

EXHIBIT E
PERMITS REQUIRED FOR CONSTRUCTION AND OPERATION
OAR 345-021-0010(1)(e)

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INTRODUCTION

Archway Solar Energy LLC (Applicant) proposes to construct the Archway Solar Energy Facility (Facility) in Lake County, Oregon, with generating capacity of up to 400 megawatts (MW). The Facility may also contain a battery energy component with storage capacity of up to 400 MW and discharge capacity of up to 1,600 megawatt-hours. This Exhibit A presents permits required for construction and operation information as required by OAR 345-021-0010(1)(e).

OAR 345-021-0010(1)(e) *Information about permits needed for construction and operation of the facility.*

E.1 IDENTIFICATION AND DESCRIPTION OF REQUIRED PERMITS

OAR 345-021-0010(1)(e)(A) *Identification of all federal, state and local government permits related to the siting of the proposed facility, a legal citation of the statute, rule or ordinance governing each permit, and the name, mailing address, email address and telephone number of the agency or office responsible for each permit.*

OAR 345-021-0010(1)(e)(B) *A description of each permit, the reasons the permit is needed for construction or operation of the facility and the applicant’s analysis of whether the permit should or should not be included in and governed by the site certificate.*

E.1.1 Federal Permits

Response: Table E-1 identifies and describes the federal permits required for construction and operation of the Facility.

Table E-1. Federal Permits Required for Construction and Operation

Permit Name	Agency Name and Address	Authority	Description
Right-of-Way Grants	Bureau of Land Management (BLM) Attention: Kathryn Stewardson, Realty Specialist Lakeview District 1301 South G Street Lakeview, OR 97630 ksteward@blm.gov (541) 219-0346	FLPMA, 43 U.S.C. 1761; NEPA, Section 102 (42 <i>United States Code</i> [U.S.C.] Section 4332); 40 <i>Code of Federal Regulations</i> [CFR] Section 1500	BLM issued right-of-way grants to construct, operate, maintain and terminate an access road and an overhead transmission line on land managed by the BLM (Attachment E-1). Major federal actions are subject to federal permitting requirements and review under NEPA and as such, BLM led this right-of-way application process as a separate action from the solar facility site certificate process. This federal process is not within the jurisdiction of the Oregon Energy Facility Siting Council (EFSC) and therefore should not be included in or governed by the site certificate.

Archway Solar Energy LLC also coordinated with the Department of Defense Northwest Training Range Complex which determined August 12, 2020 that the Facility is not expected to adversely impact military operations (Attachment E-2).

E.1.2 State Permits: Not Federally Delegated

Response: Table E-2 identifies and describes the state permits not federally delegated and required for construction and operation of the Facility.

Table E-2. State Permits Not Federally Delegated

Permit Name	Agency Name and Address	Authority	Description
Energy Facility Site Certificate	Oregon Department of Energy and Energy Facility Siting Council Attention: Sarah Esterson 550 Capitol Street N.E. Salem, OR 97301 sarah.esterson@oregon.gov (503) 373-7945	Oregon Revised Statute (ORS) Chapter 469.300 et seq.; Oregon Administrative Rule (OAR) Chapter 345, Divisions 1, 15, 21- 24, 26-27	The Facility is an “energy facility” as defined in ORS Chapter 469.300(11) and must be authorized through a site certificate issued by the Energy Facility Siting Council. The Applicant has submitted a site certificate application pursuant to OAR 345-015-0300(3).
Removal/Fill Permit	Oregon Department of State Lands (DSL) Attention: Bethany Harrington Aquatic Resource Coordinator 1645 NE Forbes Road, Suite 112 Bend, OR 97701 (541) 388-6142 (541) 325-6171 bethany.harrington@state.or.us	ORS 196; OAR Chapter 141, Division 85	A removal-fill permit is required if 50 cubic yards or more of material is removed, filled, or altered within a jurisdictional water of the State. The Applicant will file a permit application if required directly with the DSL as it is outside the jurisdiction of EFSC and should not be included in and governed by the site certificate.
Onsite Sewage Disposal Construction-Installation Permit	Oregon Department of Environmental Quality Attention: Connie Schrandt Eastern Region 475 NE Bellevue Dr, Suite 110 Bend, OR 97701 (541) 298-7255 x222 schrandt.connie@DEQ.state.or.us	ORS Chapters 454 and 468B; OAR Chapter 340, Division 71	Facilities with an onsite sewage disposal system must obtain a Construction-Installation Permit before construction. The Facility will have a daily sewage flow of fewer than 2,500 gallons and the Applicant’s third-party contractor will obtain from the Oregon Department of Environmental Quality (DEQ) a Construction-Installation Permit for the operations and maintenance (O&M) facility. Therefore, this permit should not be included in and governed by the site certificate.
General Water Pollution Control Facilities Permit, WPCF-1700-B, Washwater Discharge from Equipment Cleaning	Oregon Department of Environmental Quality – Water Quality Division Attention: Jackie Ray Eastern Region 800 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 ray.jackie@deq.state.or.us (541) 278-4605	ORS 468B; OAR Chapter 340, Division 45	The solar modules may be washed twice annually and the washwater will be released to the ground and allowed to evaporate and infiltrate. The washwater will not be heated or include detergents. The WPCF-1700-B permit covers equipment-cleaning activities that discharge washwater by means of evaporation, seepage, or irrigation, including both fixed and mobile washing operations. If deemed necessary, the Applicant’s third-party contractor who will conduct the washing activities will seek coverage under the WPCF-1700-B permit from DEQ following completion of construction and before initiating any washing activities. Therefore, this permit should not be included in and governed by the site certificate.

Table E-2. State Permits Not Federally Delegated

Permit Name	Agency Name and Address	Authority	Description
Water Right Permit or Water Use Authorization	Oregon Water Resources Department Scott Kudlemeyer 725 Summer St. NE, Suite A Salem, OR 97301 (541) 986-0861	ORS 537; OAR Chapter 690, Divisions 310, 340, 410 and 507	Facilities that withdraw groundwater must obtain a Water Right Permit or Water Use Authorization before construction. A well for the Facility O&M building will provide fewer than 5,000 gallons per day and therefore will be an exempted use while subject to the same privileges and restrictions as any permit or authorization. The Applicant will file the recorded well document directly with the Oregon Water Resources Department as it is outside the jurisdiction of EFSC and should not be included in and governed by the site certificate.
Oversize Load Movement Permit/Load Registration	Oregon Department of Transportation Motor Carriers Transportation Division 550 Capitol Street NE Salem, OR 97301 Christy Jordan Christy.A.Jordan@odot.state.or.us (503) 378-6192	ORS Chapter 818.030; OAR Chapter 734, Divisions 51, 82	Access to the Facility will be provided by interstate and state highways. If large or overweight equipment needs to be moved across state roads, a permit and load registration will be required. Lake County Public Works Department will provide local review. The Applicant's third-party contractor will obtain this permit and load registration from the Oregon Department of Transportation before transporting large or overweight equipment and therefore this permit should not be included in and governed by the site certificate.
General Water Pollution Control Facilities Permit, WPCF-1000, Gravel Mining and Batch Plant	Oregon Department of Environmental Quality Eastern Region Eastern Region 700 SE Emigrant, Suite 330 Pendleton, OR 97801 (541) 276-4063 Department of Geology and Mineral Industries Mineral Land Regulation and Reclamation Program 229 Broadalbin St. SW Albany, OR 97321 (541) 967-2039	ORS 468B; OAR Chapter 340, Division 45	A WPCF-1000 authorizes the permittee to operate a wastewater collection, treatment, control, and disposal system for sand, gravel, and other nonmetallic mineral quarrying and mining operations, including asphalt-mix batch plants, concrete batch plants, and other related activities. If a temporary batch plant is required for Facility construction, the Applicant's third-party contractor will obtain a WPCF-1000 permit directly from DEQ and therefore this permit should not be included in and governed by the site certificate.

Table E-2. State Permits Not Federally Delegated

Permit Name	Agency Name and Address	Authority	Description
Archaeological Excavation Permit	Oregon Parks and Recreation Department, State Historic Preservation Office 725 Summer Street NE, Suite C Salem, OR 97301 Matt Diederich, MAIS mattew.diederich@oregon.gov (503) 986-0577	ORS Chapters 97, 358, and 390; OAR Chapter 736, Division 51 (Permit and Conditions for Excavation or Removal of Archaeological or Historical Materials on Private Land)	During Facility construction, if a previously unidentified archaeological site is discovered, all construction will cease and the Applicant will report the finding to the State Historic Preservation Office (SHPO) immediately. In that instance, SHPO may require an archaeological excavation permit. The Applicant does not anticipate that this permit will be required (see Exhibit S for further discussion). However, should this permit be required, the Applicant will obtain it from SHPO and therefore this permit should not be included in and governed by the site certificate.

