



# Oregon

Kate Brown, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

### State Land Board

April 7, 2021

Nolin Hills Wind LLC  
Attn: Paul F. Wendelgass  
c/o Capital Power  
155 Federal St., Suite 1200  
Boston, MA 02210

Kate Brown  
Governor

Shemia Fagan  
Secretary of State

Re: WD # 2020-0613 **Approved**  
Wetland Delineation Report for Nolin Hills Wind Power Project  
Umatilla County; T2N R30E Tls 1600, 2800, 3900 & 4000 (Portions)

Tobias Read  
State Treasurer

Dear Mr. Wendelgass:

The Department of State Lands has reviewed the wetland determination report prepared by Tetra Tech, Inc. for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (see the attached map). Based upon the information presented in the report, and additional information submitted upon request, we concur with the reports findings as indicated on the attached Figures 5 and 5.1 through 5.8. Please replace all copies of the preliminary wetland maps with this final Department-approved maps.

Within the study area, 5 waterways (EPH-05A, -05B, -06, -07 and -08) were identified. However, each of these waterways are exempt per OAR 141-085-0510(49); therefore, none are subject to the permit requirements of the state Removal-Fill Law.

This concurrence is based on information provided to the agency and is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. Federal or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request

for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Umatilla County, Matt Unitis, at (503) 986-5262.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan". The signature is fluid and cursive, with the first name "Peter" and last name "Ryan" clearly distinguishable.

Peter Ryan, SPWS  
Aquatic Resource Specialist

Enclosures

ec: Jessica Taylor, Tetra Tech, Inc.  
Umatilla County Planning Department (Maps enclosed for updating LWI)  
Danielle Erb, Corps of Engineers  
Heidi Hartman, DSL  
Joy Vaughan, ODFW

**WETLAND DELINEATION / DETERMINATION REPORT COVER FORM**

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: <https://apps.oregon.gov/DSL/EPS/program?key=4>.



Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover form and report, minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF of the completed cover form and report may be e-mailed to: **Wetland\_Delineation@dsl.state.or.us**. For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

Contact and Authorization Information													
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Nolin Hills Wind LLC c/o Capital Power 155 Federal St., Suite 1200 Boston, MA 02210	Business phone # (617) 330-1325 Mobile phone # (optional) (617) 797-3970 E-mail: pwendelgass@capitalpower.com												
<input type="checkbox"/> Authorized Legal Agent, Name and Address (if different):	Business phone # Mobile phone # (optional) E-mail:												
I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.													
<b>Typed/Printed Name:</b> <u>Paul F Wendelgass</u> <b>Signature:</b>													
Date: <u>11/17/2020</u> Special instructions regarding site access: _____													
Project and Site Information													
Project Name: Nolin Hills Wind Power Project	Latitude: 45.612402      Longitude: -119.078164 <b>decimal degree</b> - centroid of site or start & end points of linear project												
Proposed Use: Solar Array within Wind Power project	Tax Map # See Figure 2 for tax lots Tax Lot(s) information												
Project Street Address (or other descriptive location): West, south, and east of the town of Nolin, Oregon.	Tax Map # Tax Lot(s)												
City: Nolin      County: Umatilla	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Township</td> <td style="width: 25%;">Range</td> <td style="width: 25%;">Section</td> <td style="width: 25%;">QQ</td> </tr> <tr> <td colspan="4">Use separate sheet for additional tax and location information</td> </tr> <tr> <td colspan="2">Waterway: N/A</td> <td colspan="2">River Mile: N/A</td> </tr> </table>	Township	Range	Section	QQ	Use separate sheet for additional tax and location information				Waterway: N/A		River Mile: N/A	
Township	Range	Section	QQ										
Use separate sheet for additional tax and location information													
Waterway: N/A		River Mile: N/A											
Wetland Delineation Information													
Wetland Consultant Name, Firm and Address: Jessica Taylor, Tetra Tech, Inc. 14 E. Main Street, Suite 210 Walla Walla WA 99362	Phone # (509) 386-5036 Mobile phone # (if applicable) E-mail: jessica.taylor@tetrattech.com												
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.													
<b>Consultant Signature:</b>	Date: 11/17/20												
<b>Primary Contact</b> for report review and site access is      Consultant <input checked="" type="checkbox"/> Applicant/Owner      Authorized Agent													
Wetland/Waters Present?      Yes <input checked="" type="checkbox"/> No	Study Area size: 1,710 acres      Total Wetland Acreage: 0												
Check Applicable Boxes Below													
<input type="checkbox"/> R-F permit application submitted	<input type="checkbox"/> Fee payment submitted \$ _____												
<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Resubmittal of rejected report (\$100)												
<input type="checkbox"/> EFSC/ODOE Proj. Mgr: _____	<input type="checkbox"/> Request for Reissuance. See eligibility criteria. (no fee) DSL # _____      Expiration date _____												
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	<input type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code _____												
<input type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # _____													
For Office Use Only													
DSL Reviewer: <u>MU</u> Fee Paid Date: ____/____/____	DSL WD # <u>2020-0613</u>												
Date Delineation Received: <u>11 / 10 / 20</u> Scanned: <input type="checkbox"/> Electronic: <input checked="" type="checkbox"/>	DSL App.# _____												

