



Matt Hutchinson
Sr. Permit Manager

September 30, 2020

VIA EMAIL

Sarah Esterson
Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Re: Preliminary Request for Amendment 6 for the Golden Hills Wind Farm and Request for Type B Review

Dear Sarah:

Golden Hills Wind Farm, LLC (Certificate Holder) is seeking a sixth amendment (Request for Amendment [RFA] 6) for the Golden Hills Wind Farm (Facility) Site Certificate (Site Certificate). Construction of the first phase (Phase 1) of the Facility began before the June 18, 2020 start of construction deadline as required by the Site Certificate. Phase 1 comprises the operations and maintenance (O&M) building, and Phase 2 is the remaining balance of plant (BOP). Phase 2 is in the pre-construction compliance phase, with construction mobilization anticipated to occur in January 2021.

RFA 6 proposes the following three changes (proposed changes) to execute commercial arrangements for the buildout of the Facility and minimize impacts from the Facility:

1. Proposed Change 1—Amend the construction completion deadline.

The Site Certificate condition GEN-DC-02 defines the construction completion deadline as June 18, 2020 but the Certificate Holder plans to complete construction by the end of 2021, or 6 months after the approved deadline. For this reason, and the others listed below, the Certificate Holder requests GEN-DC-02 be amended to a new deadline of December 31, 2021, an 18-month delay.

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Construction Schedule	2020			2021				2022			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Phase 1 O&M construction	1/										
Phase 2 BOP construction					2/		3/				
Contingency period											4/
1/ Construction start date = June 18, 2020 2/ Approved construction completion date = June 18, 2021 3/ Planned construction completed date = December 31, 2021 4/ Requested construction completion date = December 31, 2022.											

A delay in the construction completion is needed for the following reasons:

- Commercial Operational Date Defined by Power Purchase Agreement.** The Certificate Holder has executed a power purchase agreement (PPA) with Puget Sound Energy (PSE) for the power generated by the Facility (<https://www.pse.com/press-release/details/puget-sound-energy-and-avangrid-renewables>). In this agreement, PSE has defined the operational date for the Facility as December 31, 2021. Therefore, the Certificate Holder needs a delay to the construction completion deadline to align with its PPA. It is not economically feasible to bring the project online earlier because PSE would not purchase power earlier than the date specified in the PPA.
- Timing of Interconnection.** Golden Hills interconnects to Bonneville Power Administration’s (BPA) transmission network at the Schoolhouse Substation. After finalizing the Interconnection Agreement, BPA recently determined that interconnecting the Facility would require more upgrades on BPA’s system than previously considered. Therefore, BPA has reinitiated its National Environmental Policy Act and Section 106 review process for a larger scope of work. BPA’s permitting process and subsequent upgrade activities may delay interconnection of the Facility until December 31, 2022. BPA has also slowed work on new projects as part of its response to COVID-19. The Certificate Holder is working with BPA to maintain the overall project schedule, but a change the construction completion deadline is needed to align with a possible delayed interconnection date.
- Extension of Production Tax Credit.** In May 2020, the Internal Revenue Service (IRS) issued new guidance that extended the safe harbor requirements on how wind projects can qualify for the production tax credits by 1 year. This change in guidance was a consequence of the global

¹ “During this time, BPA will stop or delay construction and maintenance work unless that work is critical and time sensitive for system reliability or safety.” BPA Press Release dated March 16, 2020, <https://www.bpa.gov/news/newsroom/Pages/BPAs-recent-actions-in-responding-to-COVID-19.aspx>

pandemic ² and allows certain wind projects an extra year to come online and receive the same level of tax credits. The Certificate Holder still plans on beginning commercial operation of the Facility by the end of 2021 but requests a delay in the construction deadline so the project could still qualify for production tax credits under the new IRS guidance if there are unforeseen delays.

- **Potential Equipment and Workforce Delays Due to COVID-19.** The global pandemic has raised concerns about delays in equipment delivery and workforce in many industries, including the energy sector. Suppliers have notified the Certificate Holder of possible delays in equipment delivery due to pandemic-related supply chain issues. Oregon Governor Brown has labeled the energy sector as essential workers, and a flexible work environment – free of near-term construction deadlines – is a reasonable consideration for adapting to changing conditions. The Certificate Holder is not making a specific claim of construction completion delay due to the COVID-19 pandemic at this time, but seeks to modify the construction completion deadline to allow for future unforeseen circumstances.

2. Proposed Change 2 – Amend Micrositing Corridors

The Certificate Holder has identified design refinements where minor changes to the locations of related or supporting facilities and associated micrositing corridors could result in reduced impact or are necessary to comply with a Site Certificate condition. For example, shifting a road to an edge of a field can reduce impacts on agricultural activities while still maintaining access to turbines, or merging multiple parallel collector routes into a single corridor can reduce the construction footprint needed to install these facilities. Additionally, the turbine micrositing corridors were developed to allow for the flexibility to determine the final turbine locations within 900-foot-wide corridors before construction.³ However, the approved corridors for related or supporting facilities do not offer the same flexibility, and as a result are misaligned with the final turbine layout. The Certificate Holder is requesting to add 534 acres to the micrositing corridor for relating and supporting facilities (i.e., access roads and buried 34.5 kV collection system; and, to reflect the shift in previously approved facility to new corridors, the Certificate Holder also requests that 85 acres be removed from the approved micrositing corridor. No change to the Site Boundary is proposed and all turbines will be within the existing approved turbine micrositing corridors.

The Certificate Holder has completed field surveys as required by the Site Certificate for the new corridors and confirms that amending the micrositing corridors for related or supporting facilities is consistent with the findings and

²“Treasury Department and the IRS recognize that the COVID-19 pandemic is causing delays in the development of certain facilities eligible for the PTC.” IRS Notice 2020-41, <https://www.irs.gov/pub/irs-drop/n-20-41.pdf>

³ Golden Hills Wind Project Final Order, May 15, 2009, Page 16.

analysis presented in the Final Order on the Application for Site Certificate and subsequent amendments, specifically the Final Order on the Fifth RFA (See Attachment 1, Facility Maps). The area to be added to the micrositing corridors is larger than needed to construct and operate the project but reflect the Certificate Holder's survey area around proposed facilities. In most cases, the Certificate Holder surveyed a 150-foot buffer around the limits of disturbance to ensure there are no sensitive resources near areas to be developed. For example, of the 534 acres added in the request, the Certificate Holder expects only about 100 acres will be used for construction. Further, over 4,139 acres of the approved micrositing corridors will not be developed due to the reduction in the number of turbines. Therefore, the addition of area to the micrositing corridors will result in overall less impact than previously approved by the council.

3. Proposed Change 3 - Revised Condition Language

The Certificate Holder seeks to revise certain conditions of approval related to avoidance, minimization, and mitigation measures for cultural resources to clarify the language and reaffirm the intent of the Council in the condition language. Specifically, the Certificate Holder seeks to revise the conditions to reflect the current practice of avoiding cultural resources that are eligible or unevaluated for listing on the National Register of Historic Place (NRHP) and clarify applicability of construction buffers.

The Certificate Holder is requesting an amendment under OAR 345-027-0350(3) for Proposed Change 1 and under OAR 345-027-0350 (4) for Proposed Changes 2 and 3. The environmental conditions of the Site Boundary are unchanged since construction deadlines were last changed for the Facility in 2017 and overall the changes are minor and intended to reduce impacts. Therefore, the Certificate Holder requests a Type B review of RFA 6 per OAR 345-027-0351(3) and provides this Amendment Determination Request (ADR) for Type B Review pursuant to OAR 345-027-0357(3). This letter, supported by the accompanying RFA 6 submittal, addresses the submittal requirements for an amendment determination request for the Type B review process described in OAR 345-027-0351(4) and demonstrate that RFA 6 warrants a Type B review under the factors in OAR 345-027-0357(8):

The complexity of the proposed change;

The proposed changes are to align the construction schedule with the Certificate Holder's commercial arrangements, amend the micrositing corridor for shorter and more direct road and collector routes, and fix inconsistencies in Site Certificate conditions on cultural resources. These changes are not complex, but are typical of late-stage development of a wind facility. The Certificate Holder has completed all required resource surveys for the final layout and confirmed areas are suitable for wind development. Although this request seeks to add 534 acres to the micrositing corridor, not all areas will be disturbed by construction; rather, the Certificate Holder has surveyed a larger area to verify there no sensitive resources near proposed facilities. This level of due diligence reduces uncertainty and overall

complexity of proposed changes. Overall, the proposed changes will help facilitate commercial arrangements for the buildout of the Facility (for Phase 2) and minimize permanent impacts using minor facility layout modifications and clarify existing Site Certificate conditions.

The anticipated level of public interest in the proposed change;

For the last amendment to increase the turbine height, there were three public comments. The comments focused on setbacks, protection of the Columbia River Gorge viewpoints, and survey areas for resources for the Facility impact areas. The final design layout will use turbines that will be shorter than maximum turbine heights permitted and will meet all required setbacks. The turbine layout is consolidated towards the southern end of the Site Boundary, away from the Columbia River Gorge, thereby further reducing any visible impact. All temporary and permanent disturbance areas have been surveyed for cultural resources, wetlands, habitat, threatened and endangered species, and raptor nests per the Site Certificate conditions. New cultural resources in the amended micrositing corridors are recommended as not eligible for listing on the National Register for Historic Places. Because RFA 6 does not present an impact or resource not previously reviewed or that does not require avoidance, minimization, and mitigation through an existing Site Certificate condition and does not propose any changes to the facilities not previously reviewed, the anticipated level of public interest in RFA 6 is anticipated to be minor and in support of the Facility.

The anticipated level of interest by reviewing agencies;

Agency input on RFA 6 will likely be low because the purpose of this amendment is relocating already approved related or supporting facilities within the same Site Boundary, and extending the construction completion date. The Certificate Holder understands that the Department will reach out to agencies as part of the amendment review process. The cultural survey report has been submitted to the State Historic Preservation Office, but given the recommendation of new resources as not eligible for listing on the National Register for Historic Places, little interest is anticipated. Moreover, the Certificate Holder has been coordinating with the agencies (Oregon Department of Fish and Wildlife, Oregon Department of Geology and Mineral Industries, Sherman County, Oregon Department of Environmental Quality) as part of pre-construction compliance.

The likelihood of significant adverse impact; and

The purpose of RFA 6 is to relocate already approved facilities within the same Site Boundary (amending the micrositing corridors), extending the construction completion date, and clarifying cultural condition language. These proposed minor changes will result in neither significant adverse impacts the Council has not addressed in an earlier order nor an impact that affects a resource or interest protected by a Council standard. The proposed changes do not implicate any Council standard because the Certificate Holder will design, construct, operate, and

retire the Facility substantially as described in the Site Certificate. Consequently, the Facility as proposed will not result in a significant impact that the Council has not addressed which is why only one Site Certificate change is needed for RFA 6—to change the construction completion deadline. RFA 6 demonstrates that, based on the findings from the field surveys for the amended areas of micrositeing corridor and in consideration of compliance with the Site Certificate conditions, there is minimal to no likelihood of significant adverse impact.

The type and amount of mitigation, if any.

The final design will be a smaller Facility than permitted. Field surveys identified the same habitat types in the amended micrositeing areas than in previously surveyed micrositeing corridors, primarily cultivated agriculture (see Figure 1). Therefore, there will be the same type of habitat mitigation but less needed. In general, Site Certificate condition compliance provides for avoidance, minimization, and mitigation measures for Facility construction and operation although changes to the cultural conditions are proposed to clarify the language and reaffirm the intent of the Council in the cultural conditions language.

Together, this request letter and attachments are the ADR and written preliminary request for amendment (RFA 6) and satisfy all requirements including demonstrating that RFA 6 warrants a Type B review under the factors in OAR 345-027-0357(8).

Thank you for your consideration.

Sincerely,



Matt Hutchinson

cc: Brian Walsh/Avangrid Renewables
Elaine R. Albrich/DWT
Carrie Konkol/Tetra Tech
Anneke Solsby/Tetra Tech

Request for Amendment No. 6 to the Site Certificate for the Golden Hills Wind Project

Prepared for
The Oregon Energy Facility Siting Council

September 2020

Prepared and Submitted by
Golden Hills Wind Farm, LLC

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Acronyms and Abbreviations

Certificate Holder	Golden Hill Wind Farm, LLC
CRMP	Cultural Resources Management Plan
EFSC or Council	Oregon Energy Facility Siting Council
Facility	Golden Hills Wind Project
Golden Hills	Golden Hills Wind Farm, LLC
Guidelines	Oregon Columbia Plateau Ecoregion Wind Energy Siting and Permitting Guidelines
HMRP	Habitat Mitigation and Revegetation Plan
kV	kilovolt
met	meteorological
MW	megawatt
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O&M	operations and maintenance
OAR	Oregon Administrative Rule
OCTA	Oregon-California Trails Association
ODOE	Oregon Department of Energy
PPA	power purchase agreement
PSE	Puget Sound Energy
RFA	Request for Amendment
SCCP	Sherman County Comprehensive Plan
SCZO	Sherman County Zoning Ordinance
Site Certificate	Fifth Amended Site Certificate

Section 1. Introduction

1.1 Project Summary and Request

Golden Hills Wind Farm, LLC (Golden Hills or the Certificate Holder) holds the Fifth Amended Site Certificate (Site Certificate)¹ for the construction and operation of the Golden Hills Wind Project (Facility) in Sherman County, Oregon. As approved, the Facility is a wind energy facility with a maximum capacity of 400 megawatts (MW) comprising up to 125 wind turbines within a site boundary of approximately 29,500 acres. Golden Hills files this Request for Amendment (RFA) 6 seeking approval from the Oregon Energy Facility Siting Council (EFSC or Council) to (1) extend the construction completion deadline, (2) change the micrositing corridor and facility layout within the existing Site Boundary, and (3) revise some of the cultural resources conditions to clarify the language and reaffirm the intent of the Council in the condition language of the Site Certificate. These proposed changes are described more fully in Section 3.0 below. Golden Hills began construction of the Facility before June 18, 2020, starting with the construction of the operation and maintenance (O&M) building. This RFA 6 is triggered by Oregon Administrative Rule (OAR) 345-027-0350(3) because the Certificate Holder seeks to extend the construction completion deadline (Proposed Change 1). It is also triggered by OAR 345-027-0350(4)(c) because the proposed changes could require modifications to an existing site certificate condition to address the micrositing corridor modifications (Proposed Change 2) and revised cultural resource conditions (Proposed Change 3).

1.2 Extend Construction Deadline under OAR 345-027-0385

OAR 345-027-0385 Request for Amendment to Extend Construction Deadlines.

(1) The certificate holder may request an amendment to the site certificate to extend the deadlines for beginning or completing construction of the facility, or portion/phase of the facility, that the Council has approved in a site certificate or an amended site certificate by submitting a preliminary request for amendment in accordance with OAR 345-027-0360. The preliminary request for amendment must include an explanation of the need for an extension and must be submitted to the Department before the applicable construction deadline, but no earlier than the date twelve months before the applicable construction deadline.

The Certificate Holder is requesting an amendment to the Site Certificate to extend the deadline for completing construction of the Facility. The Certificate Holder is submitting this RFA 6 in accordance with OAR 345-027-0360 before the applicable construction deadline of (June 18,

¹ The Site Certificate has previously been amended five times: to extend the construction deadlines, update the Facility design, account for changes in Golden Hill's parent ownership and change the approved turbine dimensions.

2021) and no earlier than 12 months before the applicable construction deadline. The proposed reason for the request is provided in Section 3.1.3.

(2) A preliminary request for amendment received by the Department within the time allowed under section (1) of this rule to extend the deadlines for beginning and completing construction suspends expiration of the site certificate or amended site certificate until the Council acts on the request for amendment. If the Council denies the extension request after the applicable construction deadline, the site certificate is deemed expired as of the applicable construction deadline specified in the site certificate or amended site certificate.

The Certificate Holder understands this rule.

(3) If the Council grants an amendment under this rule, the Council must specify new deadlines for beginning or completing construction that are the later of:

(a) Three years from the deadlines in effect before the Council grants the amendment; or

(b) Following a contested case proceeding conducted pursuant to OAR 345-027-0371, two years from the date the Council grants the amendment.

The Facility was approved prior to October 24, 2017. Therefore, this rule does not apply.

(4) For requests for amendment to the site certificate received under this rule to extend construction deadlines for facilities or portions of the facility the Council may not grant more than two amendments to extend the deadline for beginning construction of a facility or a phase of a facility.

This is a request to extend the construction completion date, not the beginning date, and the Facility was approved prior to October 24, 2017. Therefore, this rule does not apply.

(5) For requests for an amendment to the site certificate to extend construction deadlines for facilities, or portions/phases of facilities, not yet in construction, but already approved for construction in the site certificate or amended site certificate prior to October 24, 2017:

(a) Sections (1) and (2) of this rule apply;

(b) Sections (3) and (4) of this rule do not apply;

The Facility was approved prior to October 24, 2017. Therefore, Sections (3) and (4) do not apply.

(c) When considering whether to grant a request for amendment for a deadline extension made under this section, the Council must consider how many extensions it has previously granted; and

This is the fourth request for a construction completion deadline extension. The First Amended Site Certificate extended the deadline for completing construction of the Facility from June 18, 2015 to June 18, 2017. The Second Amended Site Certificate extended the deadline for completing construction June 18, 2018. The Third Amended Site Certificate extended the deadline for completing construction to June 18, 2021.

(d) If a request for amendment for a deadline extension made under this section is granted, the Council must 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.

The Certificate Holder requests the construction completion deadline be December 31, 2022, or an 18-month extension.

Section 2. Certificate Holder Information – OAR 345-027-0360(1)(a)

OAR 345-027-0360(1) To request an amendment to the site certificate required by OAR 345-027-0350(3) or (4), the certificate holder must submit a written preliminary request for amendment to the Department that includes the following:

OAR 345-027-0360(1)(a) The name of the facility, 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;

Certificate Holder:

Golden Hills Wind Farm, LLC
1125 NW Couch Street, Suite 700
Portland, OR 97209

Individual Submitting Request:

Matt Hutchinson
Senior Permit Manager
Avangrid Renewables, LLC
1125 NW Couch Street, Suite 700
Portland, OR 97209
(503) 478-6317
matthew.hutchinson@avangrid.com

Section 3. Detailed Description of the Proposed Changes – OAR 345-027-0360(1)(b)

OAR 345-027-0360(1)(b) A detailed description of the proposed change, including:

Golden Hills seeks Council approval of three changes to the approved Facility and Site Certificate:

- **Proposed Change 1: Extension of Facility Construction Completion Deadline.** Golden Hills began construction of the Facility before June 18, 2020, the deadline for the start of construction. Currently, the deadline for the completion of construction is June 18, 2021. Golden Hills expects to complete construction by December 2021; however, given a variety of factors described in more detail below, Golden Hills is seeking to extend the construction completion deadline to December 31, 2022, eighteen months from the current construction completion deadline.
- **Proposed Change 2: Amend Facility Micrositing Corridor (within Site Boundary).** Golden Hills has identified design refinements where minor changes to the location of relating or supporting facilities and associated micrositing corridors could reduce impacts or are necessary to comply with Site Certificate conditions. These modifications will help make underground collection routes between turbines shorter, allow for better alignment of access roads with ongoing agricultural operations, and reduce portions of the collector routes into a single corridor. In total, Golden Hills seeks to add 534 acres to the existing micrositing corridor within the Facility Site Boundary. Golden Hills also requests to remove 85 acres from the existing micrositing corridor. No change to the Site Boundary is proposed and all turbines will remain within existing approved micrositing corridors.
- **Proposed Change 3: Revised Cultural Condition Language.** Golden Hills seeks to revise certain conditions related to cultural resources to clarify the language and reaffirm the intent of the Council to avoid significant impacts on cultural resources that are eligible or unevaluated for listing on the National Register of Historic Places (NRHP). The suggested revisions are consistent with other recently approved site certificates (e.g., Bakeoven Solar).

3.1 Effect of Proposed Changes on the Facility – OAR 345-027-0360(1)(b)(A)

(A) A description of how the proposed change affects the facility;

The proposed changes allow the Facility to move from the pre-construction to construction phase and become a commercially operational renewable energy facility thereby fulfilling the intended objective of the Facility as approved in the original Site Certificate approval and

subsequent amendments by the Council. The proposed changes are typical to the final stages of wind facility siting and construction. Moreover, the Facility will be constructed and operated substantially in the same manner as approved by the Council, which imposed conditions, as necessary.

3.1.1 Proposed Change 1 Extension of Construction Completion Deadline

Golden Hills seeks an extension of construction completion deadline from June 18, 2021 to December 31, 2022. Facility construction is targeted for completion in December 2021 but because of current circumstances, Golden Hills requests an 18-month extension in case of further construction delays.

Construction Schedule	2020			2021				2022			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Phase 1 O&M construction	1/										
Phase 2 BOP construction					2/		3/				
Contingency period											4/
1. Construction start date = June 18, 2020 2. Approved construction completion date = June 18, 2021 3. Planned construction completed date = December 31, 2021 4. Requested construction completion date = December 31, 2022.											

The delay in construction completion is needed for the following reasons:

- Commercial Operational Date Defined by Power Purchase Agreement.** The Certificate Holder has executed a power purchase agreement (PPA) with Puget Sound Energy (PSE) for the power generated by the Facility (<https://www.pse.com/press-release/details/puget-sound-energy-and-avangrid-renewables>). In this agreement, PSE has defined the operational date for the Facility as December 31, 2022. Therefore, the Certificate Holder needs a delay to the construction completion deadline to align with its PPA. It is not economically feasible to bring the project online earlier because PSE would not purchase power earlier than the date specified in the PPA.
- Timing of Interconnection.** Golden Hills interconnects to Bonneville Power Administration’s (BPA) transmission network at the Schoolhouse Substation. After finalizing the Interconnection Agreement, BPA recently determined that interconnecting the Facility would require more upgrades on BPA’s system than previously considered. Therefore, BPA has reinitiated its National Environmental Policy Act and Section 106 review process for a larger scope of work. BPA’s permitting process and subsequent upgrade activities may delay interconnection of the Facility until December 31, 2022. BPA

has also slowed work on new projects as part of its response to COVID-19². The Certificate Holder is working with BPA to maintain the overall project schedule, but a change the construction completion deadline is needed to align with a possible delayed interconnection date.

- **Extension of Production Tax Credit.** In May 2020, the Internal Revenue Service (IRS) issued new guidance that extended the safe harbor requirements on how wind projects can qualify for the production tax credits by 1 year. This change in guidance was a consequence of the global pandemic³ and allows certain wind projects an extra year to come online and receive the same level of tax credits. The Certificate Holder still plans on beginning commercial operation of the Facility by the end of 2021 but requests a delay in the construction deadline so the project could still qualify for production tax credits under the new IRS guidance if there are unforeseen delays.
- **Potential Equipment and Workforce Delays Due to COVID-19.** The global pandemic has raised concerns about delays in equipment delivery and workforce in many industries, including the energy sector. Suppliers have notified the Certificate Holder of possible delays in equipment delivery due to pandemic-related supply chain issues. Oregon Governor Brown has labeled the energy sector as essential workers, and a flexible work environment – free of near-term construction deadlines – is a reasonable consideration for adapting to changing conditions. The Certificate Holder is not making a specific claim of construction completion delay due to the COVID-19 pandemic at this time, but seeks to modify the construction completion deadline to allow for future unforeseen circumstances.

3.1.2 Proposed Change 2 Amend Micrositing Corridor (within Site Boundary)

Golden Hills seeks to add approximately 534 acres of micrositing corridor primarily for related and supporting facilities and temporary impacts for the final layout modifications primarily for related and supporting facilities (Table 1). Golden Hills also proposes to remove approximately 85 acres of micrositing corridor that, after more detailed engineering review, do not provide siting areas that minimize impacts.

² “During this time, BPA will stop or delay construction and maintenance work unless that work is critical and time sensitive for system reliability or safety.” BPA Press Release dated March 16, 2020, <https://www.bpa.gov/news/newsroom/Pages/BPAs-recent-actions-in-responding-to-COVID-19.aspx>

³ “Treasury Department and the IRS recognize that the COVID-19 pandemic is causing delays in the development of certain facilities eligible for the PTC.” IRS Notice 2020-41, <https://www.irs.gov/pub/irs-drop/n-20-41.pdf>

Table 1. Area Comparison

Description	Approved	Proposed Additions	Proposed Removal
Site Boundary	29,500 acres	No change	No change
Micrositing Corridor	6,820 acres	534 acres	85 acres
Transmission Corridor	200-foot-wide siting corridor for approximately 5 miles	No change ¹	No change
1. Additional temporary workspace for transmission line included in amended micrositing corridors, permanent facilities within previously approved corridor.			

The amended micrositing corridors provide for a layout that reduces impacts to farming practices and natural resources. The new areas of micrositing corridor not only account for areas where there may be proposed facilities, but also provide a buffer around the proposed construction work areas to provide conservative survey areas to ensure there are no sensitive resources near areas to be developed. Additionally, the new micrositing corridor includes contingency areas where proposed facilities are located at the edge of the approved micrositing corridors. These contingency areas may not be disturbed during constructions but were included in the survey areas for new corridors to ensure that construction does not result in new significant adverse impacts. Thus, the 534 acres added by the request will not all be disturbed by construction, but rather 10 to 20 percent of this area will have permanent facilities (i.e. access roads or buried collector lines) and associated construction impacts. Impacts in new corridors are offset by removing 85 acres of approved areas from the micrositing corridor.

The Facility’s final layout includes 51 turbines plus 8 alternate turbine locations that may be used as back-up locations if there are issues during construction with primary turbine locations. The alternative turbine locations are pending Federal Aviation Administration approvals; however, the proposed amended corridors accounts for related and supporting facilities to support alternate turbine locations. All turbines (primary and alternative turbines) will be in the previously approved micrositing corridors. There will be no change to the substation or transmission line locations, which will be within the previously approved micrositing corridors. No changes to the Site Boundary are proposed.

In summary, the Certificate Holder is requesting to amend the micrositing corridor areas for the following purposes and as shown on Figure 2:

- Road or Collector Line Realignment to Minimize Disturbance – These realignments would result in reduced disturbance areas compared to the approved alignment corridors because they provide: more direct and/or consolidated routes (see Figures 2.3, 2.4, 2.5, 2.6, 2.10, and 2.11) avoid ditches and natural features such as streams, wetlands

and steep slopes (See Figures 2.2, 2.3, 2.6, 2.7, 2.11, and 2.15). In addition, consolidating the collector line temporary work area reduces the temporary impact acres.

- Road Realignment due to Consultation with Landowners and to Minimize Property Impacts – Additionally, Condition PRE-LU-02 requires the Certificate Holder to consult with affected landowners in the design and construction of private access roads to minimize the division of existing farm units, use existing farm accesses and follow property lines. Therefore, realigning some roads was necessary to comply with the Site Certificate (see Figures 2.2, 2.3, 2.4, 2.10, 2.11, 2.12, and 2.15).
- Relocate Met Tower for Final Design – Due to the final siting of turbines, which considered engineering, constructability, natural resource considerations, and the necessary distance between the turbines and the meteorological (met) towers, one met tower is slightly outside the existing micrositing corridors (See Figure 2.2).
- Turbine Temporary Laydown Areas – To facilitate construction activities, temporary laydown areas are proposed at the base of each wind turbine. In some areas, these laydown areas may require additional space outside the existing micrositing corridor (See Figures 2.2, 2.5, 2.10, and 2.15) although the turbine and turbine pad will be within the existing micrositing corridors.
- Additional Disturbance Area Adjacent to Facilities – For some facilities, such as the O&M facility and substation, additional temporary disturbance area is needed for construction (See, Figure 2.3 and Figure 2.6).
- 230-kilovolt (kV) Transmission Line Temporary Disturbance – Per GEN-MC-13, the 230-kV transmission line corridor is 200 feet wide which the transmission line will be sited in. However, temporary disturbance and access requirements during construction require workspace outside the siting corridor (See Figures 2.6, 2.7, and 2.8).

The final turbine layout is proposed in the central and southern portions of the Site Boundary: therefore, approximately 4,139 acres of micrositing corridor in the northern portions of the Site Boundary will not be used by the Facility. These areas of the micrositing corridor that currently are not identified for final micrositing are primarily north of OR 206, closest to the Columbia River, and the easternmost micrositing corridors closest to the Deschutes River (see Figure 2). This unused areas accounts for about 60 percent of approved micrositing corridors, whereas the proposed corridor additions only increase the micrositing area by about 8 percent. Consistent with the Oregon Columbia Plateau Ecoregion Wind Energy Siting and Permitting Guidelines (Guidelines),⁴ all new micrositing areas are adjacent to and are almost entirely in between the existing micrositing corridors. Although the micrositing corridor area will be expanded, the actual footprint of the Facility will not exceed the maximum approved footprint for the facilities

⁴ Columbia Plateau Ecoregion Taskforce. 2008. Oregon Columbia Plateau Ecoregion Wind Energy Siting and Permitting Guidelines. September 29, 2008. 38 pp. https://www.dfw.state.or.us/lands/docs/OR_wind_siting_guidelines.pdf

as identified in the Site Certificate.⁵ The Certificate Holder has been developing a final layout that minimizes land use and environmental impacts consistent with the intent of the Site Certificate and Site Certificate Conditions. The Facility will be sited primarily in the middle and southern portion of the Site Boundary.

3.1.3 Proposed Change 3: Revised Condition Language

Golden Hills proposes to revise seven cultural conditions (See Attachment 1, Red-lined Site Certificate). The conditions have internal inconsistencies and do not clearly reflect Council's intent for avoiding, minimizing and mitigation potential impacts to cultural resources under OAR 345-022-0090 (EFSC Historic, Cultural, and Archaeological Resources Standard). To clarify unclear language in the original site certificate conditions related to cultural resources, address results of recent cultural resources surveys, and reconcile the Project's final design with former micrositing corridors, Golden Hills proposes changes to the conditions. In consideration of the recent cultural resource survey results and analyses, these revisions do not change previous impact significance analyses in Exhibit S of the Application for Site Certificate. The clarification is needed so that the Site Certificate conditions can be implemented as intended by Council including during construction.

3.2 Applicable Laws and Council Rules – OAR 345-027-0360(1)(b)(B)

OAR 345-027-0360(1)(b)(B) a description of how the proposed change affects those resources or interests protected by applicable laws and Council standards, and

The Certificate Holder has followed the intent of the micrositing and final design guidelines of the Oregon Columbia Plateau Ecoregion Wind Energy Siting and Permitting Guidelines (Guidelines; September 29, 2008) that state:

...After the project is permitted, the turbines and other project facilities are sited within the micrositing corridors identified. These facilities may be located slightly outside the micrositing corridors if they have been adequately surveyed for biological and cultural resources before construction. Final project feature locations should comply with all applicable permit conditions.