E.1.3 State Permits: Federally Delegated

Response: Table E-3 identifies and describes the state permits federally delegated and required for construction and operation of the Facility.

Table E-3. State Permits Federally Delegated

Permit Name	Agency Name and Address	Authority	Description
Basic Air Contaminant Discharge Permit (ACDP)	Oregon Department of Environmental Quality – Air Quality Division Attention : Nancy Swofford Eastern Region 475 NE Bellevue, Suite 110 Bend, OR 97701 swofford.nancy@deq.state.or.us (541) 633-2021	Clean Air Act (42 U.S.C. Section 7401 et seq.). 40 CFR Parts 50, 51, and 52 ORS Chapters 468 and 468A OAR Chapter 340, Division 216	A Basic ACDP authorizes the permittee to operate a stationary or portable concrete manufacturing plant that produces more than 5,000 but less than 25,000 cubic yards per year output. If a portable concrete manufacturing plant is required for Facility construction, a Basic ACDP will be obtained from DEQ. The Applicant or its third-party contractor will obtain this permit directly from DEQ as it is outside the jurisdiction of EFSC and should not be included in and governed by the site certificate.

Table E-3. State Permits Federally Delegated

Permit Name	Agency Name and Address	Authority	Description
National Pollution Discharge Elimination System (NPDES) Permit, 1200-C Construction Stormwater NPDES Permit	Oregon Department of Environmental Quality – Water Quality Division Attention: Jackie Ray Eastern Region 800 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 ray.jackie@deq.state.or.us (541) 278-4605	Clean Water Act, Section 402 (33 U.S.C. Section 1342); 40 CFR Section 122; ORS Chapters 468 and 468B; OAR Chapter 340, Division 45	A 1200-C Permit regulates stormwater runoff from construction activities that disturb more than 1 acre of ground. Facility construction will disturb more than 1 acre and therefore a 1200-C Permit is required, as described further in Exhibit I. Attachment I-1 in Exhibit I contains the Applicant’s NPDES permit application. The Applicant will obtain this permit directly from DEQ as it is outside the jurisdiction of EFSC and should not be included in and governed by the site certificate.

E.1.4 Local Permits

Response: Table E-4 identifies and describes the local permits required for construction and operation of the Facility. These permits, if applicable to the Facility, should be included in and governed by the site certificate.

Table E-4. Local Permits

Permit Name	Agency Name and Address	Authority	Description
Conditional Use Permit and Comprehensive Plan Amendment for Statewide Planning Goal 3 Exception	Lake County Planning Department Attention: Darwin Johnson Jr., Planning Director 513 Center Street Lakeview, OR 97630 djohnson@co.lake.or.us (541) 947-6036	Lake County Zoning Ordinance (LCZO) Section 3.04, Agricultural Use Zone; LCZO Article 24, Conditional Uses	This permit/comprehensive plan amendment is required for commercial utility facilities of a certain size that generate power for public use by sale and are proposed on land in the Agricultural Use (A-2) zone in accordance with LCZO Section 3.04(B)(6). The Applicant demonstrates compliance with the conditional use standards contained in Article 24 of the LCZO, standards applicable to comprehensive plan amendments and goal exceptions, and other applicable substantive criteria applicable to the proposed Facility, in Exhibit K. The Applicant elects to obtain an EFSC determination under ORS Chapter 469.504(1)(b).
Site Plan Review	Lake County Planning Department Attention: Darwin Johnson Jr., Planning Director 513 Center Street Lakeview, OR 97630 djohnson@co.lake.or.us (541) 947-6036	LCZO Articles 23, 24	This permit is required prior to the construction, reconstruction, alteration, or change of use of any structure larger than 100 square feet. The Applicant demonstrates compliance with the site plan review standards contained in Article 23 of the LCZO, as well as other applicable substantive criteria applicable to the proposed Facility, in Exhibit K. The Applicant elects to obtain an EFSC determination under ORS Chapter 469.504(1)(b).

Table E-4. Local Permits

Permit Name	Agency Name and Address	Authority	Description
Right-of-Way Permit	Lake County Road Department Attention: Kevin Hock Road Superintendent 95574 Highway 140 West PO Box 908 Lakeview, OR 97630 lakecoroad@co.lake.or.us (541) 947-6048		An Access Permit may be required if necessary upgrades to existing access roads affect a public road. The Applicant will obtain this permit directly from Lake County.
Building Permit	Lake County Building Department Attention: Ken Cooper Building Official/Inspector 513 Center Street Lakeview, OR 97630 kcooper@co.lake.or.us (541) 947-6032	ORS Chapter 455 Building Code	This permit is applicable to aboveground Facility structures. Applications for requisite permits will be submitted to Lake County before construction. The Applicant’s third-party contractor will obtain this permit directly from Lake County.

E.2 PERMIT APPLICATIONS NOT FEDERALLY DELEGATED

ORAR 345-021-0010(1)(e)(C) *For any state or local government agency permits, licenses or certificates that are proposed to be included in and governed by the site certificate, evidence to support findings by the Council that construction and operation of the proposed facility will comply with the statutes, rules and standards applicable to the permit. The applicant may show this evidence:*

(i) *In Exhibit J for permits related to wetlands.*

Response: A DSL removal-fill permit will be required for impacts over 50 cubic yards in playas; see Exhibit J for details.

(ii) *In Exhibit O for permits related to water rights.*

Response: During Facility construction, water will be supplied by Simplot or by the Christmas Valley Domestic Water Supply District. During Facility operation, water will either be supplied by an existing or new well located near the proposed O&M building. Either way, the well would produce fewer than 5,000 gallons per day for the O&M building. Oregon law allows exempt industrial and commercial uses up to 5,000 gallons per day from groundwater wells without a water right permit (ORS 537.545(1)(f)). Exempt industrial uses include water for drinking, flushing toilets, and using sinks, as well as other industrial uses during construction and operation of the Facility.

See Exhibit O for further discussion.

E.3 PERMIT APPLICATIONS FEDERALLY DELEGATED

ORAR 345-021-0010(1)(e)(D) *For federally-delegated permit applications, evidence that the responsible agency has received a permit application and the estimated date when the responsible agency will complete its review and issue a permit decision.*

Response: The Applicant has separately prepared a NPDES 1200-C Permit application for the Facility (Attachment I-2 in Exhibit I). The Applicant anticipates a permit decision from DEQ before the start of Facility construction.

The Applicant or its third-party contractor will prepare an application for and receive a Basic Air Contaminant Discharge Permit if required for the proposed temporary batch plant.

E.4 THIRD-PARTY STATE OR LOCAL PERMITS

OAR 345-021-0010(1)(e)(E) *If the applicant relies on a state or local government permit or approval issued to a third party, identification of any such third-party permit and for each:*
(i) *Evidence that the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement with the third party for access to the resource or service to be secured by that permit.*

Response: Four state permits and one local permit, if required, will be obtained by the Applicant's third-party contractors. The Applicant's parent company, Invenergy, routinely relies on contractors to obtain a variety of third-party permits for constructing energy facilities such as those described in Exhibit D. Most recently, Invenergy contracted with Cupertino Electric, Inc., as general contractor for the 40-megawatt (MW) Prineville Solar Energy Project and 60-MW Millican Solar Energy Project in Oregon. Invenergy contracted with D.H. Blattner & Sons, Inc. (Blattner) to build the 72-MW Willow Creek Wind Project in Gilliam and Morrow counties and with Concord Construction, Inc. (Concord) to build the Willow Creek Wind Project O&M building. For this Facility, the Applicant will select one of these or other such qualified contractors that has experience constructing renewable energy facilities. As with past projects, Invenergy will only select a contractor (or contractors) who have a reasonable likelihood of securing the required permits.

An Onsite Sewage Disposal Construction-Installation Permit will be required before constructing any such system. An Onsite Sewage Disposal Construction-Installation Permit is a common permit required for the construction of renewable energy facilities in Oregon, as facilities often have bathrooms for operational employees. Any contractor familiar with constructing renewable energy facilities will also be familiar with obtaining this permit from the DEQ. For example, Concord, in collaboration with Westfall Septic Tank and Excavation in Hermiston, Oregon, received this permit for the Willow Creek Wind Project O&M building in 2008.

