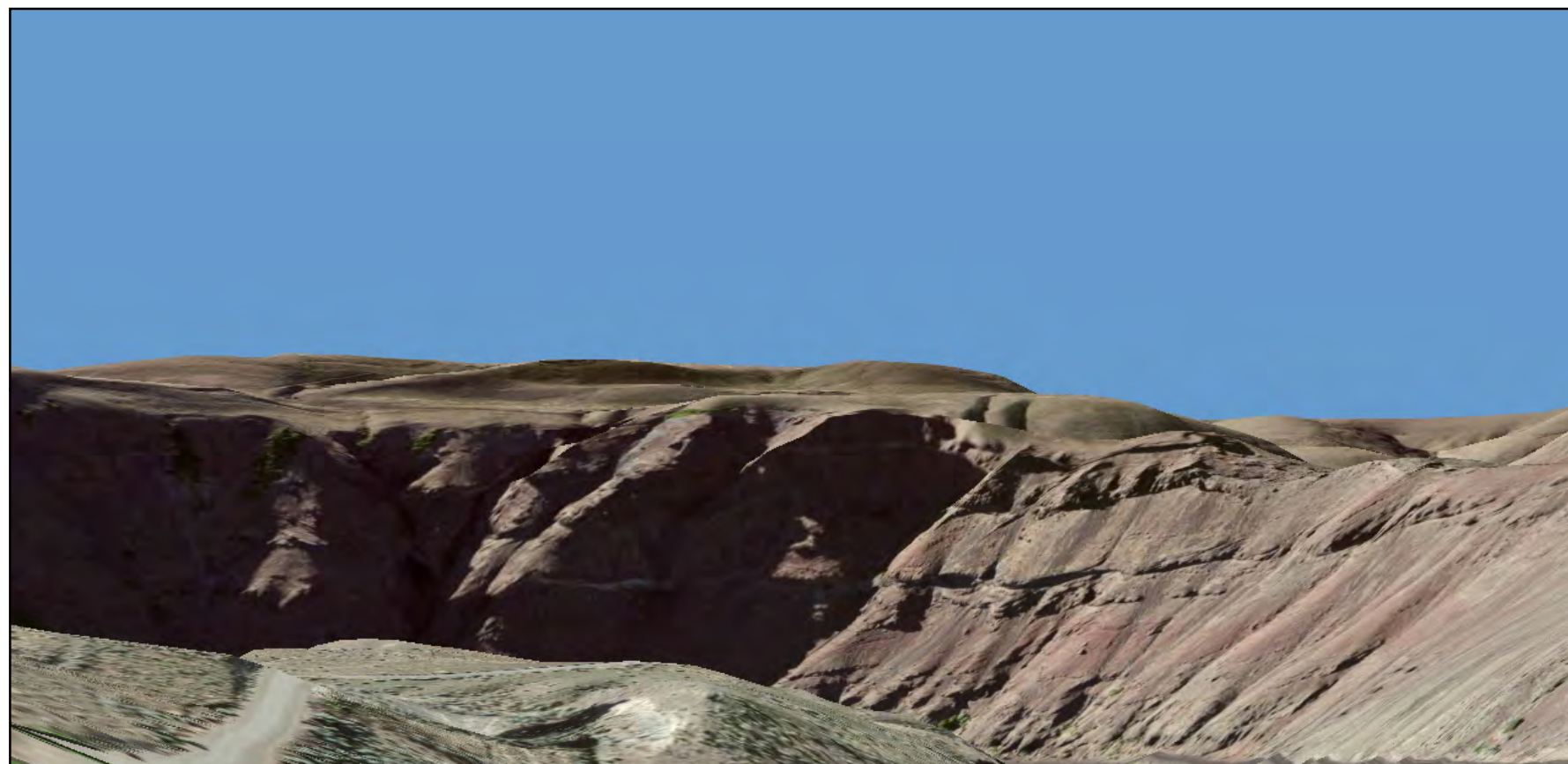
Simulations were created with ESRI ArcGlobe.



Figure 17
*Comparison of Visualizations
Alternative A and 2010 Layout
from Viewpoint 5,
Cedar Island*



2010 Layout



Alternative A



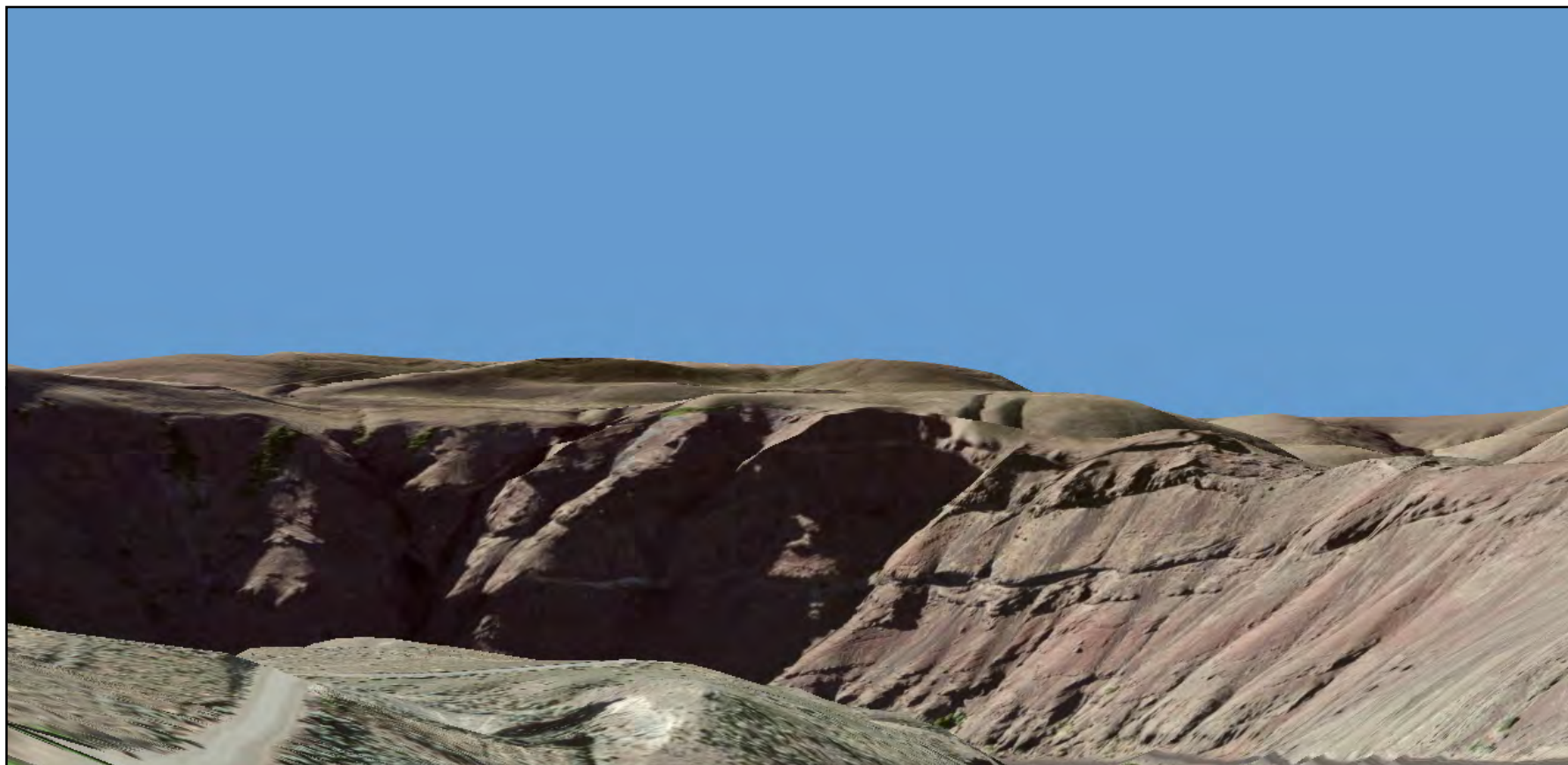
Simulations were created with ESRI ArcGlobe.