# Nolin Hills Wind Power Project

## Figure 1 Project Overview Index Map

UMATILLA COUNTY, OREGON

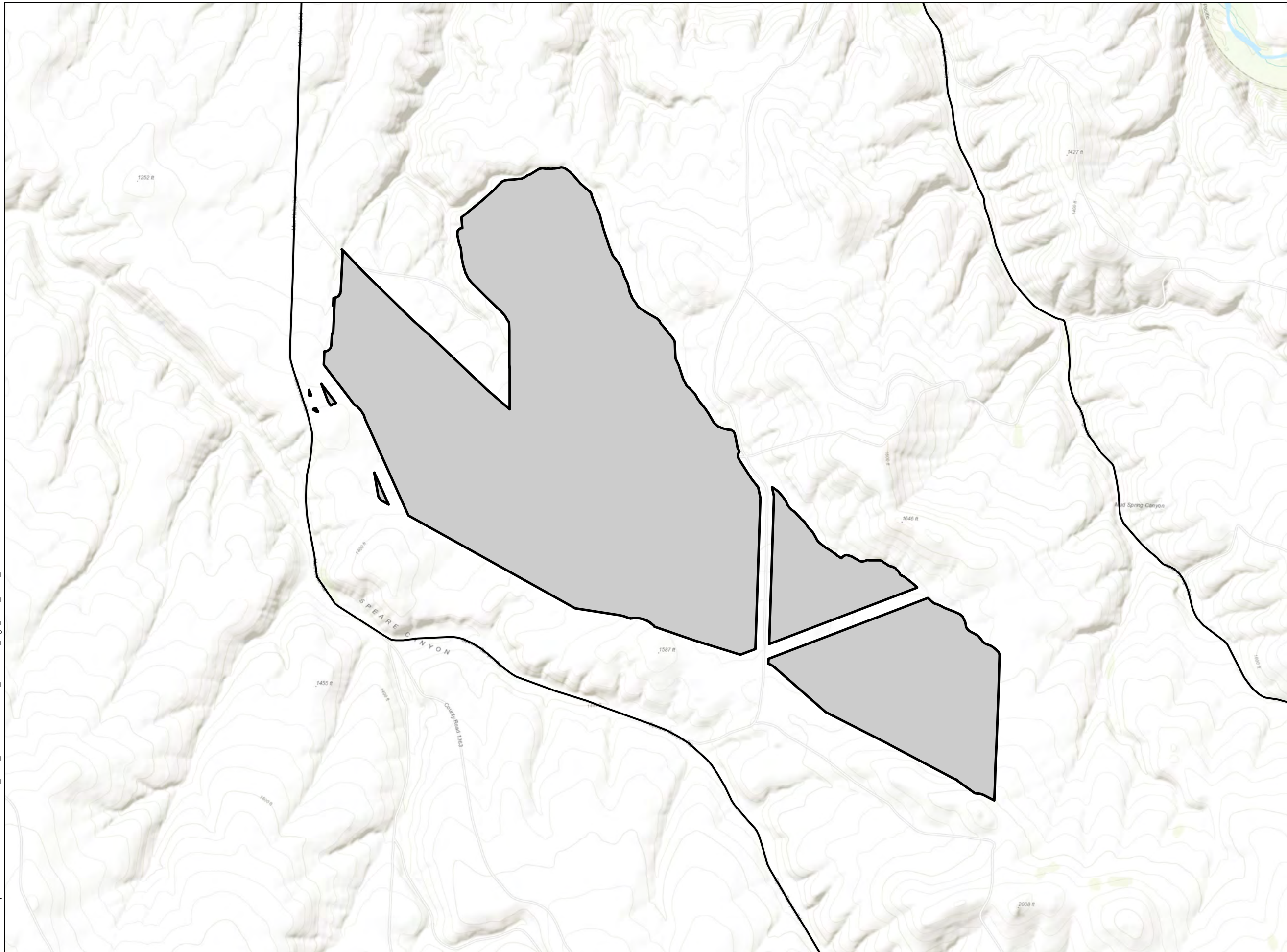
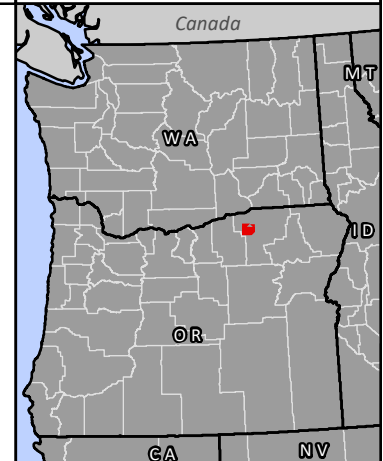
-  Wetlands and Waters Study Area
-  Secondary Road