An Oversize Load Movement Permit/Load Registration will be required for transporting large or overweight equipment to the site over state roads. Like the permit described above, this permit is a common permit required for the construction of renewable energy facilities in Oregon given the nature of the facility components. A contractor familiar with constructing renewable energy facilities is also familiar with obtaining this permit from the DEQ. Blattner or its subcontractors routinely obtain these permits for delivery of oversize or overweight equipment over state roads.

If a temporary concrete batch plant is required, Invenergy will direct its contractor to obtain a conditional use permit from Lake County and a General Water Pollution Control Facilities Permit (WPCF-1000) to manage wastewater and stormwater from the plant. These permits are common for the construction of renewable energy facilities, which require concrete footings, pads, and other infrastructure. Any contractor familiar with constructing renewable energy facilities will also be familiar with obtaining these permits from local jurisdictions and the DEQ. For example, Blattner worked in collaboration with W.I. Inc. in Arlington, Oregon, to receive temporary concrete batch plant permits for the Willow Creek Wind Project in 2008.

(ii) *Evidence that the third party has, or has a reasonable likelihood of obtaining, the necessary permit.*

Response: As described above, the Applicant will select a contractor with proven credentials for acquiring applicable permits.

(iii) *An assessment of the impact of the proposed facility on any permits that a third party has obtained and on which the applicant relies to comply with any applicable Council standard.*

Response: A third-party contractor has not been selected. Accordingly, this provision is not applicable.

E.5 THIRD-PARTY FEDERALLY DELEGATED PERMITS

ORAR 345-021-0010(1)(e)(F) *If the applicant relies on a federally-delegated permit issued to a third party, identification of any such third-party permit and for each:*

(i) *Evidence that the applicant has, or has a reasonable likelihood of entering into, a contract or other agreement with the third party for access to the resource or service to be secured by that permit.*

(ii) *Evidence that the responsible agency has received a permit application.*

(iii) *The estimated date when the responsible agency will complete its review and issue a permit decision.*

Response: The Applicant may direct its third-party contractor to obtain a Basic ACDP if using a temporary batch plant. This permit is routinely authorized by the Oregon Department of Environmental Quality, and the Applicant has experience obtaining the permit, such as for the 75-MW Boardman Solar Energy Facility in 2017.

E.6 MONITORING

ORAR 345-021-0010(1)(e)(G) *The applicant's proposed monitoring program, if any, for compliance with permit conditions.*

Response: The Applicant will comply with monitoring requirements from EFSC and any jurisdictions responsible for granting Facility permits or approvals. Specific monitoring measures are described in the applicable Exhibits of this Application as follows:

- Requirements for erosion control monitoring and reporting are described in Exhibits H and I.
- Requirements for monitoring during construction in or near streams or waters of the state/U.S. are described in Exhibit J.
- Requirements for cultural resource monitoring are described in Exhibit S.
- Requirements for wildlife monitoring are described in Exhibit P.

E.7 SUMMARY

On the basis of the information presented above, the Applicant has satisfied the requirements of ORAR 345-021-0010(1)(e).

Attachment E-1
Bureau of Land Management Right-of-Way Grants



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Lakeview Resource Area
1301 South G Street, Lakeview, OR 97630
www.blm.gov/lakeview

IN REPLY REFER TO:
2800 (ORL0500)
OROR-069829

CERTIFIED MAIL – 7018 0680 0000 1438 8338
RETURN RECEIPT REQUESTED

DECISION

Archway Solar Energy LLC	:	Serial No. OROR-069829
Attn: Ken Nichols	:	New Powerline Right-of-Way
959 SE Division Street, Suite 350	:	
Portland, Oregon 97214	:	

Right-of-Way Grant OROR-069829 Issued

Dear Mr. Nichols:

Enclosed is a copy of your right-of-way (ROW) grant, serial number OROR-069829, which allows the use of public land for a powerline crossing. It was approved by the Bureau of Land Management (BLM) on June 24, 2020 and expires December 31, 2050.

The advance rental for the ROW was determined to be \$34.76 for the 10-year period from July 1, 2020 through December 31, 2030. The BLM has received your advance rental for this period.

The monitoring fee for this ROW was determined to be a Category II, which is \$459.00 for the current grant term. The BLM has received your monitoring fee.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is

being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Thank you for working so patiently with the BLM on this ROW. If you have any questions, please contact Kathryn Stewardson, Realty Specialist at (541) 947-6119.

Sincerely,



Jami Ludwig
Field Manager

Enclosures (2)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Lakeview District Office

Serial Number
OROR-069829

1. A (right-of-way) (permit) is hereby granted pursuant to:

- a. Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. Other (describe) _____.

2. Nature of Interest: Right-of-Way Grant

Archway Solar Energy LLC
959 SE Division Street, Suite 350
Portland, Oregon 97214

receives a right to construct, operate, maintain, and terminate a 500 kV overhead transmission line crossing a corner intersection of public lands (or Federal land for MLA Rights-of-Way) described as follows:

Willamette Meridian, Oregon

T. 28 S., R. 19 E.,
sec. 10, intersection of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

- b. The right-of-way or permit area granted herein is 20 feet wide, 100 feet long and contains 0.1 acres, more or less.
- c. This instrument shall terminate on **12/31/2050**, 30 years from its effective date unless, prior hereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. (*see page 2)
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined, by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.


4. Terms and Conditions

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.

- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within **90** days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) **A and B**, dated **May 4, 2020**, attached hereto, are incorporated in to and made part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

*2.d. If a right-of-way does not specify that it is renewable, the holder may still request that it be renewed. However, the BLM is under no obligation to do so. The application must be made at least 120 days prior to expiration using form SF-299.

IN WITNESS WHEREOF, the undersigned agrees to the terms and conditions of this right-of-way grant or permit.



 (Signature of Holder)

James Williams
 Vice President

 (Title)

6/8/2020

 (Date)



 (Signature of Authorized Officer)

Field Manager

 (Title)

6/24/2020

 (Effective Date of Grant)

EXHIBIT A
OROR-069829

Overhead Transmission Line ROW

May 04, 2020

STIPULATIONS, TERMS AND CONDITIONS OF APPROVAL

“Authorized Officer” refers to the Bureau of Land Management (BLM) Lakeview Field Manager, District Manager or his/her designee. Archway Solar Energy LLC is the grantee of the authorized right-of-way grant attached, referred to herein as “Holder,” to which the following stipulations apply for the term(s) of such grant:

By accepting this grant, you, Holder, agree to comply with and be bound by the following terms and conditions. During operation and maintenance of the right-of way, Holder shall:

1. Comply with all existing and subsequently enacted, issued, or amended Federal laws and regulations and State laws and regulations applicable to the Grant.
2. Not expand, change or add to the right-of-way without written approval from the BLM.
3. Submit all right-of-way maintenance plans to BLM for approval prior to completing such tasks.

More specifically:

A. Access Road Maintenance

1. Holder shall maintain right-of-way access roads across BLM in satisfactorily safe condition.
2. If access roads across BLM are damaged by Holder, Holder shall be required to pay for road maintenance and/or make adequate repairs to road surface and drainage features as necessary to keep the road in satisfactory condition and prevent excessive erosion. Holder shall avoid causing winter and spring road use damage.
3. Holder shall obtain written approval from the Authorized Officer before creating cooperative maintenance agreement(s) with joint users/holders within the same right of way area to the extent applicable. Such cooperative agreement(s) shall not relieve Holder of liability for maintenance and repair resulting from wear or damage to the road in accordance with this contract.
4. Holder shall furnish the Authorized Officer a copy of all cooperative maintenance agreements entered into with joint users/holders of the right-of-way.

B. Cultural Resources:

1. If Holder discovers or unearths cultural resources during use or maintenance activities in the vicinity of right-of-way, Holder shall cease such activities and notify the Authorized Officer immediately. Cultural resources consist of stone tools, arrowheads, ceramics, structures, tin cans, bottles,

glass, bone, buried charcoal and other prehistoric or historic materials. Holder shall be responsible for the cost of evaluation and any decision as to proper mitigation measures made by the Authorized Officer.

2. Pursuant to 43 CFR § 10.4, Holder shall notify the Authorized Officer by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, Holder and its agents (contractor/project leader/etc.) shall cease activities in the vicinity of the discovery and protect them for 30 days or until notified to proceed by the Authorized Officer.