Figure 18
*Comparison of Visualizations
Alternative B and 2010 Layout
from Viewpoint 5,
Cedar Island*



2010 Layout



Alternative B



Simulations were created with ESRI ArcGlobe.





LotusWorks-Summit Ridge I, LLC
Response to Request for Information #1
Appendix D

Review of Chapter 19 of the Wasco County Oregon
Standards for Commercial Energy Facilities & Related
Uses



Response to ODOE RAI - #1 Item 4

The following is a section by section review of Chapter 19 of the Wasco County Land Use Development Ordinance entitled Standards for Non-Commercial Energy Facilities, Commercial Energy Facilities and & Related Uses. Each section of Chapter 19 is printed in its entirety. Our response is presented at the end of each section/paragraph as applicable and is clearly identified.

Wasco County Land Use Development Ordinance

Chapter 19 – Standards for Non-Commercial Energy Facilities, Commercial Energy Facilities & Related Uses

SECTION 19.030 Commercial Power Generating Facilities Review Processes & Approval Standards

- A. Review Processes - Commercial Power Generating Facilities & Related Uses (energy facilities) shall be reviewed pursuant to the following. Where standards are less restrictive than comparative standards in other sections, the more restrictive shall govern.

1. Review Authority:

- a. Planning Commission Review – Notwithstanding applications reviewed by EFSC and unless otherwise specified all energy facilities reviewed pursuant to this section shall be initially heard and decided upon by the Planning Commission in a public hearing.

b. Planning Department Review:

- (1) Small Scale Commercial Power Generating Facilities - A commercial power generating facility shall be considered small scale if it falls within either the tower or solar matrix listed in Section 19.020, Non-Commercial Power Generating Facilities and shall be reviewed by the planning department pursuant to the standards of Section 19.020 and not this section.

For non-resource zones, solar arrays shall be limited to ¼ acre and towers to no more than 150' in height and no more than 4 towers per property. For resource zones solar arrays shall be limited to ½ acre and towers to under 200' in height and no more than 4 towers per property shall be reviewed by the planning department. Beyond these limits the energy facility will not be considered small scale and will only be allowed pursuant to the standards in this section.

- (2) Community Projects - Renewable projects of 10MW or less which include a partnership between a local land owner and a community (public) organization such as Wasco County, Mid-Columbia Council of Governments, a city, or a school district, shall be reviewed by the planning department.



(3) Post EFSC Review - Pursuant to ORS 469.401, after issuance of a site certificate by EFSC pursuant to subsection c. below, and subject to receiving the proper fees, Wasco County will issue in an expedited manner any permits, licenses and certificates addressed in the site certificate subject only to conditions set forth in the site certificate but without hearings or other proceeding (i.e., Type I review).

(4) Hydroelectric Energy Facilities - See subsection d. below.

c. EFSC Review:

- (1) EFSC has regulatory authority over all energy facilities designated by ORS 469.300. However, pursuant to ORS 469.480 EFSC shall designate the BOC as a Special Advisory Group. As such and at their discretion the BOC may participate in the siting process pursuant to the role established in ORS 469 and OAR 345, which includes recommending substantive criteria applicable to the proposed energy facility.
- (2) Pursuant to ORS 469.320(8), notwithstanding the threshold limits in ORS 469.300, an applicant can elect to have EFSC review an energy facility that may otherwise be subject to Wasco County's jurisdiction.
- (3) If for any reason the BOC desires, they may defer regulatory authority of energy facility to EFSC notwithstanding it is less than the threshold designated by ORS 469.300.

d. OWRD Review - Hydroelectric Energy Facilities:

- (1) Not located within an Area of Special Flood Hazard - Hydroelectric energy facilities not located within an Area of Special Flood Hazard are not required to meet property development standards within the zone they are being located. If located in a non-resource zone they are allowed without any review by the planning department as long as they are being reviewed by OWRD or FERC. If located in a resource zone they are required to be reviewed as a "utility facilities necessary for a public use".
- (2) Located within an Area of Special Flood Hazard - In addition to (d)(1) above, hydroelectric energy facilities located within an Area of Special Flood Hazard are subject to Section 3.740, Flood Hazard Overlay by the planning department even if they are being reviewed by the OWRD or FERC.

e. FERC Review - FERC has regulatory authority over all energy or related projects of a size, scale or interest to the federal government pursuant to Title 18, Conservation of Power and Water Resources, of the Code of Federal Regulations.



2. County Decision Options - As part of the application materials the applicant shall indicate if they are requesting tentative or final approval. For facilities sited through EFSC, this section does not apply.

a. Tentative Approval - A tentative approval may be issued when the applicant has submitted most of the required application materials but defers completion of one or more required discretionary elements such as the wildlife plan and all of its required baseline studies. Any deferred discretionary elements will be the only elements reviewed and decided upon during the final approval process.

A tentative approval shall specify a time limit or expiration date within which all deferred discretionary review elements or plans shall be reviewed for final approval. Pursuant to Section 2.125, Time Limits for Permits and Extensions of Time, the combined time for both the tentative and final approval shall be limited to 2 years with the opportunity for a onetime 2 year extension. This time frame shall start on the date of the tentative approval.

b. Final Approval - Final approval occurs when the applicant has submitted all of the required application materials, Wasco County has issued a decision which includes conditions of approval that can be submitted for staff review and verification, and the appeal period has concluded.

2. Modifications - An amendment to the conditional use permit shall be required if the proposed facility changes would:

- a. Require an expansion of the established facility boundaries where the original facility was sited or constructed;
- b. Increase the number of towers; or
- c. Increase generator output by more than 25 percent relative to the generation capacity authorized by the initial permit due to the repowering or upgrading of power generation capacity.

Response: LotusWorks -Summit Ridge I (LWSR) is a commercial wind energy plant that exceeds the threshold limits in ORS 469.300 thus necessitating an EFSC review. The proposed amendment does not seek to expand the facility boundary, increase the number of turbines or increase generator capacity by more than 25%.

B. Non-Resource Zone Standards:

1. Small Scale Commercial Power Generating Facilities - Pursuant to Subsection A(1)(b)(1) above, commercial power generating facilities that are considered small scale will be allowed in non-resource zones subject to the standards of Section 19.020.



2. **Large Scale Commercial Power Generating Facilities** - Except for related or supporting facilities, large scale commercial power generating facilities shall not be allowed in nonresource zones.

3. Related or Supporting Facilities (Reasonable Alternatives Analysis) - Related or supporting facilities to a commercial power generating facility may be allowed in nonresource zones subject to Conditional Use Review upon a showing that such related or supporting facilities are necessary for siting the commercial power generating facility. To the extent practicable, any related or supporting facilities must be consistent in size, scale, and impact as other existing or allowed uses in the non-resource zone. Related or Supporting Facilities shall be reviewed as part of the Commercial Power Generating Facility and not subject to a separate Conditional Use Review. To demonstrate the related or supporting facilities are necessary within the meaning of this section, an applicant must show that reasonable alternatives have been considered and that the related or supporting facilities must be sited in a non-resource zone after considering the following factors:

- a. Technical and engineering feasibility of siting the energy facility as a whole;
- b. Availability of existing rights-of-ways and public roads and proximity to transmission lines and interconnections;
- c. Environmental impacts associated with avoiding non-resource zoned land; and
- d. Protection of farm and forest resources.

Response: Neither LWSR's wind turbines nor its supporting facilities are located in a non-resource zone.