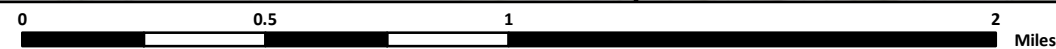
Data Sources

Reference Map

Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads



1:25,000 WGS 1984 UTM Zone 11N






NOT FOR CONSTRUCTION

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# Nolin Hills Wind Power Project

## Figure 2 Tax Lot Map

UMATILLA COUNTY, OREGON

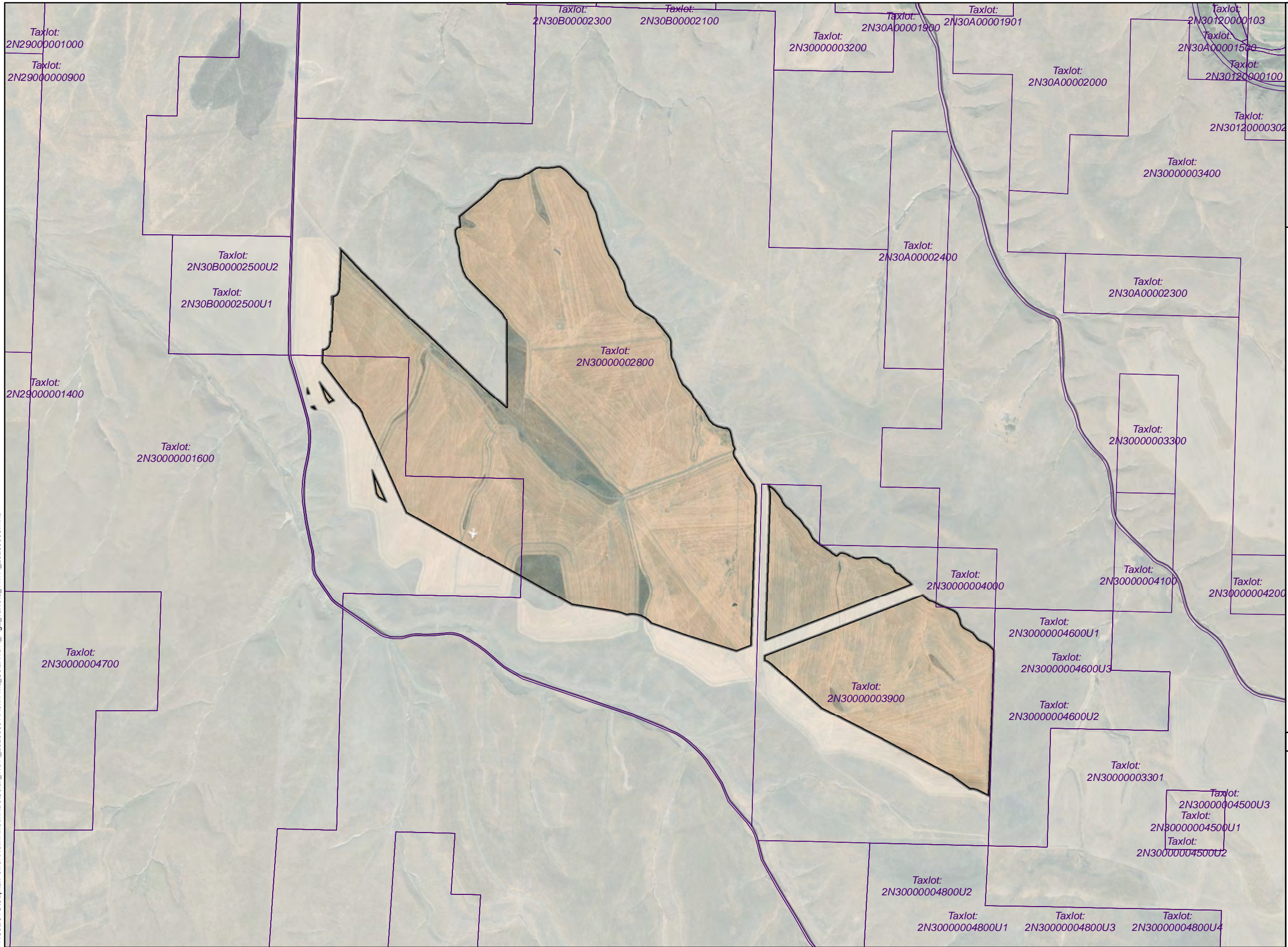
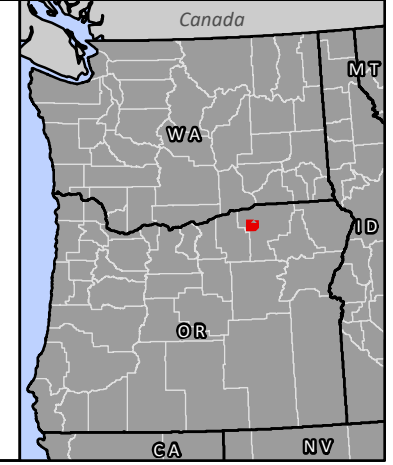
-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Secondary Road



