

**Agenda Item M - Attachment 1:**

**Record of ODOE Consultation with ODFW re: Habitat and Survey Conditions**

**From:** [Sarah J Reif](#)  
**Sent:** Friday, June 28, 2019 2:11 PM  
**To:** [WOODS Maxwell \\* ODOE](#); [THOMPSON Jeremy L](#)  
**Cc:** [REIF Sarah J](#)  
**Subject:** RE: Summit Ridge Amended Condition Review Request  
**Attachments:** Summit Ridge Wind Farm Condition 10.7 Amendment\_ODFW review 06.28.19.docx

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Hello Max,

ODFW is satisfied with your proposed edits to the Summit Ridge Wind Farm Conditions 10.7 and 10.5, with only some minor suggestions that you can find in the attached document as tracked changes and comment.

As we have stated consistently since this project's inception, it is worth stating again that ODFW finds this project to be sited appropriately from a wildlife habitat impact perspective. The majority of impacts will occur on agricultural lands that do not provide functional habitat for wildlife. The compliment of species detected on this project, the limited impacts to functional habitat, and the survey methodologies proposed by the applicant are consistent with other permitted wind projects on the Columbia Plateau. Where impacts to wildlife habitat and sensitive species are unavoidable, ODFW has found this project's proposed minimization and mitigation measures to be appropriate.

If you need any additional information from ODFW, please let either Jeremy Thompson or me know. Sincere apologies for the delay in our response.

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**From:** WOODS Maxwell \* ODOE <[Maxwell.Woods@oregon.gov](mailto:Maxwell.Woods@oregon.gov)>  
**Sent:** Friday, June 14, 2019 1:33 PM  
**To:** THOMPSON Jeremy L <[Jeremy.L.Thompson@state.or.us](mailto:Jeremy.L.Thompson@state.or.us)>  
**Cc:** REIF Sarah J <[Sarah.J.Reif@state.or.us](mailto:Sarah.J.Reif@state.or.us)>  
**Subject:** RE: Summit Ridge Amended Condition Review Request

Hi Jeremy,

Wanted to follow-up on this request regarding Summit Ridge. I understand that Sarah is out of the office for two weeks.

Thanks and let me know if you have any questions or want to have a chat about the request.  
Max



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Stay connected!

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**From:** WOODS Maxwell \* ODOE  
**Sent:** Wednesday, May 22, 2019 4:16 PM  
**To:** REIF Sarah J <[Sarah.J.Reif@state.or.us](mailto:Sarah.J.Reif@state.or.us)>; THOMPSON Jeremy L <[Jeremy.L.Thompson@state.or.us](mailto:Jeremy.L.Thompson@state.or.us)>  
**Cc:** CORNETT Todd \* ODOE <[Todd.Cornett@oregon.gov](mailto:Todd.Cornett@oregon.gov)>  
**Subject:** Summit Ridge Amended Condition Review Request

Hi Sarah, Jeremy,

At last week's EFSC meeting, Council directed us to work with ODFW on revisions to conditions for the Summit Ridge Wind Farm, to require more specific details about pre-construction habitat surveys. I apologize in advance the edits in the Word document to condition 10.7 are difficult to follow because of track-changes.

I have prepared the attached Word document which explains the condition edits. Please see attached. I have also attached the specific direction Council gave us at the meeting, this is in the form of an email message.

Thank you both. Please let me know if you have questions, want to have a call about the edits, or if you have specific edits you would like to see, please feel free to email those directly to me. If you are satisfied with my suggested edits, please also confirm in writing via email.

Regards,  
Max

**Maxwell Woods**  
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## Summit Ridge Wind Farm

Based on direction by EFSC at the May 17, 2019 meeting, the Department has revised the Summit Ridge Wind Farm site certificate condition 10.7 from the proposed order, to address specific requests by EFSC that the condition require full field surveys of the micro-siting corridor and habitat mitigation parcel, as pre-construction requirements. The direction from EFSC also required that ODFW approve the pre-construction survey methods protocol, and that ODFW review the pre-construction field survey results to verify that the final facility layout and design minimizes habitat impacts, based on the survey results. Further direction from EFSC required that the results of the pre-construction survey and verification be presented to EFSC by both Department and ODFW staff, and that the results be posted on the Department's website. Finally, EFSC directed the Department to revise the process for the reviewing and assessing the operational Wildlife Monitoring and Mitigation Plan with regards to avian fatality monitoring and outcome evaluation. The direction from EFSC is reflected in the amended condition 10.7 and condition 10.5 below. Highlighted language is new language, other language was included in the Department's proposed order.