C. General Standards - The following standards apply to energy facilities as outlined in Section A above, in addition to meeting the Conditional Use Standards listed in Chapter 5:

1. Air Safety - All structures that are more than 200 feet above grade or, exceed airport imaginary surfaces as defined in OAR Chapter 738, Division 70, shall comply with the air hazard rules of the Oregon Department of Aviation and/or Federal Aviation Administration. The applicant shall notify the Oregon Department of Aviation and the Federal Aviation Administration of the proposed facility and shall promptly notify the planning department of the responses from the Oregon Department of Aviation and/or Federal Aviation Administration.

Aerial Sprayers and operators who have requested to be notified will receive all notifications associated with the energy facility as required by Chapter 2, Development



Approval Procedures.

Response: *LWSR have promptly notified the Oregon Department of Aviation and/or Federal Aviation Administration of the proposed facility and will promptly notify the planning department of the responses from the Oregon Department of Aviation and/or Federal Aviation Administration in accordance with paragraph 5.4 of the existing Site Certificate.*

Aerial Sprayers and operators who request to be notified will receive all notifications associated with the energy facility as required by Chapter 2, Development Approval Procedures.

2. Interference with Communications - The energy facility shall be designed, constructed and operated so as to avoid any material signal interference with communication systems such as, but not limited to, radio, telephone, television, satellite, microwave or emergency communication systems. Should any material interference occur, the permit holder must develop and implement a mitigation plan in consultation with the planning department.

Response: *LWSR will be designed, constructed and operated so as to avoid any material signal interference with Communication systems such as, but not limited to radio, telephone, satellite, microwave or emergency communication systems. Should any material interference occur, LWSR will develop and implement a mitigation plan in consultation with all appropriate authorities.*

3. Noise - The energy facility shall comply with the noise regulations in OAR Chapter 340, Division 35. The applicant may be required to submit a qualified expert's analysis and written report.

Response: *LWSR will comply with the noise regulations in OAR Chapter 340 and with Section 12.0 of the existing Site Certificate.*

4. Visual Impact

- a. Scenic Resources – To issue a conditional use permit for an energy facility, the county must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources or values identified as significant or important in the Wasco County Comprehensive Plan.
- b. Protected Areas - Except as provided in subsections (b) and (c) below, an energy facility shall not be located in the areas listed below:

- (1) National recreation and scenic areas, including but not limited to the Columbia River Gorge National Scenic Area;



- (2) Scenic waterways designated pursuant to ORS 390.826, wild or scenic rivers designated pursuant to 16 U.S.C. 1271 et seq., and those waterways and rivers listed as potentials for designation;
- (3) State parks and waysides as listed by the Oregon Department of Parks and Recreation;
- (4) State wildlife areas and management areas identified in OAR chapter 635, division 8.
- (5) National and state fish hatcheries or national and state wildlife refuges;
- (6) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;
- (7) Wilderness areas established pursuant to The Wilderness Act, 16 U.S.C. 1131 et seq. and areas recommended for designation as wilderness areas pursuant to 43 U.S.C. 1782; and
 - a. Exceptions to Protected Areas - Except where the following uses are regulated by federal, state or local laws, including but not limited to the Columbia River Gorge National Scenic Area Act and implement land use ordinances, the following may be approve in a protected area identified in subsection (b) above if other alternative routes or sites have been studied and been determined to have greater impacts
 - An electrical transmission line;
 - A natural gas pipeline; or
 - An energy facility located outside a protected area that includes an electrical transmission line or natural gas or water pipeline as a related or supporting facility located within a protected area.
 - b. Transmission Line & Pipeline Exception - The provisions of subsection (b) above do not apply to electrical transmission lines or natural gas pipelines routed within 500 feet of an existing utility right-of-way containing at least one transmission line or one natural gas pipeline.
 - c. Additional Visual Mitigation Impacts for all Facilities - The design, construction and operation of the energy facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified in subsection (b) above. Methods to mitigate adverse visual impacts could include but are not limited to:



- (1) Building the energy facility near the edge of contiguous timber areas or using the natural topography to obscure the energy facility;
- (2) Using materials and colors that blend with the background unless otherwise required by the Federal Aviation Administration or the Oregon Department of Aviation; and
- (3) Retaining or planting vegetation to obscure views of the energy facility.

Response: *LWSR hired David Evans and Associates (DEA) to perform additional visual analysis of revised turbine layout using worst case scenarios for both the number and sizing of the turbines. DEA concluded that the requested changes proposed in Amendment I do not have significantly adverse to scenic resources or values identified as significant or important in the Wasco County Comprehensive Plan.*

LWSR is not built on protected areas or in scenic waterways

5. Natural Resource/Wildlife Protection - Taking into account mitigation, siting, design, construction and operation the energy facility will not cause significant adverse impact to important or significant natural resources identified in the Wasco County Comprehensive Plan, Wasco County Land Use and Development Ordinance or by any jurisdictional wildlife agency resource management plan adopted and in effect on the date the application is submitted. As appropriate, the permit holder agrees to implement monitoring and mitigation actions that Wasco County determines appropriate after consultation with the Oregon Department of Fish and Wildlife, or other jurisdictional wildlife or natural resource agency. Measures to reduce significant impacts may include, but are not limited to the following:

- a. Providing information pertaining to the energy facility's potential impacts and measures to avoid impacts on:
 - (1) Wildlife (all potential species of reasonable concern);
 - (2) Wildlife Habitat;
 - (3) Endangered Plants; and
 - (4) Wetlands & Other Water Resources.
- b. Conducting biologically appropriate baseline surveys in the areas affected by the proposed energy facility to determine natural resources present and patterns of habitat use.
- c. Selecting locations to reduce the likelihood of significant adverse impacts on natural resources based on expert analysis of baseline data.



- d. Utilizing turbine towers that are smooth steel structures that lack features that would allow avian perching. Where horizontal surfaces cannot be avoided, anti-perching devices shall be installed where it is determined necessary to reduce bird mortality.
- e. Designing and installing all aboveground transmission line support structures following the current suggested practices for avian protection on power lines published by the Avian Power Line Interaction Committee.
- f. Utilizing towers and transmission line support structures designed so the foundation area and supports avoid the creation of artificial habitat or shelter for raptor prey.
- g. Controlling weeds to avoid the creation of artificial habitat suitable for raptor prey such as spreading gravel on turbine pad.
- h. Avoiding construction activities near raptor nesting locations during sensitive breeding periods and using appropriate no construction buffers around known nest sites.
- i. Locating transmission lines or associated transmission lines with the energy facility to minimize potential impacts (e.g., 50 feet from the edge of the nearest wetland or water body except where the line is required to cross the wetland or water body; or separating transmission lines or associated transmission lines with the energy facility from the nearest wetland or water body by topography or substantial vegetation to the extent practical, except where the line is required to cross the wetland or water body).
- j. Locating transmission towers or associated transmission towers outside of Class I or II streams unless:
 - (1) Adjoining towers and conductors cannot safely and economically support the line(s) that span the stream without an in-stream tower; and
 - (2) The lines cannot be safely and economically placed under the water or streambed.
 - (3) Developing a plan for post-construction monitoring of the facility site using appropriate survey protocols to measure the impact of the project on identified natural resources in the area.

Response: Compliance with Sections 8 (Protection of Soil) and Section 10 (Protection of Natural Resources) of the existing site certificate will satisfy the requirements of paragraph 5. LWSR is not proposing any changes to either Section 8 or Section 10 of the existing Site Certificate.