...Final wind project design should be an iterative process that should involve considerations and trade-offs between engineering, constructability, and natural resource considerations. Final wind project design should consider biological resource surveys, resource agency input, and associated permit conditions such as avoidance criteria. For instance, final location of wind project facilities may be limited by topography, meteorology and geotechnical considerations.

⁵ Golden Hills Wind Project, Final Order on Requests for Contested Case and Request for Amendment 5, October 2018.

In this instance, Golden Hills has determined that the proposed changes will allow the Facility to be designed and constructed in a manner with less impacts to interests protected by applicable laws and Council standards. All areas of temporary and permanent disturbance have been surveyed including as required for pre-construction compliance, which is the same due diligence that informs development of the micro-siting corridors. Overall, the proposed changes are insubstantial because they do not propose any new or additional facilities, meet all Site Certificate conditions except for extending the deadline completion date and amending cultural conditions for clarity, and are consistent with the Guidelines.

Section 6 provides a detailed assessment of how the proposed changes affect those resources or interests protected by applicable laws and Council standards.

3.3 Location of the Proposed Change – OAR 345-027-0060(1)(b)(C)

OAR 345-027-0360(1)(b)(C) the specific location of the proposed change, and any updated maps and/or geospatial data layers relevant to the proposed change.

Figure 1 shows an overview of the Facility Site Boundary, micro-siting corridor, and areas proposed to be added and removed. Figure 2 is a mapbook showing the specific location of the proposed changes and the purpose for the proposed change.

Section 4. Division 21 Requirements – OAR 345-027-0060(1)(c)

OAR 345-027-0360(1)(c) References to any specific Division 21 information that may be required for the Department to make its findings.

All exhibits of the Application for Site Certificate and subsequent amendments that provide Division 21 information are hereby incorporated by reference. No specific Division 21 information is necessary for the Department to make its findings for RFA 6.

Section 5. Site Certificate Revisions – OAR 345-027-0360(1)(d)

OAR 345-027-0360(1)(d) The specific language of the site certificate, including conditions, that the certificate holder proposes to change, add or delete through the amendment.

The red-lined Site Certificate (Attachment 1) provides the specific language that Certificate Holder proposes to change through RFA 6.

Section 6. Other Standards and Permits – OAR 345-027-0360(1)(e)

OAR 345-027-0360(1)(e) A list of all Council standards and other laws, including statutes, rules and ordinances, applicable to the proposed change, and an analysis of whether the facility, with the proposed change, would comply with those applicable laws and Council standards. For the purpose of this rule, a law or Council standard is “applicable” if the Council would apply or consider the law or Council standard under OAR 345-027-0375(2); and

This section provides an annotated list of the standards and other laws, including statutes, rules and ordinances, applicable to the proposed change, and an analysis of whether the facility, with the proposed change, would comply with those applicable laws and Council standards.

The Council standards relevant to RFA 6 include Division 22 (General Standards for Siting Facilities) and Division 24 (Specific Standards for Siting Facilities). The Facility is a wind power generating facility. Therefore, Division 23, which applies to non-generating facilities, does not apply. Similarly, inapplicable provisions of Division 24 (e.g., standards applicable to gas plants, gas storage, non-generating facilities) are not discussed.

6.1 Division 22 Standards

The Certificate Holder provides an evaluation of compliance with the Division 22 standards below.

6.1.1 General Standard of Review

When reviewing RFA 6, the Council will find that Golden Hills continues to comply with the requirements of the Oregon energy facilities siting statutes in Oregon Revised Statutes (ORS) 469.300 to 469.570 and ORS 469.590 to 469.619, as well as the standards adopted by the Council pursuant to ORS 469.501. The Facility will continue to provide an overall public benefit that outweighs any adverse effects to a particular resource or interest protected by the applicable standards. The following sections provide the analysis required for the Council to determine that the proposed changes do not affect Golden Hills’ compliance with the standards and requirements set forth under the General Standard of Review or ability to construct and operate the Facility consistent with the terms and conditions of the Site Certificate (ORS 469.430).

Golden Hills has the organizational expertise to implement the proposed changes without compromising the Council’s ongoing conclusions under this standard or any other applicable standard. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 2), the Council may find that the Facility, as proposed, will continue to comply with the requirements of OAR 345-022-0000.

Table 2. Evaluation of the General Standard of Review

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-MC-01: Changes to site certificate	No	RFA 6 is requesting changes to the Site Certificate as provided in OAR Chapter 345, Division 27.
GEN-MC-02: Adherence to applicable rules and permits	No	The Facility, with the proposed changes, can comply with these conditions.
GEN-MC-03: Site certificate construction duration	No	
GEN-MC-04: Restoration to non-hazardous condition	No	
GEN-MC-05: Binding commitments of site certificate	No	
GEN-MC-06: Vegetation restoration	No	
GEN-MC-07: Avoid human safety danger	No	
GEN-MC-08: DOGAMI notification	No	
GEN-MC-09: DOGAMI and State Building Codes Division notification	No	
GEN-MC-10: Transfer of ownership	No	The proposed changes do not include a transfer of ownership.
GEN-MC-11: Cease construction or operation	No	The proposed changes do not affect compliance with this condition.
GEN-MC-12: Transmission line safety program	No	There will be no changes to the 230-kV transmission line that affect compliance with this condition.
GEN-MC-13: Transmission line approved corridor	No	One of the proposed changes is to update Facility mapping to identify the 200-foot corridor. The Facility, with the proposed changes, can comply with this condition.
GEN-MC-14: Site certificate compliance plan	No	The Facility, with the proposed changes, can comply with these conditions.
GEN-MC-15: Certificate holder reporting requirements	No	
GEN-MC-16: Correspondence records	No	
GEN-MC-17: Incident notification	No	
GEN-MC-18: Significant impact report	No	
PRE-MC-01: Construction rights for the site	No	

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-MC-02: Bond of letter of credit submission	No	The proposed changes do not substantially change the decommissioning estimate submitted to ODOE for RFA 3. This condition will be complied with as part of pre-construction.
CON-MC-01: Construction duration requirements	No	As noted in the Introduction, the Facility is in the pre-construction phase. Construction began by June 18, 2020.
OPR-MC-01: Legal description of the site	No	Because this Site Certificate condition for a legal description of the site is for after construction, it implicates anticipated layout shifts through all phases of the project. The Facility, as proposed, will comply with this condition.
RET-MC-01: Retirement due to cease of construction or operation	No	The proposed changes do not affect compliance with these conditions because they are reflective of the final layout.
RET-MC-02: Forced final retirement plan due to cease of construction or operation	No	
GEN-DC-01: Construction commencement	No	As noted above, the Facility is in the pre-construction phase. Construction began by June 18, 2020.
GEN-DC-02: Construction completion	Yes	RFA 6 proposes to change the construction completion date to December 31, 2022.
PRE-DC-01: Turbine specifications	No	The proposed changes do not include changes to the approved turbine specifications.
PRE-DC-02: Habitat surveys and assessments	No	This condition requires habitat and sensitive resource surveys prior to construction for areas that will be affected by Facility components. This condition provides for flexibility in layout by providing a pre-construction condition based on the final layout and disturbance areas for surveys similar to what was completed for the initial micro-siting corridor designation.

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
		Therefore, layout changes for related or supporting facilities are intrinsic to the Site Certificate.
PRE-DC-03: Non-construction activity reporting	No	The proposed changes to the Facility layout do not affect compliance with this condition.
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.2 Organizational Expertise

The Council previously found that Golden Hills “continues to have the ability to construct, operate, and retire the facility, as amended, in compliance with Council standards and all existing Site Certificate conditions, as required by the Organizational Expertise standard.”⁶ Golden Hills is wholly owned by Pacific Wind Development, LLC, a subsidiary of Avangrid Renewables, LLC, and its organizational expertise was described in RFA 4. The Council has previously found that third parties must either have any necessary permits or have a reasonable likelihood of obtaining any necessary permits. The proposed changes do not affect this prior finding.⁷ There have been no changes to Golden Hills’ organizational expertise that would impact prior findings. Golden Hills has the organizational expertise to implement the proposed changes, without compromising the Council’s ongoing conclusions under this standard. The proposed changes are not implicated in any conditions related to the Organization Standard. Therefore, based on the foregoing, the Council will find the Facility, as proposed, would continue to comply with OAR 345-022-0010.

6.1.3 Structural Standard

OAR 345-022-0020 authorizes the Council to issue a Site Certificate without making findings with respect to the Structural Standard, but the rules also authorize the Council to impose Site Certificate conditions based on the requirements of OAR 345-022-0020. The Council adopted Site Certificate conditions to address the potential for seismic and non-seismic geologic hazards at the Facility, and has found that “the conditions currently imposed in the Site Certificate to address the Structural Standard ensure issues related to that standard are fully addressed.”⁸ The proposed changes move temporary laydown yards off of steep slopes, reduce the cable

⁶ Final Order on Request on Amendment #4 and Request for Transfer of the Site Certificate, p. 25(April 27, 2018).

⁷ Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 29 (February 24, 2017).

⁸ Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 31 (February 24, 2017).

length in areas of steep slope, and route roads off of steep slopes (see Figure 2). Golden Hills has completed a site-specific geotechnical investigation and provided the report to the Oregon Department of Geology and Mineral Industries for review per condition PRE-SS-01.

Golden Hills’ ability to design, engineer, and construct the Facility to avoid dangers to human safety is not affected by the proposed changes. Turbines will be located within the previously approved micro-siting corridor, where potential geological and soil hazards have already been evaluated and approved by the Council. All proposed changes will be within the Site Boundary. The Council has responded to previous structural concerns raised by the public by incorporating Conditions PRE-SS-01 to PRE-SS-03 and Condition GEN-SS-01 into the Site Certificate (see Table 3), and these conditions continue to ensure that Golden Hills meets the requirements of the Structural Standard. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 3), the Council may find that the Facility with the proposed changes would continue to comply with OAR 345-022-0020.

Table 3. Evaluation of the Structural Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-SS-01: State Building Code compliance	No	The Facility with proposed changes will comply with this condition as documented through pre construction compliance.
PRE-SS-01: DOGAMI protocol and report	No	This condition is site specific; therefore, it provides flexibility for siting in the Site Certificate prior to construction. The Facility with proposed changes will comply with this condition as part of pre construction compliance.
PRE-SS-02: Non-seismic hazard avoidance	No	One of the proposed changes is to move laydown areas away from steep slopes to comply with these conditions. Therefore, the Facility with proposed changes will comply with these conditions.
PRE-SS-03: Setbacks to avoid slopes	No	
1. Would proposed changes: Impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.4 Soil Protection

The Council previously found that the Facility complies with the Soil Protection Standard.⁹ The proposed changes make no changes that would alter the basis for the Council's earlier findings. The Council has previously considered both 1,522 acres of temporary impacts¹⁰ and 141 acres of permanent impacts¹¹ in the Final Order on the Application and 1,069 acres of temporary impacts and 132 acres of permanent impacts¹² in the Final Order on Amendment 3. Although Golden Hills is requesting new and wider micro-siting corridors in some areas, this does not increase the anticipated temporary or permanent impact acreage than previously reviewed by the Council because, overall, the Facility will have a smaller footprint. The proposed changes will reduce lengths of collector systems and roads, and as a result the amount of soil disturbance will be minimized.

Site Certificate conditions (Conditions GEN-SP-01, CON-SP-01, PRE-SP-01, CON-SP-02, OPR-SP-01, OPR-SP-02 [see Table 4]) require Golden Hills to construct the Facility in compliance with an erosion and sediment control plan satisfactory to the Oregon Department of Environmental Quality, as per the requirements of a National Pollutant Discharge Elimination System (NPDES) permit. Golden Hills has obtained an NPDES 1200-C permit from the Oregon Department of Environmental Quality for the construction activities that are currently underway.

The proposed changes do not impair Golden Hills' ability to implement erosion control measures summarized in the Final Order¹³ or required by the Facility's NPDES permit. The proposed changes do not change any of the conclusions under the Soil Protection Standard, which the Council has already approved under the Site Certificate. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 4), the proposed changes will not result in a significant adverse impact and the Council can find that the Facility, as proposed, would continue to comply with OAR 345-022-0030.

⁹ Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 33 (February 24, 2017).

¹⁰ Final Order, Golden Hills Wind Project, p. 79 (May 15, 2009).

¹¹ Final Order, Golden Hills Wind Project, p. 125 (May 15, 2009).

¹² Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 32 (February 24, 2017).

¹³ Final Order on Application for Site Certificate, p.78 (May 15, 2009).

Table 4. Evaluation of the Soil Protection Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-SP-01: ESCP compliance	No	This condition will apply to the final layout the same as previously layouts.
PRE-SP-01: Noxious weed control plan	No	The proposed changes do not affect compliance with this condition.
CON-SP-01: Salvaged topsoil	No	
CON-SP-02: Wash down areas	No	
OPR-SP-01: Inspection of roads	No	The proposed changes include a more efficient arrangement of facility components and moving the laydown areas from slopes thereby potentially reducing related erosion.
OPR-SP-02: Prevention of run-off from blade-washing	No	The proposed changes do not include any changes to the turbines. Therefore, the Facility with proposed changes will comply with this condition.
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.5 Land Use

The Council previously concluded that the Facility complied with the Land Use Standard.¹⁴ In its evaluation of the Facility under the Land Use Standard (OAR 345-022-0030), the Council considered the applicable substantive criteria of Sherman County’s comprehensive plan and land use ordinances. There have been no modifications to the Sherman County Zoning Ordinance (SCZO) (adopted 1994 and amended in 2003) or the Sherman County Comprehensive Plan (SCCP) (adopted in 1994 and amended in 2007) since RFA 5 in 2018.

The Council previously found that the Facility would be consistent with the general criteria of the SCZO and the proposed changes do not affect this finding (see Table 5).¹⁵

¹⁴ Final Order on Application for Site Certificate, p.78 (May 15, 2009).

¹⁵ Final Order on the Golden Hills Wind Project, p. 40 (May 15, 2009).

Table 5. Sherman County Applicable Substantive Criteria

Section	Title	Effect of Proposed Change
SCZO		
<i>Section 3.1</i>	<i>Exclusive Farm Use, F-1</i>	
Section 3.1(1)	General Purpose	No change. The proposed changes minimize impacts agricultural operations and do not result in encroachment of incompatible uses.
Section 3.1(2)	Uses Permitted	No change. The proposed changes are associated with the approved wind energy facility which is allowed in the F-1 zone as a conditional use.
Section 3.1(3)	Conditional Uses Permitted	No change. See above.
Section 3.1(4)	Dimensional Standards/Setbacks	No change. RFA 6 will not create a new farm parcel and will meet all applicable yard setbacks for buildings.
<i>Section 3.7</i>	<i>Natural Hazard Combining Zone</i>	
Section 3.7(1)	Purpose	No change. Correspondence with Sherman County Planning Director Georgia Macnab for both RFA 5 and pre-construction compliance confirms the Facility is not in the NH zone.
Section 3.7(3)	Conditional Uses	
Section 3.7(4)	Permit for Use or Development in NH Zone	
Section 3.7(5)	Application Requirements for Use in NH Zone	
Section 3.7(6)	Standards for Building Construction in NH Zone	
Section 3.7(7)	Standards for Access Route in NH Zone	
<i>Article 4</i>	<i>Supplemental Provisions</i>	
Section 4.9	Compliance with and Consideration of State and Federal Agency Rules and Regulations	No change. The proposed changes do not affect compliance with State or Federal regulations as discussed throughout RFA 6.
Section 4.13	Additional Conditions to Development Proposals	No change. The proposed changes do not affect compliance with the Site Certificate conditions relative to impacts to the transportation network.
<i>Article 5</i>	<i>Conditional Uses</i>	
Section 5.2	General Criteria	No change. The proposed changes do not affect compliance with applicable Local, State or Federal regulations as discussed throughout RFA 6.

Section	Title	Effect of Proposed Change
Section 5.8	Standards Governing Specific Conditional Uses.	No change. The proposed changes are necessary so that the Facility can be constructed with a minimum impact on the surroundings and with consideration for natural or aesthetic values and farmland impacts.
Sherman County Ordinance		
Ordinance No. 39-2007	Setback Ordinance for Wind Power Generation Siting	No change. All turbines will be sited in the previously approved turbine micro-siting corridors and no changes to turbine dimensions are being requested as part of RFA 6.
Transportation System Plan (2015 Update)		
Section 7	Rural Road Design Standards	No change. The Facility, as proposed, will comply with Site Certificate Condition PRE-LU-01 which requires facility related roads to be constructed in accordance with applicable Sherman County road design standards, including the Transportation System Management Plan.
SCCP		
Section VIII, Planning Process and Citizen Involvement	Goal I: Policy I, II	No change. Public and Agency outreach has occurred at all stages of Facility development as documented through the ASC and amendment processes.
Section XI, Physical Characteristics	Goal I: Quality of the Physical Environment	No change. The proposed changes do not affect Golden Hills' ability to comply with its NPDES permit or other erosion control measures.
	Goal II: Natural Hazards	No change. Golden Hills will continue to avoid placing turbines and the laydown areas in Natural Hazards Combining Zones.
	Goal III: Aggregate Resources	No change. The proposed changes will not impact the aggregate resources of Sherman County.
	Goal IV: Groundwater Resources	No change. The proposed changes will not impact the aggregate resources of Sherman County.
	Goal IV: Land Management	No change. The proposed changes are sited within agricultural lands.
	Goal VI: Landscape	No change. The proposed changes do not include new facilities, and will not impact rock outcroppings, trees, the John Day River Canyon, or the Deschutes River Canyon.
	Goal VII: Fish and Wildlife	No change. The proposed change does not affect Golden Hills' ability to avoid sensitive habitat (i.e., Category 1 habitat). See Sections 6.18 and 6.1.9 for more information on wildlife impacts.

Section	Title	Effect of Proposed Change
	Goal XIII: Plant and Animal Diversity	No change. Golden Hills is not expected to significantly affect any listed endangered or threatened species, or adversely affect fish and wildlife species or habitat. Due to the lack of habitat for listed species in the Site Boundary, this conclusion is the same regardless of the proposed changes.
Section XII	Social Characteristics Goal I, Policy I, IX, X; Goal II, Policy XI, XII	No change. There are 10 issues related to social services under this section. The Facility will be consistent with this goal which related to the Public Services Standard, described in Section 3.13. Overall, the proposed changes do not affect the Council’s previous finding.
Section XIV	Goal I Economic Base and Viability of Agricultural	No change. The Facility will support the local economy by diversifying income sources while maintaining agricultural as the primary use. The proposed changes will minimize impacts to farmland.
SCCP Section XV	Energy Goal I, Policy I	No change. Regardless of whether the proposed changes, the Facility supports the development of renewable energy in the county.
SCCP Section XVI	Land Use Goal I, Policy IV	No change. Golden Hills does not propose to change the location of the Facility. It is entirely located on Exclusive Farm Use zoned land. The proposed changes will be within the existing Site Boundary.

Local Standards and Plans

SCZO Section 5.8.20.2 applies to the Facility and requires that there be no significant interference with accepted farming practices on adjacent lands devoted to farm use. Some of the proposed changes to the micro-siting corridors are intended to reduce impacts to farmland by realigning or consolidating access roads and collector lines in coordination with landowners (see Figure 2), and temporary construction laydown and staging areas are being sited to minimize disturbance to farming operations including unnecessarily dividing fields (see Figure 2).

Golden Hills will follow Condition PRE-LU-03, which limits placement of aboveground facilities within 50 feet from any property line, or within 50 feet from the right-of-way of any arterial or major collector road. These are intended to satisfy Sherman County’s setbacks for land zoned as Exclusive Farm Use. Golden Hills is in the process of designating haul routes for turbine delivery, and is consulting with the Sherman County Road Department on needed intersection improvements. Golden Hill has drafted a road use agreement with Sherman County to repair damage to county roads caused by construction in a manner consistent with

Conditions PRE-LU-12 and PRE-LU 13. Golden Hills has also executed a contract with the Sherman County Weed Department for control of noxious weeds consistent with the County's weed control ordinance and priorities.

The Council may rely on its earlier findings to support a finding that the proposed changes in RFA 6 comply the applicable substantive criteria from the SCZO.

- There is no forest use within the Site Boundary only farm use. The lands devoted to farm use in Sherman County are used primarily for cultivation of wheat, barley with some grazing of livestock, and farming related and accessory uses. The Facility will only remove a maximum of approximately 50 acres from farm use, as amended. Accepted farming activities will continue on the farm parcels where the facility structures would be located. The lease payments to landowners will exceed historic revenue from the land being displaced and will provide a stable revenue source to farm owners.
- The impact of the facility will not force a significant change in accepted farm practices or significantly increase the cost of farm practices, for the following reasons:
- Condition PRE-LU-02 requires the Certificate Holder to consult with affected landowners in the design and construction of private access roads to minimize the division of existing farm units.
- Project access roads and other facilities will be constructed and maintained by the Certificate Holder such that the cost burden for maintenance does not fall upon the farm or ranch owners.
- Project access roads improved or developed for the Facility could benefit agricultural users of land through improved access to farm fields and resulting lower fuel costs.
- While some increase in traffic is anticipated during construction, the temporary increase in the level of traffic will not significantly impact level of service on local roads. Therefore, construction traffic will not interfere with harvest time activities such as tractor movement between fields or trucks delivering agricultural products to market.
- The Certificate Holder has executed a weed control plan with the Sherman County Weed Department to reduce the risk of weed infestation in cultivated land and the associated cost to the farmer for weed control.
- Construction and operation of the Facility could cause changes in routes of access to fields and changes in the pattern of cultivation, seeding, fertilizing and harvesting near the turbines and access roads. To minimize this, the Certificate Holder is consulting with the landowners, to minimize obstacles to farming in cultivated fields (facility components around which the farmer would have to plow, plant, and harvest) (see Figure 2).

- Construction vehicles will use previously disturbed areas including existing roadways and tracks. The width of new permanent roadways will be the minimum consistent with safe use. Underground communication and electrical lines will be buried within the area disturbed by temporary road widening to the extent practicable, and turbine foundations will abut roadways as closely as possible while still meeting all setbacks.
- When practical, temporary construction yards and laydown areas will be located within existing disturbed areas or the future footprint of permanent structures (see Figures 2.3 and 2.5).
- Upon completion of construction, the Certificate Holder will restore temporarily disturbed areas to their pre-construction condition pre the Revegetation Plan (Condition GEN-FW-01).

Directly Applicable State Statues and Administrative Rules

Conditional use standards at OAR 660-033-0130(37), effective January 2, 2009, apply directly to the Facility, with proposed changes. Because the Facility, with proposed changes, would modify previously approved micrositing corridors, Golden Hills demonstrates below that notwithstanding the proposed changes, the Facility still complies with OAR 660-033-0130(37)(b) and the Council may rely on its previous findings of compliance.

OAR 660-033-0130(37)(b), (c), and (d) provide additional criteria for wind power generation facilities on “arable” or nonarable land. The Facility is approved to be located on a combination of arable and nonarable land. Therefore, the criteria in subpart (b) apply to the proposed changes in RFA 6. The proposed changes to the micrositing corridor and the facility layout will impact the same underlying agricultural land and will involve the same construction and operational activities as previously evaluated by Council.

Impacts on Agricultural Operations

As stated above, the Certificate Holder is coordinating with the landowners of the subject properties to minimize impacts to agricultural operations thus the need for some areas of the proposed micrositing corridors changes in this RFA 6. The Certificate Holder has minimized the number of turbines needed thereby limited the division of field by the turbines strings and the access roads (see Table 2). Figure 2 shows in detail where roads have been realigned and other facilities consolidated or layout adjustments made to minimize impacts.

Soil Erosion or Loss

The Certificate Holder will comply with the terms of its NPDES permit and the associated Erosion and Sediment Control Plan (Condition GEN-SP-01).

Soil Compaction

During construction, the Certificate Holder shall salvage approximately 3 feet of topsoil and stockpile this topsoil in windrows, wherever temporary impacts will occur in cultivated areas. The Certificate Holder shall protect the windrows with plastic sheeting or mulch. Upon removal of the temporary features, the certificate holder shall cultivate the subsoil to a depth of at least 12 inches (except where bedrock prohibits achieving this depth) and then redistribute the salvaged topsoil to match adjacent grades (Condition CON-SP-01).

Weed Control

The Certificate Holder has executed an agreement with the Sherman County Weed Master for control of noxious weeds for the Facility to ensure the noxious weed ordinance and county and landowner concerns are addressed.

Conclusion and Compliance with Existing Site Certificate Conditions

For the reasons provided above, the proposed changes comply with (1) all applicable substantive criteria from the SCZO and SCCP and (2) directly applicable state laws and rules, and therefore satisfy the Land Use Standard. The proposed changes do not change any of the conclusions under the Land Use Standard, which the Council has already approved under the Site Certificate with conditions (see Table 6). Therefore, the proposed changes do not affect the Facility’s compliance with OAR 345-022-0040.

Table 6. Evaluation of the Land Use Standard

Land Use Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-LU-01: County road equipment storage	No	The proposed changes do not affect compliance with this condition.
GEN-LU-02: Transmission line stability	No	The proposed changes do not include changes to the transmission line alignment. Therefore, the proposed changes do not affect compliance with this condition.
PRE-LU-01: Road design plans	No	Relocating the operations and maintenance (O&M) building complies with this condition by providing safe access.

Land Use Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-LU-02: Private access road consultation	No	The proposed changes include access road changes to minimize agricultural field impacts consistent with this condition.
PRE-LU-03: Aboveground facility setbacks	No	This condition references final design denoting that design changes are intrinsic in the Site Certificate. Therefore, the facility with proposed changes will meet this condition.
PRE-LU-04: Collector lines within NH zones	No	Per a letter from Georgia Macnab, Sherman County Planning Director, there are no Natural Hazards overlay zones in the micrositing corridors.
PRE-LU-05: County concurrence with SCZO Article 3.7.5(e)	No	
PRE-LU-06: Staging area avoidance of NH zones	No	
PRE-LU-07: Road stabilization in NH zones	No	
PRE-LU-08: Final design maps with infrastructure locations	No	The proposed changes include access road changes to minimize agricultural field impacts consistent with this condition. Additionally, this condition implicates that layout changes are inherent to the site certificate.
PRE-LU-09: Farm Management Easement records	No	The proposed changes will be within the Site Boundary on tax lots previously identified for wind energy development. The Facility with proposed changes complies with this condition.
PRE-LU-10: Special Farm Assessment removal	No	
PRE-LU-11: Assignment of rural addresses	No	
PRE-LU-12: Road inspection and consultation with County	No	The Certificate Holder has and will coordinate with the County for County Road Use. The proposed changes do not affect compliance with this condition.
PRE-LU-13: County Road Master permitting	No	
PRE-LU-14: Setback requirements for final turbine locations	No	The proposed changes do not include changes to the turbine micrositing corridors.
CON-LU-01: Farming equipment access	No	The proposed changes do not affect compliance with this condition.

Land Use Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
OPR-LU-01: Impacts to cultivated land	No	The proposed changes were developed in consideration of compliance with this condition.
OPR-LU-02: Coordinates of turbines and infrastructure	No	The Facility, with proposed changes, can comply with this condition. In addition, the condition states that layout changes are intrinsic to the Site Certificate: "...certificate holder shall provide to the Department and to the Sherman County Planning Director, a summary of as-built changes in the facility compared to the original plan, if any."
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.6 Protected Areas

The Council previously found that the Facility is not located in or near any of the protected areas listed in OAR 345-022-0040, and that "the facility, as amended, is not likely to result in significant adverse impacts to any protected area, and complies with the Protected Areas Standard."¹⁶ The proposed changes fall within the study area previously analyzed for the Site Certificate, and there have been no new protected areas added to OAR 345-022-0040. There will be no change to predicted noise levels, transport or haul routes, water use or wastewater disposal, or visual impacts from the proposed changes than what was previously reviewed by the Council in RFA 5. Hence, the proposed changes do not change any of the conclusions under the Protected Areas Standard for the Facility, which the Council has already approved under the Site Certificate, but with no specifically related Site Certificate conditions. Therefore, the proposed changes do not affect the Council's previous finding on Protected Areas; thus, the Council may find the Facility, as proposed, continues to comply with OAR 345-022-0050.

6.1.7 Retirement and Financial Assurance

The Council previously found that Golden Hills would meet the Retirement and Financial Assurance Standard. The proposed changes do not substantially change the decommissioning estimate submitted to the Oregon Department of Energy (ODOE) for RFA 3.¹⁷ Golden Hills will

¹⁶ Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 35 (February 24, 2017).

¹⁷ Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project, December 2015.

rely on Condition PRE-RT-01 to post a bond in an amount based on the final design, which would reflect the proposed changes and therefore a smaller amount due to a smaller footprint and fewer turbines than previously reviewed. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 7), the proposed changes will not result in a significant adverse impact not previously reviewed by the Council and the Council may find the Facility, as proposed, continues to comply with OAR 345-022-0060.

Table 7. Evaluation of the Retirement and Financial Assurance Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-RT-01: Restoration protection	No	The proposed changes do not affect compliance with these conditions, which are generally reflective of the submitted as-builts and standard spill procedures.
PRE-RT-01: Letter of credit	No	
OPR-RT-01: Hazardous spill procedures	No	
OPR-RT-02: Lack of remediation for spill procedures	No	
RET-RT-01: Retirement due to cease of construction or operation	No	
RET-RT-02: Final retirement plan submittal	No	
RET-RT-03: Compliance with applicable statutes if bond elected	No	
RET-RT-04: Actual cost payment to restore site	No	
RET-RT-05: Forced final retirement plan due to cease of construction or operation	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.8 Fish and Wildlife Habitat

The Council previously found that the Facility complies with the Fish and Wildlife Habitat Standard. The proposed changes will not affect the Council’s prior findings regarding the Facility’s consistency with the Fish and Wildlife Habitat Standard because the proposed changes will be within the Site Boundary and will not result in a change to the affected habitat types. Pre-construction surveys have been completed for the Facility including proposed changes. Those survey reports are being submitted to the Department as part of pre-construction compliance. Habitat within the amended micro-siting corridor areas is mostly Category 6 (approximately 85 percent), which is similar to existing micro-siting corridors. Golden Hills has field verified that there is no Category 1 or Category 2 habitat within the new micro-siting corridor that will be impacted by the Facility, which is consistent with Condition PRE-FW-04 for avoidance of high-quality habitat. Final habitat impacts will be tabulated in the

Habitat Mitigation and Revegetation Plan (HMRP), and are expected to be at least 50 percent less than previously approved habitat impacts (i.e., 58 acres of total permanent impact verses 132 acres, as approved).