Recommended Amended Condition 10.7: Before beginning construction, and after considering all micro-siting factors, the certificate holder shall:

- a. Consider micro-siting factors designed to minimize bird and bat collision risk including but not limited to locating wind turbines away from saddles in long ridges and locating wind turbines on the top of or slightly downwind of distinct ridges and set back from the prevailing upwind side. The certificate holder shall provide a map, to the Department and ODFW, showing the final design locations of all facility components and the areas of potential disturbance, and that identifies geographic and micro-siting factors considered in final design.
- b. provide to the Department a map showing the final design locations of all components of the facility and the areas that would be disturbed during construction and identifying the survey areas for all plant and wildlife surveys. This information may be combined with the map submitted per the requirements of Condition 10.1. The certificate holder shall Hire a qualified professional biologist to conduct a pre-construction habitat survey (Condition 10.7) and Threatened and Endangered (T&E) plant survey (Condition 10.13). The surveys shall be conducted concurrently and in accordance with the survey protocol set forth in the Survey Protocol provided in Attachment G of the Final Order on Amendment 4 (for T&E plants and raptors), and in accordance with a survey protocol reviewed and approved by ODFW for all other habitat and species habitat categorization. The survey area will include plant and wildlife investigation within 400 feet of all areas within the micro-siting corridor and extending 200 feet, in accordance with the T&E plant survey protocol (Condition 10.13), from potential habitat (e.g. non-Category 6 habitat) disturbance that would be disturbed during construction, which is located

**Commented [SJR1]:** Yes, ODFW still concurs with the proposed raptor surveys described in Attachment G.

**Commented [SJR2]:** I believe the only other pre-construction wildlife survey expected of the applicant is a field verification of the habitat categories. Suggested edit to clarify what's actually required.

~~within the site boundary, that lie outside of the previously surveyed areas. The pre-construction construction habitat and T&E plant survey shall be planned in consultation with the Department and ODFW, and shall include both desktop and field surveys survey protocols shall to be confirmed with the Department and ODFW prior to conducting the surveys. The desktop survey shall evaluate habitat within ½-mile from the site boundary (analysis area). Field surveys shall be conducted the entirety of the micrositing corridor in areas that are not active agriculture (Category 6 habitat).~~

- c. ~~Following completion of the habitat and T&E plant field surveys, and final layout design and engineering, the certificate holder shall provide the Department and ODFW a report containing the results of the survey, showing expected final location of all facility components, the habitat categories of all areas that will be affected by facility components, and the locations of any sensitive resources. The report shall present in tabular format the acres of expected temporary and permanent impacts to each habitat category, type, and sub-type. The pre-construction habitat survey shall be used to complete final design, facility layout, and any additional micrositing adjustment of facility components. As part of the report, the certificate holder shall include its impact assessment methodology and calculations, including assumed temporary and permanent impact acreage for each transmission structure, wind turbine, access road, and all other facility components. Based on the field survey report, the Department in consultation with ODFW shall verify that the final facility layout and design minimizes impacts to non-Category 6 habitat, state sensitive species, and threatened and endangered species. The report must be posted to the Department website. The results of the survey must be presented to EFSC at a future EFSC meeting by both the Department and ODFW staff. If construction laydown yards are to be retained post construction, due to a landowner request or otherwise, the construction laydown yards must be calculated as permanent impacts, not temporary. [Final Order on Amendment 2; AMD4]~~

**Recommended Amended Condition 10.5** Prior to construction, the certificate holder shall finalize the Wildlife Monitoring and Mitigation Plan (WMMP), based on the draft WMMP included as Attachment F of the Final Order on Amendment 4#2, as approved by the Department in consultation with ODFW. The certificate holder shall conduct wildlife monitoring as described in the final WMMP, as amended from time to time. The final WMMP shall specify that the first long-term raptor nest survey will be conducted in the first raptor nesting season that is at least 5 years after the completion of construction and is in a year that is divisible by five (i.e., 2020, 2025, 2030); the certificate holder shall repeat the survey at 5-year intervals thereafter. The final WMMP must include a requirement that the certificate holder consult with the Department and ODFW after concluding the required two-year operational avian fatality monitoring. If the results of the two-year operational avian fatality monitoring exceed thresholds of concern established in the WMMP, the certificate holder must provide additional mitigation in a form and amount agreed upon by the Department, in consultation with

**Commented [SJR3]:** ODFW concurs with this new amended language.

One potential addition is that the field survey results could inform not only the layout and design of the facility, but also the timing of construction (e.g., disturbance buffers during the raptor nesting period). For brevity you could assume it's covered by the term 'design', but if you wanted to increase assurances you could add in something about construction timing.

ODFW. If the two-year operational avian fatality monitoring exceed thresholds of concern established in the WMMP, in addition<sup>+</sup> to the mitigation that must be provided per this condition, the certificate holder must conduct an additional two-years of avian fatality monitoring, and report those results to the Department and ODFW for review and if necessary, further mitigation as agreed upon by the Department in consultation with ODFW. The results of the avian fatality monitoring must be posted to the Department website and presented to EFSC by Department and ODFW staff [Final Order on Amendment 2; AMD4]

**Commented [SJR4]:** ODFW supports this new language.

**From:** [Jeremy Thompson](#)  
**Sent:** Monday, July 1, 2019 8:49 AM  
**To:** [REIF Sarah J](#); [WOODS Maxwell \\* ODOE](#); [THOMPSON Jeremy L](#)  
**Subject:** RE: Summit Ridge Amended Condition Review Request

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All,

I also still contend that it would be inappropriate to revisit the pre-construction vegetation assessment at this time, as the entire project area was impacted by large fires last year, and it will take a few years for the habitat to recover back to a state similar to what would be expected long term.

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