6. Protection of Historical and Cultural Resources - The applicant shall complete a cultural resources survey of areas where there will be temporary or permanent disturbance. During construction, cultural resources included in the Wasco County Comprehensive Plan shall be flagged and avoided in areas of potential temporary or permanent disturbance, and construction activities monitored to ensure all cultural resources in such areas are avoided, unless appropriate permits are obtained from the Oregon State Historic Preservation Office. Prior to construction an Inadvertent Discovery Plan (IDP) shall be developed that must outline the procedures to be followed in the case previously undiscovered archeological, historical or cultural artifacts are encountered during construction or operation of the energy facility, in compliance with ORS 358.905-358.955 and any other applicable local, state and federal law.

Response: Compliance with Section 11 (Protection of Historic, Cultural and Archaeological Resources) of the existing Site Certificate will satisfy the requirements of paragraph 6. LWSR is not proposing any changes to Section 11 of the existing Site Certificate.

7. Fire Protection & Emergency Response - A fire protection and emergency response plan shall be developed and implemented in consultation with the applicable fire district or department and/or land management agency to minimize the risk of fire and respond appropriately to any fire or emergency that occurs onsite for all phases of the life of the facility. In developing the plan the applicant shall take into account, among other things, the terrain, dry nature of the region, address risks on a seasonal basis, and identify the locations of fire extinguishers, nearby hospitals, telephone numbers for emergency responders, and first aid techniques.

Response: Compliance with Section 8 (On-Site Safety and Security) of the existing Site Certificate will satisfy the requirements of paragraph 7. LWSR is not proposing any changes to Section 8 of the existing Site Certificate.

8. Public Safety - A public safety plan shall be developed and implemented to exclude members of the public from hazardous areas within the Energy Facility Project Area.

Response: Compliance with Section 8 (On-Site Safety and Security) of the existing Site Certificate will satisfy the requirements of paragraph 8. LWSR is not proposing any changes to Section 8 of the existing Site Certificate.

9. Transportation Plan - A transportation plan shall be developed and implemented in consultation with the Wasco County Road Department and/or the Oregon Department of Transportation (ODOT). The plan shall be consistent with any applicable requirements from the Wasco County Transportation System Plan and shall also provide or address:



- a. The size, number, and location of vehicle access points off of public roads.
- b. Use of existing roads to the extent practical to minimize new access roads.
- c. Restoring the natural grade and re-vegetating all temporary road cuts, used during construction of the energy facility. The applicant shall specify the type and amount of native seed or plants used to re-vegetate the disturbed areas and a timeline to complete this work.
- d. A Road Impact Assessment/Geotechnical Report for roads to be used by the project. Said report should include an analysis of project-related traffic routes to be used during phases of construction, project operation and decommissioning. The report and any subsequent amendments shall be used as a discipline study and shall be incorporated into the Road Use Agreement between the Applicant and the County.

Response: The existing Site Certificate (paragraphs 5.9, 6.17, 6.18, 6.19, 6.20, 8.8, 9.2) serves to address the requirements of paragraph C-9. LWSR is not proposing to change these Site Certificate paragraphs.

10. Road Use Agreement - Where applicable, the Wasco County Road Department shall require the applicant to enter into a Road Use Agreement with the County to ensure that project construction traffic is mitigated and any damage to county roads that is caused by the construction of the energy facility or its related or supporting facilities is repaired by the applicant, and such county roads are restored to pre-construction conditions or better (this includes a weed plan and providing for re-vegetation).
 - General design standards for roads shall, in general, conform to policies set forth in Chapter 21.
 - As part of the Road Use Agreement the applicant shall also obtain a utility permit for all project utility installation and approach permits for road approach access to county roads.

Response: The existing Site Certificate (paragraphs 5.9, 6.17, 6.18, 6.19, 6.20, 8.8, 9.2) serves to address the requirements of paragraph C-10. LWSR is not proposing to change these Site Certificate paragraphs.

11. Onsite Access Roads and Staging Areas - The impact of onsite access roads and staging areas within the Energy Facility Project Area shall be limited by:
 - a. Constructing and maintaining onsite access roads for all-weather use to assure adequate, safe and efficient emergency vehicle and maintenance vehicle access to the site;



- b. Using existing onsite access roads to the extent practical and avoiding construction of new on-site access roads as much as possible; and
- c. Restoring the natural grade and re-vegetating all temporary access roads, road cuts, equipment staging areas and field office sites used during construction of the energy facility. The applicant shall specify the type and amount of native seed or plants used to re-vegetate the disturbed areas and a timeline to complete this work.

Response: The existing Site Certificate (paragraphs 5.9, 6.17, 6.18, 6.19, 6.20, 8.8, 9.2) serves to address the requirements of paragraph C-11. LWSR is not proposing to change these Site Certificate paragraphs.

- 12. Dust Control - All approved non-paved temporary or permanent roads and staging areas within the Energy Facility Project Area shall be constructed and maintained to minimize dust, which may be addressed through the Road Use Agreement. If roads and staging areas are not constructed with material that would prevent dust, the permit holder must regularly water roads and staging areas as necessary or apply an approved dust suppression agent such as Earthbind 100 to minimize dust and wind erosion.

Response: The existing Site Certificate (paragraphs 5.9, 6.17, 6.18, 6.19, 6.20, 8.8, 9.2) addresses the requirements of paragraph C-12. LWSR is not proposing to change these Site Certificate paragraphs.

- 13. Erosion and Sediment Control - All ground disturbing activities shall be conducted in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as may be required by Oregon Department of Environmental Quality. Where applicable, an NPDES permit must be obtained. The plan must include best management practices for erosion control during construction and operation and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to minimize sediment run-off into waterways.

Response: The existing Site Certificate Section 9 addresses the requirements of paragraph C-13. LWSR is not proposing to change Section 9.

- 14. Weed Control - A weed plan shall be developed in consultation with the Wasco County Weed Department and implemented during construction and operation of the energy facility.

Response: The existing Site Certificate Section 9 addresses the requirements of paragraph C-14. LWSR is not proposing changes to the Site Certificate that would affect this provision

- 15. Signs - Outdoor displays, signs or billboards within the energy facility project boundary shall not be erected, except:



- a. Signs required for public or employee safety or otherwise required by law; (e.g., OSHA or compliance with the Manual of Uniform Traffic Control Devices (MUTCD) administered through the County Road Department); and
- b. No more than two signs relating to the name and operation of the energy facility of a size and type to identify the property for potential visitors to the site, but not to advertise the product. No signs for advertising of other products are permitted.

Response: The existing Site Certificate Section 6 paragraph 6.15 & 6.22 addresses the requirements of paragraph C- 15. LWSR is not proposing to change these Site Certificate paragraphs.

16. Underground Systems - Where reasonably practicable, power collector and communication systems shall be installed underground, at a minimum depth of 3 feet. Shallower depths may be authorized where notification and safety measures are taken and wires are placed in schedule 40 conduit. The cable collector system shall be installed to prevent adverse impacts on agriculture operations and natural resources.

Response: The existing Site Certificate Section 6 paragraph 6.4 & Section 7 paragraph 7.9 addresses the requirements of paragraph C-16. LWSR is not proposing to change these Site Certificate paragraphs.

17. Operation & Maintenance Buildings - Permanent maintenance/operations buildings shall be located in the same zone as the principal energy facility, except that such buildings may be constructed in a separate zone if:
 - a. The building is designed and constructed generally consistent with the character of similar buildings used in the surrounding area; and
 - b. The building will be removed or converted to another approved use upon decommissioning of the energy facility consistent with the provisions of this ordinance.

Response: The existing Site Certificate Section 6, paragraphs 6.16 & 6.21 and Section 14 addresses the requirements of paragraph C-17. LWSR is not proposing to change these Site Certificate paragraphs.