Implementation of the HMRP (Conditions GEN-FW-01 and PRE-FW-01) and Wildlife Monitoring and Mitigation Plan (Condition OPR-FW-01) will adequately offset habitat impacts following the Oregon Department of Fish and Wildlife’s habitat mitigation policy. Overall, the Facility with the proposed changes, as shown on Figure 2, is appropriately sited in agricultural fields with low potential for wildlife habitat, and in a manner consistent with the Guidelines. Because there will be no change to the Site Boundary, there is no change to the Council’s previous conclusion that the Facility complies with the Fish and Wildlife Habitat Standard. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 8), the proposed changes will not result in a significant adverse impact and the Council may find that the Facility, as proposed, would continue to comply with OAR 345-022-0070.

Table 8. Evaluation of the Fish and Wildlife Habitat Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-FW-01: Restoration under HMRP	No	The HMRP will reflect the final design layout and associated disturbance areas. Therefore, the Facility as proposed will comply with this condition.
GEN-FW-02: Met tower guy wires	No	The Facility as proposed will comply with these conditions.
GEN-FW-03: Category 3 tree habitat	No	
GEN-FW-04: APLIC transmission line guideline adherence	No	
PRE-FW-01: HMRP finalization	No	As noted above, the HMRP will reflect the final design layout and associated disturbance areas. Therefore, the Facility as proposed will comply with this condition.

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-FW-02: Raptor nest surveys	No	These surveys have been completed and survey areas considered the new corridors.
PRE-FW-03: Loggerhead shrike surveys	No	
PRE-FW-04: Avoidance of category 1 and 2 habitats	No	Habitat surveys have been completed for all areas that may be impacted by construction - including new corridors - and no Category 1 or 2 habitat was identified.
PRE-FW-05: Raptor nest surveys and reporting, WMMP	No	The Facility with proposed changes will not affect compliance with these conditions.
CON-FW-01: Active nest buffer requirements	No	
OPR-FW-01: Wildlife monitoring per WMMP	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.9 Threatened and Endangered Species

The Council previously determined that Golden Hills could design, construct, and operate the Facility in a manner that was not likely to cause a significant reduction in the survivability or recovery of fish, wildlife, or plant species listed as threatened or endangered by the Oregon Department of Fish and Wildlife or the Oregon Department of Agriculture.¹⁸ Consultation with ODOE and the Oregon Department of Fish and Wildlife occurred on March 17, 2020 regarding the threatened or endangered with potential to occur in the micro-siting corridors including the new areas of micro-siting corridor. The consultation resulted in the conclusion that no state listed wildlife species are expected to occur at the Project; and the only threatened or endangered plant species with the potential to occur at the Project is the state threatened Laurence's milkvetch (*Astragalus collinus* var. *laurentii*). Golden Hills has completed pre-construction surveys to comply with Site Certificate Conditions to verify absence of threatened and endangered species including in the expanded micro-siting corridors. Field surveys did not identify the presence of state threatened Laurence's milkvetch; no threatened and endangered species were identified. A single Loggerhead Shrike nest was located in 2019 surveys. No sensitive species' raptor nests were located within 2 miles of the Site Boundary.

¹⁸ Final Order on Request for Contested Case and Amendment #3 of the Site Certificate, p. 83 (February 24, 2017).

As noted in the previous section, even with the expanded micro-siting corridors, the Facility is appropriately sited in agricultural fields with low potential for wildlife habitat, and in a manner consistent with the Guidelines. Because there will be no change to the Site Boundary, there is no change the Council’s previous conclusion that the Facility complies with the Threatened and Endangered Species Standard. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 9), the Council may find the Facility proposed changes will continue to comply with OAR 345-022-0070.

Table 9. Evaluation of the Threatened and Endangered Species Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-TE-01: Database review and consultation	No	These conditions identify pre-construction field surveys and state that if these surveys identify sensitive species, appropriate measures to avoid adverse impact will be developed in consultation with ODFW and the ODOE.
PRE-TE-02: Mitigation measures for sensitive habitat	No	
PRE-TW-03: Protocol, surveys, and reporting	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.10 Scenic Resources

The Council previously found that the Facility complies with the Scenic Resources Standard. The proposed changes are within the study area previously analyzed for the Site Certificate. The proposed changes do not include any new structures or changes to the approved facilities dimensions. The proposed changes support a more compact layout minimizing impacts to farmland and natural resources. The access road shifts will follow existing farm roads and farmland cultivating contours, and therefore will blend into the surroundings to a greater extent than if they remained within the existing micro-siting corridors. Facility buildings will be designed to be generally consistent with the character of similar buildings used by commercial farmers or ranchers in the area and shall paint the building in a neutral color to blend with the surrounding landscape as provided in Condition GEN-SR-01. Therefore, based on the foregoing, and review and compliance with the applicable Site Certificate conditions (Table 10), the Council may find the Facility, with proposed changes, would continue to comply with OAR 345-022-0080.

Table 10. Evaluation of the Scenic Resources Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-SR-01: O&M building design	No	The Facility, with proposed changes, will comply with these conditions.
PRE-SR-01: Reduction of visual impacts	No	
OPR-SR-01: Exterior nighttime lighting	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.11 Historic, Cultural, and Archaeological Resources

Golden Hills has completed field surveys for the new micro siting corridors and a total of three new sites (one historic building and two historic archaeological sites) and one historic isolated find were identified (Table 11). Survey methods followed SHPO guidance, including shovel probing in areas of poor ground surface visibility and intact soils. All shovel probes were negative for archaeological resources and suggested a low potential for unidentified resources. Golden Hills also revisited three previously recorded historic archaeological sites in existing micro siting corridors to collect additional field data to inform these sites’ NRHP eligibilities, because these resources were previously recorded as unevaluated. A supplemental cultural resources report with the locations of the resources listed in Table 11 was provided to SHPO and ODOE under confidential cover.

Table 11. Cultural Sites

Site Name	Resource Type	NRHP Eligibility Recommendation ¹
Newly Recorded Sites - New Micrositing Corridors		
Joseph C. Hockman Farmstead Garage	Historic Site - Building	Not eligible
GH-BB-02	Archaeological Site - Collapsed bridge	Not eligible
GH-BB-03	Archaeological Site - Disarticulated windmill and water trough	Not eligible
GH-BB-ISO-01	Archaeological Object - Historic refuse (cans)	Not eligible
Previously Recorded Sites - Approved Micrositing Corridor		
GH-Site-6	Archaeological Site ² - Abandoned utility line	Not eligible

Site Name	Resource Type	NRHP Eligibility Recommendation ¹
35SH0217	Archaeological Site -Windmill, stone wall, abandoned road	Not eligible
35SH0221	Archaeological Site -Historic farmstead	Not eligible
<p>1. SHPO concurrence on pending.</p> <p>2. GH-Site-6 was original recorded as an aboveground historic site. The recent survey has recategorized it as an archaeological site due to its deterioration since the last recording.</p>		

All of the resources identified and reviewed are consistent with the historic rural agricultural use of the region, and no resources are recommended as eligible for listing on the NRHP. Resources not likely to be listed on the NRHP are not protected under EFSC’s siting standard under OAR 345-022-090(1)(a); however, all archaeological sites and objects on private lands are protected under EFSC’s siting standard under OAR 345-022-090(1)(b). The archaeological resources identified in Table 11 are not considered significant archaeological resources and would not contribute significant information to national, state, or local history. Their recording has documented the important material evidence of these resources. Therefore, Project impacts on the archaeological resources identified in Table 11 would not be considered significant. Therefore, Golden Hills requests the following Site Certificate conditions be revised to more closely match the EFSC siting standards.

- **GEN-HC-02**, delete this condition and move buffer requirements to condition PRE-HC-01. The 200-foot buffer in GEN-HC-02 was previously imposed because there were cultural sites that were not fully evaluated, and the buffer was a precaution against disturbance to unevaluated sites. Golden Hills has now fully evaluated affected cultural sites and this buffer is no longer needed.
- **PRE-HC-01**, revise condition to clearly state that all sites determined by SHPO to be eligible for listing on the NRHP should be avoided rather than a list of specific site names. This revision reiterates the Council’s previous findings that impacts on cultural resources would be avoided in understandable condition language, and incorporates the new survey findings into the condition without including specific site names.¹⁹
- **PRE-HC-02**, revise condition to remove references to specific sites and instead rely on the broad definition of the revised PRE-HC-01 condition. This fixes the inconsistency in the lists of sites, because PRE-HC-01 and PRE-HC-02 previously had different lists cultural resource sites and it was not clear why buffers applied to certain sites but not others.
- **PRE-HC-03**, revise condition to provide a map of previous survey areas so that the Department can verify all areas that will be disturbed by construction have been evaluated for impacts on cultural resources. With the supplemental survey report

¹⁹ Final Order on the Application for a Site Certificate for the Golden Hills Wind Project, pg. 134 (May 15, 2009).

completed for RFA6, there are now multiple reports for the Facility; therefore, this condition should be revised not to reference a single report.

- **CON-HC-01**, revised condition to require the implementation of a Cultural Resource Management Plan (CRMP) developed in accordance with PRE-HC-02.
- **CON-HC-02**, delete because inadvertent discovery protocols described in CON-HC-02 will be included in the CRMP.
- **CON-HC-03 (now -02)**, revise to reference CRMP and requiring implementation of CRMP protocols if construction personnel discover intact physical evidence of the Oregon Trail.
- **CON-HC-04 (now -03)**, revise text to provide a specific timeframe to install interpretative sign and exchange the reference to the Oregon-California Trails Association (OCTA) Historic Trails Advisory Council with Sherman County. The OCTA Advisory Council no longer exists.

The Facility, as amended, will not result in significant adverse impacts to cultural resources because no NRHP eligible cultural resources will be impacted (Table 12). Although NRHP-ineligible archaeological resources on private lands will be impacted, those impacts will not be significant. If new cultural resources are inadvertently identified during construction, the Project’s Inadvertent Discovery Plan (to be included in the CRMP required under PRE-HC-02) will be followed. Therefore, based on the foregoing, the Council may find the Facility, with the proposed changes, will not result in a significant adverse impact and the Facility would continue to comply with OAR 345-022-0090.

Table 12. Evaluation of the Historic, Cultural, and Archaeological Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-HC-01: Construction identification training	No	The condition is not relative to the physical facility.
GEN-HC-02: No access buffers	No	This condition is proposed to be incorporated into PRE-HC-01 to clarify applicability to resources.
PRE-HC-01: Avoidance of NRHP-eligible and unevaluated resources.	No	The Facility, as proposed, will comply with this condition to avoid specific resources. The evaluation of the resources is pending SHPO concurrence with NRHP eligibility recommendations.

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-HC-02: Cultural Resource Management Plan	No	This condition provides the minimum components that should be included in the Cultural Resource Management Plan rather than an exclusive or exhaustive list of components. Therefore, additional components necessary from any findings of new cultural surveys will be incorporated.
PRE-HC-03: Final design locations and disturbance areas	No	This condition requires a confidential map of surveyed areas, final design locations, and known cultural resources
CON-HC-01: Discovery of cultural resource	No	The proposed changes do not affect compliance with these conditions.
CON-HC-02: Qualified archaeologist evaluation	No	
CON-HC-03: Construction personnel training	No	
CON-HC-04: Consultation with Oregon-California Trails Association	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.12 Recreation

The Council previously found that the Facility complies with the Recreation Standard. The finding was based on the importance and uniqueness of the recreational opportunities in the analysis area, on usage or demand, and with potential impacts from Facility construction and operation on the recreational activity. Because there will be no changes to the Site Boundary, the proposed changes fall within areas previously analyzed for the Site Certificate. Per the Final Order of RFA 5:

Mapped trail alignments of the Oregon National Historic Trail and Barlow Road Cutoff Trail, both previously determined by Council to be important recreational opportunities, are within the site boundary with overlapping areas within the approved micro-siting corridor, and would be closer to the facility than DeMoss Springs Memorial Park. Based on review of the record, the evaluation of potential impacts (direct or indirect loss, noise, visual, traffic) from the facility to these important recreational opportunities relied upon potential impacts to intact segments, which the certificate holder affirmed would not occur as a result of facility construction or operation because no intact trail

segments have been identified within the site boundary. Because the facility, with proposed changes, would not result in site boundary changes, the Department recommends the Council find that the facility, with proposed changes, would not result in impacts not evaluated in a previous Council order.

Similarly, the proposed changes will not change the Site Boundary, increase the number of turbines, or add any facilities. None of the new areas of micro-siting corridor for are closer to De Moss Springs Park than the existing micro-siting corridors and there are no intact trail segments in the Site Boundary based on previous review of the mapped and trails and cultural surveys. Condition CON-HC-03 addresses construction avoidance to any intact physical evidence of the Oregon Trail not previously identified if it is inadvertently discovered during construction. Consequently, the proposed changes will not create any noise, traffic, or visibility impact not previously considered by the Council for the Facility. Therefore, the proposed changes make no changes that alter the basis for the Council's earlier findings and the Council may continue to find the Facility, as proposed, continues to comply with OAR 345-022-0100.

6.1.13 Public Services

The Council previously found that the Facility complies with the Public Services Standard. The Council adopted Site Certificate Public Services conditions to provide safety, fire protection, and emergency response measures for the Facility, including the requirement to develop a fire safety and response plan with affected agencies prior to construction of the Facility (see Table 13). The proposed changes will not alter the Facility's impacts on the ability of public and private service providers to supply sewer and sewage treatment, water, stormwater drainage, solid waste management, housing, traffic safety, police and fire protection, health care, and schools. The proposed changes include intersection and turning radius improvements for safety purposes. The proposed changes do not change the Site Boundary, increase the number of turbines or add any facilities, or require more public services than previously analyzed and there are no other circumstances that would alter the basis for the Council's earlier determination. Therefore, the proposed changes make no changes that alter the basis for the Council's earlier findings and the Council may find that Facility, as proposed, continues to comply with OAR 345-022-0110.

Table 13. Evaluation of the Public Services Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
GEN-PS-01: On-site security	No	The proposed changes do not affect compliance with these Site Certificate conditions.
GEN-PS-02: O&M and service vehicle equipment	No	
PRE-PS-01: Fire safety and response plan	No	
PRE-PS-02: Construction traffic management plan	No	
CON-PS-01: Operation of vehicles on graveled areas	No	
CON-PS-02: On-site water truck	No	
CON-PS-03: Non-flammable turbine foundation buffer	No	
CON-PS-04: Traffic impacts measures	No	The proposed changes to improve intersections and turning radii meet this condition.
PRO-PS-01: Final site plan and contact with fire protection districts	No	The proposed changes do not affect compliance with these conditions.
OPR-PS-01: On-site well water use	No	
OPR-PS-02: Annual fire prevention and response training	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.1.14 Waste Minimization

The Council previously found that the Facility complies with the Waste Minimization Standard. The Waste Minimization Standard analysis provides an assessment of procedures and practices needed to minimize the generation of solid waste and wastewater. The proposed changes do not add any turbines or new facilities; therefore, they will not increase the amount of solid waste and wastewater generated by the Facility, and will not modify the procedures and practices that will be used to handle these materials. The Council adopted Conditions PRE-WM-01, PRO-WM-01, CON-WM-01 and OPR-WM-01 to address the Waste Minimization Standard for the Facility’s compliance (see Table 14). Therefore, the proposed changes make no changes that alter the basis for the Council’s earlier findings and the Council may find that the Facility, as proposed, complies with OAR 345-022-0120.

Table 14. Evaluation of the Waste Minimization Standard

Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
PRE-WM-01: Construction Waste Management Plan	No	The proposed changes do not affect compliance with these conditions.
CON-WM-01: On-site portable toilets	No	
PRO-WM-01: Operational Waste Management Plan	No	
OPR-WM-01: Licensed on-site septic system	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.		

6.2 Division 24 Standards

Golden Hills provides an evaluation of compliance with the Division 24 standards below.

6.2.1 Public Health and Safety

The Council previously found that the Facility complies with the Council’s Public Health and Safety Standards for Wind Energy Facilities. The proposed change do not include changes to or new facilities or new areas of Site Boundary that would affect compliance with this standard. All turbines, will be constructed within the approved micro-siting corridors as previously reviewed by the Council. The Facility, including the proposed changes, will not require a new condition or change to an existing condition of the Site Certificate for public health and safety (see Table 15). Therefore, the proposed changes make no changes that alter the basis for the Council’s earlier findings and the Council may find that the Facility, as proposed, complies with OAR 345-024-0010.

Table 15. Evaluation of Division 24 Standards (Specific Standards for Siting Facilities)

Standard	Conditions	Condition Compliance Evaluation (compliance concern) ¹	Comment
Public Health and Safety	GEN-PH-01: Construction setbacks	No	These setbacks are specific to turbines. Therefore, the proposed changes do not affect compliance with this condition.
	PRE-PH-01: Monitoring device installation and maintenance	No	The Facility, as proposed, will continue to comply with these conditions.
	PRE-PH-02: Substation security	No	
	PRE-PH-03: Notice of Proposed Construction or Alteration	No	
	CON-PH-01: Turbine component handling procedures	No	
	CON-PH-02: Turbine security features	No	
	PRO-PH-01: Operational safety-monitoring program	No	
	PRO-PH-02: Transformer installation requirements	No	
1. Would proposed changes impair ability to comply with condition, require new condition, or require change to existing condition.			

6.2.2 Cumulative Effects

The Council previously found in the Final Order on Amendment 5 that the Facility complies with the Cumulative Effects Standards for Wind Energy Facilities (OAR 345-024-0015). The proposed changes will not alter the Facility’s reliance on existing roads where possible. Proposed changes will not significantly affect wetlands or other waters of the state because Facility construction will avoid impacts to wetlands through boring or rerouting facilities around these features as necessary. The Facility has been sited to reduce impacts to productive fish and wildlife habitat by siting as much of the Facility as possible in Class 6 habitat. In addition, the Facility as modified would comply with the existing Site Certificate conditions, including those related to compliance with the Threatened and Endangered Species Standard (Conditions IV.I.1 to CON-PH-02 and condition PRE-PH-01) and compliance with the Fish and Wildlife Habitat Standard (Conditions PRE-FW-01 to PRE-FW-05, and CON-FW-01). Therefore, the proposed changes make no changes that would alter the basis for the Council’s earlier

findings and the Council may find that the Facility, as proposed, complies with OAR 345-024-0015.

6.3 Other Regulatory Requirements

In Table 16, Golden Hills demonstrates that the Facility, including the proposed changes, will comply with other regulatory requirements.

Table 16. Summary of Other Applicable Regulatory Requirements

Agency	Regulation	Applicability to Proposed Change
Oregon Department of Environmental Quality	Noise Control Regulations (OAR 340-035-0035)	Not Applicable: The proposed changes do not add any new facilities that have not previously been reviewed for noise impacts. CON-CJ-01 requires measures during construction, to reduce noise impacts at nearby residential areas, and PRO-CJ-01 provides for complaint-based operational noise monitoring to the ODOE.
Oregon Department of State Lands	Removal-Fill Law	Applicable: Surveys have been completed for all potential temporary and permanent disturbance areas including those in the amended micrositing corridors. The Facility, as proposed, can be constructed and operated without triggering the need for a Removal/Fill Permit from the Oregon Department of State Lands or a Section 404 permit from the U.S. Army Corps of Engineers because impacts to wetlands and waters of the State will be avoided by design.
Oregon Water Resources Department	Ground Water Act	Not Applicable: The proposed changes do not increase the quantity of water used and wastewater generated during construction and operations from what was originally authorized in the Site Certificate because the Facility footprint, as proposed, will be smaller than permitted. The proposed changes do not affect the Certificate Holder’s ability to comply with the Site Certificate, and OAR Chapter 690.

Section 7. Conclusion

Golden Hills provides that as established by the findings and conclusions discussed herein, the Facility, including the proposed changes:

1. Complies with the requirements of the Oregon energy facility siting statutes, ORS 469.300 to ORS 469.570 and ORS 469.590 to ORS 469.619;
2. Complies with the applicable standards adopted by the Council pursuant to ORS 469.501; and

3. Complies with all other Oregon statutes and administrative rules applicable to the amendment of the Site Certificate that are within the Council's jurisdiction.









Therefore, the Certificate Holder respectfully requests approval of this RFA 6.

Figures

Golden Hills Wind Project

Figure 1
Golden Hills Facilities
Site Boundary and
Micrositing Corridors

SHERMAN COUNTY, OREGON

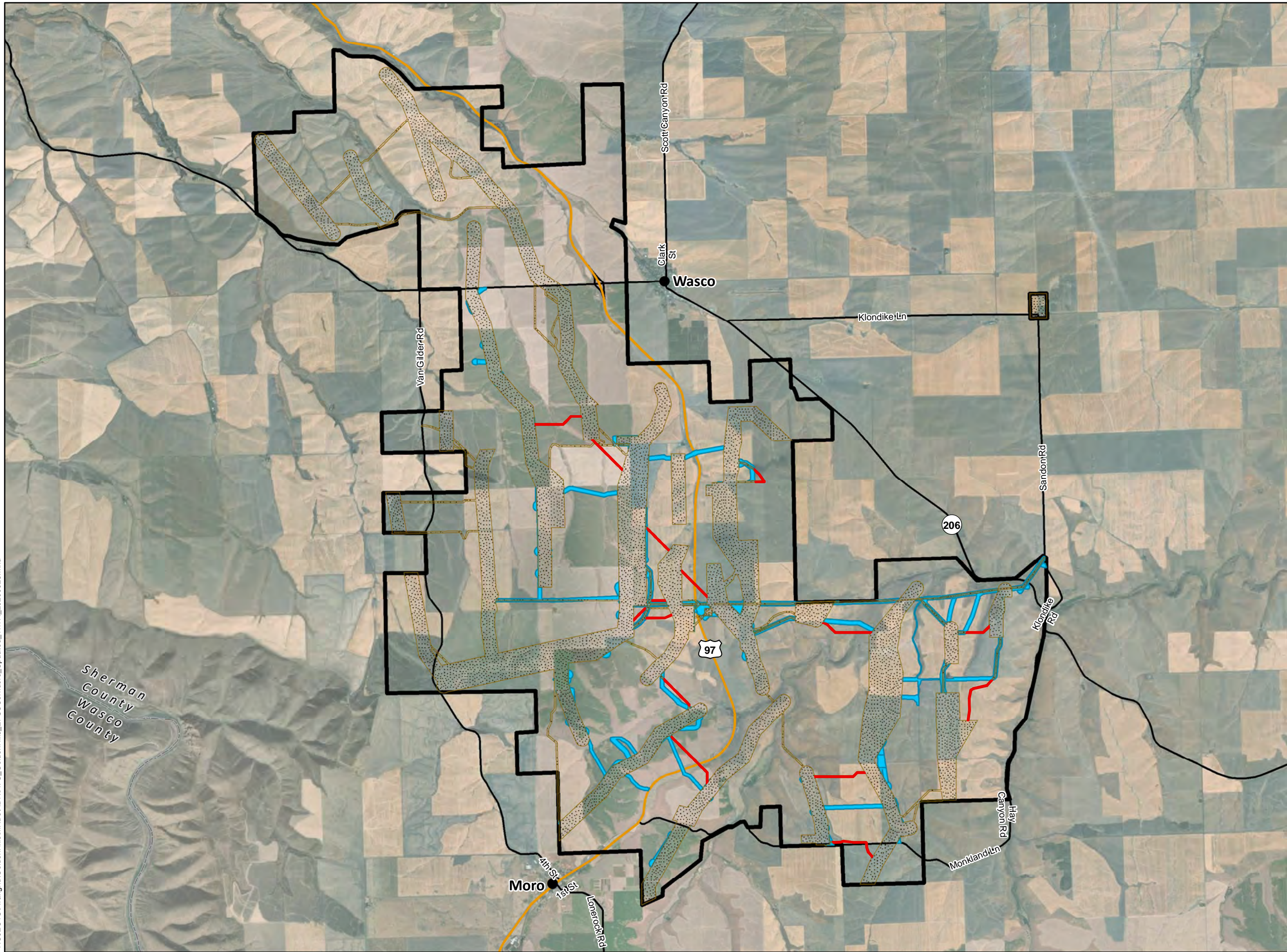
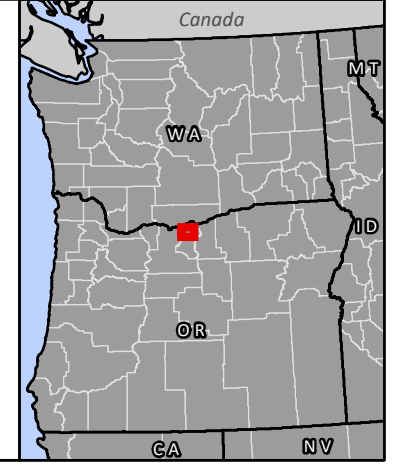
-  Site Boundary
-  EFSC Corridor-Original (2015)
6820 acres
-  Additions to EFSC Corridor (2020)
534 acres
-  Micrositing Corridors
to be Removed 85 acres
-  City/Town
-  Secondary Highway
-  Secondary Road
-  County Boundary



Data Sources

Avangrid-Project Infrastructure;
 USDA-Aerial Imagery; ESRI-Roads

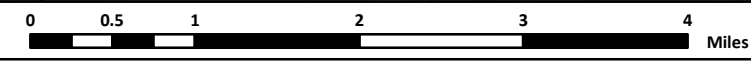
Reference Map



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1:74,000 WGS 1984 UTM Zone 10N



NOT FOR CONSTRUCTION

Golden Hills Wind Project

Figure 2.1 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON

- Secondary Highway
- Local Road
- Site Boundary
- Original Micrositing Corridor
- Road, Intersection and Turning Radius Safety Improvements
- Limits of Disturbance



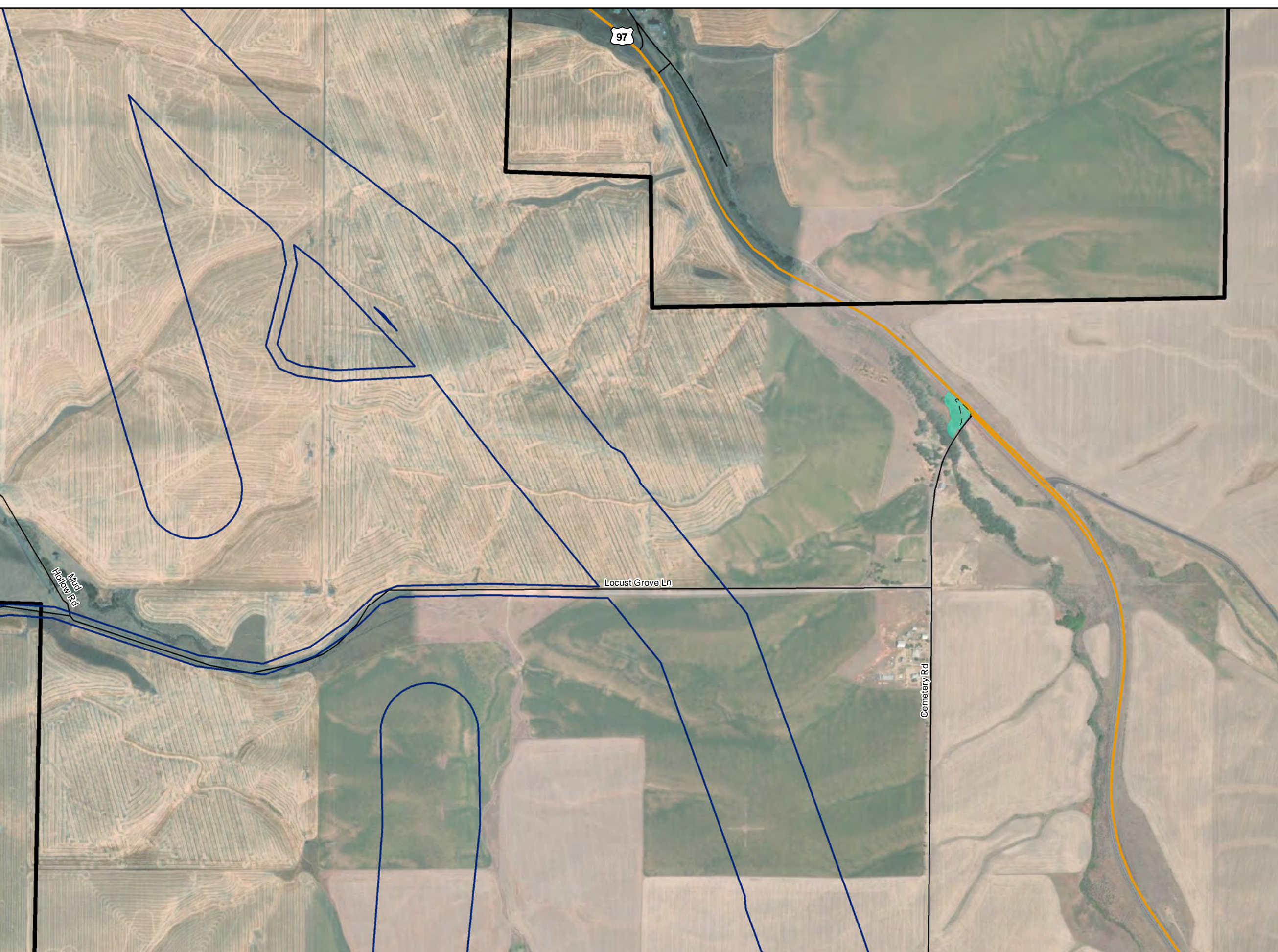
Data Sources

Reference Map

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads



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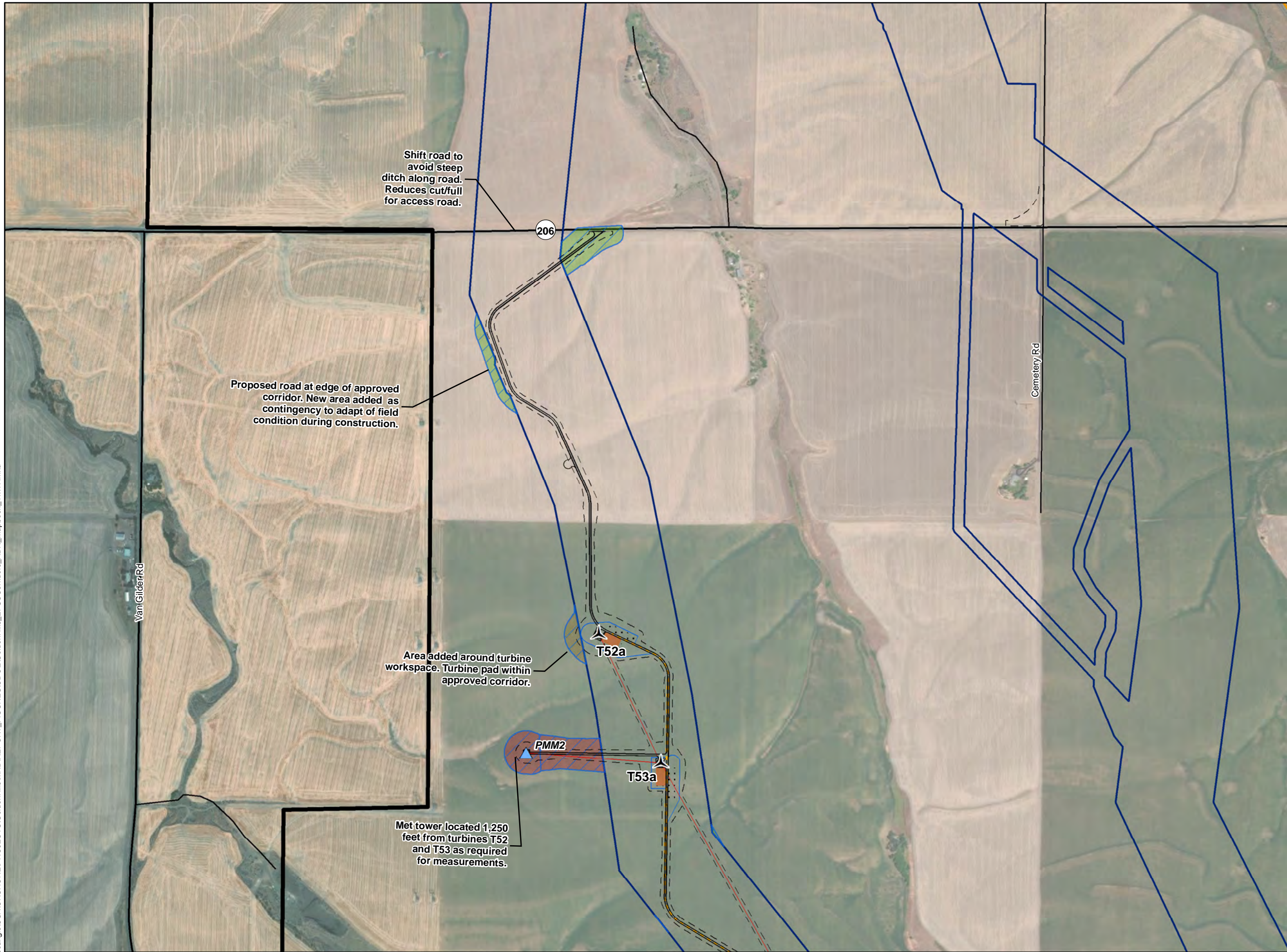
1:10,400 NAD 1983 2011 StatePlane Oregon North FIPS 3601 Ft Intl

0 250 500 1,000 1,500 2,000 Feet
NOT FOR CONSTRUCTION

Golden Hills Wind Project

Figure 2.2 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



Shift road to avoid steep ditch along road. Reduces cut/full for access road.