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C. Wildlife:

1. Holder shall use and apply the Fish and Wildlife Service Bald Eagle Management guidelines concerning Bald and Golden Eagles. The Seasonal Restriction period occurs from Jan 1-August 31. These guidelines can be found at the following web site:

www.fws.gov/southdakotafielddoffice/NationalBaldEagleManagementGuidelines.pdf

2. For all other raptors Holder shall use and apply the latest information on the critical nesting period for the raptor species and implement seasonal restrictions from human-caused disturbance that may result in nest failure or abandonment.

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4. The Authorized Officer may issue additional wildlife stipulations to Holder as necessary.

D. Botanical Resources:

1. Holder shall use native material for all right-of-way construction and maintenance. Holder shall use certified weed-free or weed-seed-free hay or rice straw where certified materials are required and/or are reasonably available.

2. Holder shall seed disturbed areas with native grass mix approved by the Authorized Officer, preferably with seed collected from the appropriate seed zone and not later than three generations since collection. To discourage weed seed germination and establishment, Holder shall retain native vegetation in and around project activity areas and keep soil disturbance to a minimum where feasible.

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4. Holder shall locate and use weed-free project staging areas during right-of-way maintenance. Holder shall avoid or minimize all types of travel through weed-infested areas or restrict travel to periods when the spread of seeds or propagules is least likely.

5. Holder shall implement and follow a weed prevention schedule along the right-of-way. Holder shall prevent the introduction and spread of weeds associated with soil disturbance and movement of weed-contaminated sand, gravel, borrow, and fill material. Holder shall inspect aggregate material sources along the access road and ensure that they are weed-free before use and transport. Holder shall treat weed-infested sources to eradicate weed seed and plant parts as required by BLM. Holder shall strip and stockpile contaminated material before any use of pit material. If applicable, Holder shall survey the area where material from treated weed-infested sources is used for at least three (3) years after project completion to ensure that any weeds transported to the site are promptly detected and controlled.

6. Holder shall determine weed prevention and maintenance needs, including the use of herbicides, at the onset of maintenance planning. Holder shall use only BLM-approved herbicides. Holder shall inventory weed infestations and prioritize areas for treatment along the access road.

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8. High concentrations of noxious weeds in the immediate area of the right-of-way shall be mowed to ground level and removed prior to the start of any maintenance activities.

9. Holder shall refer to BLM Manual 6840 (Special Status Species Management) for policy and guidelines for the conservation of BLM botanical special status species and their associated habitat within BLM-administered lands.

10. Holder shall remove only the minimum amount of native vegetation necessary for construction and maintenance.

E. Fire:

1. Holder shall take all reasonable action to prevent and suppress wildfires on or in the immediate vicinity of the right-of-way.

2. RS 477.625 requires that every person conducting an operation inside or within one-eighth mile of a forest protection district that uses fire in any form or power driven machinery (50 cubic inch displacement engine or larger) shall first obtain a Permit to Operate Power Driven Machinery from the Oregon Department of Forestry. Holder shall also comply with current fire restrictions based on current industrial fire precaution levels identified by Oregon Department of Forestry.

3. Holder shall abide by current Federal, state and local fire restrictions.

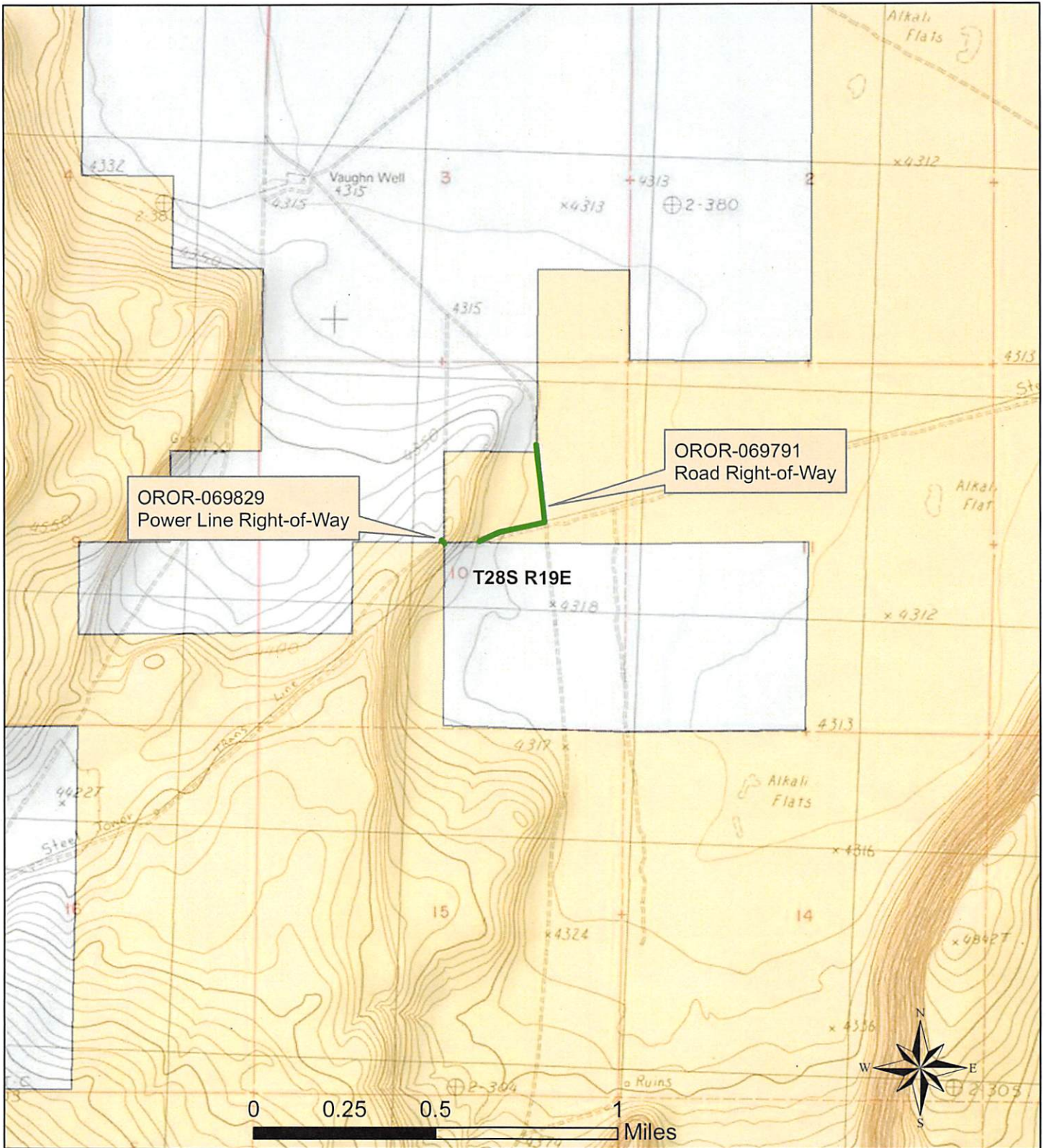
F. Miscellaneous:

1. Holder shall post the Grant Serial Numbers (OROR-069829) along the right-of-way where practical in letters that are at least 1.5" high.
2. Holder shall restore, re-vegetate, and remediate erosion and conduct any other rehabilitation measure along the right-of-way the Authorized Officer determines necessary.
3. Holder shall contact the Authorized Officer in the event of a name or address change.
4. Holder shall contact the Authorized Officer in writing 180 days prior to relinquishing the right-of-way for reclamation procedures. Holder shall then contact the BLM to arrange a joint inspection of the right-of-way and the Parties hereto shall agree to an acceptable termination and rehabilitation plan. Upon expiration, relinquishment or termination of the right-of-way, Holder shall re-contour and rehabilitate right-of-way areas and restore the land to its original condition.
5. Holder shall not discriminate against any employee or applicant for employment during any phase of right-of-way operation/maintenance/remediation because of race, creed, color, sex, or national origin. Holder shall also ensure that its agents to not discriminate.
6. If the Authorized Officer requires, Holder shall obtain, and/or certify that it has obtained, a surety bond or other acceptable security to cover all losses, damages, or injuries to human health, the environment, and property in connection with Holder's use of the right-of-way, including terminating/reclaiming it and to secure all obligations imposed by the Grant and applicable laws and regulations. If Holder plans to use hazardous materials in connection with use of the right-of-way, Holder shall provide a bond that covers liability for damages and injuries resulting from releases or discharges of hazardous materials. The Authorized Officer may require a bond, an increase or decrease in the value of an existing bond, or other acceptable security at any time during the term of the Grant.
7. Holder assumes full liability if third parties are injured or damages occur to property on or near the right-of-way (*see* 43 CFR § 2807.12 of this part).
8. Holder shall ensure that construction and maintenance in connection with the right-of-way complies with air and water quality standards required in applicable Federal or state law or regulations.
9. Holder shall prevent damage to scenic, aesthetic, cultural, and environmental values, including fish and wildlife habitat; Public and private property; and Public health and safety.
10. When state standards are more stringent than Federal standards, Holder shall comply with state standards regarding public health and safety; environmental protection; and operating/maintaining any facilities and improvements along and around the right-of-way.
11. Holder shall certify compliance with all requirements of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11001 *et seq.*, when accepting, assigning, amending, or terminating the Grant.
12. Holder shall not dispose of, or store hazardous material along the right-of-way, unless explicitly provided by the terms, conditions, and stipulations of the Grant.