Data Sources

Reference Map

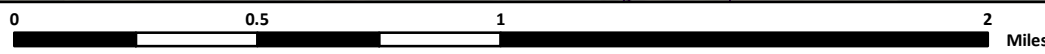
Capital Power-Project Infrastructure, Taxlots;  
USGS-Topographic; ESRI-Roads



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1:25,000 WGS 1984 UTM Zone 11N






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# Nolin Hills Wind Power Project

## Figure 5 Wetland Delineation Index Map

UMATILLA COUNTY, OREGON

-  Map Grid
-  Wetlands and Waters Study Area
-  Secondary Road

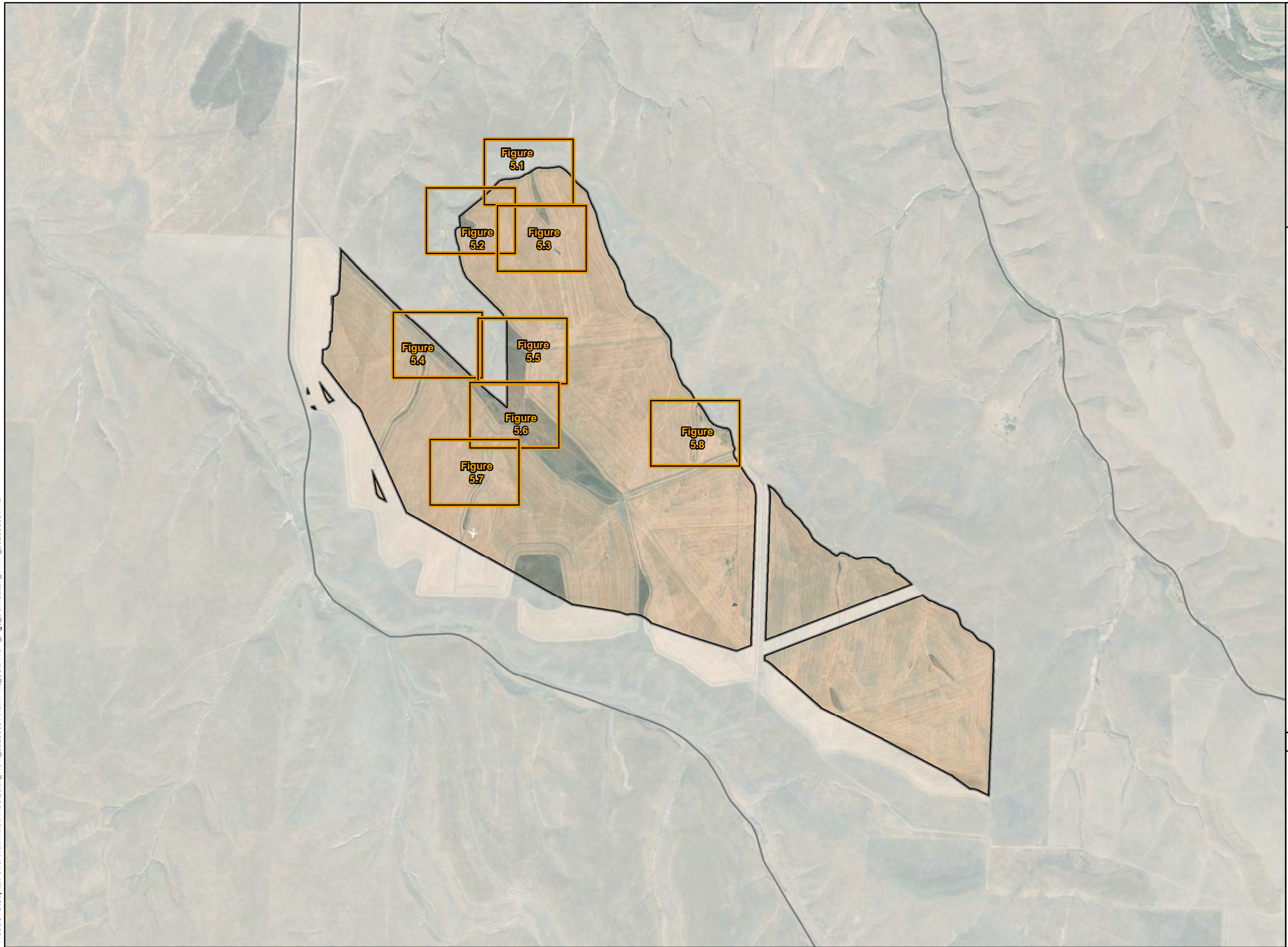
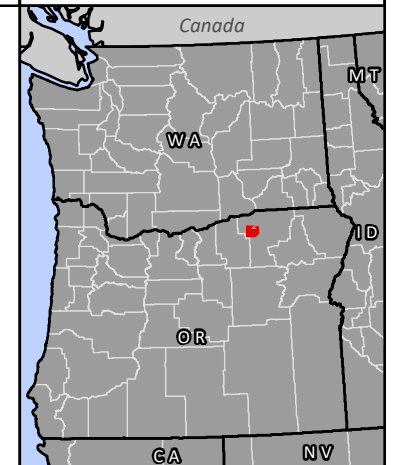
DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources

Reference Map

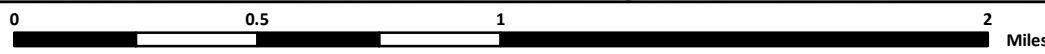
Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads



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# Nolin Hills Wind Power Project

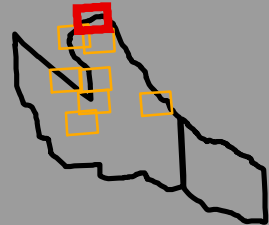
## Figure 5.1 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



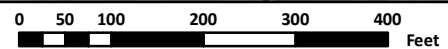
Data Sources	Reference Map
Capital Power-Project Infrastructure; USGS-Topographic; ESRI-Roads	

Taxlot:  
2N30000002800

EPH-05B

XBB-14 (15)

EPH-05A



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# Nolin Hills Wind Power Project

## Figure 5.2 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

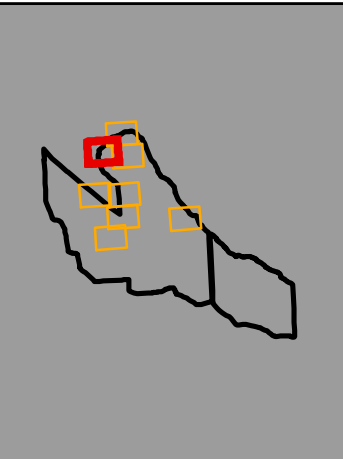
DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources

Reference Map

Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads



Taxlot:  
2N3000002800

EPH-05B

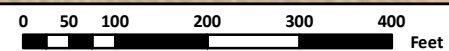
XBB-14 (15)

EPH-06



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WGS 1984 UTM Zone 11N







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# Nolin Hills Wind Power Project

## Figure 5.3 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

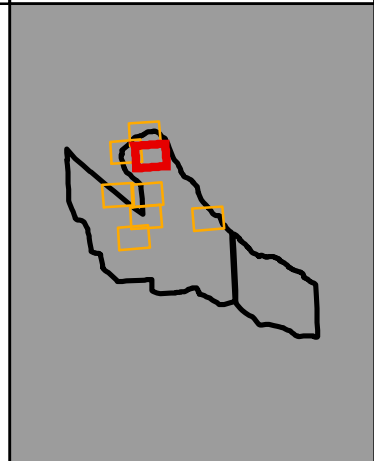
DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources

Reference Map

Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads



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WGS 1984 UTM Zone 11N







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# Nolin Hills Wind Power Project

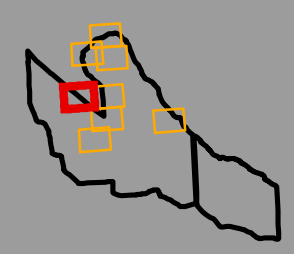
## Figure 5.4 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Sample Plot
-  Photo Point (# Photo Number)

DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026






Data Sources	Reference Map
Capital Power-Project Infrastructure; USGS-Topographic; ESRI-Roads	

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# Nolin Hills Wind Power Project

## Figure 5.5 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)

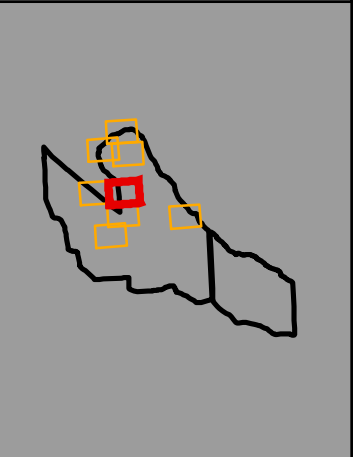
DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources

Reference Map

Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads

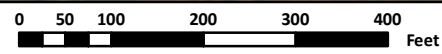


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WGS 1984 UTM Zone 11N



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Taxlot:  
2N30000002800

XBB-07 (13)







XBB-08 (14)



# Nolin Hills Wind Power Project

## Figure 5.6 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

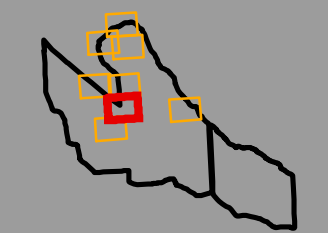
-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources	Reference Map
<p>Capital Power-Project Infrastructure; USGS-Topographic; ESRI-Roads</p>	

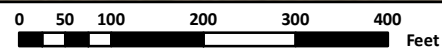
Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads



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# Nolin Hills Wind Power Project