Proposed road at edge of approved corridor. New area added as contingency to adapt of field condition during construction.

Area added around turbine workspace. Turbine pad within approved corridor.

Met tower located 1,250 feet from turbines T52 and T53 as required for measurements.

- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Secondary Highway
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Relocate Met Towers for Final Design
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Proposed Permanent Met Tower
- Road Edge
- Storage Area (Temporary)
- Met Pad (Permanent)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map

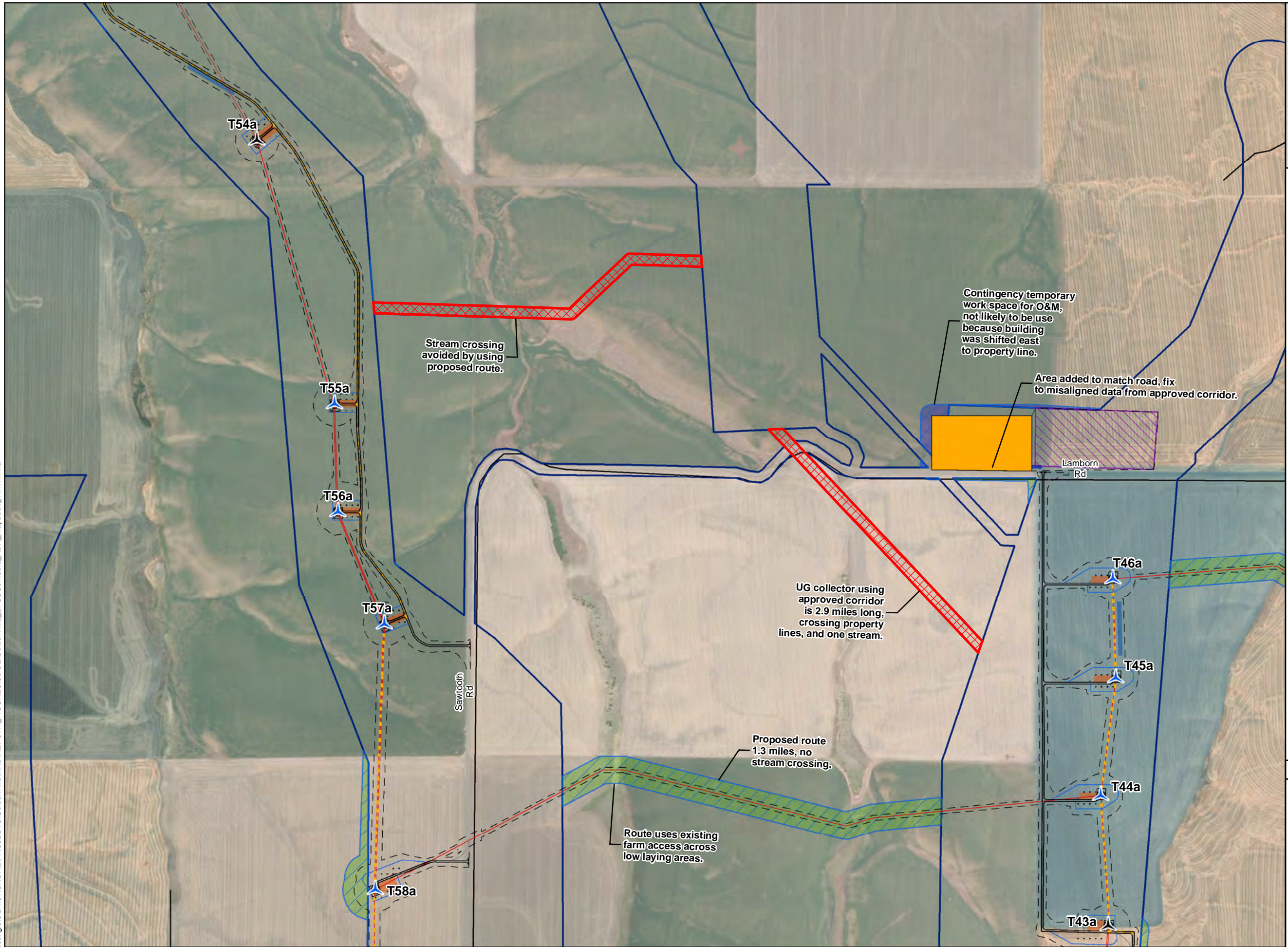


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Golden Hills Wind Project

Figure 2.3 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - GE 2.5-116, 116RD, 80HH
- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- O&M Building and Laydown Area Temporary Disturbance Area
- Road or Collector Line Realignment to Minimize
- Limits of Disturbance
- Road Edge
- Laydown Yard
- O&M Facility
- Storage Area (Temporary)
- O&M Pad (Permanent)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

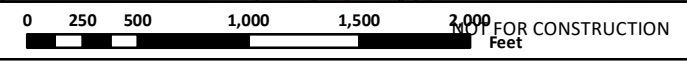
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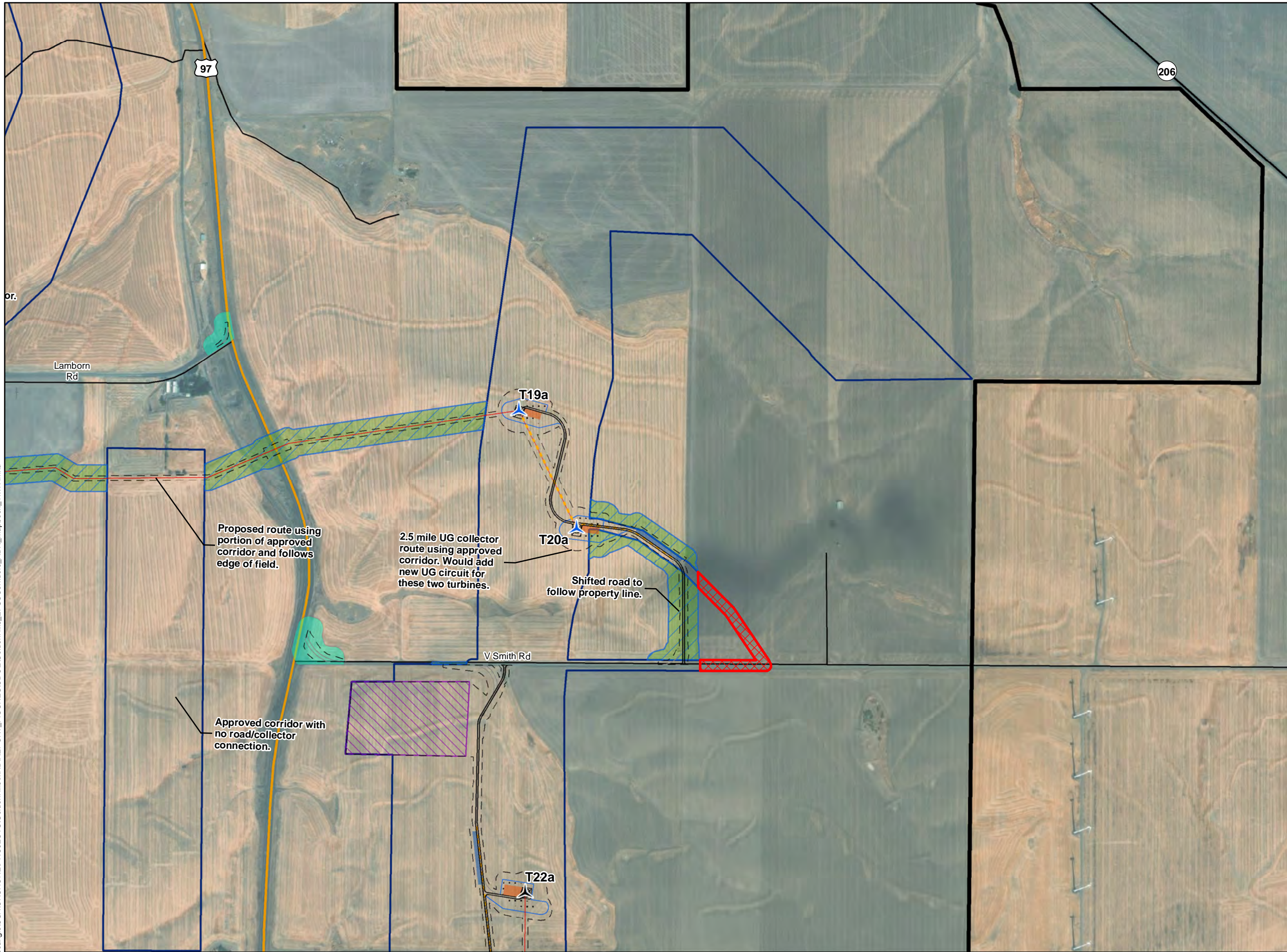
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Golden Hills Wind Project

Figure 2.4 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - GE 2.5-116, 116RD, 80HH
- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Secondary Highway
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Road, Intersection and Turning Radius Safety Improvements
- Limits of Disturbance
- Road Edge
- Laydown Yard
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)

Proposed route using portion of approved corridor and follows edge of field.

2.5 mile UG collector route using approved corridor. Would add new UG circuit for these two turbines.

Shifted road to follow property line.

Approved corridor with no road/collector connection.



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map

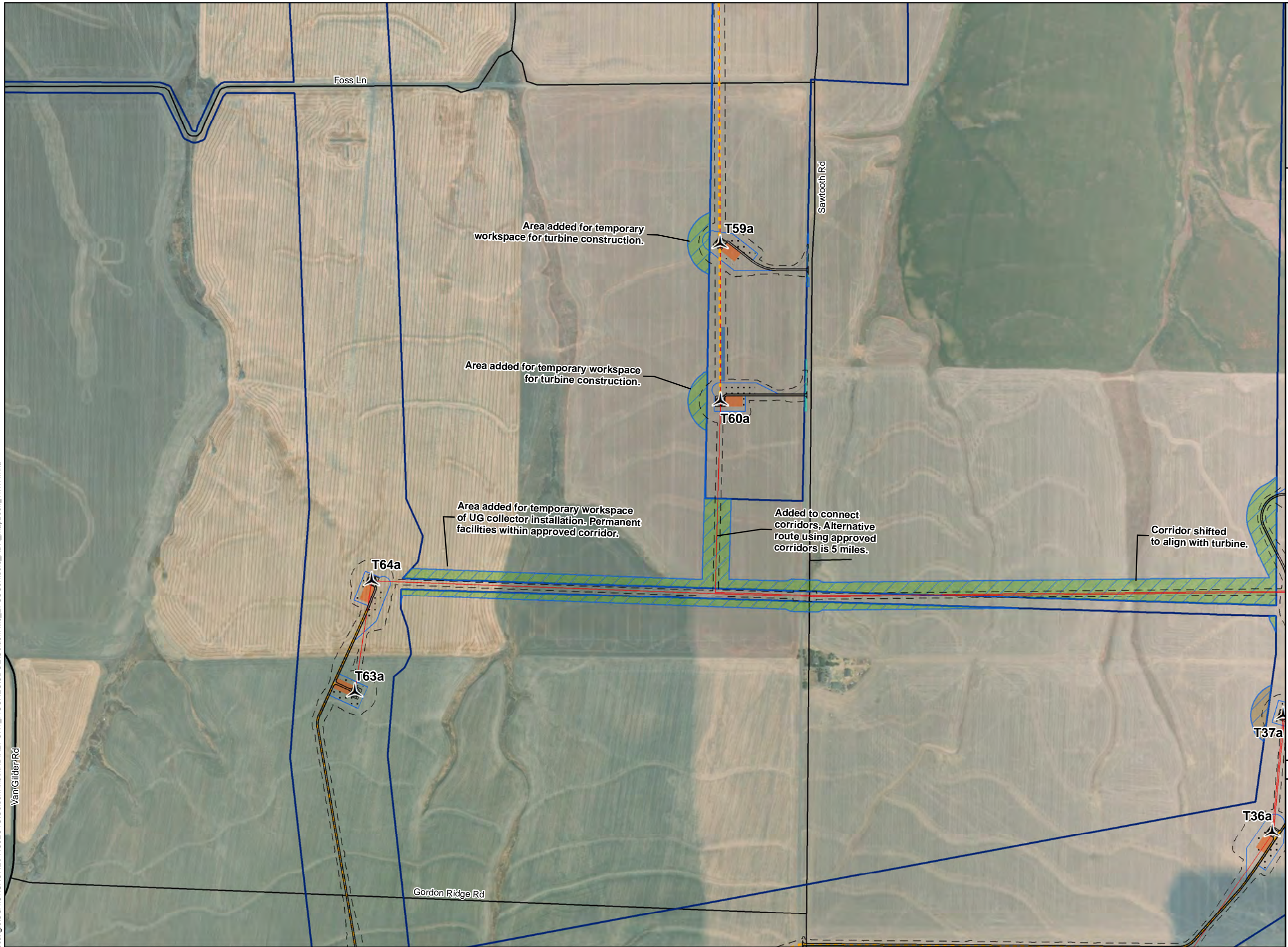


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Golden Hills Wind Project

Figure 2.5 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Road, Intersection and Turning Radius Safety Improvements
- Limits of Disturbance
- Road Edge
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)

Area added for temporary workspace for turbine construction.

Area added for temporary workspace for turbine construction.

Area added for temporary workspace of UG collector installation. Permanent facilities within approved corridor.

Added to connect corridors, Alternative route using approved corridors is 5 miles.

Corridor shifted to align with turbine.



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

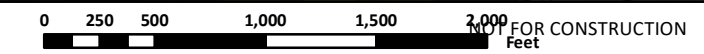
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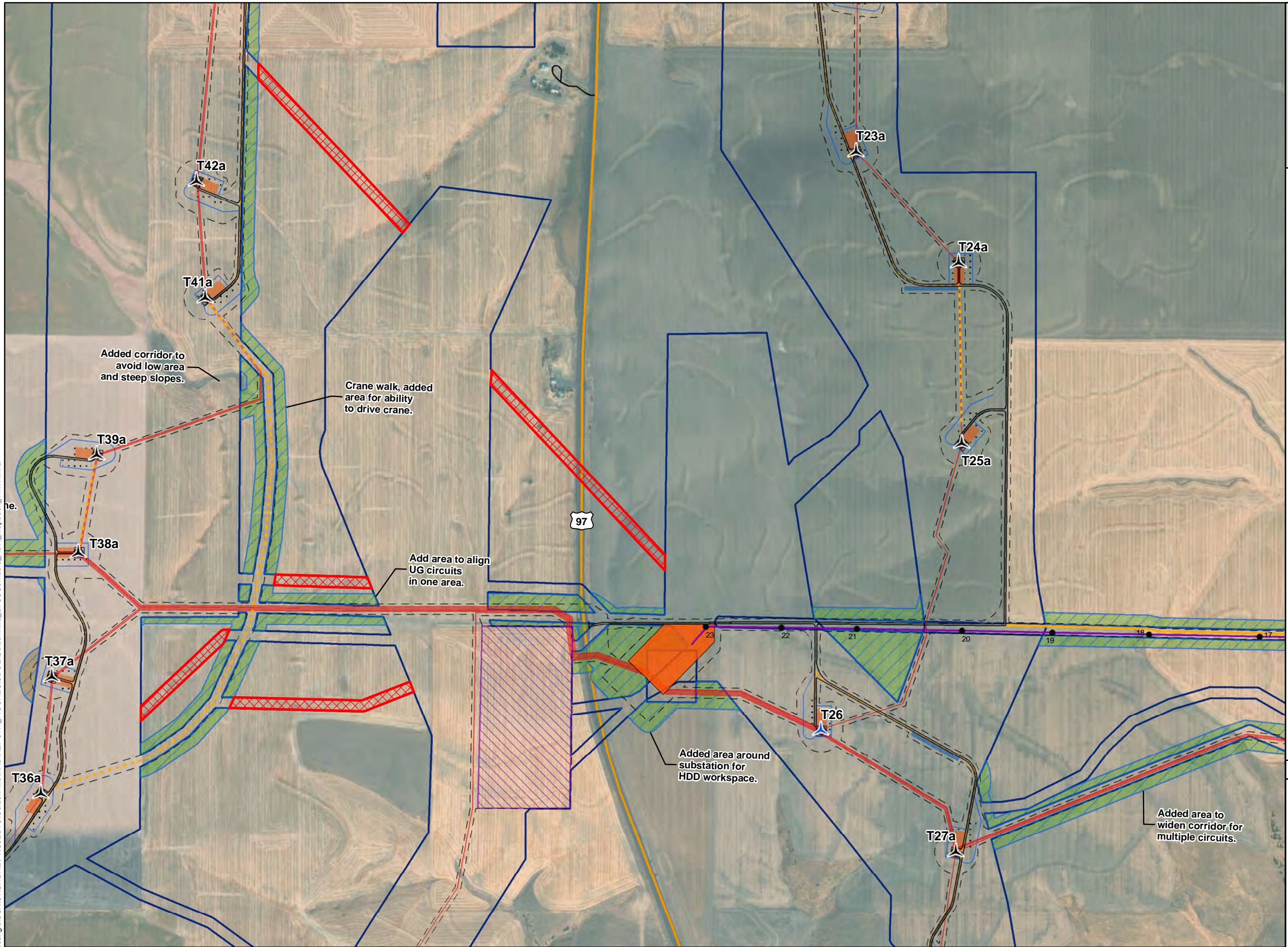


MAP FOR CONSTRUCTION

Golden Hills Wind Project

Figure 2.6 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - GE 2.5-116, 116RD, 80HH
- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Power Pole - High Voltage
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Construction Road (Temporary)
- Crane Path (Temporary)
- Overhead 230-kV Gen-Tie/Transmission Line
- Underground 34.5-kV Collector Line
- Secondary Highway
- Local Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Road Edge
- Substation
- Laydown Yard
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map
























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Golden Hills Wind Project

Figure 2.7 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON

-  Primary Turbine - Vestas V150-4.3, 150RD, 105HH
-  Power Pole - High Voltage
-  Earthwork Pad Extent Temporary
-  Access Road
-  Construction Road (Temporary)
-  Crane Path (Temporary)
-  Overhead 230-kV Gen-Tie/Transmission Line
-  Underground 34.5-kV Collector Line
-  Local Road
-  Secondary Road
-  Site Boundary
-  Original Micrositing Corridor
-  Additions to Micrositing Corridor
-  Corridor to be Removed
-  230-kilovolt (kV) Transmission Line -Temporary Disturbance
-  Road or Collector Line Realignment to Minimize
-  Limits of Disturbance
-  Road Edge
-  Storage Area (Temporary)
-  Gravel Apron (Temporary)
-  Crane Pad (Temporary)

T-line proposed at edge of approved corridor. Added temporary work space to build line. Actual work space much less than added corridor.

No access to T-line from Nish Rd due to steep slope.

Shifted UG collector to better stream crossing location - less steep slopes compared to approved crossing.

Approved route crosses a side slope - requires more cut/fill to install UG line.

Temporary access route for T-line.

Temporary access route for T-line.

T5a

T6a

T2a

Nish Rd

206



Data Sources

Reference Map

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads



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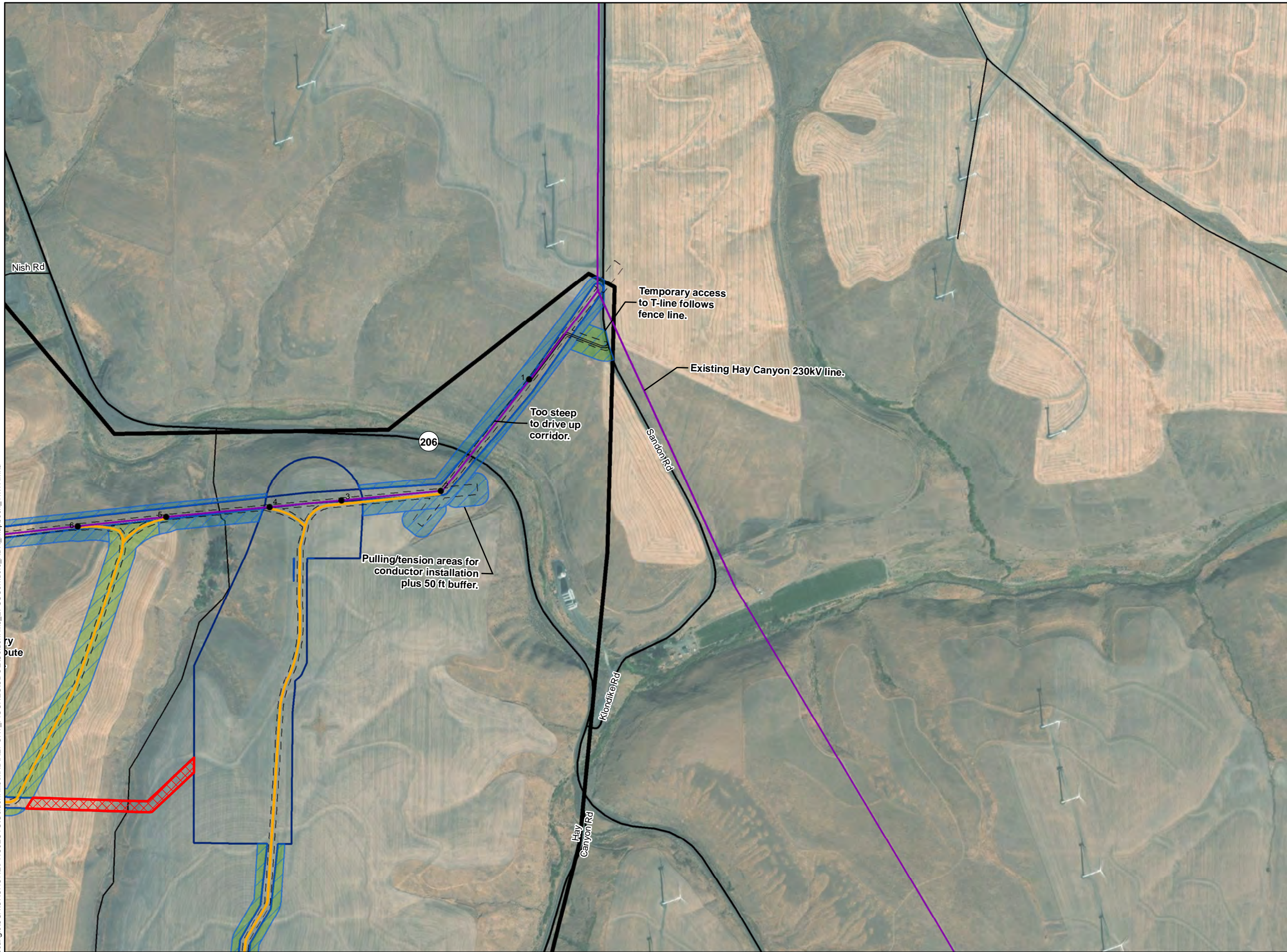
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Golden Hills Wind Project

Figure 2.8 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON

- Power Pole - High Voltage
- Access Road
- Construction Road (Temporary)
- Overhead 230-kV Gen-Tie/Transmission Line
- Local Road
- Secondary Road
- ▭ Site Boundary
- ▭ Original Micrositing Corridor
- ▭ Additions to Micrositing Corridor
- ▭ Corridor to be Removed
- ▭ 230-kilovolt (kV) Transmission Line - Temporary Disturbance
- ▭ Road or Collector Line Realignment to Minimize
- ▭ Limits of Disturbance
- ▭ Road Edge



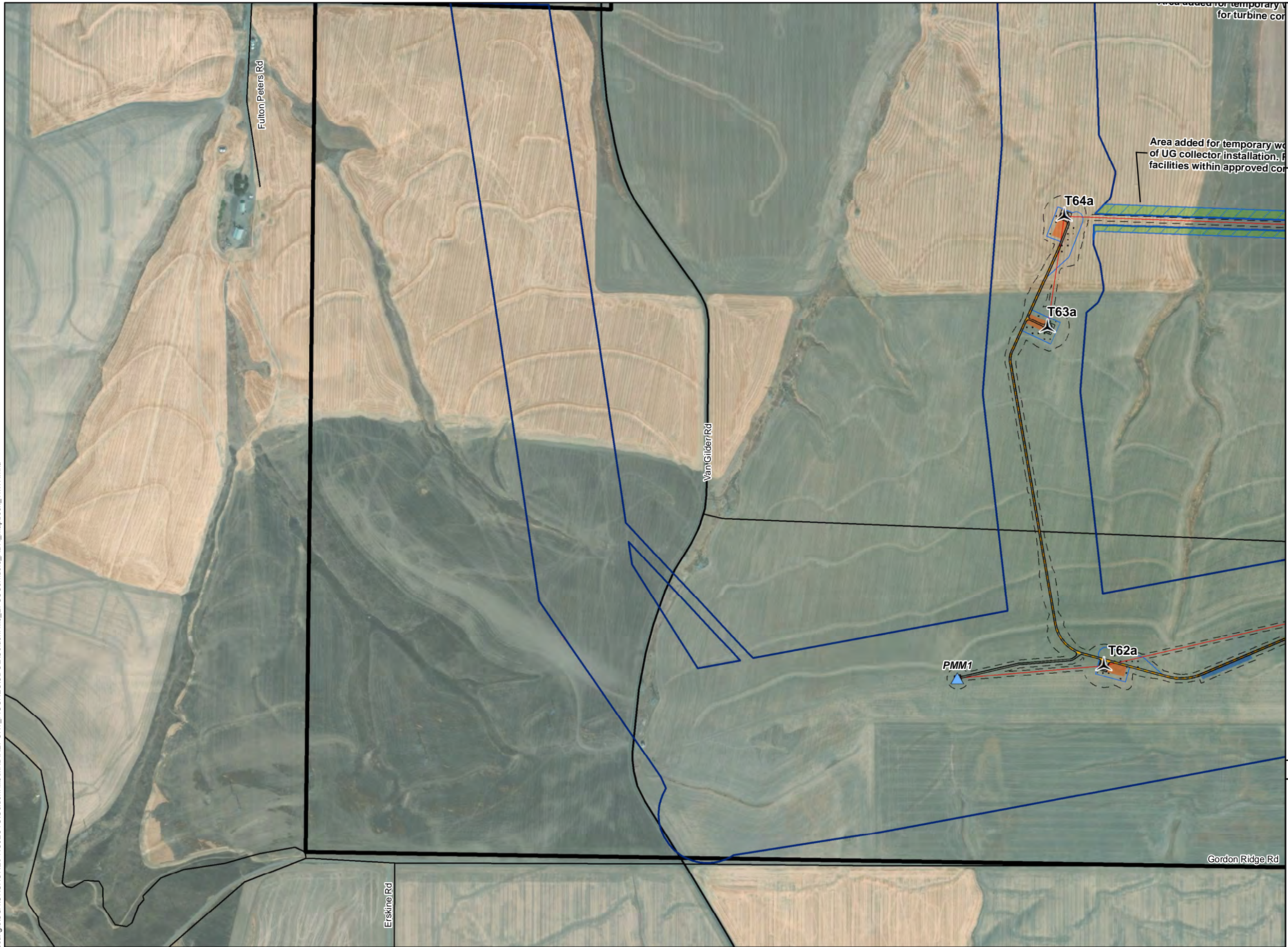
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Golden Hills Wind Project

Figure 2.9 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Road or Collector Line Realignment to Minimize
- Limits of Disturbance
- Proposed Permanent Met Tower
- Road Edge
- Storage Area (Temporary)
- Met Pad (Permanent)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)

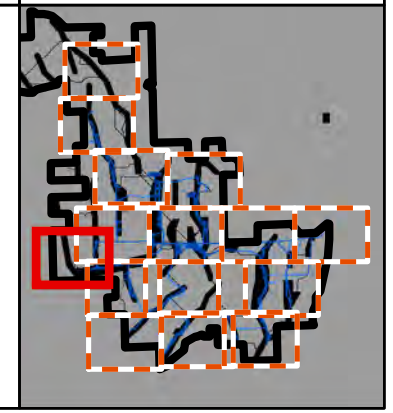
Area added for temporary work of UG collector installation. Facilities within approved corridor.