18. Coordination and Documentation - Prior to commencement of any construction, all other necessary permits shall be obtained, e.g. building permit, rural address, road approach, utility and other permits from the Wasco County Public Works Department, and/or from ODOT as well as any other applicable local, state or federal permits or approvals.

Response: The existing Site Certificate paragraph 4.6 addresses the requirements of paragraph C-18. LWSR is not proposing to change this Site Certificate paragraph.



19. Termination and Decommissioning - For an energy facility sited through EFSC, compliance with EFSC's financial assurance and decommissioning standards shall be deemed to be in compliance with these requirements.
- a. The applicant shall prepare a decommissioning plan that describes the actions to restore the site to a useful, non-hazardous condition, including options for post dismantle or decommission land use, information on how impacts on fish, wildlife and the environment would be minimized during the dismantling or decommissioning process, and measures to protect the public against risk or danger resulting from post-decommissioning site conditions in compliance with the requirements of this section.
 - b. The applicant shall provide a detailed cost estimate, a comparison of that estimate with funds to be set aside, in the form of a financial assurance (bond, letter of credit, insurance policy other such form of guarantee acceptable to Wasco County), and a plan for assuring the availability of adequate funds for completion of dismantling or decommissioning. The cost estimate and financial assurance may take into account salvage value associated with the project, and can be requested for review and update by Wasco County at their discretion (e.g., every 5 years).
 - c. The following shall be required as conditions of the Wasco County approval:
 - (1) If operation of the energy facility ceases or begins construction of the project, but does not complete it, the permit holder shall restore the site according to a plan approved by Wasco County. A plan shall be submitted that ensures the site will be restored to a useful, non-hazardous condition without significant delay, including but not limited to the following:
 - (a) Removal of aboveground and underground equipment, structures and foundations to a depth of at least three feet below grade (four feet if cropland). Underground equipment, structures and foundations need not be removed if they are at least three feet below grade and do not constitute a hazard or interfere with agricultural use or other resource uses of the land. Restoration of the surface grade and soil after removal of aboveground structures and equipment.
 - (b) Removal of graveled areas and access roads and restoration of surface grade and soil.
 - (c) Re-vegetation of restored soil areas with native seed mixes, plant species suitable to the area, consistent with Wasco County's weed control plan.



- (d) For any part of the energy facility on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or buildings in place or regarding restoration of agricultural crops or forest resource land. Said landowner will be responsible for maintaining said facilities for purposes permitted under applicable zoning.
- (e) The underground power collector and communication lines need not be removed if at a depth of three feet or greater. These cables can be abandoned in place if they are deemed not a hazard or interfering with agricultural use or other consistent resource uses of the land.
- (f) The plan must provide for the protection of public health and safety and for protection of the environment and natural resources during site restoration.
- (e) The plan must include a schedule for completion of site restoration work.
- (2) Before beginning construction of the energy facility, the permit holder must submit in a form and amount satisfactory to Wasco County, assuring the availability of adequate irrevocably committed funds to restore the site to a useful, non-hazardous condition naming Wasco County as beneficiary or payee. The form may include posting a bond, issuing an irrevocable letter of credit, purchasing a paid up insurance policy or by other means acceptable by Wasco County and shall ensure continuity between owners.
- (3) The amount of the financial assurance (bond or other such form of guarantee) shall be annually adjusted for inflation using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast," or by any successor agency (the "Index"). The permit holder (including possible successor if sold or transferred) shall increase the amount of the financial assurance annually by the percentage increase in the Index and shall pro-rate the amount within the year to the date of retirement. If at any time the Index is no longer published, Wasco County shall select a comparable index for adjusting the amount. The amount of the financial assurance shall be prorated within the year to the date of decommissioning.
- (4) Per the request of Wasco County, the permit holder (including possible successor if sold or transferred) shall describe the status of the financial assurance in a report (e.g., annual update report submitted to Wasco County).
- (5) The financial assurance shall not be subject to revocation or reduction before retirement of the energy facility site.



Response: *The existing Site Certificate paragraphs 6.24 & 9.6 as well as Section 14 addresses the requirements of paragraph C-19. LWSR is not proposing changes to these Site Certificate paragraphs or to Section 14.*

20. Final Location - The actual latitude and longitude location or Oregon State Plane NAD83 HARN (international feet) coordinates of the energy facility and related or supporting facilities shall be provided to the County GIS Department once commercial electrical power production begins. Alternatively, this information could be provided in GIS layer consistent with the datum referenced above or any other datum deemed acceptable by the Wasco County GIS Department.

Response: *The existing Site Certificate paragraph 4.3 addresses the requirements of paragraph C-20. LWSR is not proposing to this Site Certificate paragraph.*

21. Power Production Reporting - The County may require a report of nonproprietary power production for any time frame after the energy facility first begins production if permitted through the County. If requested, the permit holder shall have 180 days to produce said report.

Response: *The existing Site Certificate paragraph 13.1(b) (ii) addresses the requirements of paragraph C-21. LWSR is not proposing changes to this existing Site Certificate paragraph.*

D. Specific Standards - The following standards apply to specific types of energy facilities as described, in addition to the General Standards in Section C above.

1. Wind Energy Facilities:

a. Visual Impact - To the extent practical, the proposed wind energy facility has been designed to minimize visual impact upon open space and natural landscape by:

(1) Using underground communication and power collector lines (transmission lines that connect each turbine to a substation);

Response: *This requirement is addressed in Section 6.4 of the existing Site Certificate. LWSR is not proposing changes to this Site Certificate paragraph.*

(2) Using turbine towers of uniform design, color and height;

Response: *This requirement is addressed in Section 6.18 of the existing Site Certificate. In addition, this amendment request reduces the overall maximum number of turbines from 87 to 72. While the amendment requests approval to use turbines with a higher hub height and greater rotor diameter our*



analysis of the new turbines indicates a reduced visual impact from the currently approved 87 turbine layout.

- (3) Lighting - Lighting of towers shall be evaluated on a case by case basis and is only allowed if required by the Oregon Department of Aviation or Federal Aviation Administration. If lighting is required by Oregon Department of Aviation or Federal Aviation Administration the applicant shall minimize the amount of lighting to the extent feasible under the law, which may include consideration of radar triggered lighting.

***Response:** The existing Site Certificate paragraph 6.26 addresses the requirements of paragraph 3. In previous evaluations of radar based lighting, currently available systems were not found to be economically feasible or provide the level of safety deemed necessary for the application. We will re-evaluate currently available systems prior to finalizing our design and start of construction.*

- (4) Using existing roads within the Energy Facility Project Area to provide access to the site, or if new roads within the Energy Facility Project Area are needed, minimizing the amount of land used for new roads and locating roads to reduce visual impact;

***Response:** Paragraphs "Access Roads" and "Temporary Roadway Modifications" located on page 6 of the existing Site Certificate address this requirement. We are not seeking to change this Site Certificate paragraphs.*

- (5) Using existing substations, or if new substations are needed, minimizing the number of new substations; and

***Response:** As identified in the existing Site Certificate, a new BPA substation is required to connect the wind farm to the existing 230kV Big Eddy-Maupin transmission line. This substation is in addition to on-site collector substation also identified in the existing Site Certificate. We are not seeking to add additional substations.*

- (6) Shadow Flicker – Upon the non-participating owner’s request, the applicant shall demonstrate that the wind turbines, taking into account mitigation measures, will have no significant adverse impact of shadow flicker on an existing dwelling of a non-participating landowner within ¼ mile (1,320 feet) from a turbine, measured from the centerline of the turbine to the centerline of the dwelling. Towers shall be allowed to create an adverse shadow flicker impact to an existing dwelling on a non-participating landowner’s property if written permission from the property owner and an adjustment is granted under Section 19.030(D)(1)(c). Said written permission shall be made part of the deed records of the non-participating landowner’s property.