## Figure 5.7 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

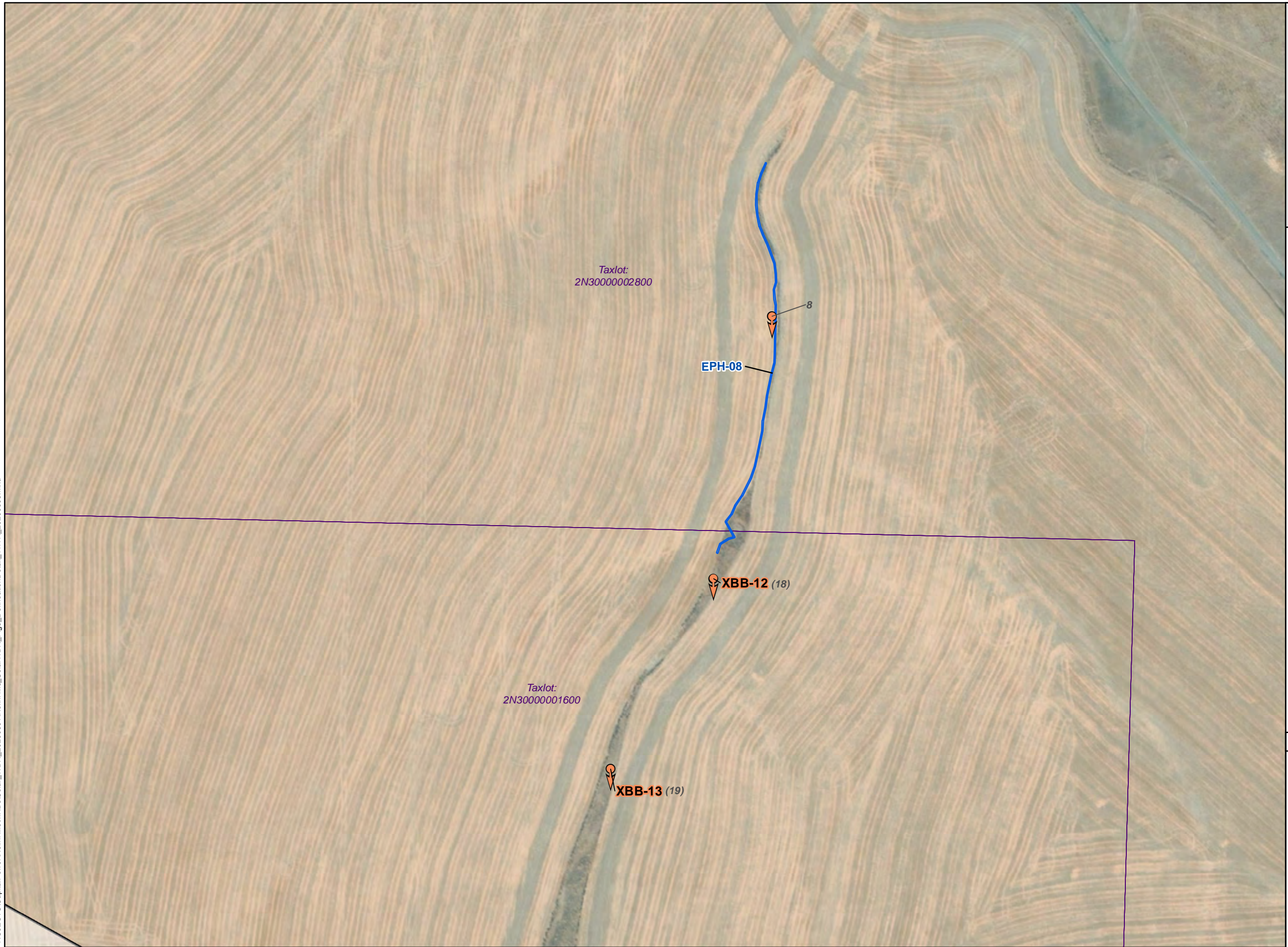
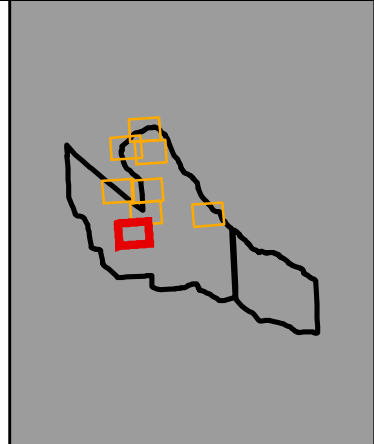
-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

DSL WD # 2020-0613  
Approval Issued 4/7/2021  
Approval Expires 4/7/2026



Data Sources	Reference Map
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Capital Power-Project Infrastructure;  
USGS-Topographic; ESRI-Roads







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# Nolin Hills Wind Power Project

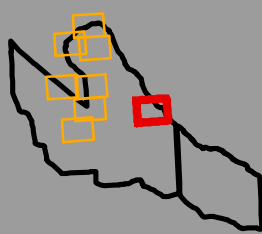
## Figure 5.8 Wetland Delineation Detail Map

UMATILLA COUNTY, OREGON

-  Wetlands and Waters Study Area
-  Taxlot Boundary
-  Photo Point (# Photo Number)
-  Waters

DSL WD # [2020-0613](#)  
Approval Issued [4/7/2021](#)  
Approval Expires [4/7/2026](#)



Data Sources	Reference Map
Capital Power-Project Infrastructure; USGS-Topographic; ESRI-Roads	



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