



Portland General Electric Company
121 SW Salmon Street • Portland, Oregon 97204

June 18, 2008

John White
Oregon Department of Energy
625 Marion Street, NE
Salem, OR 97301-3742

**Re: Proposed Changes to Biglow Canyon Wind Farm: Request for
Department of Energy Determination Pursuant to OAR 345-027-
0050(5)**

Dear John:

As you know, Portland General Electric Company (PGE) is the holder of the Second Amended Site Certificate for the Biglow Canyon Wind Farm (the "Site Certificate"). Construction of the Biglow Canyon Wind Farm has commenced. PGE is proposing to modify the approved facility as shown on the attached Figures 1, 2 and 3, in order to accommodate micrositing of three turbines outside currently approved corridors and to ensure adequate approved corridors for temporary disturbance around turbines.

Figure 1: This change involves shifting the corridor from turbines T-125 to T-130 westward, and slightly widening the corridor to the west of turbine T-77, but does not involve a change in the proposed turbine locations. Rather, this change ensures that any temporary disturbance associated with construction of these turbines will be within an approved corridor. The location for turbine T-126 will be addressed as part of PGE's planned Request for Amendment No. 3. Turbine T-126 would not be constructed in the location depicted on Figure 1 unless and until such an amendment has been approved by the Council.

Figure 2: This change involves a location for Turbine T-81 slightly northeast of the approved corridor, and a shift of corridor location to encompass T-81 and provide adequate buffer for temporary disturbance around turbines T-81 through T-84. These changes should not increase the total area of permanent disturbance, because permanent disturbance for the turbine pad has already been accounted for; rather, the change simply

involves shifting the corridor so that the permanent disturbance will be in an authorized corridor.

Figure 3: This change involves locating T-98 just northeast of the approved corridor location, T-100 just southwest of approved corridor, and shifting the corridor from T-98 through T-100 to encompass those turbine locations and provide adequate buffer for temporary disturbance associated with construction of the turbines. Again, this change should not increase the total area of permanent disturbance; it simply shifts the corridor so that the permanent and temporary disturbance associated with construction of these turbines will be in an authorized corridor.

Pursuant to OAR 345-027-0050(5), PGE requests a determination by the Oregon Department of Energy that the changes outlined above do not require an amendment to the Site Certificate. OAR 345-027-0050(5) provides:

A certificate holder may ask the Department to determine whether a proposed change requires a site certificate amendment by submitting a written description of the proposed change, the certificate holder's analysis of the proposed change under sections (1) and (2) and the written evaluation described in section (3). The Department shall respond in writing as promptly as possible. The Department may refer its determination to the Council for concurrence, modification or rejection. At the request of the certificate holder or a Council member, the Department must refer its determination to the Council for concurrence, modification or rejection.

Analysis Under OAR 345-027-0050(1)

PGE requests a determination that the proposed changes do not meet the threshold requirements for an amendment to the Site Certificate under OAR 345-027-0050(1). OAR 345-027-0050(2) is not directly relevant to PGE's request. OAR 345-027-0050(1) provides:

Except as allowed under sections (2) and (6), the certificate holder must submit a request to amend the site certificate to design, construct or operate a facility in a manner different from the description in the site certificate if the proposed change:

- (a) Could result in a significant adverse impact that the Council has not addressed in an earlier order and the impact affects a resource protected by Council standards;
- (b) Could impair the certificate holder's ability to comply with a site certificate condition; or

(c) Could require a new condition or a change to a condition in the site certificate.

The proposed changes would not result in a significant adverse impact that the Council has not addressed in an earlier order.

The certificate holder has evaluated the potential impacts of the changes shown on Figures 1, 2 and 3 through to determine whether the turbine and corridor locations would adversely impact any resources protected by Council rules. No adverse impacts were identified. The following summarizes the supporting information:

Habitat Impacts

The proposed changes involves shifting turbine corridors to provide adequate buffers around proposed turbine locations and to include turbine micrositing locations for turbines T-81, T-98 and T-100 that are slightly outside of approved corridors. The change in corridors does not increase overall permanent impacts because the permanent disturbance for turbine pad locations has already been accounted for in the “worst case” calculations of permanent disturbance.