Response: There are no non-participating owner residences within ¼ (1,320 feet) of a planned turbine location.

- b. Public Safety - The wind energy facility shall be designed, constructed, and operated to protect the public by measures that may include, but are not limited to, the following:
- (1) Installing the tower so at the closest point, the sweep of any exposed blade or other exposed moving component is at least 20 feet above the tallest existing or foreseeable obstruction to blade movement unless based on the proposed location and site specific circumstances, the tower will not represent a safety hazard; and
 - (2) Designing, constructing and operating the energy facility to exclude members of the public from close proximity to turbine blades and electrical equipment, including installing locks on turbine tower access doors; and
 - (3) Designing, constructing and operating the energy facility to protect against structural failure of the turbine tower or blades that could endanger members of the public's safety, including having adequate safety devices and testing procedures designed to warn members of the public of impending failure and to minimize the consequences of such failure.

Response: The proposed amendment closest point of the exposed blade (23 meters above the ground) exceeds the above requirement. The remaining Public Safety requirements are addressed in paragraphs 6.8, 6.10, 6.11 and in Section 7 of the existing Site Certificate. We are not seeking to change the aforementioned paragraphs or Section 7 of the existing Site Certificate

- b. Setbacks:
- (1) Project Boundaries - If the wind energy project encompasses more than one parcel neither the wind turbine setback to non-project boundaries nor the property line setbacks of the underlying zone in which the project is located are applicable to any internal property lines within the project area.
 - (2) Non Project Boundaries - Wind turbines shall be set back from the property line of any abutting property not part of the project (non-project boundaries), the right-of-way of any dedicated road, and any above ground major utility facility line a minimum of 1.5 times the height of the wind turbine tower (i.e., full-height). Wind turbines shall be set back from any above ground minor utility facility line a minimum of 1.1 times the height of the wind turbine tower.



- An applicant may request an adjustment to non-project boundaries using the Process described in 19.030(D)(1)(c)(3)(C) below.
- Wind turbines shall meet the underlying zone setback requirement unless a variance is granted pursuant to either Chapter 6 or 7.

Response: Summit Ridge as proposed in Amendment #1 complies with these requirements.

(3) Resource Zone Dwellings

- a. Participating Landowners: Participating landowners are owners of legally placed resource dwellings on lands committed to the energy facility project by written contract. Participating landowners or applicant must provide evidence demonstrating that setbacks from dwellings will meet the DEQ noise standard and, prior to construction, provide evidence of any recorded noise easement obtained under OAR 345-035-0035.
- b. Non-Participating Landowners: For owners of legally placed resource dwellings who are not participating landowners in the energy facility project, wind turbine setbacks shall be 3,520 feet, measured from the centerline of the turbine to the edge of the dwelling, or the distance required to comply with the DEQ noise standard (OAR 345-035-0035), whichever is greater, unless a noise easement is obtained under OAR 340-035-0035.
- c. Adjustment Provision: Applicant may, as part of the wind energy permitting process, obtain an administrative adjustment to authorize a lesser setback from regulations addressing turbine setbacks from dwellings in resource zones. This may be authorized as part of the CUP pursuant to the Administrative Action process of Section 2.060(A) by the Director or designee and upon findings that demonstrate the following criteria are met:
 - (1) The underlying landowner (or applicable road authority or utility as may be appropriate for non-project boundary setbacks) has consented, in writing, to an adjusted setback.
 - (2) The proposed adjustment complies with DEQ noise standard.
 - (3) The proposed adjustment will not force a significant change in accepted farm or forest practices on surrounding lands devoted to or available for farm or forest use.
 - (4) The proposed adjustment will not unduly burden existing infrastructure (e.g., underground utilities or leach fields).
 - (5) The proposed adjustment will not unduly impair safety in the area.



- (6) The proposed adjustment will minimize impacts to environmental resources (e.g., wetlands or identified EPDs).

Response: Summit Ridge as proposed in Amendment #1 complies with these requirements. LWSR has also obtained noise waivers from all participating property owners.

- (4) Non-Resource Boundaries - Wind turbines shall be setback a minimum of 1 mile (5,280 feet) from all non-resource zoned property boundaries located outside of urban growth boundaries or urban reserves (as measured from the centerline of the turbine to the edge of the property boundary zoned for non-resource purposes, e.g., rural residential). Adjustment provisions do not apply to these non-resource zone property boundary setbacks.

Response: Summit Ridge as proposed in Amendment #1 complies with these requirements as it exceeds the one mile setback requirement from Non-Resource boundaries.

- (5) City Limits and Urban Areas – Wind turbines shall be setback 3/4 mile (3,960 feet) from the established city limit, urban growth boundary or urban reserve boundary of an incorporated city (whichever is the more restrictive applies) unless a lesser setback is granted through the adjustment process under this provision.

Adjustment Provision – Applicant may, as part of the wind energy permitting process, obtain an administrative adjustment to authorize a lesser setback from regulations addressing turbine setbacks from city limits, urban growth boundaries or urban reserves. This may be authorized as part of the CUP pursuant to the Administrative Action process of Section 2.060(A) by the Director or designee and upon findings that demonstrate the following criteria are met:

- (a) The incorporated city that would be affected has consented, in writing, to an adjusted setback.
- (b) The proposed adjustment complies with DEQ noise standard.
- (c) The proposed adjustment will not force a significant change in accepted farm or forest practices on surrounding lands devoted to or available for farm or forest use.
- (d) The proposed adjustment will not unduly burden existing infrastructure (e.g., underground utilities or leach fields).
- (e) The proposed adjustment will not unduly impair safety in the area.
- (f) The proposed adjustment will minimize impacts to environmental resources (e.g., wetlands or identified EPDs).



Response: Summit Ridge as proposed in Amendment #1 complies with these requirements as it exceeds the ¼ mile (3,960 feet) setback requirement from City Limits and Urban areas.

- (6) Downwind Properties - The establishment of a commercial wind energy facility consistent with the requirements of this ordinance shall not constitute wind access rights that are protected by this ordinance beyond the following setback requirement.

If a wind turbine 200' in height or taller has been previously placed on a downwind property that is not part of the project, the closest tower on the upwind property shall be set back a minimum of fifteen rotor diameters from the downwind tower location or any lesser distance agreed to by the downwind and upwind property owners or those authorized to act on their behalf.

Response: There are no downwind properties that will be impacted by LWSR.

2. Solar Energy Facilities:

- a. Ground Leveling – The solar energy facility shall be designed and constructed to minimize ground leveling and to the extent reasonably practicable, limit ground leveling to those areas needed for effective solar energy collection.
- b. Misdirection of Solar Radiation - The solar energy facility shall be designed, constructed, and operated to prevent the misdirection of concentrated solar radiation onto nearby properties, public roadways or other areas accessible to the public, or mitigated accordingly.
- c. Glare - The solar energy facility shall be designed, constructed and operated such that any significant or prolonged glare is directed away from any nearby properties or public roadways, or mitigated accordingly.
- d. Cleaning Chemicals and Solvents - During operation of the solar energy facility, all chemicals or solvents used to clean solar panels or heliostats shall be low in volatile organic compounds and to the extent reasonably practicable, the permit holder shall use recyclable or biodegradable products.
- e. Wildlife - Measures to reduce wildlife impact may include using suitable methods such as coloration or sound producing devices to discourage birds from entering areas of concentrated solar energy near solar-thermal mirrors or other devices that concentrate solar radiation.

Response: Section D- 2 is not applicable to LWSR.