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

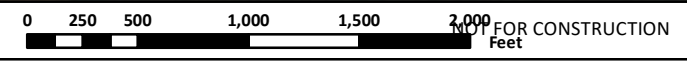
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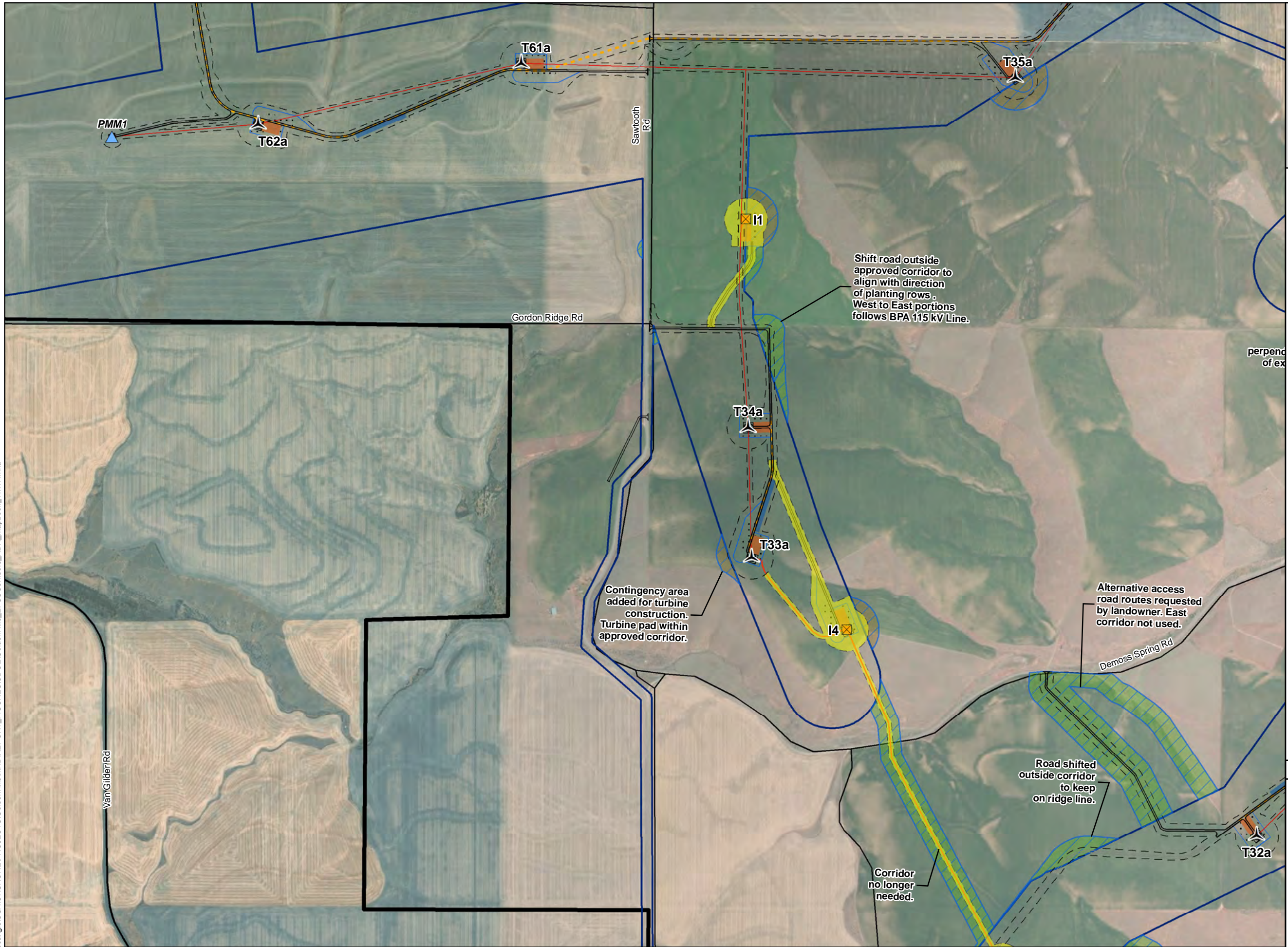
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Golden Hills Wind Project

Figure 2.10 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Alternate Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Proposed Permanent Met Tower
- Road Edge
- Storage Area (Temporary)
- Met Pad (Permanent)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)
- Limits of Disturbance for Alternate Facilities



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map



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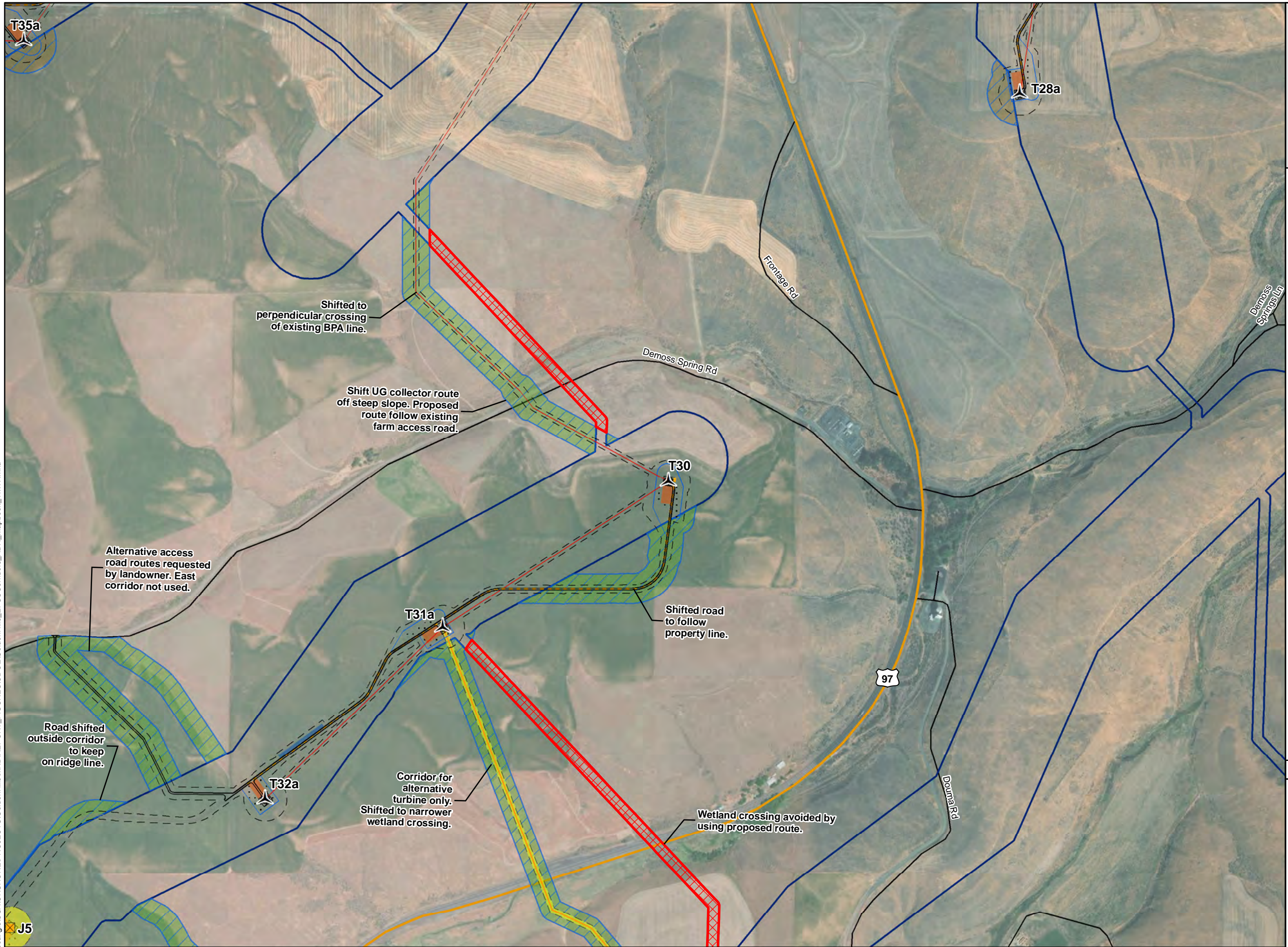
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Golden Hills Wind Project

Figure 2.11 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Alternate Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Secondary Highway
- Local Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Road Edge
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)
- Limits of Disturbance for Alternate Facilities



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map

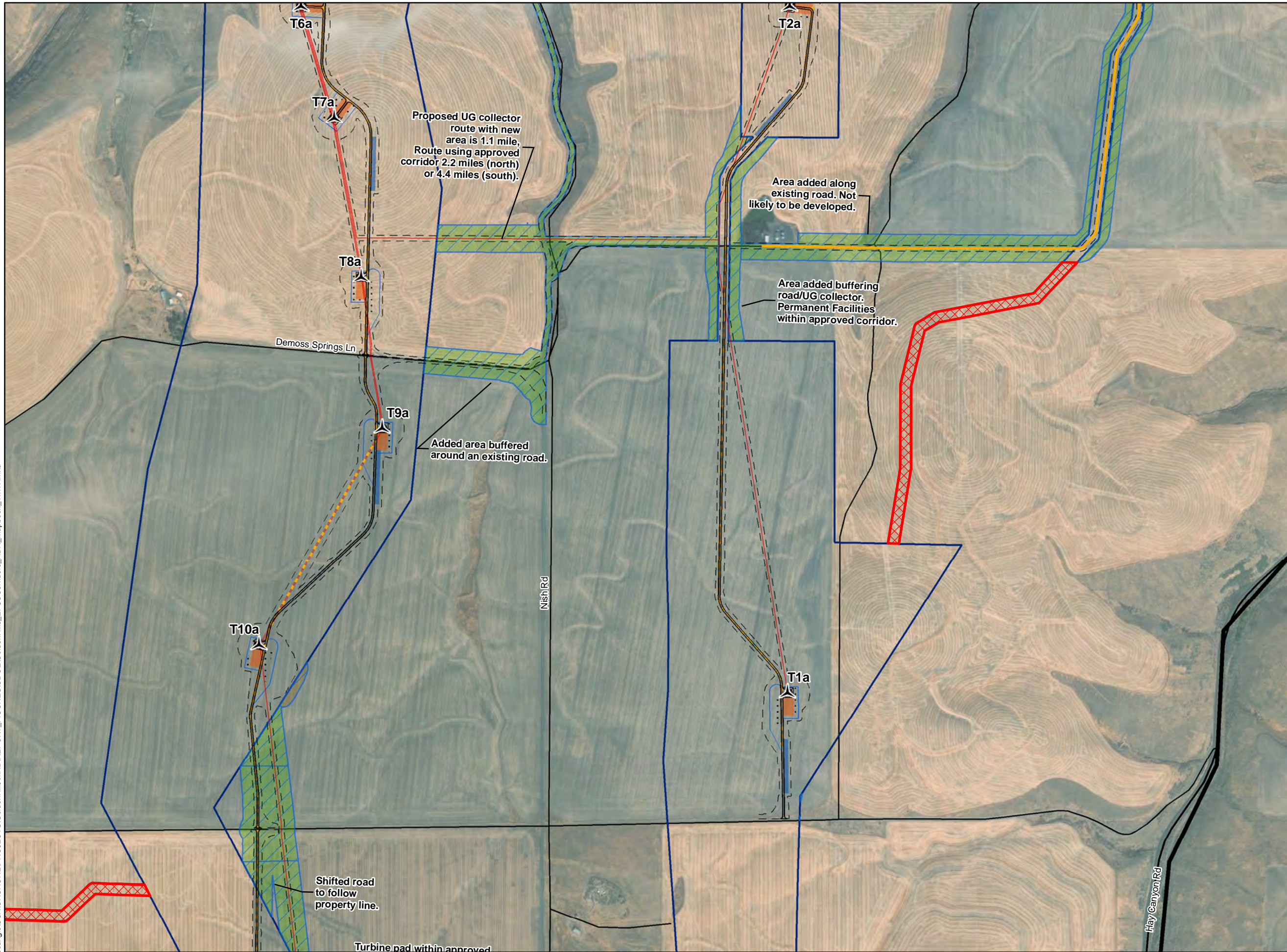


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Golden Hills Wind Project

Figure 2.12 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



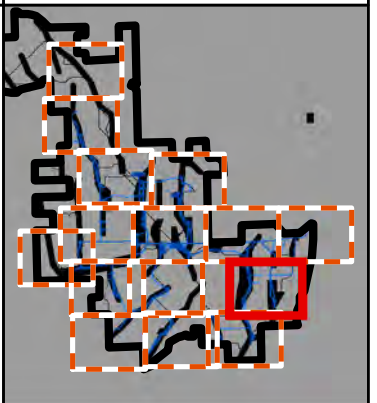
- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Construction Road (Temporary)
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Road Edge
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

Reference Map



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Golden Hills Wind Project

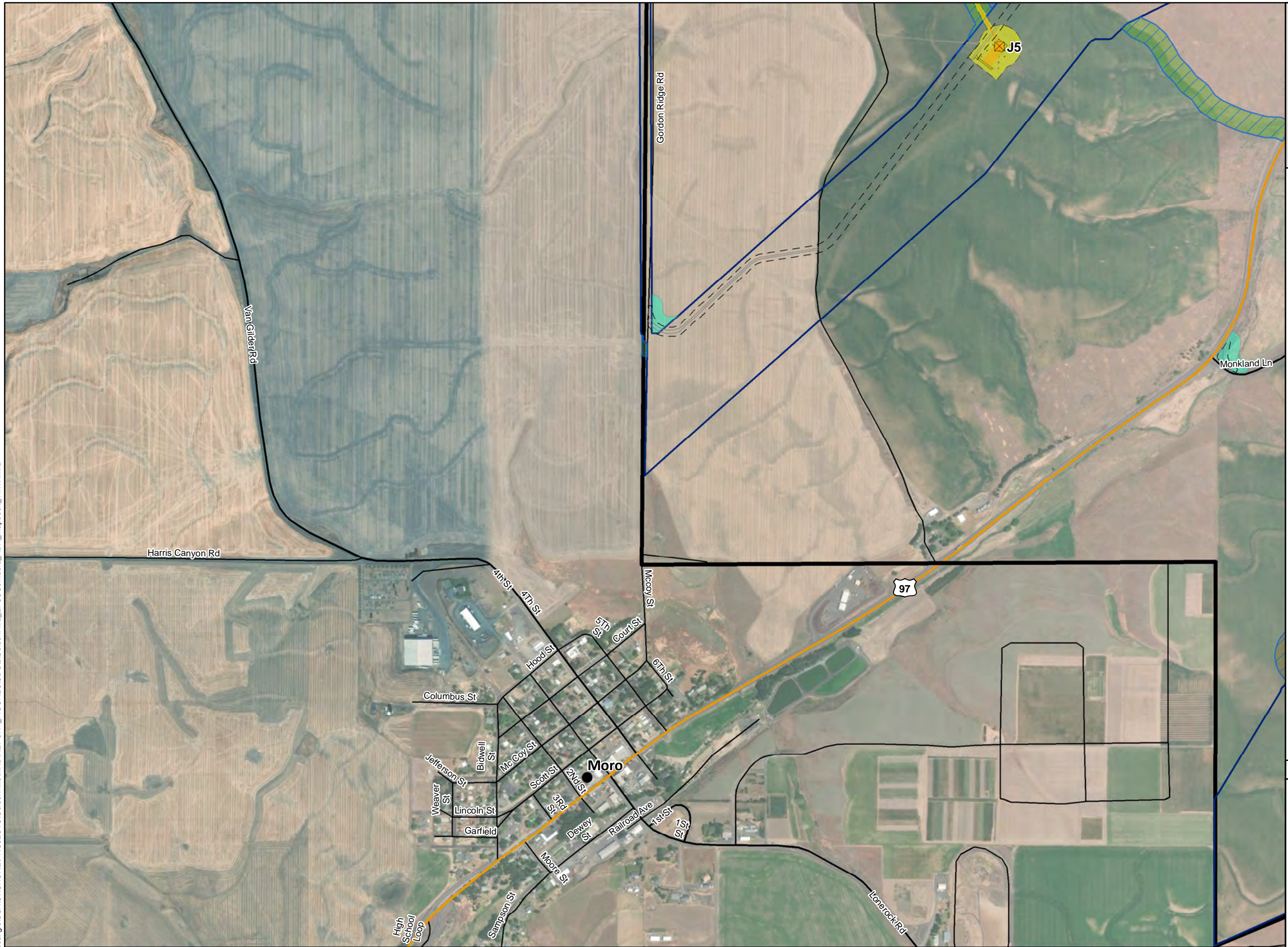
Figure 2.13 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON

- Alternate Turbine - Vestas V150-4.3, 150RD, 105HH
- Temporary Turn Radius
- Temporary Turn Radius
- Secondary Highway
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Road, Intersection and Turning Radius Safety Improvements
- City/Town
- Limits of Disturbance
- Limits of Disturbance for Alternate Facilities



Data Sources	Reference Map
Avangrid-Project Infrastructure; USDA-Aerial Imagery; ESRI-Roads	

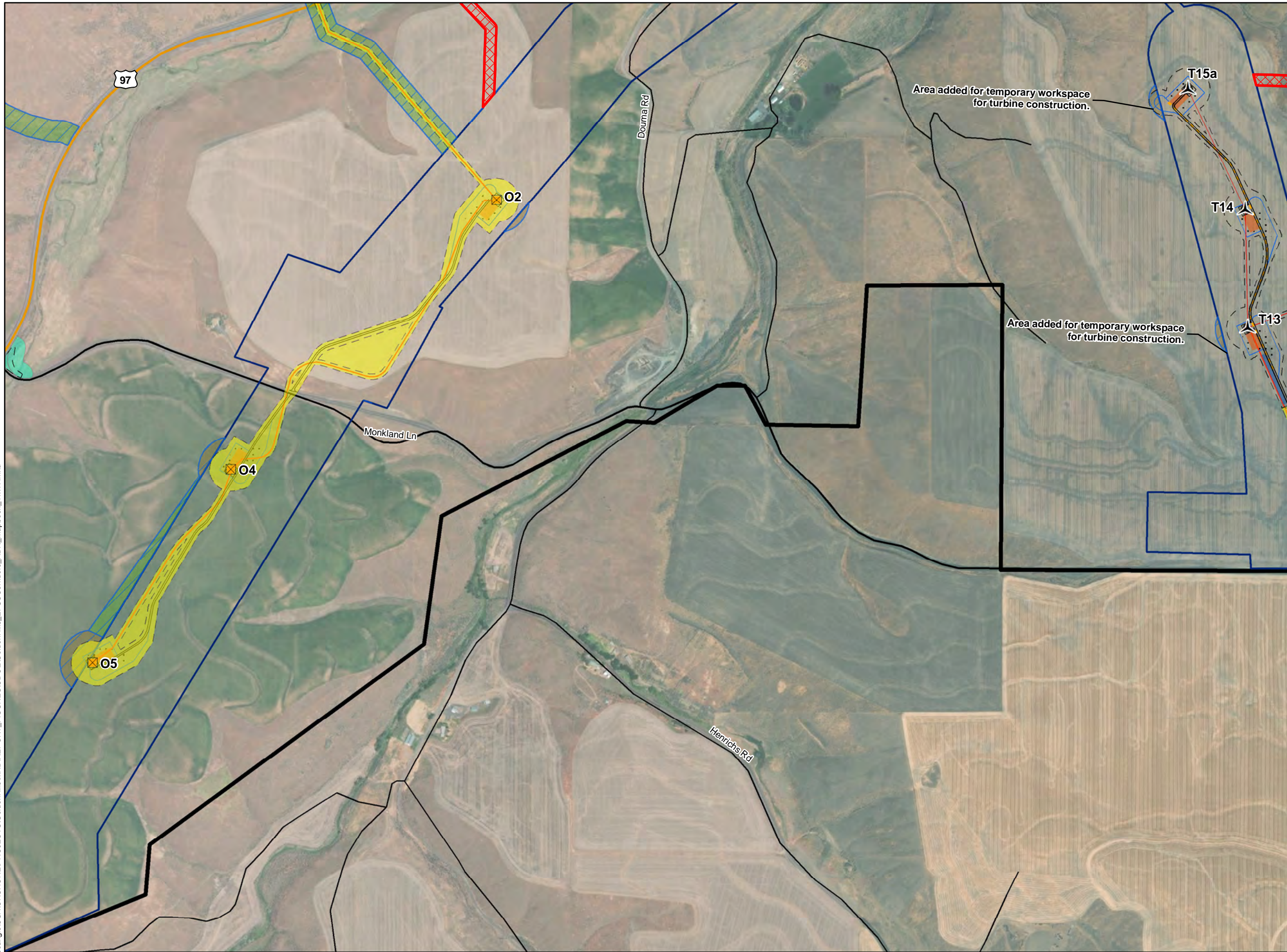


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Golden Hills Wind Project

Figure 2.14 Golden Hills Facility Map Detail Map

SHERMAN COUNTY, OREGON



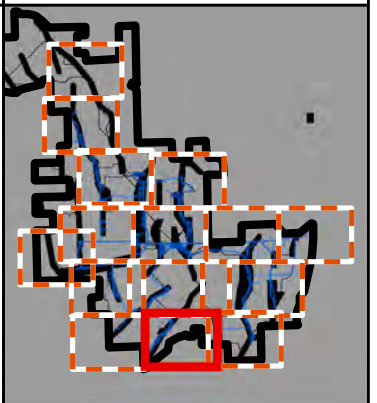
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- Alternate Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Secondary Highway
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Road, Intersection and Turning Radius Safety Improvements
- Limits of Disturbance
- Road Edge
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)
- Limits of Disturbance for Alternate Facilities



Data Sources

Avangrid-Project Infrastructure;
USDA-Aerial Imagery; ESRI-Roads

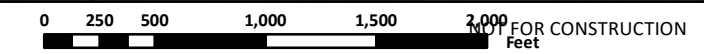
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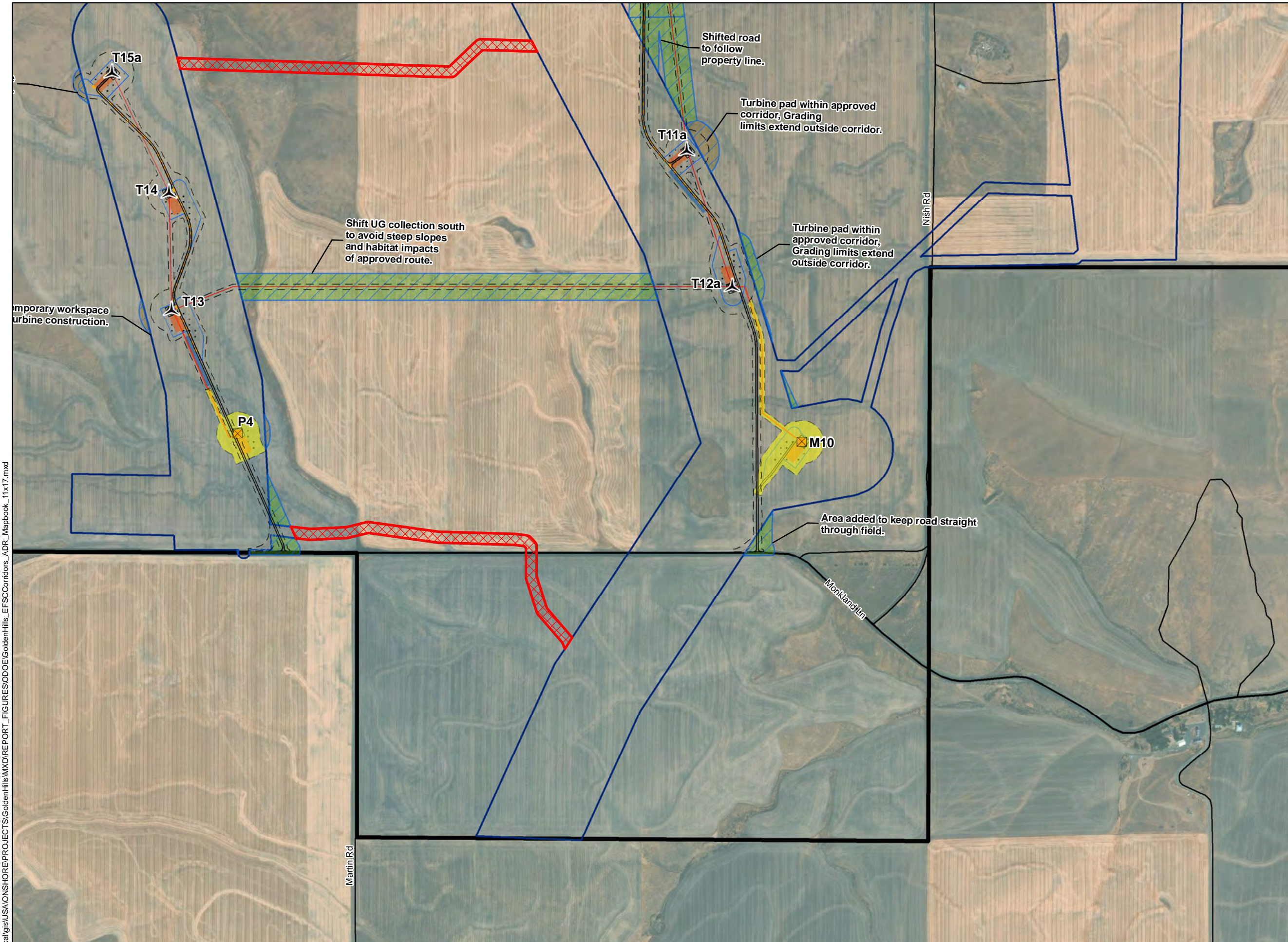


FOR CONSTRUCTION

Golden Hills Wind Project

Figure 2.15 Golden Hills Facility Map Detail Map

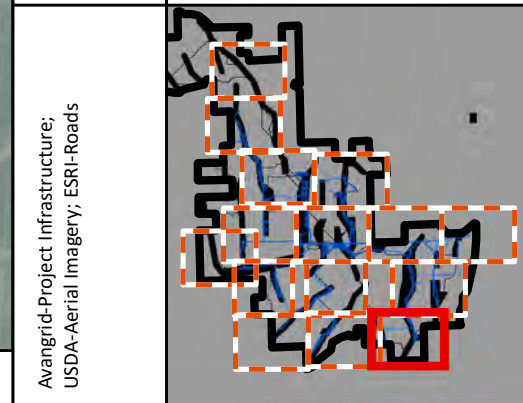
SHERMAN COUNTY, OREGON



- Primary Turbine - Vestas V150-4.3, 150RD, 105HH
- Alternate Turbine - Vestas V150-4.3, 150RD, 105HH
- Earthwork Pad Extent Temporary
- Access Road
- Temporary Turn Radius
- Crane Path (Temporary)
- Underground 34.5-kV Collector Line
- Local Road
- Secondary Road
- Site Boundary
- Original Micrositing Corridor
- Additions to Micrositing Corridor
- Corridor to be Removed
- Road or Collector Line Realignment to Minimize
- Turbine Temporary Laydown Areas
- Limits of Disturbance
- Road Edge
- Storage Area (Temporary)
- Gravel Apron (Temporary)
- Crane Pad (Temporary)
- Crane Build (Temporary)
- Limits of Disturbance for Alternate Facilities



Data Sources Reference Map



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Attachment 1. Red-lined Site Certificate

**ENERGY FACILITY SITING COUNCIL
OF THE
STATE OF OREGON**

**~~Fifth~~ Sixth Amended Site
Certificate for the
Golden Hills Wind Project**

ISSUANCE DATES

Site Certificate	May 15, 2009
First Amended Site Certificate	May 11, 2012
Second Amended Site Certificate	January 30, 2015
Third Amended Site Certificate	February 24, 2017
Fourth Amended Site Certificate	April 27, 2018
Fifth Amended Site Certificate	October 25, 2018
Sixth Amended Site Certificate	TBD

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GOLDEN HILLS WIND PROJECT SITE CERTIFICATE

Attachments

Attachment A Facility Site Boundary Map

Acronyms and Abbreviations

ASC	Application for Site Certificate
Council	Oregon Energy Facility Siting
Department	Oregon Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
DSL	Department of State Lands
HMRP	Habitat Mitigation and Revegetation Plan
NH zone	Natural Hazards Combining Zone
O&M	Operations and Maintenance
OAR	Oregon Administrative Rule
ODFW	Oregon Department of Fish and Wildlife
ODEQ	Oregon Department of Environmental Quality
ORS	Oregon Revised Statute
SHPO	State Historic Preservation Office

1.0 Introduction and Site Certification

This site certificate is a binding agreement between the State of Oregon (State), acting through the Energy Facility Siting Council (Council), and Golden Hills Wind Farm LLC (certificate holder), which is a wholly-owned subsidiary of Pacific Wind Development, LLC (Pacific Wind or parent company). As authorized under Oregon Revised Statute (ORS) Chapter 469, the Council issues this site certificate authorizing the certificate holder to construct, operate and retire the Golden Hills Wind Project (facility) at the below described site within Sherman county, subject to the conditions set forth herein.

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

The findings of fact, reasoning, and conclusions of law underlying the terms and conditions of this site certificate are set forth in the Council's Final Order in the Matter of the Application for a Site Certificate for the Golden Hills Wind Project (the "Final Order on the Application" or "Final Order") issued on May 15, 2009, the Council's Final Order in the Matter of the Request for Amendment #1 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #1") issued May 11, 2012; the Council's Final Order in the Matter of the Request for Amendment #2 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #2"), issued January 30, 2015; the Council's Final Order in the Matter of the Request for Amendment #3 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #3"), issued February 24, 2017; the Council's Final Order in the Matter of the Request for Amendment #4 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #4"), issued April 27, 2018; ~~and~~ the Council's Final Order in the Matter of the Request for Amendment #5 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #5"), issued October 2018, **and the Council's Final Order in the Matter of the Request for Amendment #6 of the Site Certificate for the Golden Hills Wind Project ("Final Order on Amendment #6), issued _____**-incorporated herein by this reference. In interpreting the amended site certificate, any ambiguity shall be clarified by reference to the following, in order of priority: (1) this amended site certificate; (2) **the Final Order on Amendment #5;** (23) the Final Order on Amendment #4; (34) the Final Order on Amendment #3; (45) the Final Order on Amendment #2; (56) the Final Order on Amendment #1; (67) the Final Order on the Application; and (78) the record of the proceedings that led to all the Final Orders.

This site certificate binds the State and all counties, cities and political subdivisions in Oregon as to the approval of the site and the construction, operation, and retirement of the facility as to matters that are addressed in and governed by this site certificate (ORS 469.401(3)). This site certificate does not address, and is not binding with respect to, matters that are not included in and governed by this site certificate, and such matters include, but are not limited to: employee health and safety; building code compliance; wage and hour or other labor regulations; local government fees and charges; other design or operational issues that do not relate to siting the facility (ORS 469.401(4)); and permits issued under statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council (ORS 469.503(3)).