13. Holder shall control and remove any release or discharge of hazardous material on or near the right-of-way in connection with its use, regardless of whether the release or discharge is authorized under the Grant. Holder shall immediately notify all Federal, state, tribal and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. Holder shall also notify the Authorized Officer at the same time and provide him/her a copy of any written notification prepared pursuant to such release/discharge. Holder shall also remediate and restore lands and resources affected by the release or discharge to the Authorized Officer's satisfaction and to the satisfaction of any other Federal, state, tribal, or local agency having jurisdiction over the land, resource, or hazardous material.

14. Holder shall comply with all liability, strict liability, and indemnification provisions and stipulations in the Grant.

Exhibit B
 Archway Solar Project Rights-of-Way
 OROR-069791 and OROR-069829
 T. 28 S., R. 19 E., sec. 10



Legend

-  Proposed Right of Way
-  Bureau of Land Management
-  Private/Unknown



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
- AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL..... U.S. Department of Interior, Bureau of Land Management, Lakeview District Office
1301 South G Street, Lakeview, Oregon 97630

WITH COPY TO SOLICITOR... U.S. Department of the Interior, Office of the Regional Solicitor
805 SW Broadway, Suite 600
Portland, OR 97205

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO SOLICITOR..... U.S. Department of the Interior, Office of the Regional Solicitor
805 SW Broadway, Suite 600
Portland, OR 97205

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

- Alaska State Office ----- Alaska
- Arizona State Office ----- Arizona
- California State Office ----- California
- Colorado State Office ----- Colorado
- Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
- Idaho State Office ----- Idaho
- Montana State Office ----- Montana, North Dakota and South Dakota
- Nevada State Office ----- Nevada
- New Mexico State Office ----- New Mexico, Kansas, Oklahoma and Texas
- Oregon State Office ----- Oregon and Washington
- Utah State Office ----- Utah
- Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Lakeview Resource Area
1301 South G Street, Lakeview, OR 97630
www.blm.gov/lakeview

IN REPLY REFER TO:
2800 (ORL0500)
OROR-069791

CERTIFIED MAIL – 7018 0680 0000 1438 8321
RETURN RECEIPT REQUESTED

DECISION

Archway Solar Energy LLC : Serial No. OROR-069791
Attn: Ken Nichols : New Road Right-of-Way
959 SE Division Street, Suite 350 :
Portland, Oregon 97214

Right-of-Way Grant OROR-069791 Issued

Dear Mr. Nichols:

Enclosed is a copy of your right-of-way (ROW) grant, serial number OROR-069791, which allows the use of public land for an access road. It was approved by the Bureau of Land Management (BLM) on June 24, 2020 and expires December 31, 2050.

The advance rental for the ROW was determined to be \$347.45 for the 10-year period from July 1, 2020 through December 31, 2030. The BLM has received your advance rental for this period.

The monitoring fee for this ROW was determined to be a Category II, which is \$459.00 for the current grant term. The BLM has received your monitoring fee.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is

being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

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Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Thank you for working so patiently with the BLM on this ROW. If you have any questions, please contact Kathryn Stewardson, Realty Specialist at (541) 947-6119.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JL', with a long horizontal flourish extending to the right.

Jami Ludwig
Field Manager

Enclosures (2)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office
Lakeview District Office

Serial Number
OROR-069791

1. A (right-of-way) (permit) is hereby granted pursuant to:

- a. Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. Other (describe) _____.

2. Nature of Interest: Right-of-Way Grant

Archway Solar Energy LLC
959 SE Division Street, Suite 350
Portland, Oregon 97214

receives a right to construct, operate, maintain, and terminate an access road on public lands (or Federal land for MLA Rights-of-Way) described as follows:

Willamette Meridian, Oregon

T. 28 S., R. 19 E.,
sec. 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

- b. The right-of-way or permit area granted herein is 20 feet wide, 2080 feet long and contains 1.0 acres, more or less.
- c. This instrument shall terminate on **12/31/2050**, 30 years from its effective date unless, prior hereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. (*see page 2)
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined, by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

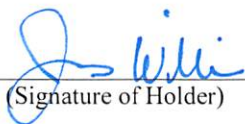
4. Terms and Conditions

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.

- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) **A and B**, dated **May 4, 2020**, attached hereto, are incorporated in to and made part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

*2.d. If a right-of-way does not specify that it is renewable, the holder may still request that it be renewed. However, the BLM is under no obligation to do so. The application must be made at least 120 days prior to expiration using form SF-299.

IN WITNESS WHEREOF, the undersigned agrees to the terms and conditions of this right-of-way grant or permit.



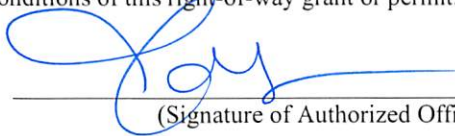
 (Signature of Holder)

James Williams
 Vice President

 (Title)

6/8/2020

 (Date)



 (Signature of Authorized Officer)

Field Manager

 (Title)

6/24/2020

 (Effective Date of Grant)

EXHIBIT A
OROR-069791

Road Right of Way (ROW)
May 04, 2020

STIPULATIONS, TERMS AND CONDITIONS OF APPROVAL

“Authorized Officer” refers to the Bureau of Land Management (BLM) Lakeview Field Manager, District Manager or his/her designee. Archway Solar Energy LLC is the grantee of the authorized right-of-way grant attached, referred to herein as “Holder,” to which the following stipulations apply for the term(s) of such grant:

By accepting this grant, you, Holder, agree to comply with and be bound by the following terms and conditions. During operation and maintenance of the right-of way, Holder shall:

1. Comply with all existing and subsequently enacted, issued, or amended Federal laws and regulations and State laws and regulations applicable to the Grant.
2. Not expand, change or add to the right-of-way without written approval from the BLM.
3. Submit all right-of-way maintenance plans to BLM for approval prior to completing such tasks.

More specifically:

A. Road Maintenance

1. Holder shall maintain the road right-of-way in satisfactorily safe condition.
2. Holder shall obtain written approval from the Authorized Officer before creating cooperative maintenance agreement(s) with joint users/holders within the same right of way area to the extent applicable. Such cooperative agreement(s) shall not relieve Holder of liability for maintenance and repair resulting from wear or damage to the road in accordance with this contract.
3. Holder shall furnish the Authorized Officer a copy of all cooperative maintenance agreements entered into with joint users/holders of the right-of-way.
4. Holder shall notify the Authorized officer of any non-emergency maintenance or repairs prior to taking action on the road right-of-way. Holder shall notify the Authorized Officer of any emergency maintenance or repairs within 72 hours of the event necessitating maintenance/repairs.
5. Except in emergency situations affecting Holder, the Authorized Officer may suspend use of the road during periods when these areas are closed by lawful authority. The Authorized Officer may also suspend use of the road due to weather conditions when unrestricted use would cause excessive damage.
6. Holder shall grant the BLM an equivalent authorization for an access road across Holder’s road(s) if the Authorized Officer determines a reciprocal authorization is needed in the public interest and the grant issued to you is also for road access.

B. Cultural Resources:

1. If Holder discovers or unearths cultural resources during use or maintenance activities in the vicinity of right-of-way, Holder shall cease such activities and notify the Authorized Officer immediately. Cultural resources consist of stone tools, arrowheads, ceramics, structures, tin cans, bottles, glass, bone, buried charcoal and other prehistoric or historic materials. Holder shall be responsible for the cost of evaluation and any decision as to proper mitigation measures made by the Authorized Officer.