3. Cogeneration Facilities:

- a. The cogeneration facility would supply thermal energy to an existing or approved industrial or commercial use.
- b. Except as allowed in this section, an electric transmission line or natural gas or petroleum pipeline necessary for the cogeneration facility must be an upgrade to an existing transmission line or pipeline or must otherwise be constructed in an existing right-of-way or utility easement. If the proposed electric transmission line or natural gas or petroleum product pipeline necessary for the proposed cogeneration project is not an upgrade to an existing transmission line or pipeline, the transmission line or pipeline must comply with the standards in subsection 4 or 5 below.

Response: Section D-3 is not applicable to LWSR.

4. Electrical Transmission Facilities:

- a. Use of Existing Routes/Co-Locating - The development uses available developed or approved road and utility rights-of-way, easements or transmission facilities that can accommodate the proposed facility. New routes are permitted if more adverse energy, environment, economic, and social consequences would result from using an existing route than development of other rights-of-way or easements.
- b. Adjacent to Existing Routes - To the extent practical, any part of the proposed transmission or distribution line outside an existing route would be adjacent to an existing public road or utility right-of way or easement.
- c. New Routes - If all or part of the proposed transmission line is outside an existing route or not adjacent to an existing route:
 - (1) The proposed new route would serve an existing or proposed electric generation project that is not adjacent to an existing right-of-way or easement, or
 - (2) The proposed new route would result in less adverse energy, environmental, economic and social consequences than would result from using an existing route.
- d. Setbacks to dwellings - Unless sited within a public road right-of-way, new electrical transmission lines shall not be constructed closer than 500 feet to an existing dwelling without prior written approval of the owner. Said written approval shall be made part of the deed records to that property.



Response: *LWSR is proposing to use the same routing for transmission facilities as was approved in the original Site Certificate as there is no existing public road or utility right-of-way or easement that would be practical to access the desired BPA identified interconnection location. This routing would result in less adverse energy, environmental, economic and social consequences than would a result from using an existing route.*

5. Natural Gas or Petroleum Product Pipelines:

- a. Use of Existing Routes - To the extent practical, the proposed pipeline would use developed or approved road and utility rights-of way or easements that can safely accommodate the proposed line.
- b. Adjacent to Existing Routes - To the extent practical, any part of the proposed pipeline outside an existing route would be adjacent to an existing public road or utility right-of-way or easement.
- c. New Routes - If all of part of the proposed pipeline is outside an existing route or not adjacent to an existing route:
 - (1) The proposed new route would serve an existing or proposed electric generation project that is not adjacent to an existing right-of-way or easement, or
 - (2) The proposed new route would result in less adverse energy, environmental, economic and social consequences than would result from using an existing route.
- d. Stream crossings: If the proposed pipeline would cross a stream or river that is important habitat for a state or federally-listed threatened or endangered species, the permit holder must use a crossing technique or method approved by the Oregon Department of Fish and Wildlife.

Response: *This section not applicable to Summit Ridge.*



LotusWorks-Summit Ridge I, LLC
Response to Request for Information #1
Appendix E

Review of Ability of Existing Public Services to Support
the Construction and Operation of Summit Ridge



Response to ODOE RAI - #1 Item 6

Economic and Demographic Impacts

Limited in-migration for construction-related employment as well as permanent O&M employment is expected to occur as a result of the proposed Facility and would have a beneficial impact on businesses in the nearby communities. Revenue generated from increased patronage of area motels, restaurants, and other supporting services would benefit the local economy.

Sewers and Sewage Treatment

The proposed Facility will not be connected to a local wastewater collection system because it will have its own septic system. The proposed Facility is not located within any wastewater facility treatment area; therefore, the proposed Facility would have no impact on existing wastewater treatment facilities or collection systems. Wasco County and/or DEQ review and approval will be required prior to installation of the septic system. No significant adverse impacts are anticipated as a result of the septic system installation.

Water

No adverse impacts to the local water supply are anticipated. During construction, water will be purchased and trucked in from offsite via tanker from the City of The Dalles. They have documented via a letter attached in our extension request that they have adequate capacity for the Facility's construction needs.

The proposed Facility is not within the service area of any water system. The proposed O&M facility will have its own well for its water needs. The well will provide less than 5,000 gallons per day, and because of its limited output, is not required to obtain a state water withdrawal permit.

Storm Water

The proposed Facility is not within any jurisdiction's storm water system and, therefore, would have no impact to existing storm water facilities. Potential storm water drainage impacts during construction will need to be monitored.

Solid Waste Management

Mel's Sanitary Service has adequate capacity to accommodate construction-related debris and service to the new Facility. The proposed Facility would have no adverse impact on the ability of Mel's Sanitary Service to provide these services. Mel's Sanitary has documented via an attached email their ability and willingness to serve the project.

Solid waste generated in the construction and operation will require offsite disposal. The nearest landfill is the Wasco County Landfill, which is not projected to reach capacity for at least 50 years. While the proposed Facility will generate some solid waste, the amount would



not have a significant adverse impact on landfill operations that provide solid waste management services in the area.

Housing

No adverse impacts to housing in the analysis area are anticipated as a result of the proposed Facility. Employees hired from the local community would not require new housing and, given the small number of in-migrant households and the housing vacancy rate in the affected communities, adequate housing is available.

Temporary employees hired from outside the area will likely stay in nearby motels. While the majority of those are concentrated in The Dalles, there are other accommodations (motels, RV parks) in nearby communities that will meet temporary housing needs.

Although not all of these would likely be available at one time, there are many temporary housing possibilities within these communities compared to the relatively small number of in-migrant construction workers. There will be adequate motel and camping/trailer facilities to accommodate the short-term needs for in-migrant construction workers.

Traffic Safety

Construction-related traffic may cause short-term traffic delays when trucks deliver construction-related equipment and the turbines, but those delays will be temporary and are not anticipated to have an adverse impact on highways in the Facility area. The reduced number of turbines proposed under the amendment will actually reduce the total number of shipments to the site over what was originally anticipated.

Construction related traffic delays on local roadways could occur but are anticipated to be limited due to very low use of these local roadways. Several local roadways will be improved to accommodate construction-related traffic. The proposed improvements will have a beneficial long-term impact by improving the quality of the road for all users. Improvements will remain when construction is complete for local residents to use. While short-term construction-related impacts, primarily traffic delays, may occur, those impacts will be temporary and would not constitute a significant adverse impact.

Police

The small population increase attributed to the proposed Facility would not have a significant adverse impact on local police services. Discussions with the Wasco County Sheriff's Department did not identify any concerns about the in-migrant construction workers or any need for increased patrols near the proposed Facility, either when it is under construction or when it is operational.

Fire Protection and Emergency Response

The only adverse impact noted by Dufur Fire is their inability to conduct a rope rescue due to lack of training and equipment.



Health Care

The proposed Facility would not adversely impact medical services in the analysis area. The Mid-Columbia Valley Medical Center in The Dalles, with back-up from outlying hospitals in Hood River and White Salmon would be capable of providing services for construction and operational employees in case of an emergency. Mid-Columbia Valley Medical Center has documented its ability to serve the needs of the project via email, a copy of which is included as part of this attachment

Schools

No short-term demand on school facilities is expected from the construction of the proposed Facility because the portion of the construction work force that might temporarily live in the area is not expected to include any families. The number of in-migrant operational staff is anticipated to be small, creating few new households with school-age children. Consequently, there would be no significant increase in the student population. Most school districts in the analysis area have lost students and an increase in the student population would have a beneficial impact on school districts because each additional student increases revenue for the district. A copy of an email from North Wasco School District No. 21 documenting their ability to support the needs of any additional students that result from the construction and operation of Summit Ridge is attached.

Therefore, for these reasons and the reasons set forth in the responses to OAR 345-021-0010(1)(u), the Facility will not result in significant adverse impacts to public services and the Council may find that OAR 345-022-022-0022 is satisfied.