Each affected state agency, county, city, and political subdivision in Oregon with authority to issue a permit, license, or other approval addressed in or governed by this site certificate, shall upon submission of the proper application and payment of the proper fees, but without hearings or other proceedings, issue such permit, license or other approval subject only to conditions set forth in this site certificate. In addition, each state agency or local government agency that issues a permit, license or other approval for this facility shall continue to exercise enforcement authority over such permit, license or other approval (ORS 469.401(3)). For those permits, licenses, or other approvals addressed in and governed by this site certificate, the certificate holder shall comply with applicable state and federal laws adopted in the future to the extent that such compliance is required under the respective state agency statutes and rules (ORS 469.401(2)).

The certificate holder must construct, operate and retire the facility in accordance with all applicable rules as provided for in Oregon Administrative Rule (OAR) Chapter 345, Division 26. After issuance of this site certificate, the Council shall have continuing authority over the site and may inspect, or direct the Oregon Department of Energy (Department) to inspect, or request another state agency or local government to inspect, the site at any time in order to ensure that the facility is being operated consistently with the terms and conditions of this site certificate (ORS 469.430).

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

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

The duration of this site certificate shall be the life of the facility, subject to termination pursuant to OAR 345-027-0013 or the rules in effect on the date that termination is sought, or revocation under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. The Council shall not change the conditions of this site certificate except as provided for in OAR Chapter 345, Division 27.

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

2.0 Facility Location and Site Boundary

The energy facility and its related and supporting facilities will be located within Sherman County. The site boundary, as defined in OAR 345-001-0010, encompasses approximately 29,500 acres and be located near Wasco in Sherman County, Oregon. More particularly, the site would occupy portions of Sections 1-17, Township 1 South, Range 17 East, Sections 6-7, Township 1 South, Range 18 East, Sections 29-31, Township 1 North, Range 18 East, Sections 5-9, 14-23, and 25-36, Township 1 North, Range 17 East, Sections 1-3, 12-14, 23-26, and 35-36, Township 1 North, Range 16 East, Sections 29-32, Township 2 North, Range 17 East, Sections 25-27 and 34-36, Township 2 North, Range 16 East. Attachment A of this site certificate contains a map of the site boundary.

3.0 Facility Description

3.1 Energy Facility

ORS 469.300(11)(a)(J) defines the “energy facility” in this case as an electric power generating plant with an average electric generating capacity of 35 megawatts or more if the power is produced from wind energy at a single energy facility.” The proposed “electric power generating plant” would consist of up to 125 wind turbine locations, each consisting of a turbine tower and foundation, turbine pad area, nacelle, rotor and blade assembly, and step-up transformer. Wind turbines would be placed in micro-siting survey corridors as shown in the Application for a Site Certificate. A map of the site boundary, including micro-siting corridors, is included as Attachment A to this amended site certificate. Golden Hills would have a peak electric generating capacity of up to 400 MW and an average electric generating capacity of about 133 MW.

Golden Hills has not yet selected the wind turbine model or models that would be installed in the facility. Golden Hills requested a site certificate that would allow the installation of up to 125 turbines with turbine towers measuring up to 123 meters (404 feet) at the rotor hub, the diameter of the rotor-swept area measuring up to 150 meters (492 feet), and the total maximum turbine height measuring up to 198 meters (650 feet). Wind turbine dimensions represent maximum allowable dimensions, but do not restrict the certificate holder from utilizing a mix of wind turbine types within the allowable dimensions.

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

3.2 Related or Supporting Facilities

Golden Hills proposes to construct the following related or supporting facilities:

- Power collection system
- Substation
- 230 kV transmission line
- Meteorological towers
- Supervisory Control and Data Acquisition (“SCADA”) System
- O&M facility
- Access roads
- Temporary laydown areas

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

Substation. The facility would include one substation, located near the center of the Golden Hills site. The substation would occupy a graveled and fenced area about 5 acres in size to facilitate transformers, switching equipment and a parking area.

230-kV Transmission Line. An approximately 5-mile, 230 kV transmission line would interconnect the substation to the existing Hay Canyon 230 kV transmission line. From there, electricity would be transmitted using the existing Hay Canyon 230 kV line to the northernmost transmission pole structure near the existing Klondike Substation where up to approximately 700 feet of new 230 kV transmission line would be constructed along with associated structures and equipment necessary to interconnect the facility to Bonneville Power Administration's (BPA's) transmission structure located approximately 300 feet north of the Klondike Substation.

Meteorological Towers. GHWF proposes to install up to six permanent meteorological towers ("met towers"). The met towers would be unguyed tubular structures about 95 meters (312 feet) tall and set in concrete foundations.

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

O&M Facility. A 5,000-square-foot operations and maintenance ("O&M") building would be constructed ~~adjacent to the substation.~~ The O&M building would house office and workshop areas, a control room for the SCADA system, and a kitchen, bathroom and shower. The 5-acre O&M facility site would include parking for vehicles. Domestic water use would not exceed 5,000 gallons per day, and domestic water would be obtained from an on-site well. Domestic wastewater would be drained into an on-site septic system.

Access Roads. Approximately 41 miles of new roads would be constructed to provide access to the turbine strings and other facility components. Access roads would connect to graveled turbine pad areas at the base of each wind turbine. The permanent access roads would be 20 feet wide and constructed with crushed gravel. In addition, GHWF would improve and widen some existing county and farm roads. Approximately 41 miles of temporary access roads and 11 miles of temporary crane paths would be constructed. The temporary access roads and crane paths would be up to 100 feet wide to account for the delivery of larger turbine components. The actual width of temporary roads and crane paths would depend on need for cut and fill slopes and associated work area.

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

4.0 Site Certificate Conditions

4.1 Condition Format

The conditions in Sections 4.2 through 4.7 of this Site Certificate are organized and coded to indicate the phase of implementation, the standard the condition is required to satisfy, and an identification number (1, 2, 3, etc.)¹. The table below presents a “key” for phase of implementation:

Key	Type of Conditions/Phase of Implementation
GEN	General Conditions: Design, Construction and Operation
PRE	Pre-Construction Conditions
CON	Construction Conditions
PRO	Pre-Operational Conditions
OPR	Operational Conditions
RET	Retirement Conditions

The standards are presented using an acronym; for example, the General Standard of Review is represented in the condition numbering as “GS”; the Soil Protection standard is represented in the condition numbering as “SP” and so forth.

For example, the coding of Condition GEN-GS-01 represents that the condition is a general condition (GEN) to be implemented during design, construction and operation of the facility, is required to satisfy the Council’s General Standard of Review, and is condition number 1.

The Council administratively amends the following conditions due to OAR Division 27 regulatory changes, as approved by Council on October 19, 2017: Condition VII.1 through VII.5, VII.7 through VII.18, and VII.20 through VII.21.

Conditions from the site certificate that have either been incorporated into other amended conditions or deleted due to duplication with other conditions have been removed.² No substantive changes were made to the requirements of each of the removed conditions, and still apply to the certificate holder.

Condition IV.C.8, relating to the value of salvage in decommissioning calculations, was removed because Council no longer recognizes salvage value as an offset to the total site restoration and

¹ The identification number is not representative of an order that conditions must be implemented; it is intended only to represent a numerical value for identifying the condition.

² The removed conditions that were either incorporated into other amended conditions or deleted due to duplication with other conditions are; IV.B.3, IV.C.9, IV.D.16, IV.D.17, IV.D.21, V.B.3, V.C.12, V.C.13, V.C.14, VII.6, and VII.19.

decommissioning cost.

4.2 General Conditions (GEN): Design, Construction and Operations

Condition Number	Pre-Construction (PRE) Conditions
DESCRIPTION CONDITIONS (DC)	
GEN-DC-01	<p>The certificate holder shall begin construction of the facility by June 18, 2020. Under OAR 345-015-0085(9), an amended site certificate is effective upon execution by the Council Chair and the certificate holder. The Council may grant an extension of the deadline to begin construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted.</p> <p>On or before June 18, 2020, the certificate holder shall provide written notification to the Department that it has met the construction commencement deadline. Construction is defined in OAR 345-001-0010.</p> <p>[Final Order on ASC, Condition III.D.1; Amended in Final Order on AMD2, AMD3, AMD4]</p>
GEN-DC-02	<p>The certificate holder shall complete construction of the facility by June 18 December 31, 2021. Construction is complete when (1) the facility is substantially complete as defined by the certificate holder’s construction contract documents; (2) acceptance testing has been satisfactorily completed; and (3) the energy facility is ready to begin continuous operation consistent with the site certificate. The certificate holder shall promptly notify the Department of the date of completion of construction. The Council may grant an extension of the deadline for completing construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted.</p> <p>[Final Order on ASC, Condition III.D.2; Amended in Final Order on AMD2, AMD3, AMD5]</p>
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
GEN-OE-01	<p>During construction, operation and facility retirement, the certificate holder shall report to the Department within 7 days, any change in the corporate structure of Avangrid Renewables LLC (a subsidiary of Avangrid, Inc., and the parent company of Pacific Wind Development, LLC). The certificate holder shall report promptly to the Department any change in its access to the resources, expertise and personnel of Avangrid Renewables LLC. The certificate holder shall include in the report, an evaluation of whether the change in corporate structure represents a change in ownership of the certificate holder and whether a site certificate transfer is warranted.</p> <p>[Final Order on ASC, Condition IV.B.1; Amended in Final Order on AMD2, AMD4]</p>
GEN-OE-02	<p>Any matter of noncompliance under the site certificate shall be the responsibility of the certificate holder. Any notice of violation issued under the site certificate shall be issued to the certificate holder. Any civil penalties assessed under the site certificate shall be levied on the certificate holder.</p> <p>[Final Order on ASC, Condition IV.B.4]</p>
GEN-OE-03	<p>The certificate holder shall contractually require the engineering and procurement contractor and all independent contractors and subcontractors involved in the construction and operation of the facility to comply with all applicable laws and regulations and with the terms and conditions of the site certificate. Such contractual provision shall not operate to relieve the certificate holder of responsibility under the site certificate.</p> <p>[Final Order on ASC, Condition IV.B.5]</p>
GEN-OE-04	<p>During construction, operation and retirement, the certificate holder shall obtain, or shall ensure that its contractors obtain, necessary federal, State and local permits or approvals. The certificate holder shall work with local and State fire officials to ensure compliance with all fire code regulations regarding public buildings.</p> <p>[Final Order on ASC, Condition IV.B.6; Amended in Final Order on AMD4]</p>
GEN-OE-05	<p>The certificate holder shall:</p> <p>(a) Prior to construction, notify the Department of the identity, telephone number, e-mail address and qualifications of the on-site construction manager or assistant construction manager. The construction</p>

	<p>manager or assistant construction manager must be capable of managing a wind facility construction project, including permit and regulatory compliance requirements.</p> <p>(b) Prior to operation, notify the Department of the identity, telephone number, e-mail address and qualifications of the facility operations manager. The facility operations manager must be capable of managing permit and regulatory compliance requirements and manage operation of a wind facility.</p> <p>(c) Prior to facility retirement, notify the Department of the identity, telephone number, and e-mail address and qualifications of the personnel or entity responsible for facility decommissioning and restoration activities. The personnel or entity responsible for facility decommissioning and restoration activities must be capable of managing permit and regulatory compliance requirements and be qualified to decommission a wind facility.</p> <p>The certificate holder shall notify the Department within three business days upon any change in personnel or contact information provided to satisfy Condition IV.B.7 (a) through (c). [Final Order on ASC, Condition IV.B.7; Amended in Final Order on AMD4]</p>
GEN-OE-06	<p>Within three business days after discovery of conditions or circumstances that may violate the terms or conditions of the site certificate, the certificate holder shall report, in accordance with OAR 345-029-0010(1), the conditions or circumstances to the Department. Within 30-days of discovery, the certificate holder shall submit to the Department a written report pursuant to OAR 345-029-0010(3). [Final Order on ASC, Condition IV.B.8; Amended in Final Order on AMD4]</p>
STANDARD: STRUCTURAL STANDARD (SS) [OAR 345-022-0020]	
GEN-SS-01	<p>The certificate holder shall design and construct the facility in accordance with requirements set forth by the State's Building Code Division and any other applicable codes and design procedures.</p> <p>Prior to operation, the certificate holder shall provide confirmation to the Department that facility design and construction satisfies the requirements set forth by the State's Building Code Division and any other applicable codes and design procedures. [Final Order on ASC, Condition V.A.3; Amended in Final Order on AMD4]</p>
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
GEN-SP-01	<p>The certificate holder shall conduct all construction work in compliance with an Erosion and Sediment Control Plan (the "ESCP") satisfactory to the Oregon DEQ and as required under the National Pollutant Discharge Elimination System Storm Water Discharge General Permit #1200-C. The certificate holder shall include in the ESCP any procedures necessary to meet local erosion and sediment control requirements or storm water management requirements. [Final Order on ASC, Condition IV.E.1]</p>
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
GEN -LU-01	<p>The certificate holder shall ensure that no equipment or machinery is parked or stored on any county road except while in use. [Final Order on ASC, Condition IV.D.2]</p>
GEN-LU-02	<p>Aboveground transmission line structures shall not occupy areas that show gross indicators of landslide activity or marginal stability. Prior to construction of aboveground transmission line structures, the certificate holder shall provide confirmation to the Department that the locations of the aboveground transmission line structures do not occupy areas that show gross indicators of landslide activity or marginal stability. The certificate holder may rely upon the analysis included in the pre-construction geotechnical investigation, as required per Condition V.A.1, to satisfy this condition. [Final Order on ASC, Condition IV.D.5; Amended in Final Order on AMD4]</p>
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
GEN -RT-01	<p>The certificate holder shall prevent the development of any conditions on the site that would preclude</p>

	restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder. [Final Order on ASC, Condition IV.C.3]
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STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]

GEN -FW-01	The certificate holder shall restore areas outside the permanent footprint that are disturbed, according to the methods and monitoring procedures described in the HMRP included in the Final Order on Amendment 4 as Attachment BC and as amended from time to time. Mitigation and restoration requirements in the plan shall apply to all laydown areas and other areas of temporary disturbance, including those associated with construction of transmission lines. [Final Order on ASC, Condition IV.M.2; Amended in Final Order on AMD4]
GEN -FW-02	Permanent met towers shall not have guy wires. [Final Order on ASC, Condition IV.M.3]
GEN -FW-03	Trees in Category 3 upland tree habitat shall not be physically harmed or removed. [Final Order on ASC, Condition IV.M.6]
GEN -FW-04	The certificate holder shall design and construct all aboveground transmission line support structures following the practices suggested by the Avian Powerline Interaction Committee (APLIC 2006; APLIC 2012) and shall install anti-perching devices on transmission pole tops and cross arms where the poles are within the site or are located within one-quarter mile of any wind turbine. [Final Order on ASC, Condition IV.M.8; Amended in Final Order on AMD4]

STANDARD: SCENIC RESOURCES (SR) [OAR 345-022-0080]

GEN -SR-01	The certificate holder shall design and construct the O&M facility to be generally consistent with the character of similar buildings used by commercial farmers or ranchers in the area and shall paint the building in a neutral color to blend with the surrounding landscape. [Final Order on ASC, Condition IV.G.2]
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STANDARD: HISTORIC, CULTURAL, AND ARCHEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]

GEN -HC-01	Prior to and during construction, the certificate holder shall ensure that construction personnel receive training from a cultural resources specialist on how to identify sensitive historic, cultural, and archaeological resources that could be inadvertently uncovered during construction, and on measures to avoid accidental damage to such resources present onsite and on measures to avoid accidental damage to identified resource sites. Records of such training must be maintained onsite during construction, and made available to the Department upon request. [Final Order on ASC, Condition V.B.5; Amended in Final Order on AMD4] [Final Order on ASC, Condition V.B.9; Amended in Final Order on AMD5]
GEN -HC-02	Prior to and during construction, "no access" buffers shall be identified on construction plans and temporarily demarcated in the field if work is planned within 200 feet of known cultural resources that require buffers. The facility Environmental Inspector shall monitor flagged "no access" buffers around archeological sites during construction to prevent accidental damage to cultural resources. These flags or markers shall not be moved or removed during construction activities, and construction personnel shall be advised of these restrictions. [Final Order on ASC, Condition V.B.7; Amended in Final Order on AMD4]

Commented [AE1]:
NOTE TO ODOE: suggest revising to track more current language from recent site certificates (e.g., Bakeoven) specifically referencing inadvertent discoveries.

Commented [AE2]: NOTE TO ODOE: Addressed under PRE-HC-01. Suggest combining the two conditions that impose construction restrictions.

STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0100]

GEN -PS-01	During construction and operation of the facility, the certificate holder shall install on-site security and shall require on-site security personnel to establish a line of communication with the Sherman County Sheriff's Office to regularly report on the status of on-site security operations.
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	[Final Order on ASC, Condition V.C.2]
GEN -PS-02	During construction and operation of the facility, the certificate holder shall ensure that the O&M facility and all service vehicles are equipped with shovels and portable fire extinguishers of a 4A5OBC or equivalent rating. [Final Order on ASC, Condition V.C.5]

STANDARD: PUBLIC HEALTH AND SAFETY STANDARDS FOR WIND ENERGY FACILITIES (PH) [OAR 345-024-0010]

GEN -PH-01	<p>The certificate holder shall construct all facility components in compliance with the following setback requirements</p> <ul style="list-style-type: none"> a. The certificate holder shall maintain a minimum distance of 110 percent of maximum blade tip height, measured from the centerline of the turbine tower to the nearest edge of any public road right-of-way. The certificate holder shall assume a minimum right-of-way width of 60 feet. b. The certificate holder shall maintain a minimum distance of 1,320 feet, measured from the centerline of the turbine tower to the center of the nearest residence existing at the time of tower construction. c. The certificate holder shall maintain a minimum distance of 110 percent of maximum blade tip height, measured from the centerline of the turbine tower to the nearest boundary of the certificate holder’s lease area. <p>Prior to construction of turbine towers, the certificate holder shall submit to the Department final facility design and layout maps, with supporting distance tables (i.e. distance of facility component to nearest setback location – residence, right of way, etc), demonstrating compliance with the aforementioned setback requirements.</p> <p>[Final Order on ASC, Condition IV.I.8; Amended in Final Order on AMD4]</p>
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REQUIREMENTS UNDER COUNCIL JURISDICTION (CJ)

GEN -CJ-01	<p>Prior to construction, the certificate holder shall take reasonable steps to reduce or manage human exposure to electric and magnetic fields, including, but not limited to:</p> <ul style="list-style-type: none"> a) Submittal of final facility design maps to the Department demonstrating that all aboveground transmission lines would be located at least 200 feet from any residence or other occupied structure, measured from the centerline of the transmission line; b) Fencing all areas near the facility substations to ensure that substation equipment is not accessible to the public; c) Submittal of evidence to the Department that a map of underground and overhead transmission lines on private property and an advisory of possible health risks has been provided to all landowners within 200-feet of the transmission line; and d) Designing and maintaining all transmission lines 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. <p>[Final Order on ASC, Condition VI.A.4.1; Amended in Final Order on AMD4]</p>
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MANDATORY CONDITIONS (MC)

GEN -MC-01	<p>OAR 345-025-0006 (1): The Council shall not change the conditions of the site certificate except as provided for in OAR Chapter 345, Division 27. [Final Order on ASC, Condition VII.1; Amended in Final Order on AMD4]</p>
GEN -MC-02	<p>OAR 345-025-0006 (3): The certificate holder shall design, construct, operate, and retire the facility:</p> <ul style="list-style-type: none"> a) Substantially as described in the site certificate; b) In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the site certificate is issued; and c) In compliance with all applicable permit requirements of other state agencies. <p>[Final Order on ASC, Condition VII.3; Amended in Final Order on AMD4]</p>
GEN -MC-03	<p>OAR 345-025-0006 (4): The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate. [See Conditions (III.D.1) and (111.D.2).]</p>

	[Final Order on ASC, Condition VII.4; Amended in Final Order on AMD4]
GEN -MC-04	<p>OAR 345-025-0006 (7): The certificate holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder.</p> <p>[Final Order on ASC, Condition VII.7; Amended in Final Order on AMD4]</p>
GEN -MC-05	<p>OAR 345-025-0006 (10): The Council shall include as conditions in the site certificate all representations in the site certificate application and supporting record the Council deems to be binding commitments made by the applicant.</p> <p>[Final Order on ASC, Condition VII.10; Amended in Final Order on AMD4]</p>
GEN -MC-06	<p>OAR 345-025-0006(11): Upon completion of construction, the certificate holder shall restore vegetation to the extent practicable and shall landscape all areas disturbed by construction in a manner compatible with the surroundings and proposed use. Upon completion of construction, the certificate holder shall remove all temporary structures not required for facility operation and dispose of all timber, brush, refuse and flammable or combustible material resulting from clearing of land and construction of the facility.</p> <p>[Final Order on ASC, Condition VII.11; Amended in Final Order on AMD4]</p>
GEN -MC-07	<p>OAR 345-025-0006 (12): The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this rule "seismic hazard" includes ground shaking, ground failure, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction.</p> <p>[Final Order on ASC, Condition VII.12; Amended in Final Order on AMD4]</p>
GEN -MC-08	<p>OAR 345-025-0006 (13): The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the Department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division and to propose mitigation actions.</p> <p>[Final Order on ASC, Condition VII.13; Amended in Final Order on AMD4]</p>
GEN -MC-09	<p>OAR 345-025-0006 (14): The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site.</p> <p>[Final Order on ASC, Condition VII.14; Amended in Final Order on AMD4]</p>
GEN -MC-10	<p>OAR 345-025-0006 (15): Before any transfer of ownership of the facility or ownership of the site certificate holder, the certificate holder shall inform the Department of the proposed new owners. The requirements of OAR 345-027-0100 apply to any transfer of ownership that requires a transfer of the site certificate.</p> <p>[Final Order on ASC, Condition VII.15; Amended in Final Order on AMD4]</p>
GEN -MC-11	<p>OAR 345-025-0006 (16): If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Office within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the Department to prepare a proposed a final retirement plan for the Council's approval. Upon the Council's approval of the final retirement plan, the Council may draw on the bond or letter of credit described in OAR 345-027-0020(8) to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any</p>

	<p>additional cost necessary to restore the site to a useful, non-hazardous condition. After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan.</p> <p>[Final Order on ASC, Condition VII.16; Amended in Final Order on AMD4]</p>
GEN -MC-12	<p>OAR 345-025-0006 (4):</p> <ul style="list-style-type: none"> a) The certificate holder shall design, construct and operate the transmission line in accordance with the requirements of the 2012 Edition of the National Electrical Safety Code approved on June 3, 2011, by the American National Standards Institute; and b) The certificate holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line. <p>[Final Order on Amendment No. 3]</p> <p>[Final Order on ASC, Condition VII.17 [OAR 345-027-0023(4)]; Amended in Final Order on AMD4]</p>
GEN -MC-13	<p>OAR 345-025-0006 (5) -The certificate holder is authorized to construct a 230-kV transmission line anywhere within the approved corridor, subject to the conditions of the site certificate. The approved corridor includes a 5-mile segment and 700-foot segment extending the length of the 230-kV transmission line route and is 200 feet in width.</p> <p>[Final Order on ASC, Condition VII.18; Amended in Final Order on AMD4]</p>
GEN -MC-14	<p>OAR 345-026-0048: Following receipt of the site certificate or an amended site certificate, the certificate holder shall implement a plan that verifies compliance with all site certificate terms and conditions and applicable statutes and rules. As a part of the compliance plan, to verify compliance with the requirement to begin construction by the date specified in the site certificate, the certificate holder shall report promptly to the Department of Energy when construction begins. Construction is defined in OAR 345-001-0010. In reporting the beginning of construction, the certificate holder shall describe all work on the site performed before beginning construction, including work performed before the Council issued the site certificate, and shall state the cost of that work. For the purpose of this exhibit, "work on the site" means any work within a site or corridor, other than surveying, exploration or other activities to define or characterize the site or corridor. The certificate holder shall document the compliance plan and maintain it for inspection by the Department or the Council.</p> <p>[Final Order on ASC, Condition VII.20]</p>
GEN -MC-15	<p>OAR 345-026-0080: The certificate holder shall report according to the following requirements:</p> <ul style="list-style-type: none"> (a) General reporting obligation for energy facilities under construction or operating: <ul style="list-style-type: none"> (i) Within six months after beginning construction, and every six months thereafter during construction of the energy facility and related or supporting facilities, the certificate holder shall submit a semiannual construction progress report to the Department of Energy. In each construction progress report, the certificate holder shall describe any significant changes to major milestones for construction. The certificate holder shall include such information related to construction as specified in the site certificate. When the reporting date coincides, the certificate holder may include the construction progress report within the annual report described in OAR 345-026-0080. (ii) By April 30 of each year after beginning construction, the certificate holder shall submit an annual report to the Department addressing the subjects listed in OAR 345-026-0080. The Council Secretary and the certificate holder may, by mutual agreement, change the reporting date. (iii) To the extent that information required by OAR 345-026-0080 is contained in reports the certificate holder submits to other state, federal or local agencies, the certificate holder may submit excerpts from such other reports to satisfy this rule. The Council reserves the right to request full copies of such excerpted reports. (b) In the annual report, the certificate holder shall include the following information for the calendar year preceding the date of the report: <ul style="list-style-type: none"> (i) Facility Status: An overview of site conditions, the status of facilities under construction, and a summary of the operating experience of facilities that are in operation. In this section of the annual report, the certificate

	<p>holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility.</p> <p>(ii) Reliability and Efficiency of Power Production: For electric power plants, the plant availability and capacity factors for the reporting year. The certificate holder shall describe any equipment failures or plant breakdowns that had a significant impact on those factors and shall describe any actions taken to prevent the recurrence of such problems.</p> <p>(iii) Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period.</p> <p>(iv) Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the previous year in accordance with site certificate terms and conditions, a summary of the results of those activities, and a discussion of any significant changes to any monitoring or mitigation program, including the reason for any such changes.</p> <p>(v) Compliance Report: A description of all instances of noncompliance with a site certificate condition. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate.</p> <p>(vi) Facility Modification Report: A summary of changes to the facility that the certificate holder has determined do not require a site certificate amendment in accordance with OAR 345-027-0050.</p> <p>[Final Order on ASC, Condition VII.21; Amended in Final Order on AMD4]</p>
GEN -MC-16	<p>OAR 345-026-0105: The certificate holder and the Department of Energy shall exchange copies of all correspondence or summaries of correspondence related to compliance with statutes, rules and local ordinances on which the Council determined compliance, except for material withheld from public disclosure under state or federal law or under Council rules. The certificate holder may submit abstracts of reports in place of full reports; however, the certificate holder shall provide full copies of abstracted reports and any summarized correspondence at the request of the Department.</p> <p>[Final Order on ASC, Condition VII.22]</p>
GEN -MC-17	<p>OAR 345-026-0170(1): The certificate holder shall notify the Department of Energy within 72 hours of any occurrence involving the facility if:</p> <ul style="list-style-type: none"> a) There is an attempt by anyone to interfere with its safe operation; b) A natural event such as an earthquake, flood, tsunami or tornado, or a human-caused event such as a fire or explosion affects or threatens to affect the public health and safety or the environment; or c) There is any fatal injury at the facility. <p>[Final Order on ASC, Condition VII.23]</p>
GEN-MC-18	<p>OAR 345-025-0006(6): If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder shall, as soon as possible, submit a written report to the Department describing the impact on the facility and any affected site certificate conditions.</p> <p>[Final Order on AMD5]</p>

4.3 Pre-Construction (PRE) Conditions

Condition Number	Pre-Construction (PRE) Conditions
DESCRIPTION CONDITIONS (DC)	
PRE-DC-01	<p>The certificate holder shall construct a facility substantially as described in the site certificate and may select up to 125 turbines, subject to the following restrictions and compliance with other site certificate conditions. 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.</p> <ul style="list-style-type: none"> (a) The total number of turbines at the facility must not exceed 125 turbines. (b) The combined peak generating capacity of the facility must not exceed 400 megawatts. (c) The turbine hub height must not exceed 123 meters and the maximum blade tip height must not exceed 198 meters. (d) The minimum blade tip clearance must be 14 meters above ground. (e) Wind turbine types with the maximum dimension specifications listed in this condition shall be equipped with serrated trailing edge blades. <p>[Final Order on ASC, Condition III.A.1; AMD5]</p>
PRE-DC-02	<p>At least 45-days prior to construction, but not more than two years before beginning construction, and after considering all micro-siting factors, the certificate holder shall:</p> <ul style="list-style-type: none"> (a) Conduct a field-based habitat survey to confirm the habitat categories of areas that will be affected by facility components, as well as the locations of any sensitive resources such as active raptor and other bird nests. The survey protocols and habitat classification categories shall be confirmed with the Department and ODFW. (b) At least 45-days prior to construction, unless otherwise agreed to by the Department, submit to the Department a habitat assessment report that includes: <ul style="list-style-type: none"> • Habitat impact table, based upon final facility design and updated habitat survey, including permanent and temporary impacts by facility component and habitat category/type/subtype. • Maps showing: habitat categories and subtypes of all areas within the site boundary, final location of temporary and permanent facility components, and locations of any sensitive resources within areas that will be affected by facility components. If any sensitive resources are identified, they will need to be flagged as exclusion zones in accordance with Condition IV.M.10. If necessary, sensitive resource information shall be submitted to the Department in hard copy only and provided under request for information to be treated as confidential. <p>The field survey and information in the habitat assessment report will be used to finalize the HRMP for Department and ODFW approval (Condition PRE-TL). The certificate holder shall not construct any facility components within areas of Category 1 habitat and shall avoid temporary disturbance of Category 1 habitat.</p> <p>[Final Order on ASC, Condition III.C.1; Amended in Final Order on AMD4]</p>
PRE-DC-03	<p>Before beginning construction, the certificate holder shall notify the Department in advance of any work on the site that does not meet the definition of “construction” in ORS 469.300(6), excluding surveying, exploration or other activities to define or characterize the site, and shall provide to the Department a description of the work and evidence that its value is less than \$250,000.</p> <p>[Final Order on ASC, Condition III.D.3]</p>
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]	
PRE-OE-01	Before beginning construction, the certificate holder shall notify the Department of the identity and

	<p>qualifications of the major design, engineering and construction contractor(s) for the facility. The certificate holder shall select contractors that have substantial experience in the design, engineering and construction of similar facilities. Within three business days, the certificate holder shall report to the Department any change of major contractors.</p> <p>[Final Order on ASC, Condition IV.B.2; Amended in Final Order on AMD4]</p>
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STANDARD: STRUCTURAL STANDARD (SS) [OAR 345-022-0020]