2. Pursuant to 43 CFR § 10.4, Holder shall notify the Authorized Officer by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, Holder and its agents (contractor/project leader/etc.) shall cease activities in the vicinity of the discovery and protect them for 30 days or until notified to proceed by the Authorized Officer.

3. Holder and its agents (contractor/project leader/etc.) are responsible for informing all persons associated with use/maintenance of the right-of-way that they will be subject to prosecution for knowingly disturbing Native American Indian shrines, historic and prehistoric archeological sites, or for collecting artifacts of any kind, including historic items and/or arrowheads from Federal lands pursuant to the 1906 American Antiquities Act (P.L. 59-209; 34 Stat. 225; 16 U.S.C. §§ 432, 433); the Archaeological Resources Protection Act of 1979 (P.L. 96-95; 93 Stat. 721; 16 U.S.C. § 470ee as amended); and/or other applicable federal laws.

C. Wildlife:

1. Holder shall use and apply the Fish and Wildlife Service Bald Eagle Management guidelines concerning Bald and Golden Eagles. The Seasonal Restriction period occurs from Jan 1-August 31. These guidelines can be found at the following web site:

www.fws.gov/southdakotafielddoffice/NationalBaldEagleManagementGuidelines.pdf

2. For all other raptors Holder shall use and apply the latest information on the critical nesting period for the raptor species and implement seasonal restrictions from human-caused disturbance that may result in nest failure or abandonment.

3. Holder shall keep the right-of-way clear of refuse and food sources.

4. The Authorized Officer may issue additional wildlife stipulations to Holder as necessary.

D. Botanical Resources:

1. Holder shall use native material for all right-of-way construction and maintenance. Holder shall use certified weed-free or weed-seed-free hay or rice straw where certified materials are required and/or are reasonably available.

2. Holder shall seed disturbed areas with native grass mix approved by the Authorized Officer, preferably with seed collected from the appropriate seed zone and not later than three generations

since collection. To discourage weed seed germination and establishment, Holder shall retain native vegetation in and around project activity areas and keep soil disturbance to a minimum where feasible.

3. All equipment and vehicles operating along the right-of-way shall be cleaned prior to entering public lands and before leaving job/construction sites if the job site presents noxious weed populations. Using a pressure hose, Holder shall remove all dirt, grease, and plant propagules which have the potential to transport noxious weed seeds and/or vegetative parts.

4. Holder shall locate and use weed-free project staging areas during right-of-way maintenance. Holder shall avoid or minimize all types of travel through weed-infested areas or restrict travel to periods when the spread of seeds or propagules is least likely.

5. Holder shall implement and follow a weed prevention schedule along the right-of-way. Holder shall prevent the introduction and spread of weeds associated with soil disturbance and movement of weed-contaminated sand, gravel, borrow, and fill material. Holder shall inspect aggregate material sources along the access road and ensure that they are weed-free before use and transport. Holder shall treat weed-infested sources to eradicate weed seed and plant parts as required by BLM. Holder shall strip and stockpile contaminated material before any use of pit material. If applicable, Holder shall survey the area where material from treated weed-infested sources is used for at least three (3) years after project completion to ensure that any weeds transported to the site are promptly detected and controlled.

6. Holder shall determine weed prevention and maintenance needs, including the use of herbicides, at the onset of maintenance planning. Holder shall use only BLM-approved herbicides. Holder shall inventory weed infestations and prioritize areas for treatment along the access road.

7. Holder shall remove from the right-of-way sources of weed seed and propagules to prevent the spread of existing weeds and new weed infestations and pre-treat high-risk sites for weed establishment and spread. Any herbicides used shall be approved by the Authorized Officer prior to use.

8. High concentrations of noxious weeds in the immediate area of the right-of-way shall be mowed to ground level and removed prior to the start of any maintenance activities.

9. Holder shall refer to BLM Manual 6840 (Special Status Species Management) for policy and guidelines for the conservation of BLM botanical special status species and their associated habitat within BLM-administered lands.

10. Holder shall remove only the minimum amount of native vegetation necessary for construction and maintenance.

E. Fire:

1. Holder shall take all reasonable action to prevent and suppress wildfires on or in the immediate vicinity of the right-of-way.

2. RS 477.625 requires that every person conducting an operation inside or within one-eighth mile of a forest protection district that uses fire in any form or power driven machinery (50 cubic inch displacement engine or larger) shall first obtain a Permit to Operate Power Driven Machinery from the

Oregon Department of Forestry. Holder shall also comply with current fire restrictions based on current industrial fire precaution levels identified by Oregon Department of Forestry.

3. Holder shall abide by current Federal, state and local fire restrictions.

F. Miscellaneous:

1. Holder shall post the Grant Serial Number (OROR-069791) along the right-of-way where practical in letters that are at least 1.5" high.

2. Holder shall restore, re-vegetate, and remediate erosion and conduct any other rehabilitation measure along the right-of-way the Authorized Officer determines necessary.

3. Holder shall contact the Authorized Officer in the event of a name or address change.

4. Holder shall contact the Authorized Officer in writing 180 days prior to relinquishing the right-of-way for reclamation procedures. Holder shall then contact the BLM to arrange a joint inspection of the right-of-way and the Parties hereto shall agree to an acceptable termination and rehabilitation plan. Upon expiration, relinquishment or termination of the right-of-way, Holder shall re-contour and rehabilitate right-of-way areas and restore the land to its original condition.

5. Holder shall not discriminate against any employee or applicant for employment during any phase of right-of-way operation/maintenance/remediation because of race, creed, color, sex, or national origin. Holder shall also ensure that its agents do not discriminate.

6. If the Authorized Officer requires, Holder shall obtain, and/or certify that it has obtained, a surety bond or other acceptable security to cover all losses, damages, or injuries to human health, the environment, and property in connection with Holder's use of the right-of-way, including terminating/reclaiming it and to secure all obligations imposed by the Grant and applicable laws and regulations. If Holder plans to use hazardous materials in connection with use of the right-of-way, Holder shall provide a bond that covers liability for damages and injuries resulting from releases or discharges of hazardous materials. The Authorized Officer may require a bond, an increase or decrease in the value of an existing bond, or other acceptable security at any time during the term of the Grant.

7. Holder assumes full liability if third parties are injured or damages occur to property on or near the right-of-way (*see* 43 CFR § 2807.12 of this part).

8. Holder shall ensure that construction and maintenance in connection with the right-of-way complies with air and water quality standards required in applicable Federal or state law or regulations.

9. Holder shall prevent damage to scenic, aesthetic, cultural, and environmental values, including fish and wildlife habitat; public and private property; and public health and safety.

10. When state standards are more stringent than Federal standards, Holder shall comply with state standards regarding public health and safety; environmental protection; and operating/maintaining any facilities and improvements along and around the right-of-way.