Steven Ostrowski <sostrowski@lotusworks.com>

Summit Ridge Wind Farm

1 message

From: Mel Barlow Sr. [mailto:melssanitary@centurytel.net]

Sent: Monday, October 13, 2014 8:12 AM

To: Steven Ostrowski

Cc: Desmarais, Eric

Subject: Re: Summit Ridge Wind Farm

Hi Steven,

We can provide you service, just let me know how many drop boxes you will need as I have to order them.

Thanks Mel.

<Quoting Steven Ostrowski>

Hi Brenda,

Thank you for taking my call today. As I identified on the phone we are confirming that Mel's Sanitary Service would be able to provide Solid Waste Management Services to our proposed Summit Ridge Wind Farm to be located on Center Line Road approximately one half mile south of where Center Line Road intersects with Wrentham Road and Robert Market Road. We expect to have a staff of 15-30 employees. During construction our waste material will be construction related. Once in operation our waste will be typical of an office staff and small maintenance organization.

I would appreciate if you would respond to all the individuals included in this email confirming that Mel's Sanitary is able to provide Solid Waste Management Services to the project.

Thank you for your time and consideration.

Best regards,

Steven A. Ostrowski, Jr.

President

LotusWorks-Summit Ridge I, LLC

9617 NE 117th Ave Suite 2840
Vancouver, WA 98662

P 360.737.9692

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Steven Ostrowski <sostrowski@lotusworks.com>

Determining Impact of Summit Ridge Wind Farm1 message

From: Duane Francis [mailto:DuaneF@mcmc.net]
Sent: Monday, October 20, 2014 11:26 AM
To: Steven Ostrowski
Cc: Eric Desmarais; Tarina Holloway
Subject: Re: Determining Impact of Summit Ridge Wind Farm

Steven,

Tarina mentioned your inquiry to me some time ago. Thank you for following up with this e-mail and giving me a chance to respond.

I am absolutely certain of our capabilities to accommodate any increase in need for medical care related to the construction and operation of Summit Ridge Wind Farm. We have the expertise and capacity to provide needed care and with our partners, Lifeflight Emergency Transport and OHSU, I am confident we can provide appropriate trauma, episodic and acute care services to your employees and contractors.

We routinely experience a large influx of workers and potential patients associated with the agriculture industry each summer and have cared for these workers year after year.

Please let me know if you have any other questions or need additional information.

Sincerely,

DUANE FRANCIS / CEO
Mid-Columbia Medical
Center 1700 E. 19th St.
The Dalles, OR
97058 O.
541.296.7272
C. 541.340.2673
F. 541.296.7650

duanef@mcmc.net
www.mcmc.net



<Quoting Steven Ostrowski>

Mr. Duane Francis President
Mid-Columbia Medical Center

Mr. Francis, your name was provided to me as the most appropriate person to contact regarding questions we have regarding Mid-Columbia Medical Center's ability to adequately address the potential increase in need for medical care associated with the construction and long term operation of our Summit Ridge Wind Farm. As you

may know, we are currently in the process of seeking an extension to our existing permit that would allow us to start construction of our wind farm sometime between the Spring of 2015 and late Summer of 2016. Located approximately 17 south east of The Dalles, we are currently anticipating construction to start in August of 2015 with construction complete in Q1 of 2017. Once constructed, the facility will operate for a period of 20-30 years.

As part of the re-permitting process we are required to confirm that existing public service providers have the ability to support the project and the potential impacts it may present. For Mid-Columbia Medical Center, this would mean whether your facility could adequately handle the potential increase in patients the project may bring to the area. We are currently projecting an average construction crew size of approximately one hundred fifty individuals for a period of less than one year, with peaks of 200 individuals in the summer of 2016. We would expect the make-up of the construction crews to be split evenly between existing local residents and temporary workers from outside the area. We believe the construction impact on the medical center would be an additional 50-75 potential patients for a period of one year. We would anticipate these patients would have medical needs similar to what your facility would see from the general population.

In terms of work related incidents, safety is our primary concern. And while we strive for zero accidents, statistics indicate we can expect one recordable accident (an event requiring an examination or treatment by a physician) for approximately every 200,000 man-hours worked. Given we anticipate the expenditure of approximately 400,000 man-hours of labor over the course of the project, it would not be unreasonable to expect your facility having to treat two instances of job related injury. We would expect these to be minor in nature, but the potential for significant injury exists. These would be in addition to the normal everyday medical needs typical of general population.

Once we begin operations we expect to employ 20-30 full time individuals. We anticipate at least half of these employees will be existing area residents with the remaining positions filled by individuals new to the area. It would not be unreasonable to assume these new to the area employees would add 40-60 additional residents to the Wasco County population. Again we would expect their medical needs to be typical of the general population. In terms of the job related need for medical services, our goal is zero incidents, but expecting one or two medical events a year would not be unreasonable.

We need to confirm the Mid-Columbia Medical Center would have the capacity to serve these additional patients. Please send your response to the individuals included in this e-mail. We would appreciate your response prior to October 24th. If you have any questions about this request or would like additional information please contact me at your convenience at the number below.

Thank you in advance for your time and consideration.

Best regards,

Steven A. Ostrowski, Jr.
President
LotusWorks-Summit Ridge I, LLC

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Steven Ostrowski <sostrowski@lotusworks.com>

Determining Impact of Summit Ridge Wind Farm

1 message

From: Randy Anderson [mailto:andersonr@nwasco.k12.or.us]

Sent: Friday, October 17, 2014 8:39 AM

To: Steven Ostrowski

Subject: Re: Determining Impact of Summit Ridge Wind Farm

Steve,

Sorry about the delay and thank you for the follow-up phone call.

North Wasco County School District has the capacity to accommodate any and all increases in enrollment resulting from the wind farm project. We look forward to welcoming the new students to the district.

Randy

Randal Anderson, CFO

North Wasco County School District 21

3632 W. 10th Street

The Dalles, OR 97058

(541) 506-3424

andersonr@nwasco.k12.or.us

<Quoting Steven Ostrowski>

Mr. Randy Anderson Chief Financial Officer
North Wasco County SD 21

Mr. Anderson, your name was provided to me as the most appropriate person to contact regarding questions we have regarding North Wasco County SD 21's ability to adequately address the potential increase in students associated with the construction and long term operation of our Summit Ridge Wind Farm. As you may know, we are currently in the process of seeking an extension to our existing permit that would allow us to start construction of our wind farm sometime between the Spring of 2015 and late Summer of 2016. Located approximately 11 south east of The Dalles, we are currently anticipating construction to start in August of 2015 with construction complete in Q1 of 2017. Once constructed, the project will operate for a period of 20-30 years.

As part of the re-permitting process we are required to confirm that existing public service providers have the ability to support the project and the potential impacts it may present. For North Wasco School District 21, this would mean whether the school district could handle the potential increase in students the project may bring to the area. We are currently projecting an average construction crew size of approximately one hundred fifty individuals for a period of less than one year, with peaks of 200 individuals in the summer of 2016. We would expect the make-up of the construction crews to be split evenly between existing local residents and temporary workers from outside the area. We believe the construction impact on the school system may be an additional 15-30 students for a period of one year. Once we begin operations we would expect to employ 20-30 individuals. We would expect at least half of these employees will be existing area residents with the remaining positions filled by individuals new to the area. It would not be unreasonable to assume these new to the area employees would add 20-30 students to the school system population spread across the entire K-12 system.

We need to confirm the North Wasco County SD 21 would have the capacity to serve these additional students. A simple response to the individuals included in this e-mail is sufficient. We would appreciate your response prior to October 24th. If you have any questions about this request or would like additional information please contact me at your convenience at the number below.

Thank you in advance for your time and consideration.

Best regards,

Steven A. Ostrowski, Jr.
President
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