PRE-SS-01	<p>Prior to construction, the certificate holder shall:</p> <ul style="list-style-type: none"> (a) Submit a protocol to the Department and Oregon Department of Geology & Mineral Industries, for review, with the applicable codes, standards, and guidelines to be used, and proposed geotechnical work to be conducted for the site-specific geotechnical investigation report. (b) Submit a draft site-specific geotechnical investigation report to the Department and Oregon Department of Geology & Mineral Industries (“DOGAMI”), for review. The investigation and report shall conform to the Oregon State Board of Geologist Examiners guidelines titled “Guidelines for Engineering Geologic Reports.” The site-specific geotechnical investigation shall address Quaternary faults, landslide hazards, and non-seismic hazards and shall include design and construction recommendations to meet public safety for the anticipated lifespan of the facility. (c) The Department shall review and concur with the report, in consultation with DOGAMI, prior to construction. <p>[Final Order on ASC, Condition V.A.1; Amended in Final Order on AMD4; AMD5]</p>
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PRE-SS-02	<p>The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety presented by non-seismic hazards. As used in this condition, “non-seismic hazards” include settlement, landslides, flooding and erosion.</p> <p>[Final Order on ASC, Condition V.A.4]</p>
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PRE-SS-03	<p>The certificate holder shall ensure that wind turbine corridors and major structures are constructed with sufficient setbacks from all steeper slopes to minimize the potential for creating unstable or marginally stable conditions.</p> <p>[Final Order on ASC, Condition V.A.5]</p>
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STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]

PRE-SP-01	<p>Prior to construction, the certificate holder shall develop a plan to control the introduction and spread of noxious weeds during facility construction and operation. The plan shall be developed in consultation with the Department, the Sherman County Weed Control manager, and ODFW. The plan shall be approved by the Department prior to construction. The plan shall focus on weed species listed on the Sherman County noxious weed list, but shall also include preventative measures, based on consultation with the Sherman County Weed Control Manager, to combat noxious weeds of concern in the area.</p> <p>[Final Order on ASC, Condition IV.E.4; Amended in Final Order on AMD3, AMD4]</p>
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STANDARD: LAND USE (LU) [OAR 345-022-0030]

PRE-LU-01	<p>Prior to construction, the certificate holder shall provide to the Department, Sherman County Planning Department, and Sherman County Transportation Department, as applicable, road design plans demonstrating that:</p> <ul style="list-style-type: none"> (a) New or substantially modified public roads meet or exceed road standards for the road classifications in the County’s Transportation System Plan and Zoning Ordinance. (b) Private access connection and driveway design of the O&M facility and substation comply with applicable requirements established in Sherman County Zoning Ordinance Section 4.14.4. <p>[Final Order on ASC, Condition IV.D.1; Amended in Final Order on AMD4]</p>
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PRE-LU-02	<p>The site certificate holder shall, in consultation with affected landowners, design and construct private access roads to minimize the division of existing farm units.</p>
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	[Final Order on ASC, Condition IV.D.3]
PRE-LU-03	<p>The certificate holder shall not locate any aboveground facility structure (including wind turbines, O&M building, substation and met towers, but not including aboveground power collection and transmission lines and poles and junction boxes) within 50 feet from any external property line or within 50 feet from the right of way of any arterial or major collector road. Prior to construction of any aboveground facility structure, the certificate holder shall submit to the Department maps and distance tables (i.e. distance from nearest facility component to setback location), based on final facility design, demonstrating that the aboveground facility structures are not located within 50 feet from any external property line or within 50 feet from the right of way of any arterial or major collector road.</p> <p>[Final Order on ASC, Condition IV.D.4; Amended in Final Order on AMD4]</p>
PRE-LU-04	<p>Collector lines in the Natural Hazards Combining Zone (“NH zone”) shall be placed under ground except in instances where it is more practical to install aboveground power collection lines and provided that the aboveground power collection lines will be designed to minimize slope stability and other NH zone hazards. The site-specific geotechnical investigation required prior to construction shall address native soil and bedrock stability concerns at cuts, fills and culvert crossings, and shall include design and construction recommendations to minimize the potential for destabilizing marginally stable slopes and the potential for stream erosion.</p> <p>[Final Order on ASC, Condition IV.D.6]</p>
PRE-LU-05	<p>Prior to construction, the certificate holder shall submit to the Department evidence that the Sherman County Planning Department has received and concurred with the SCZO Article 3.7.5(e) Development Proposal, required for uses within a NH zone.</p> <p>[Final Order on ASC, Condition IV.D.7; Amended in Final Order on AMD4]</p>
PRE-LU-06	<p>Construction staging areas shall be limited to areas outside the Natural Hazards Combining Zone. Prior to construction of staging areas, the certificate holder shall provide construction related maps demonstrating that the staging areas are located outside the Natural Hazards Combining Zone (“NH Zone”).</p> <p>[Final Order on ASC, Condition IV.D.8; Amended in Final Order on AMD4]</p>
PRE-LU-07	<p>The certificate holder shall stabilize all roads or streets in the Natural Hazards Combining by planking, gravel or pavement as deemed necessary, and shall build roadways without installation of excessive fill, diversion of water or excessive cuts unless the site investigation determines that such conditions will not be detrimental to the area or create unwarranted maintenance problems or additional hazards.</p> <p>[Final Order on ASC, Condition IV.D.9; Amended in Final Order on AMD4]</p>
PRE-LU-08	<p>Prior to construction, the certificate holder shall submit to the Department final facility design maps presenting the location of temporary construction laydown and staging areas, including those associated with construction of transmission lines or placement of conductors on third-party transmission lines. The facility shall be designed to minimize disturbance with farming practices and, wherever feasible, as determined in consultation with affected landowners, shall place turbines and transmission interconnection lines along the margins of cultivated areas to reduce the potential for conflict with farm operations. The certificate holder shall place aboveground transmission and collector lines and poles and junction boxes along property lines and public road rights-of-way to the extent practicable.</p> <p>[Final Order on ASC, Condition IV.D.10; Amended in Final Order on AMD4]</p>
PRE-LU-09	<p>Prior to construction, the certificate holder shall submit to the Department evidence that a Farm Management Easement covering the properties on which the certificate holder locates wind power generation facility components has been recorded in the real property records of Sherman County and the Sherman County Planning Director.</p> <p>[Final Order on ASC, Condition IV.D.13; Amended in Final Order on AMD4]</p>
PRE-LU-10	<p>The certificate holder shall remove from Special Farm Assessment the portions of parcels on which facilities are located and shall pay all property taxes due and payable after the Special Farm Assessment is removed from such properties.</p>

	[Final Order on ASC, Condition IV.D.14]
PRE-LU-11	<p>Prior to start of construction, the certificate holder shall, in consultation with Sherman County, assign a 9-1-1 5-digit rural address to every tower road that intersects a State or county road. The county will provide and install the signage for these addresses.</p> <p>[Final Order on ASC, Condition IV.D.18]</p>
PRE-LU-12	<p>The certificate holder shall:</p> <p>(a) Prior to beginning construction, provide evidence to the Department that both a pre-construction road condition inspection and consultation with the Sherman County Road Department has occurred. Through the consultation, the certificate holder shall, at a minimum, obtain confirmation of the following or provide the following documentation to the Sherman County Road Department:</p> <ol style="list-style-type: none"> (1) Final facility design maps identifying the route or routes for the transport of wind turbine construction material (including water, aggregate, concrete, machinery and tower pieces) and facility access for construction personnel; and, concurrence on the pre-construction conditions of any routes using or crossing Sherman county roads. (2) A written summary of possible anticipated road damage to the designated route or routes, and an estimate of the cost of repair to the designated route or routes; (3) Communication protocol for reporting to the Sherman County Road Department unusual damage or wear identified during facility construction and determined to be a result of facility construction vehicle use. (4) Establish and maintain an escrow account for so long as construction is ongoing, funded in an amount equal to the estimated cost to repair the designated route or routes consistent with the estimate provided in (2); and (5) Conduct an inspection of the roads along the designated route or routes after construction with a representative of the Sherman County Road Department and an independent third party with the required expertise to inspect and evaluate paved and graveled roads. In the event a dispute arises, the third party shall be the final arbiter. The cost of the hiring of the third party shall be borne by the certificate holder. <p>(b) Following completion of construction and prior to operation, conduct the inspection of the roads along the designated route or routes with a representative of the Sherman County Road Department and an independent third party, as specified in sub(a)(5) of this condition.</p> <p>(c) After completing the inspection required per sub(b), the certificate holder shall coordinate with the Sherman County Road Master and shall provide adequate funding to allow the county to restore any necessary damages to Sherman County roads resulting from facility construction as agreed upon by the Sherman County Road Department. The escrow account established in (a)(4) shall not be closed until Sherman County Road Department has agreed with the restoration to Sherman County roads, or otherwise that the certificate holder has not caused damage to Sherman County roads.</p> <p>[Final Order on ASC, Condition IV.D.19; Amended in Final Order on AMD4, AMD5]</p>
PRE-LU-13	<p>Before beginning construction of facility access roads, the certificate holder shall confer with the Sherman County Road Master regarding any utility permits needed for county road right-of-ways and obtain permits for construction of all approach roads onto county roads.</p> <p>[Final Order on ASC, Condition IV.D.20; Amended in Final Order on AMD4]</p>
PRE-LU-14	<p>Prior to construction, Certificate Holder shall demonstrate that the final location of turbines within the micrositing corridors approved by the Council will satisfy setback requirements prescribed by the Sherman County Wind Setback Ordinance (Ordinance No. 39-2007) unless the Council has approved a variance to such setback for the turbine or the Certificate Holder has negotiated a setback agreement with the affected adjacent property owner or wind project developer in accordance with Section 3 of the ordinance as follows:</p> <p>(a) Setback from property lines in all East-West upwind and downwind directional property line installation shall be no less than 7.5 times the rotor diameter and no less than 1.5 times the rotor diameter for all North-South property line delineations. These requirements shall only apply to project boundaries and will not be required for towers installed internally within the site boundary. (Sherman County Ordinance 39-2007, Section 4)</p>

- (b) Setbacks from pre-existing wind turbines shall be 15 times the rotor diameter upwind and downwind for all East-West setback considerations and 3 times the rotor diameter for all North-South setback considerations. (Sherman County Ordinance 39-2007, Section 5)
- (c) Setbacks from an operating wind turbine to the boundary lines of any incorporated city in Sherman County shall be a distance of one (1) mile, unless a variance to such distance is obtained through the city council of an affected city, after public hearing. (Sherman County Ordinance 39-2007, Section 6)

[Final Order on Amendment #1, Condition IV.D.22; Amended in Final Order on AMD1, AMD4, AMD5]

STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]

Before beginning construction, the certificate holder shall submit to the State through the Council a bond or letter of credit in the amount described herein naming the State, acting by and through the Council, as beneficiary or payee. If the certificate holder elects to build the facility in a single phase, the initial bond or letter of credit amount is \$14,425,000 (in 2008 dollars), adjusted to the date of issuance as described in (b), or the amount determined as described in (a). If the certificate holder elects to build the facility in more than one phase, the amount of the initial bond or letter of credit for each phase of construction shall be the amount determined as described in (a). The certificate holder shall adjust the amount of each bond or letter of credit on an annual basis thereafter as described in (b).

- (a) The certificate holder may adjust the amount of each bond or letter of credit based on the final design configuration of the facility by applying the unit costs and general costs illustrated in Table IV.C.1 of the Final Order on the Application to the final design and calculating the financial assurance amount as described in that order, adjusted to the date of issuance as described in (b) and subject to approval by the Department.
- (b) The certificate holder shall adjust the amount of each bond or letter of credit, using the following calculation and subject to approval by the Department:
 - (i) Adjust the subtotal component of the bond or letter of credit amount (expressed in 2008 dollars) to present value, 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") and using the annual average index value for 2008 dollars and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the Index is no longer published, the Council shall select a comparable calculation to adjust 2008 dollars to present value.
 - (ii) Calculate the adjusted performance bond amount as 1 percent of the new subtotal (i).
 - (iii) Add the subtotal (i) to the adjusted performance bond amount (ii) for the adjusted gross cost.
 - (iv) Calculate the adjusted administration and project management costs as 10 percent of the adjusted gross cost (iii).
 - (v) Calculate the adjusted future developments contingency as 10 percent of the adjusted gross cost (iii).
 - (vi) Add the adjusted gross cost (iii) to the sum of adjusted administration and project management costs (iv) and the adjusted future developments contingency (v) and round the resulting total to the nearest \$1,000 to determine the adjusted financial assurance amount.
- (c) The certificate holder shall use a form of bond or letter of credit approved by the Council.
- (d) The certificate holder shall use an issuer of the bond or letter of credit approved by the Council.
- (e) The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under Condition (VII.21.a.ii).
- (f) The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site.

[Final Order on ASC, Condition IV.C.4; Amended in Final Order on Amendment 3]

STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]

PRE-RT-01

PRE-FW-01	<p>Prior to construction, the certificate holder shall finalize and implement the Habitat Mitigation and Revegetation Plan (HMRP), included as Attachment C to the Final Order on Amendment, as approved by the Department in consultation with ODFW and as amended from time to time. Such amendments may be made without amendment of the site certificate. The Council authorizes the Department to agree to amendments, and the Council retains the authority to approve, reject, or modify any amendments of the HMRP agreed to by the Department. [Final Order on Amendment 4]</p> <p>The finalized HMRP shall incorporate the maps, habitat classifications, and anticipated temporary and permanent habitat impact assessment completed as per site certificate Condition III.C.1. Prior to start of construction, the certificate holder shall acquire the legal right to create, enhance, maintain and protect a habitat mitigation area so long as the site certificate is in effect by means of outright purchase, conservation easement or similar conveyance and shall provide a copy of the documentation to the Department. The nominal lease term shall be at least 30 years, with an option to extend if the facility continues operations past year 30. The mitigation area shall be as shown in figures 1, 2 and 3 of Attachment B to the Final Order. Any different mitigation area shall require prior approval of the Department in consultation with ODFW.</p> <p>If, prior to the achievement of success criteria for revegetation and restoration of temporarily impacted areas as provided in the final HMRP, any area temporarily disturbed during facility construction is converted for some other use such that the Department, in consultation with ODFW, determines the success criteria cannot be achieved, or the Department otherwise determines, in consultation with ODFW, that the success criteria cannot be achieved, the Department shall amend the HMRP using the process described above to require additional mitigation consistent with the habitat classifications and mitigation requirements for other areas permanently impacted by the facility.</p> <p>[Final Order on ASC, Condition IV.M.1; Amended in Final Order on AMD3, AMD4]</p>
PRE-FW-02	<p>The certificate holder shall survey the status of known raptor nests within 0.5 miles before ground-disturbing activities begin. If an active nest is found, and ground-disturbing activities are scheduled to begin before the end of the sensitive nesting and breeding season (mid-April to mid-August), the certificate holder will not engage in ground-disturbing activities within a 0.25-mile buffer around the nest until the nest fledges young or the nest fails, unless ODFW approves an alternative plan. If ground-disturbing construction activities continue into the sensitive nesting and breeding season for the following year, the certificate holder will not engage in ground-disturbing activities within the 0.25-mile buffer if the nest site is found to be active until the nest fledges young or the nest fails, unless ODFW approves an alternate plan.</p> <p>[Final Order on ASC, Condition IV.M.4]</p>
PRE-FW-03	<p>Prior to construction, the certificate holder will survey the status of known loggerhead shrikes nests and visit sites where non-nesting loggerhead shrikes were observed in order to determine old and new nest sites. The certificate holder shall avoid all construction activities within a 492-foot (150-meter) buffer from active loggerhead shrikes nests.</p> <p>[Final Order on ASC, Condition IV.M.5; Amended in Final Order on AMD4]</p>
PRE-FW-04	<p>Prior to construction, the certificate holder shall submit to the Department final facility design maps confirming that turbines and other facility components will be located within the 900-foot corridors shown on Figure 1 of the Amended Site Certificate. The certificate holder shall not construct any facility components within areas of Category 1 or Category 2 habitat and shall avoid temporary disturbance of Category 1 or Category 2 habitat, except for those acreages allowed in the final Habitat Mitigation and Revegetation Plan (HMRP). The certificate holder may rely upon the maps and data submitted per Condition IV.M.1 to satisfy this condition.</p> <p>[Final Order on ASC, Condition IV.M.9; Amended in Final Order on AMD3, AMD4, AMD5]</p>
PRE-FW-05	<p>Prior to construction, the certificate holder shall:</p> <ol style="list-style-type: none"> a. Conduct one (1) year of raptor nest surveys. The raptor nest surveys shall be conducted following the instructions set forth in the Raptor Nest Survey Protocol for Golden Hills Wind Project included as Attachment D to the Fourth Amended Site Certificate. b. At least 45-days prior to construction, the certificate holder shall provide a written report on the raptor nest surveys to the Department and ODFW. If the surveys identify the presence of raptor nests

	<p>within the survey area, the certificate holder shall implement appropriate measures, consistent with the Wildlife Monitoring and Mitigation Plan, and as approved by the Department in consultation with ODFW, to assure that design, construction, and operation of the facility are consistent with the Fish and Wildlife Habitat standard.</p> <p>[Final Order on ASC, Condition IV.M.11; Amended in Final Order on AMD3, AMD4]</p>
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STANDARD: THREATENED AND ENDANGERED SPECIES (TE) [OAR 345-022-0070]

PRE-TE-01	<p>The certificate holder shall report the results of the database review and consultation to the Department and to ODFW and, if there have been new documentations of nesting bald eagles or peregrine falcons within 2 miles of the facility, the certificate holder shall implement appropriate measures to protect the species from adverse impact, as approved by the Department and ODFW.</p> <p>[Final Order on ASC, Condition IV.L.1]</p>
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PRE-TE-02	<p>The certificate holder shall implement measures to mitigate impacts to sensitive wildlife habitat during construction including, but not limited to, the following:</p> <ul style="list-style-type: none"> (a) Preparing maps to show sensitive areas, such as nesting or denning areas for sensitive wildlife species, that are off limits to construction personnel; (b) Ensuring that a qualified person instructs construction personnel to be aware of wildlife in the area and to take precautions to avoid injuring or destroying wildlife or significant wildlife habitat; and (c) Avoiding unnecessary road construction, temporary disturbance and vehicle use. <p>[Final Order on ASC, Condition IV.L.2]</p>
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PRE-TE-03	<p>Prior to the beginning of construction but no more than two years prior to the beginning of construction of the facility, the certificate holder shall:</p> <ul style="list-style-type: none"> a. Submit protocol for field surveys for threatened and endangered species to the Department for review and approval, in consultation with ODFW. The survey protocol shall be based on the protocol included on ASC Exhibit P, Attachment P-1, and shall be updated based on consultation with ODFW. b. Perform new field surveys for threatened and endangered species following the survey protocol as approved per sub(a). c. The certificate holder shall report the results of the field surveys to the Department and ODFW. If the surveys identify the presence of threatened or endangered species within the site boundary, the certificate holder shall implement appropriate measures to avoid a significant reduction in the likelihood of survival or recovery of the species, as approved by the Department in consultation with ODFW. <p>[Final Order on Amendment 2, Condition IV.L.3; Amended in Final Order on AMD3, AMD4]</p>
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STANDARD: SCENIC RESOURCES (SR) [OAR 345-022-0080]

PRE-SR-01	<p>To reduce the visual impact of the facility, the certificate holder shall:</p> <ul style="list-style-type: none"> a. Mount nacelles on smooth steel structures painted uniformly in a neutral color to blend with the surrounding landscape; b. Paint substation structures in a neutral color to blend with the surrounding landscape; c. Not allow any advertising to be used on any part of the facility; d. Use only those signs required for facility safety or required by law, except that the certificate holder may erect a sign to identify the facility; and e. Maintain any signs allowed under this condition in good repair. <p>[Final Order on ASC, Condition IV.G.1]</p>
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STANDARD: HISTORIC, CULTURAL, AND ARCHEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]

PRE-HC-01	<p>The certificate holder shall design the facility to avoid impacts to sites that have been identified by surveys and recommended to be eligible or unevaluated for listing on the National Register of Historic Places (NRHP) unless</p>
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certificate holder obtains the required archaeological permit(s) from SHPO. Certificate holder shall identify the sites on the map provided to the Department under Pre-HC-0335SH217, 35SH220, GH site 6 (above ground resource), and 35SH219 and GH Isolate 6.

[Final Order on ASC, Condition V.B.1]
[Final Order on ASC, Condition V.B.1; Amended in Final Oder on AMD5]

Commented [AE3]: Note to ODOE: certificate holder recommends not including specific sites to avoid needing to amend the condition language in the future.

At least 45 days prior to construction, the certificate holder shall prepare a Cultural Resource Management Plan (the "CRMP") and shall submit the CRMP to the Department and State Historic Preservation Office (the "SHPO") for review. The Department must approve the CRMP, in consultation with SHPO, prior to construction.

The CRMP shall at a minimum include:

- (a) Specific protocols and procedures for protecting known NRHP-eligible and unevaluated cultural resources including imposing a 30-meter buffer and designating as a "no-work zones," around sites mapped under PRE-HC-0135SH215, 35SH216, 35SH221, and to the sites identified in Condition V.B.1: 35SH217, 35SH220, GH site 6 (above ground resource), 35SH219 and GH Isolate 6. Both the buffer and no-work zones apply to cultural resources, including any additional archeological sites and possible human remains accidentally discovered during construction. The CRMP shall identify how protocols will follow State laws and rules at ORS 358.905-961, ORS 390.235, OAR 736-051-0090 and ORS 97.740-760 as in effect on the date of this site certificate., The certificate holder shall submit the CRMP to the State Historic Preservation Office (the "SHPO") for concurrence and shall provide to the Department documentation confirming SHPO concurrence prior to start of construction.
- (b) Protocols and procedures for responding to inadvertent accidental discovery of cultural resources during operations and ongoing maintenance activities

[Final Order on ASC, Condition V.B.2; Amended in Final Order on AMD4 and AMD5]

Commented [AE4]: Note to ODOE: the preclude to subpart (a) already calls for the CRMP to be provided to SHPO for review. It appears that the "concurrence" in this subpart may be related to incidental discovery items which should be addressed under GEN-HC-01 or can otherwise be addressed under subpart (b).

Before beginning construction of any phase of the facility, the certificate holder shall provide to the Department a confidential map showing the final design locations of all components of that phase of the facility, and areas that would be temporarily disturbed during construction, and areas that were not included in pedestrian-level ground-cultural resource surveys, and known cultural resources within the siting corridors, and also showing the areas surveyed by Tetra Tech in preparing the Archeological Inventory for Golden Hills Wind Energy Development included in the Application for a Site Certificate as Attachment 5-1. If there are any additional areas where ground-disturbing activities will occur that were not part of the prior pedestrian level ground original facility area surveyed by Project-related cultural resource surveys, the certificate holder shall notify the Department and SHPO to determine whether additional surveys or avoidance measures are necessary.

[Final Order on ASC, Condition V.B.4; Amended in Final Order on AMD4 and AMD5]

STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0100]

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

- (a) Identification of agencies that participated in developing the plan;
- (b) Identification of agencies that are designated as first response agencies or are included in any mutual aid agreements with the facility;
- (c) A list of any other mutual aid agreements or fire protection associations in the vicinity of the facility;
- (d) Complete contact information for each agency listed in (a), (b), and (c) above, including at least two facility contacts available on a 24-hour basis;

	<ul style="list-style-type: none"> (e) Communication protocols for both routine and emergency events and the incident command system to be used in the event a fire response by multiple agencies is needed at the facility; (f) Access and fire response at the facility site during construction and operations. Fire response plans during construction shall address regular and frequent communication amongst the agencies regarding the number and location of construction sites within the site boundary, access roads that are completed and those still under construction, location of water receptacles, and a temporary signage system until permanent addresses and signs are in place; (g) The minimum designated time period of the fire season (i.e., May 1 through October 15) and the criteria to modify the designated fire season to respond to changing conditions; (h) The number, size, and location of onsite water receptacles to be staged around the facility site for firefighting purposes during the fire season; and (i) Training needs (both for facility personnel and for first responders) including at a minimum fall protection and rescue employee training requirements. (j) Copies of mutual aid, fire protection association, or other agreements entered into concerning fire protection at the facility site. <p>[Final Order on ASC, Condition V.C.3; Amended in Final Order on AMD2, AMD5]</p>
PRE-PS-02	<p>Before beginning construction of the facility, the certificate holder shall develop, in consultation with Sherman County Road Department, a construction-phase traffic management plan. The certificate holder shall submit to the Department a copy of the final construction-phase traffic management plan.</p> <p>[Final Order on ASC, Condition V.C.10; Amended in Final Order on AMD4]</p>
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
PRE-WM-01	<p>Prior to construction, the certificate holder shall submit to the Department a Construction Waste Management Plan that includes, but is not limited to, the following measures:</p> <ul style="list-style-type: none"> (a) Recycling steel and other metal scrap; (b) Recycling wood waste; (c) Recycling packaging wastes, such as paper and cardboard; (d) Collecting non-recyclable waste for transport to a landfill; and (e) Segregating all hazardous wastes, such as used oil, oily rags and oil-absorbent materials, lubricant and cleaning solution containers, mercury-containing lights, and lead-acid and nickel-cadmium batteries, for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous wastes. <p>The requirements of the plan shall be implemented and adhered to during construction activities.</p> <p>[Final Order on ASC, Condition V.D.1; Amended in Final Order on AMD4]</p>
STANDARD: PUBLIC HEALTH AND SAFETY STANDARDS FOR WIND ENERGY FACILITIES (PH) [OAR 345-024-0010]	
PRE-PH-01	<p>The certificate holder shall:</p> <ul style="list-style-type: none"> a) During facility construction, install self-monitoring devices on each turbine, connected to a fault annunciation panel or SCADA system at the O&M facility to alert operators to potentially dangerous conditions. The certificate holder shall equip each turbine with vibration-sensing equipment that will shut down the turbine in the event of abnormal levels of vibration. b) During facility operation, maintain the self-monitoring devices and vibration-sensing equipment on each turbine, connected to the fault annunciation panel or SCADA system at the O&M facility. <p>[Final Order on ASC, Condition IV.1.2; Amended in Final Order on AMD4]</p>
PRE-PH-02	<p>Prior to construction, the certificate holder shall provide evidence to the Department demonstrating that the facility substations will be enclosed with appropriate fencing and locked gates.</p> <p>[Final Order on ASC, Condition IV.1.6; Amended in Final Order on AMD4]</p>
PRE-PH-03	<p>Before beginning construction, the certificate holder shall submit to the FAA and the Oregon Department of</p>

Aviation ("ODA") a Notice of Proposed Construction or Alteration identifying the proposed final locations of the turbines and related or supporting facilities and shall provide a copy of this notice to the Department. The certificate holder shall notify the Department of the FAA's and ODA's responses as soon as they have been received.

[Final Order on ASC, Condition IV.I.7]

STANDARD: SITING STANDARDS FOR TRANSMISSION LINES (ST) [OAR 345-024-0090]

PRE-ST-01

The certificate holder shall install the underground segments of the 34.5-kV collector system at a minimum depth of three feet.