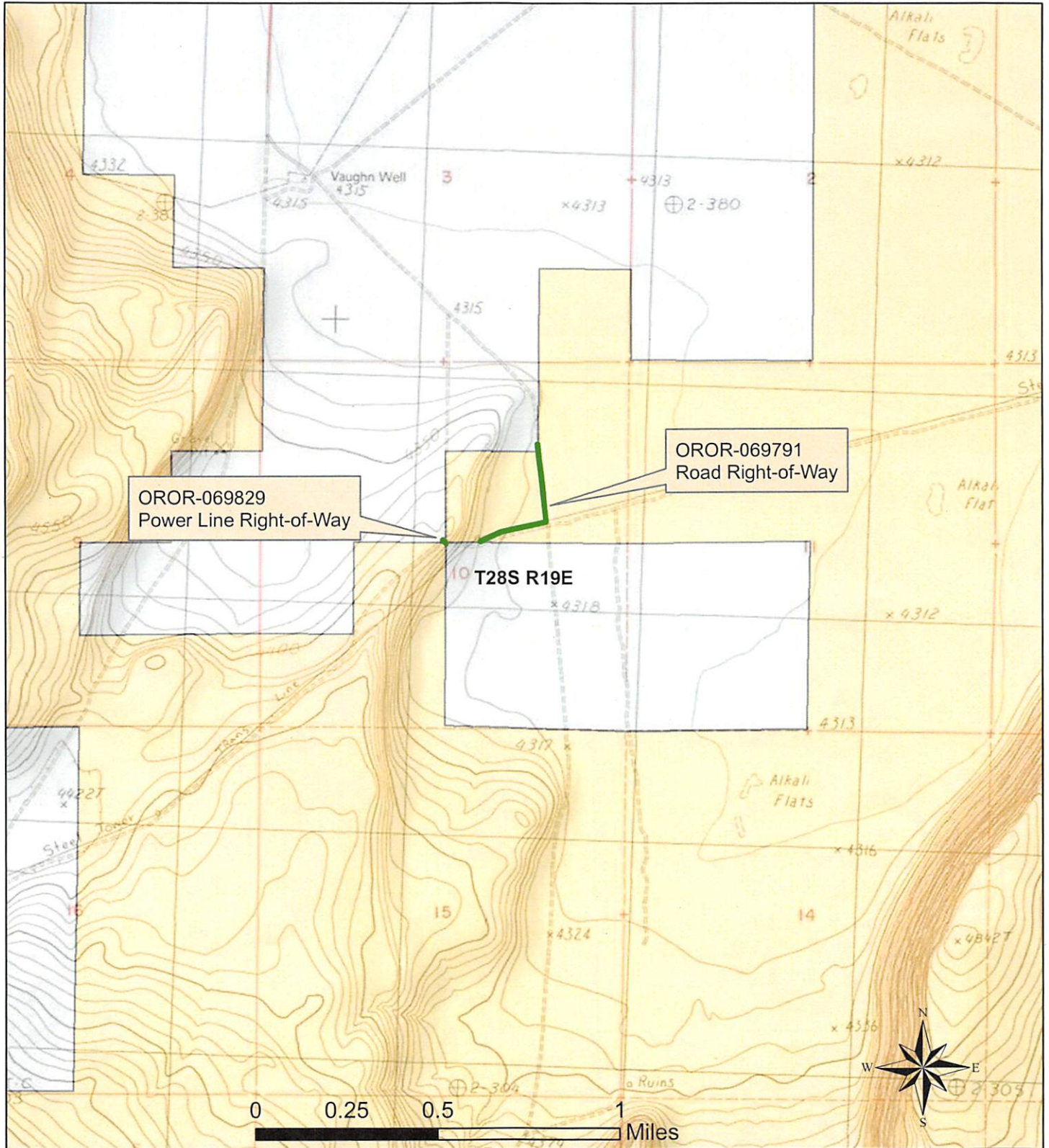
11. Holder shall certify compliance with all requirements of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. § 11001 *et seq.*, when accepting, assigning, amending, or terminating the Grant.

12. Holder shall not dispose of, or store hazardous material along the right-of-way, unless explicitly provided by the terms, conditions, and stipulations of the Grant.

13. Holder shall control and remove any release or discharge of hazardous material on or near the right-of-way in connection with its use, regardless of whether the release or discharge is authorized under the Grant. Holder shall immediately notify all Federal, state, tribal and local agencies of any release or discharge of hazardous material reportable to such entity under applicable law. Holder shall also notify the Authorized Officer at the same time and provide him/her a copy of any written notification prepared pursuant to such release/discharge. Holder shall also remediate and restore lands and resources affected by the release or discharge to the Authorized Officer's satisfaction and to the satisfaction of any other Federal, state, tribal, or local agency having jurisdiction over the land, resource, or hazardous material.

14. Holder shall comply with all liability, strict liability, and indemnification provisions and stipulations in the Grant.

Exhibit B
 Archway Solar Project Rights-of-Way
 OROR-069791 and OROR-069829
 T. 28 S., R. 19 E., sec. 10



Legend

- Proposed Right of Way
- Bureau of Land Management
- Private/Unknown



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
- AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

-
- 1. NOTICE OF APPEAL**..... A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
-
- 2. WHERE TO FILE**
- NOTICE OF APPEAL..... U.S. Department of Interior, Bureau of Land Management, Lakeview District Office
1301 South G Street, Lakeview, Oregon 97630
- WITH COPY TO SOLICITOR... U.S. Department of the Interior, Office of the Regional Solicitor
805 SW Broadway, Suite 600
Portland, OR 97205
-
- 3. STATEMENT OF REASONS** Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).
- WITH COPY TO SOLICITOR..... U.S. Department of the Interior, Office of the Regional Solicitor
805 SW Broadway, Suite 600
Portland, OR 97205
-
- 4. ADVERSE PARTIES**..... Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).
-
- 5. PROOF OF SERVICE**..... Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
-
- 6. REQUEST FOR STAY**..... Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.
- Standards for Obtaining a Stay.** Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

Attachment E-2
Department of Defense Communication

Miner, Laura

From: Peacher, Kimberly N CIV USN NAVFAC NW SVD WA (USA)
<kimberly.peacher@navy.mil>
Sent: Wednesday, August 12, 2020 11:36 PM
To: Miner, Laura
Cc: Farmer, Todd E NFG NG ORARNG (USA); GAUDINSKI, ADAM J Lt Col ANG 114
FS/OSS/DO; adam.j.gaudinski.mil@mail.mil
Subject: [EXTERNAL] RE: Lake County, OR - solar proposal

Laura,

Thanks again for the analysis.

Based on the report, the glint/glare will be minimal.

Thank you for providing us the opportunity to review.

V/R,

Kimberly Peacher
Community Planning & Liaison Officer
Northwest Training Range Complex
(360) 930-4085

From: Miner, Laura <LMiner@invenergy.com>
Sent: Wednesday, July 29, 2020 10:03 AM
To: Peacher, Kimberly N CIV USN NAVFAC NW SVD WA (USA) <kimberly.peacher@navy.mil>;
adam.j.gaudinski.mil@mail.mil
Cc: Farmer, Todd E NFG NG ORARNG (USA) <todd.e.farmer.nfg@mail.mil>; GAUDINSKI, ADAM J Lt Col ANG 114
FS/OSS/DO <adam.gaudinski.1@us.af.mil>
Subject: [Non-DoD Source] RE: Lake County, OR - solar proposal

Hi Kim – please see attached for what our engineer thinks you have in mind. If this still isn't it, glad to hop on a call to discuss.

Laura

From: Peacher, Kimberly N CIV USN NAVFAC NW SVD WA (USA) <kimberly.peacher@navy.mil>
Sent: Tuesday, July 21, 2020 3:56 PM
To: Miner, Laura <LMiner@invenergy.com>; adam.j.gaudinski.mil@mail.mil
Cc: Farmer, Todd E NFG NG ORARNG (USA) <todd.e.farmer.nfg@mail.mil>; GAUDINSKI, ADAM J Lt Col ANG 114
FS/OSS/DO <adam.gaudinski.1@us.af.mil>
Subject: [EXTERNAL] RE: Lake County, OR - solar proposal

Laura,

The lat/long are listed below:

Christmas Valley:
N43-16.5, W120-22.5

For the MOA, recommend you use the same lat/long as the project. As is depicted in the jpeg the project lies directly below the MOA.

The pdfs I previously attached show the footprint and associated lat/longs for reference.

Lt Col Gaudinski – please free to jump in if I left anything out.

Thank you.

V/R,

Kimberly Peacher
Community Planning & Liaison Officer
Northwest Training Range Complex
(360) 930-4085

From: Peacher, Kimberly N CIV USN NAVFAC NW SVD WA (USA) <kimberly.peacher@navy.mil>
Sent: Friday, July 10, 2020 5:47 PM
To: 'Miner, Laura' <LMiner@invenergy.com>
Cc: 'Stuckart, Hannah' <HStuckart@invenergy.com>; adam.j.gaudinski.mil@mail.mil; Farmer, Todd E NFG NG ORARNG (USA) <todd.e.farmer.nfg@mail.mil>
Subject: RE: Lake County, OR - solar proposal

Good Afternoon Laura,

We have reviewed the Archway Solar proposal.

The proposal appears to be in close proximity the Juniper B Military Operating Area as well as OR Military Department property where the ANG conducted low altitude training i.e. practice simulated strafing runs. I have included maps with both locations as well as the lat/long.

To ensure awareness of any substantial potential glint/glare to the pilot, can you please send us a glint/glare analysis?

I have included the OR Mil Dept rep, Todd, and Lt Col Gaudinski to support with any questions.

Thank you.

V/R,

Kimberly Peacher
Community Planning & Liaison Officer
Northwest Training Range Complex
(360) 930-4085

From: Peacher, Kimberly N CIV USN NAVFAC NW SVD WA (USA)
Sent: Monday, July 6, 2020 11:13 AM
To: 'Miner, Laura' <LMiner@invenergy.com>
Cc: Stuckart, Hannah <HStuckart@invenergy.com>
Subject: RE: Lake County, OR - solar proposal

Laura,



FORGESOLAR GLARE ANALYSIS

Project: **Archway-OR**

Solar site in Lake County, OR near the Juniper B Military Operating Area and OR Military Department property.