[Final Order on ASC, Condition IV.K.1]

REQUIREMENTS UNDER COUNCIL JURISDICTION (CJ)

PRE-CJ-01

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

- (a) For any noise-sensitive property, the certificate holder shall identify the final design locations of all turbines to be built and perform a noise analysis demonstrating, in accordance with OAR 340-035-0035(1)(b)(B)(iii)(IV), that the total hourly L50 noise level generated by the facility would not exceed 50 dBA at the appropriate measurement point. The certificate holder shall assume the following input parameters:
 - The maximum sound power level warranted by the manufacturer or confirmed by other means acceptable to the Department;
 - The exact locations of the proposed turbines;
 - Attenuation of sound due to absorption to be calculated using a methodology satisfactory to the Department;
 - The use of 50° F temperature and 70 percent relative humidity in the analysis;
 - A 2dB safety margin shall be added to turbine sound power levels;
 - No credit for shielding of any residence by terrain; and
 - All receptors treated as simultaneously downwind of all turbines.
- (b) If the hourly L50 noise levels caused by the facility at any noise-sensitive property would increase the ambient noise level at any noise-sensitive property over the full set of wind conditions ranging from cut in to full load by more than 10 dBA, the certificate holder shall obtain a legally effective easement or real covenant from that property owner pursuant to which the owner of the property authorizes the certificate holder's operation of the facility to increase ambient statistical noise levels L50 and L50 by more than 10 dBA at the appropriate measurement point. A legally effective easement or real covenant shall (i) include a legal description of the burdened property (the noise-sensitive property); (ii) be recorded in the real property records of the county; (iii) expressly benefit the certificate holder; (iv) expressly run with the land and bind all future owners, lessees or holders of any interest in the burdened property; and (v) not be subject to revocation without the certificate holder's written approval.
- (c) If, for any noise-sensitive property where the hourly L50 noise levels caused by the facility would increase by more than 10 dBA above the ambient level over the full range of wind conditions measured for that property and where the certificate holder has not obtained a legally effective easement or real covenant as described in (b), the certificate holder shall identify measures to reduce

	<p>noise at that property either by eliminating or moving turbines, and shall perform the noise analysis again to demonstrate, in accordance with OAR 340-035-0035(1)(b)(B)(iii)(IV), that the total noise generated by the facility would meet the ambient noise degradation test at the appropriate measurement point at that noise-sensitive property. The certificate holder shall obtain Department concurrence of the new analysis prior to start of construction.</p> <p>[Final Order on ASC, Condition VI.A.1.2]</p>
PRE-CJ-02	<p>Prior to construction, the certificate holder shall:</p> <ol style="list-style-type: none"> 1) Conduct an updated wetlands and waters delineation survey of all areas to be temporarily or permanently impacted by the facility based on final layout and design. 2) Submit the delineation survey report to the department and Oregon Department of State Lands and receive concurrence of the report from DSL. 3) Confirm from the results of the delineation survey and DSL concurrence that the facility will not need a removal-fill permit. 4) If a removal-fill permit is necessary, file a site certificate amendment request to review and process the permit request. <p>(Final Order on Amendment No. 3, Removal-Fill Condition 1)</p>
PRE-CJ-03	<p>Prior to construction, the certificate holder shall prepare detailed design drawings and specifications for 230 kV, and 34.5 kV transmission lines, in consultation with the Utility Safety and Reliability Section of the Oregon Public Utility Commission to ensure that the designs and specifications are consistent with applicable codes and standards.</p> <p>[Final Order on ASC, Condition VI.A.4.2; Amended in Final Order on AMD4]</p>
PRE-CJ-04	<p>Prior to start of construction, the certificate holder shall submit to ODOE a procedure for coordinating, with all affected local electric service utilities and transmission service providers, crane movements under electric transmission lines during construction and maintenance of the facility. The procedure shall address subjects including, but not limited to, minimum advance notification prior to any crane movement under an electric transmission or distribution line, protocols for determining adequate line clearance and specific crane path locations. With the procedure, the certificate holder shall provide evidence of concurrence by each affected electric service utility or transmission service provider. The certificate holder shall ensure that all employees, construction contractors and subcontractors adhere to this procedure throughout construction and maintenance of the facility.</p> <p>[Final Order on ASC, Condition VI.A.4.3]</p>
MANDATORY CONDITIONS (MC)	
PRE-MC-01	<p>OAR 345-025-0006 (5): Except as necessary for the initial survey or as otherwise allowed for wind energy facilities, transmission lines or pipelines under this section, the certificate holder shall not begin construction, as defined in OAR 345-001-0010, or create a clearing on any part of the site until the certificate holder has construction rights on all parts of the site. For the purpose of this rule, "construction rights" means the legal right to engage in construction activities. For wind energy facilities, transmission lines or pipelines, if the certificate holder does not have construction rights on all parts of the site, the certificate holder may nevertheless begin construction, as defined in OAR 345-001-0010, or create a clearing on a part of the site if the certificate holder has construction rights on that part of the site and:</p> <ol style="list-style-type: none"> a) The certificate holder would construct and operate part of the facility on that part of the site even if a change in the planned route of the transmission line or pipeline occurs during the certificate holder's negotiations to acquire construction rights on another part of the site; or b) The certificate holder would construct and operate part of a wind energy facility on that part of the site even if other parts of the facility were modified by amendment of the site certificate or were not built. <p>[Final Order on ASC, Condition VII.5; Amended in Final Order on AMD4]</p>

PRE-MC-02	<p>OAR 345-025-0006 (8): Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council, 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. The certificate holder shall maintain a bond or letter of credit in effect at all times until the facility has been retired. The Council may specify different amounts for the bond or letter of credit during construction and during operation of the facility. [See Condition IV.C.4.]</p> <p>[Final Order on ASC, Condition VII.8; Amended in Final Order on AMD4]</p>
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4.4 Construction (CON) Conditions

Condition Number	Pre-Construction (PRE) Conditions															
STANDARD: ORGANIZATIONAL EXPERTISE (OE) [OAR 345-022-0010]																
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]																
CON-SP-01	<p>During construction, the certificate holder shall salvage approximately three feet of topsoil and stockpile this topsoil in windrows, wherever temporary impacts will occur in cultivated areas. The certificate holder shall protect the windrows with plastic sheeting or mulch. Upon removal of the temporary features, the certificate holder shall cultivate the subsoil to a depth of at least 12 inches (except where bedrock prohibits achieving this depth) and then redistribute the salvaged topsoil to match adjacent grades.</p> <p>[Final Order on ASC, Condition IV.E.2; Amended in Final Order on AMD4]</p>															
CON-SP-02	<p>During construction, the certificate holder shall ensure that the wash down of concrete trucks occurs only at a contractor-owned batch plant or at tower foundation locations. If such wash down occurs at tower foundation locations, then the certificate holder shall ensure that wash down wastewater does not run off the construction site into otherwise undisturbed areas and that the wastewater is disposed of on backfill piles and buried underground with the backfill over the tower foundation.</p> <p>[Final Order on ASC, Condition IV.E.5]</p>															
STANDARD: LAND USE (LU) [OAR 345-022-0030]																
CON-LU-01	<p>During construction, the certificate holder shall provide access across construction trenches to fields within the facility site and otherwise provide adequate and timely access to properties during critical periods in the farming cycle, such as harvest, as necessary and as determined feasible by the certificate holder and landowner.</p> <p>[Final Order on ASC, Condition IV.D.12; Amended in Final Order on AMD4]</p>															
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]																
CON-FW-01	<p>During construction, the certificate holder shall protect the area within a 1300-foot buffer around any active nests of the following species during the sensitive period, as provided in this condition:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Species</th> <th style="text-align: center;">Sensitive Period</th> <th style="text-align: center;">Early Release Date</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Swainson’s hawk</td> <td style="text-align: center;">April 1 to August 15</td> <td style="text-align: center;">May 31</td> </tr> <tr> <td style="text-align: center;">Golden eagle</td> <td style="text-align: center;">February 1 to August 31</td> <td style="text-align: center;">May 31</td> </tr> <tr> <td style="text-align: center;">Ferruginous hawk</td> <td style="text-align: center;">March 15 to August 15</td> <td style="text-align: center;">May 31</td> </tr> <tr> <td style="text-align: center;">Burrowing owl</td> <td style="text-align: center;">April 1 to August 15</td> <td style="text-align: center;">July 15</td> </tr> </tbody> </table> <p>The 1300-foot buffer may be reduced, with Department approval, if there is an adequate physical barrier between the nest site and the construction impacts such that a 1300-foot buffer proves to be excessive.</p> <p>During the year in which construction of any phase occurs, the certificate holder shall use a protocol approved by ODFW to determine whether there are any active nests of these species within a half-mile of any areas that would be disturbed during construction. If a nest is occupied by any of these species after the beginning of the sensitive period, the certificate holder shall not engage in high-impact construction activities (activities that involve blasting, grading or other major ground disturbance) or allow high levels of construction traffic within 1300 feet of the nest site, or such lesser distance as may be approved by the Department in the event there is an adequate physical barrier between the nest site and the construction impacts.</p> <p>In addition, the certificate holder shall flag the boundaries of the 1300-foot buffer area, or such lesser distance as may be approved by the Department in the event there is an adequate physical barrier between the nest site and the construction impacts, and shall instruct construction personnel to avoid any unnecessary activity within the buffer area. The certificate holder shall direct a qualified independent third-party biological monitor, as</p>	Species	Sensitive Period	Early Release Date	Swainson’s hawk	April 1 to August 15	May 31	Golden eagle	February 1 to August 31	May 31	Ferruginous hawk	March 15 to August 15	May 31	Burrowing owl	April 1 to August 15	July 15
Species	Sensitive Period	Early Release Date														
Swainson’s hawk	April 1 to August 15	May 31														
Golden eagle	February 1 to August 31	May 31														
Ferruginous hawk	March 15 to August 15	May 31														
Burrowing owl	April 1 to August 15	July 15														

	<p>approved by the Department, to observe the active nest sites during the sensitive period for signs of disturbance and to notify the Department of any noncompliance with this condition. If the monitor observes nest site abandonment or other adverse impact to nesting activity, the certificate holder shall implement appropriate mitigation, in consultation with ODFW and subject to the approval of the Department, unless the adverse impact is clearly shown to have a cause other than construction activity. The certificate holder may begin or resume high-impact construction activities before the ending day of the sensitive period if any known nest site is not occupied by the early release date. If a nest site is occupied, then the certificate holder may begin or resume high-impact construction before the ending day of the sensitive period with the approval of ODFW, but after the young are fledged. The certificate holder shall use a protocol approved by ODFW to determine when the young are fledged (meaning the young are independent of the core nest site).</p> <p>[Final Order on ASC, Condition IV.M.10]</p>
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STANDARD: HISTORIC, CULTURAL, AND ARCHEOLOGICAL RESOURCES (HC) [OAR 345-022-0090]

CON-HC-01	<p>During construction, the certificate holder shall implement the Cultural Resource Management Plan ("CRMP") developed under PRE-HC-02, including all inadvertent discovery protocols and procedures specified in the CRMP. If any cultural resources are discovered, all work at that location shall cease immediately and the certificate holder shall notify the Department and SHPO to determine whether it is necessary to have an archeologist travel to the worksite and assess the discovery or monitor construction activities.</p> <p>[Final Order on ASC, Condition V.B.6; Amended in Final Order on AMD4 and AMD5]</p>
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CON-HC-02	<p>During construction, the certificate holder shall ensure that construction personnel cease all ground-disturbing activities in the immediate area if any archaeological or cultural resources are found during construction of the facility until a qualified archaeologist can evaluate the significance of the find. No construction personnel will be allowed in the discovery area except for facility management in consultation with the SHPO. The certificate holder shall notify the Department and the SHPO of the find. If the SHPO determines that the resource is significant, the certificate holder shall make recommendations to the Council for mitigation, including avoidance or data recovery, in consultation with the Department, the SHPO, the appropriate Oregon tribes and other appropriate parties. The certificate holder shall not restart work in the affected area until the certificate holder has demonstrated to the Department that it has complied with State archaeological protection and archaeological permit laws in coordination with the SHPO.</p> <p>[Removed Final Order on ASC, Condition V.B.8; Amended in Final Order on AMD4/AMD5]</p>
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CON-HC-02 3	<p>During construction, the certificate holder shall ensure that construction personnel are instructed on the location of the mapped alignment of the Oregon Trail, per Condition GEN-HC-01. If any intact physical evidence of the trail Oregon Trail is discovered that was not previously identified, the certificate holder shall avoid any disturbance to the intact segments by redesign, reengineering or restricting the area of construction activity. The certificate holder shall promptly notify the Department and the SHPO of the discovery and follow procedures for inadvertent discoveries outlined in the CRMP. The certificate holder shall consult with the Department and with the SHPO to determine appropriate mitigation measures.</p> <p>[Final Order on ASC, Condition V.B.9; Amended in Final Order on AMD4]</p>
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CON-HC-03 4	<p>Upon completion of Within three years of construction completion, the certificate holder shall consult with the Oregon-California Trails Association Historic Trails Advisory Council regarding the appropriate content of an interpretive sign. After such consultation, the certificate holder shall place an interpretive sign on the historic background of the facility site and surrounding areas in a publicly accessible location. The certificate holder shall consult with the Department and Sherman County regarding the content of the interpretative sign. a sign giving notice of the historic background of the facility site and surrounding areas.</p> <p>[Final Order on ASC, Condition V.B.10]</p>
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STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0100]

CON-PS-01	<p>During construction of the facility, the certificate holder shall ensure that construction vehicles and equipment are operated on graveled areas to the extent possible and that open flames, such as cutting torches, are kept</p>
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	away from grassy areas. [Final Order on ASC, Condition V.C.4]
CON-PS-02	During construction of the facility, the certificate holder shall maintain a water truck on site to respond to potential fire incidents. [Final Order on ASC, Condition V.C.6]
CON-PS-03	The certificate holder shall construct turbines on concrete pads with a minimum of 10 feet of nonflammable and non-erosive ground cover on all sides. The certificate holder shall cover turbine pad areas with nonflammable, non-erosive material immediately following exposure during construction and shall maintain the pad area covering during operation of the facility. [Final Order on ASC, Condition V.C.7]
CON-PS-04	During construction of the facility, the certificate holder shall implement measures to reduce traffic impacts, including: <ul style="list-style-type: none"> (a) Providing notice to all affected local jurisdictions in advance of deliveries; (b) Providing notice to adjacent landowners and residents of Biggs Junction in advance of deliveries; and (c) Requiring flaggers to be at appropriate locations at appropriate times during construction to direct traffic and reduce accident risks. [Final Order on ASC, Condition V.C.11]

STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]

CON-WM-01	During construction, the certificate holder shall provide portable toilets for on-site sewage handling and shall ensure that they are pumped and cleaned regularly by a licensed contractor. [Final Order on ASC, Condition V.D.3]
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STANDARD: PUBLIC HEALTH AND SAFETY STANDARDS FOR WIND ENERGY FACILITIES (PH) [OAR 345-024-0010]

CON-PH-01	During construction, the certificate holder shall follow manufacturer’s recommended handling instructions and procedures to prevent damage to turbine or turbine tower components that could lead to failure. In the compliance plan required per OAR 345-026-0048, the certificate holder shall describe the process or protocol to be implemented to ensure manufacturer’s handling instructions and procedures are followed during equipment delivery. [Final Order on ASC, Condition IV.I.1; Final Order on AMD4]
CON-PH-02	The certificate holder shall construct turbine towers with no exterior ladders or access to the turbine blades and shall install locked tower access doors. The certificate holder shall keep tower access doors locked at all times except when authorized personnel are present. [Final Order on ASC, Condition IV.I.3]

REQUIREMENTS UNDER COUNCIL JURISDICTION (CJ)

CON-CJ-01	During construction, to reduce noise impacts at nearby residential areas, the certificate holder shall: <ul style="list-style-type: none"> (a) Confine the noisiest operation of heavy construction equipment to the daylight hours; (b) Require contractors to install and maintain exhaust mufflers on all combustion engine-powered equipment; and (c) Establish a complaint response system at the construction manager’s office to address noise complaints. [Final Order on ASC, Condition VI.A.1.1; Amended in Final Order on AMD4]
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MANDATORY CONDITIONS (MC)

CON-MC-01	OAR 345-025-0006 (4): The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate. [See Conditions (III.D.1) and (111.D.2).]
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[Final Order on ASC, Condition VII.4; Amended in Final Order on AMD4]

4.5 Pre-Operational (PRO) Conditions

Condition Number	Pre-Construction (PRE) Conditions
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0100]	
PRO -PS-01	<p>Before beginning operation of the facility, the certificate holder shall provide to North Sherman Fire Protection District and Moro Rural Fire Protection District a site plan indicating the identification number assigned to each turbine and the location of all facility structures. During operation of the facility, the certificate holder shall ensure that appropriate district personnel have an up-to-date list of the names and telephone numbers of facility personnel available to respond on a 24-hour basis in case of an emergency on the facility site.</p> <p>[Final Order on ASC, Condition V.C.9; Amended in Final Order on AMD4]</p>
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
PRO -WM-01	<p>Prior to operation, the certificate holder shall submit to the Department an Operational Waste Management Plan that includes, but is not limited to, the following measures:</p> <ul style="list-style-type: none"> (a) Training employees to minimize and recycle solid waste; (b) Recycling paper products, metals, glass and plastics; (c) Recycling used oil and hydraulic fluid; (d) Collecting non-recyclable waste for transport to a landfill; and (e) Segregating all hazardous wastes, such as used oil, oily rags and oil-absorbent materials, oil and cleaning solution containers, mercury-containing lights, and lead-acid and nickel-cadmium batteries, for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous wastes. <p>The requirements of the plan shall be implemented and adhered to during operational activities.</p> <p>[Final Order on ASC, Condition V.D.2; Amended in Final Order on AMD4]</p>
STANDARD: PUBLIC HEALTH AND SAFETY STANDARDS FOR WIND ENERGY FACILITIES (PH) [OAR 345-024-0010]	
PRO-PH-01	<p>Prior to operation, the certificate holder shall:</p> <ul style="list-style-type: none"> (a) Submit to the Department materials or other documentation demonstrating the facility's operational safety-monitoring program and cause analysis program, for review and approval. The program shall, at a minimum, include requirements for regular turbine blade and turbine tower component inspections and maintenance, based on wind turbine manufacturer recommended frequency. (b) The certificate holder shall document inspection and maintenance activities including but not limited to date, turbine number, inspection type (regular or other), turbine tower and blade condition, maintenance requirements (i.e. equipment used, component repair or replacement description, impacted area location and size), and wind turbine operating status. This information shall be submitted to the Department pursuant to OAR 345-026-0080 in the facility's annual compliance report. (c) In the event of blade or tower failure, the certificate holder shall report the incident to the Department within 72 hours, in accordance with OAR 345-026-0170(1), and shall, within 90-days of blade or tower failure event, submit a cause analysis to the Department for its compliance evaluation. <p>[Final Order on ASC, Condition IV.I.4; Amended in Final Order on AMD4, AMD5]</p>
PRO-PH-02	<p>Prior to operation, the certificate shall submit to the Department evidence demonstrating that, for turbine types having pad-mounted step-up transformers, transformers are installed at the base of each tower in locked cabinets designed to protect the public from electrical hazards and to avoid creation of artificial habitat for raptor prey.</p> <p>[Final Order on ASC, Condition IV.I.5; Amended in Final Order on AMD4]</p>
REQUIREMENTS UNDER COUNCIL JURISDICTION (CI)	

PRO-CJ-01	<p>Prior to start of commercial operation, the certificate holder shall submit a plan for complaint-based operational noise monitoring to the Department. Commercial operation shall not commence until the Department has concurred in writing with the complaint-based noise monitoring protocol. The plan shall provide for testing at houses whose owners or occupants submit a complaint to the Council or the Department. The plan shall include a schedule for completion of required testing and a date certain by which written results shall be provided to the Council. If the owner of the property that filed the complaint refuses to grant access for the purpose of performing the noise test described in this condition after reasonable attempts are made by the certificate holder to receive permission for access, then the Department shall not require further corrective action.</p> <p>[Final Order on ASC, Condition VI.A.1.4]</p>
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4.6 Operational (OPR) Conditions

Condition Number	Pre-Construction (PRE) Conditions
STANDARD: SOIL PROTECTION (SP) [OAR 345-022-0022]	
OPR -SP-01	<p>During facility operation, the certificate holder shall routinely inspect and maintain all roads, pads and trenched areas and, as necessary, maintain or repair erosion control measures. The certificate holder shall restore areas that are temporarily disturbed during facility maintenance or repair activities to predisturbance condition or better.</p> <p>[Final Order on ASC, Condition IV.E.3]</p>
OPR -SP-02	<p>During facility operation, if blade-washing becomes necessary, the certificate holder shall ensure that there is no runoff of wash water from the site or discharges to surface waters, storm sewers or dry wells. The certificate holder shall not use acids, bases or metal brighteners with the wash water. The certificate holder may use biodegradable, phosphate-free cleaners sparingly.</p> <p>[Final Order on ASC, Condition IV.E.6]</p>
STANDARD: LAND USE (LU) [OAR 345-022-0030]	
OPR -LU-01	<p>During operation of the facility, the certificate holder, in cooperation with landowners, shall avoid impact on cultivated land to the extent reasonably possible when performing facility repair and maintenance activities.</p> <p>[Final Order on ASC, Condition IV.D.11]</p>
OPR -LU-02	<p>Within 90 days after beginning operation, the certificate holder shall provide to the Department and to the Sherman County Planning Director the actual latitude and longitude location or Stateplane NAD 83(91) coordinates of each turbine tower, connecting lines and transmission lines. In addition, the certificate holder shall provide to the Department and to the Sherman County Planning Director, a summary of as-built changes in the facility compared to the original plan, if any.</p> <p>[Final Order on ASC, Condition IV.D.15]</p>
STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]	
OPR -RT-01	<p>The certificate holder shall:</p> <ul style="list-style-type: none"> (a) Notify the Department of any spill or release of hazardous material during construction, operation or retirement of the facility-within one working day after the discovery. The certificate holder shall follow applicable Oregon Department of Environmental Quality (“DEQ”) response requirements-regulations pursuant to OAR Chapter 340 Division 142. (b) Within 45-days of the discovery, the certificate holder shall submit to the Department copies of the Oregon Emergency Response System Spill/Release Report, as submitted to DEQ. <p>[Final Order on ASC, Condition IV.C.6; Amended in Final Order on AMD4]</p>

OPR -RT-02	<p>If the certificate holder has not remedied a spill consistent with applicable ODEQ standards within six months after the date of the spill, the certificate holder shall submit to the Council for its approval an independently prepared estimate of the additional cost of remediation or correction within such six-month period.</p> <p>(a) Upon approval of an estimate by the Council, the certificate holder shall increase the amount of its bond or letter of credit by the amount of the estimate.</p> <p>(b) In no event, however, shall the certificate holder be relieved of its obligation to exercise all due diligence in remedying a spill of hazardous substances.</p> <p>[Final Order on ASC, Condition IV.C.7, Final Order on AMD4]</p>
STANDARD: FISH AND WILDLIFE HABITAT (FW) [OAR 345-022-0060]	
OPR -FW-01	<p>During facility operation, the certificate holder shall conduct wildlife monitoring as described in the Wildlife Monitoring and Mitigation Plan that is included as Attachment E to the Final Order on Amendment 4 and as amended from time to time.</p> <p>[Final Order on ASC, Condition IV.M.7; Amended in Final Order on AMD4]</p>
STANDARD: SCENIC RESOURCES (SR) [OAR 345-022-0080]	
OPR -SR-01	<p>During operation of the facility, the certificate holder shall not use exterior nighttime lighting except:</p> <ol style="list-style-type: none"> The minimum turbine tower lighting required or recommended by the Federal Aviation Administration (the "FAA"); Security lighting at the O&M facility and substations, provided that such lighting is shielded or directed downward to reduce glare; Minimum lighting necessary for repairs or emergencies; and As otherwise required by federal, State or local law. <p>[Final Order on ASC, Condition IV.G.3]</p>
STANDARD: PUBLIC SERVICES (PS) [OAR 345-022-0100]	
OPR -PS-01	<p>During operation of the facility, the certificate holder shall obtain water for on-site use from one well located at the O&M facility, subject to compliance with applicable permit requirements. During operation of the facility, the certificate holder shall not use more than 5,000 gallons of water per day from the on-site well.</p> <p>[Final Order on ASC, Condition V.C.1]</p>
OPR -PS-02	<p>During operation of the facility, the certificate holder shall ensure that all on-site employees receive annual fire prevention and response training, including tower rescue training, from qualified instructors or members of local fire districts and shall ensure that all employees are instructed to keep vehicles on roads and off dry grassland, except when off-road operation is required for emergency purposes.</p> <p>[Final Order on ASC, Condition V.C.8]</p>
STANDARD: WASTE MINIMIZATION (WM) [OAR 345-022-0120]	
OPR -WM-01	<p>During operation, the certificate holder shall discharge sanitary wastewater generated at the O&M facility to a licensed on-site septic system in compliance with county permit requirements. The certificate holder shall design the septic system with a discharge capacity of less than 5,000 gallons per day. The certificate holder shall provide copies of all necessary septic system permits to the Department.</p> <p>[Final Order on ASC, Condition V.D.4; Amended in Final Order on AMD4]</p>
REQUIREMENTS UNDER COUNCIL JURISDICTION (CJ)	
OPR -CJ-01	<p>During operation, the certificate holder shall maintain a complaint response system to address noise complaints. The certificate holder shall promptly notify the Department of any complaints received regarding facility noise and of any actions taken by the certificate holder to address those complaints. Prior to start of commercial operation, the certificate holder shall notify, in writing, the owners of potentially affected noise-sensitive properties identified in Exhibit X of the completed Application for a Site Certificate. The notice shall inform the</p>

	<p>property owners of the procedure and contact information for filing a complaint regarding the noise level from the facility once it is operating. The certificate holder shall document the issuance of this notice and provide that documentation to the Department.</p> <p>[Final Order on ASC, Condition VI.A.1.3]</p>
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MANDATORY CONDITIONS (MC)

OPR-MC-01	<p>OAR 345-025-0006 (2): The certificate holder shall submit a legal description of the site to the Department of Energy within 90 days after beginning operation of the facility. The legal description required by this rule means a description of metes and bounds or a description of the site by reference to a map and geographic data that clearly and specifically identifies the outer boundaries that contain all parts of the facility.</p> <p>[Final Order on ASC, Condition VII.2; Amended in Final Order on AMD4]</p>
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4.7 Retirement Conditions (RET)

Condition Number	Pre-Construction (PRE) Conditions
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STANDARD: RETIREMENT AND FINANCIAL ASSURANCE (RT) [OAR 345-022-0050]

RET -RT-01	<p>The certificate holder shall retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, and prepared pursuant to Condition (IV.C.2).</p> <p>[Final Order on ASC, Condition IV.C.1]</p>
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RET -RT-02	<p>Two years before closure of the energy facility, the certificate holder shall submit to the Department a proposed final retirement plan for the facility and site, pursuant to OAR 345-027-0110, including:</p> <ul style="list-style-type: none"> (a) A plan for retirement that provides for completion of retirement within two years after permanent cessation of operation of the energy facility and that protects the public health and safety and the environment; (b) A description of actions the certificate holder proposes to take to restore the site to a useful, non-hazardous condition suitable for agricultural use; and (c) A detailed cost estimate, a comparison of that estimate with the dollar amount secured by a bond or letter of credit and any amount contained in a retirement fund, and a plan for assuring the availability of adequate funds for completion of retirement. <p>[Final Order on ASC, Condition IV.C.2]</p>
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RET -RT-03	<p>If the certificate holder elects to use a bond to meet the requirements of Condition (IV.C.4), the certificate holder shall ensure that the surety is obligated to comply with the requirements of applicable statutes, Council rules and this site certificate when the surety exercises any legal or contractual right it may have to assume construction, operation or retirement of the energy facility. The certificate holder shall also ensure that the surety is obligated to notify the Council that it is exercising such rights and to obtain any Council approvals required by applicable statutes, Council rules and this site certificate before the surety commences any activity to complete construction, operate or retire the energy facility.</p> <p>[Final Order on ASC, Condition IV.C.5]</p>
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RET -RT-04	<p>The certificate holder shall pay the actual cost to restore the site to a useful, non-hazardous condition at the time of retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site.</p> <p>[Final Order on ASC, Condition IV.C.9]</p>
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RET -RT-05	<p>If the Council finds that the certificate holder has permanently ceased construction or operation of the facility</p>
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	<p>without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110 and prepared pursuant to Condition (IV.C.2), the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Department within a reasonable time not to exceed 90 days.</p> <ul style="list-style-type: none"> (a) If the certificate holder does not submit a proposed final retirement plan by the specified date or if the Council rejects the retirement plan that the certificate holder submits, the Council may direct the Department to prepare a proposed a final retirement plan for the Council's approval. (b) Upon the Council's approval of the final retirement plan prepared pursuant to (a), the Council may draw on the bond or letter of credit described in Condition (IV.C.4) and shall use the funds to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. (c) If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any additional cost necessary to restore the site to a useful, non-hazardous condition. (d) After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan. <p>[Final Order on ASC, Condition IV.C.10]</p>
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COUNCIL'S MANDATORY CONDITIONS (MC)

RET -MC-01	<p>OAR 345-025-0006 (9): The certificate holder shall retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110. The certificate holder shall pay the actual cost to restore the site to a useful, non-hazardous condition at the time of retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site.</p> <p>[Final Order on ASC, Condition VII.9; Amended in Final Order on AMD4]</p>
RET -MC-02	<p>OAR 345-025-0006 (16): If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Office within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the Department to prepare a proposed a final retirement plan for the Council's approval. Upon the Council's approval of the final retirement plan, the Council may draw on the bond or letter of credit described in OAR 345-027-0020(8) to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any additional cost necessary to restore the site to a useful, non-hazardous condition. After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan.</p> <p>[Final Order on ASC, Condition VII.16; Amended in Final Order on AMD4]</p>

5.0 Successors and Assigns

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

6.0 Severability and Construction

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

7.0 Execution

This amended site certificate may be executed in counterparts and will become effective upon signature by the Chair of the Energy Facility Siting Council and the authorized representative of the certificate holder.

IN WITNESS THEREOF, this site certificate has been executed by the State of Oregon, acting by and through the Energy Facility Siting Council, and by Golden Hills Wind Farm, LLC.

ENERGY FACILITY SITING COUNCIL

By: _____

Barry Beyeler, Chair
Oregon Energy Facility Siting Council

Date: _____

Golden Hills Wind Farm, LLC

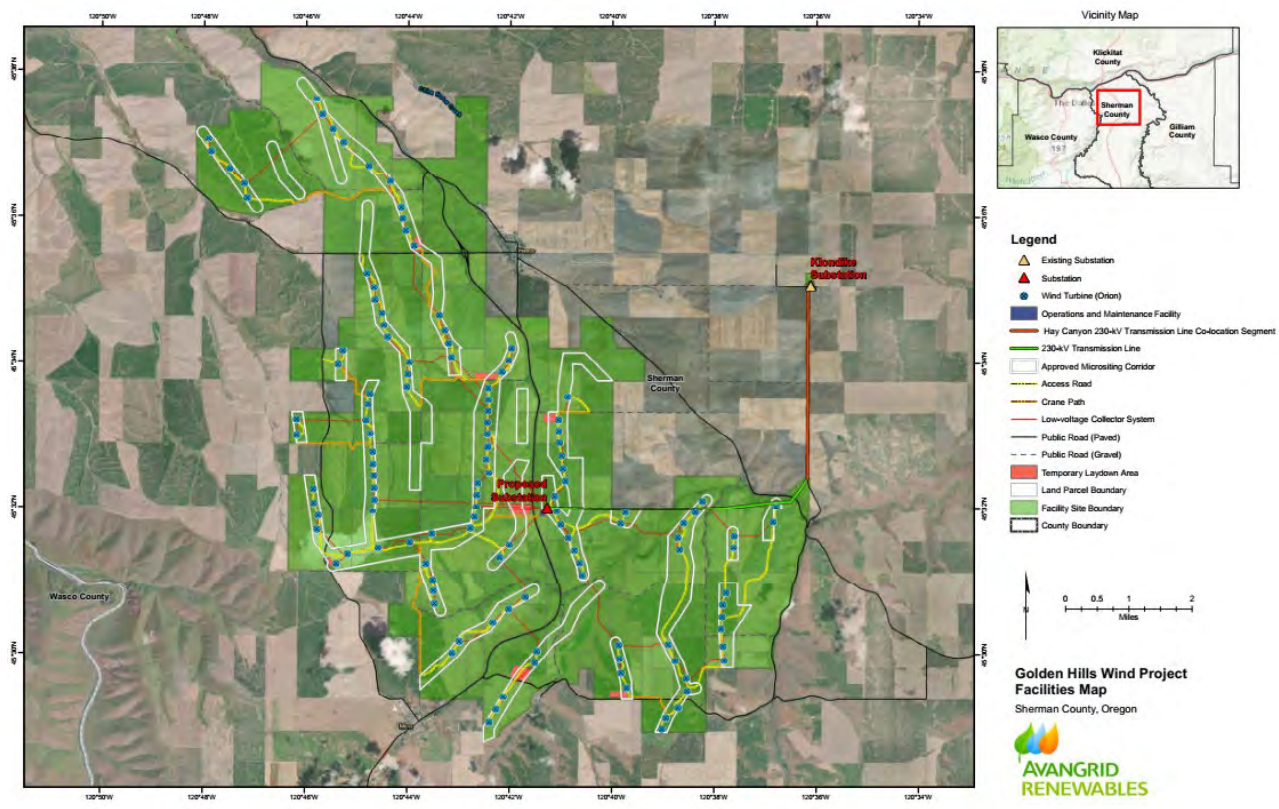
By: _____

_____ [Print Name]
Golden Hills Wind Farm, LLC

Date: _____

Attachment A
Facility Site Boundary Map

Golden Hills Site Boundary and Turbine Micrositing Corridors



Golden Hills Wind Project
 Fifth-Sixth-Amended Site Certificate – ~~October 2018~~TBD
 4818-0293-3708v.1 0108111-000005

**Golden Hills Wind Project
 Facilities Map**
 Sherman County, Oregon