Site configuration: **Archway-OR Second Pass-temp-3**

Analysis conducted by Paul Thienpont (pthienpont@invenergyllc.com) at 18:00 on 28 Jul, 2020.

U.S. FAA 2013 Policy Adherence

The following table summarizes the policy adherence of the glare analysis based on the 2013 U.S. Federal Aviation Administration Interim Policy 78 FR 63276. This policy requires the following criteria be met for solar energy systems on airport property:

- No "yellow" glare (potential for after-image) for any flight path from threshold to 2 miles
- No glare of any kind for Air Traffic Control Tower(s) ("ATCT") at cab height.
- Default analysis and observer characteristics (see list below)

ForgeSolar does not represent or speak officially for the FAA and cannot approve or deny projects. Results are informational only.

COMPONENT	STATUS	DESCRIPTION
Analysis parameters	PASS	Analysis time interval and eye characteristics used are acceptable
2-mile flight path(s)	N/A	No flight paths analyzed
ATCT(s)	N/A	No ATCT receptors designated

Default glare analysis parameters and observer eye characteristics (for reference only):

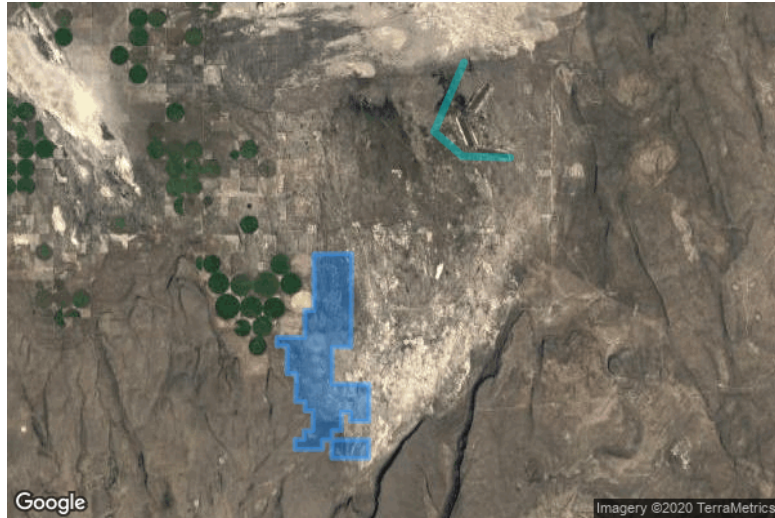
- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

FAA Policy 78 FR 63276 can be read at <https://www.federalregister.gov/d/2013-24729>

SITE CONFIGURATION

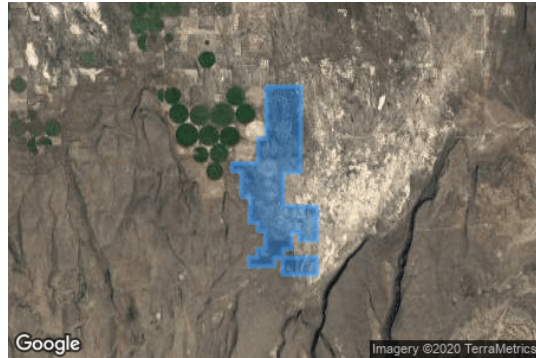
Analysis Parameters

DNI: peaks at 1,000.0 W/m²
Time interval: 1 min
Ocular transmission
coefficient: 0.5
Pupil diameter: 0.002 m
Eye focal length: 0.017 m
Sun subtended angle: 9.3
mrad
Site Config ID: 41375.7490



PV Array(s)

Name: PV array 1
Axis tracking: Fixed (no rotation)
Tilt: 0.0°
Orientation: 180.0°
Rated power: -
Panel material: Smooth glass without AR coating
Reflectivity: Vary with sun
Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	43.229718	-120.463031	4306.21	10.00	4316.21
2	43.207885	-120.463004	4306.21	10.00	4316.21
3	43.207916	-120.467896	4309.21	10.00	4319.21
4	43.197407	-120.467896	4310.21	10.00	4320.21
5	43.197358	-120.482738	4316.21	10.00	4326.21
6	43.194105	-120.482761	4326.21	10.00	4336.21
7	43.194116	-120.477244	4315.21	10.00	4325.21
8	43.183325	-120.477370	4324.21	10.00	4334.21
9	43.183279	-120.472428	4317.21	10.00	4327.21
10	43.172512	-120.472702	4331.21	10.00	4341.21
11	43.172411	-120.467798	4318.21	10.00	4328.21
12	43.168859	-120.467716	4355.21	10.00	4365.21
13	43.168859	-120.463567	4320.21	10.00	4330.21
14	43.161198	-120.463567	4356.21	10.00	4366.21
15	43.161198	-120.468293	4463.22	10.00	4473.22
16	43.157739	-120.468390	4463.22	10.00	4473.22
17	43.157739	-120.473148	4512.22	10.00	4522.22
18	43.153965	-120.473148	4471.22	10.00	4481.22
19	43.153965	-120.458382	4415.22	10.00	4425.22
20	43.157621	-120.458382	4337.21	10.00	4347.21
21	43.157585	-120.453475	4392.21	10.00	4402.21
22	43.150512	-120.453475	4337.21	10.00	4347.21
23	43.150512	-120.433737	4317.21	10.00	4327.21
24	43.157631	-120.433737	4316.21	10.00	4326.21
25	43.157670	-120.453358	4392.21	10.00	4402.21
26	43.161223	-120.453358	4364.21	10.00	4374.21
27	43.161223	-120.448435	4319.21	10.00	4329.21
28	43.168353	-120.448353	4314.21	10.00	4324.21
29	43.168353	-120.443510	4315.21	10.00	4325.21
30	43.164846	-120.443510	4315.21	10.00	4325.21
31	43.164846	-120.433680	4314.21	10.00	4324.21
32	43.179120	-120.433571	4313.21	10.00	4323.21
33	43.179291	-120.453284	4314.21	10.00	4324.21
34	43.193620	-120.453284	4313.21	10.00	4323.21
35	43.193624	-120.443175	4313.21	10.00	4323.21
36	43.229858	-120.442832	4307.21	10.00	4317.21

Route Receptor(s)

Name: Route 1
Path type: Two-way
Observer view angle: 50.0°

Note: Route receptors are excluded from this FAA policy review. Use the 2-mile flight path receptor to simulate flight paths according to FAA guidelines.



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	43.304040	-120.382900	4310.59	500.02	4810.62
2	43.277190	-120.398800	4300.14	500.02	4800.17
3	43.267710	-120.383800	4299.17	500.02	4799.19
4	43.267120	-120.358200	4303.51	500.02	4803.54

GLARE ANALYSIS RESULTS

Summary of Glare

PV Array Name	Tilt (°)	Orient (°)	"Green" Glare min	"Yellow" Glare min	Energy kWh
PV array 1	0.0	180.0	0	251	-

Total annual glare received by each receptor

Receptor	Annual Green Glare (min)	Annual Yellow Glare (min)
Route 1	0	251

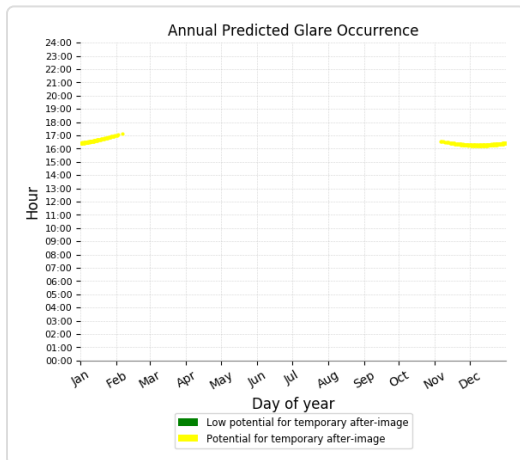
Results for: PV array 1

Receptor	Green Glare (min)	Yellow Glare (min)
Route 1	0	251

Route: Route 1

251 minutes of yellow glare

0 minutes of green glare



Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

Glare analyses do not account for physical obstructions between reflectors and receptors. This includes buildings, tree cover and geographic obstructions.

Several calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Glare vector plots are simplified representations of analysis data. Actual glare emanations and results may differ.

The glare hazard determination relies on several approximations including observer eye characteristics, angle of view, and typical blink response time. Actual results and glare occurrence may differ.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.