Moreover, the requested changes are within the “habitat analysis area” addressed in Exhibit P of the Application for Site Certificate. Exhibit P of the ASC identified “all fish and wildlife habitat types within 1,000 feet of the proposed facilities” (ASC, p. P-22; see generally Figure P-1 of the ASC). More specifically, the following demonstrates that the changes shown on Figures 1, 2 and 3 do not represent a change in habitat impacts:

Figure 1: The proposed shift in the turbine corridor around T-77 and T-125 through T-130 is within the habitat analysis area depicted on Figure P-6 of the ASC, and all impacts were and remain in the “Agriculture (AG)” category, which is Habitat Category 6 as shown on Table P-1 of the ASC.

Figure 2: The proposed shift in the turbine corridor from T-81 through T-84 is within the habitat analysis area depicted on Figure P-2 of the ASC, and the impacts remain within the “Agriculture (AG)” category, which is Habitat Category 6 as shown on Table P-1 of the ASC. In particular, the proposed micrositing location of turbine T-81 would be on Category 6 agricultural land.

Figure 3: The proposed shift in the turbine corridor from T-98 through T-100 is within the habitat analysis area depicted on Figures P-5 and P-6 of the ASC, and the impacts remain within the “Agriculture (AG)” category, which is Habitat Category 6 as shown on Table P-1 of the ASC. In particular, the proposed micrositing locations of turbines T-98 and T-100 would be on Category 6 agricultural land.

Threatened, Endangered and Sensitive Wildlife Species

As reflected in the Final Order dated June 30, 2006, only two federal or state-listed threatened or endangered species were identified as potentially impacted within the five-mile analysis area for the Biglow Canyon Wind Farm: the bald eagle, and the peregrine falcon. The proposed changes in turbine corridors are within that analysis area. The Council included in the Site Certificate, as Condition 56, a requirement for preconstruction surveys to determine whether nesting bald eagles or peregrine falcons have been documented to occur within two miles of the facility. That condition remains adequate to protect these species.

Cultural Resource Impacts

Attached as Exhibit 1 is an Archaeological Survey Report by CH2M Hill, Inc. dated June 2008. The Archaeological Survey Report was prepared in support of PGE's anticipated Request for Amendment No. 3 and, therefore, covers more changes to the facility than those in Figures 1, 2 and 3 of this change request. As shown on Figure 1 of the Archaeological Survey Report, additional archaeological surveys were conducted in 2008 in areas not previously studied, including those affected by this change request. The survey identified a single historic isolated find, but no significant cultural resources. The Site Certificate includes Historic, Cultural and Archaeological conditions 69-73, which are adequate to protect any archaeological resources that may be discovered during construction.

Wetlands and Rare Plant Habitat

Attached as Exhibit 2 is a report from CH2M Hill, Inc. describing the results of surveys for wetlands or other jurisdictional waters of the United States or the State, and for rare plant habitat. CH2M Hill conducted site visits on March 31, 2008 and May 5, 2008. The areas studied included the areas affected by this change request, as shown in Figure 1 of the CH2M Hill report. No jurisdictional wetlands were found. CH2M Hill identified three drainages that were considered ephemeral streams (in study areas G, H and I) but the potentially jurisdictional waters at those locations are not in the areas affected by PGE's change request. No plants identified as state or federally listed or candidate species were observed in the survey and no suitable habitat was identified to support any of these species.

The proposed change would not impair the certificate holder's ability to comply with any site certificate condition.

The proposed change does not result in permanent disturbance of a type or extent not previously evaluated. Moreover, as described above, the change does not create any impacts to habitat categories not already evaluated and does not create any adverse impact to other resources protected by Council rules. The Site Certificate already contains adequate conditions to address the potential impacts of the temporary disturbance associated with construction in the altered turbine corridors (for example, Soil Protection conditions 26-35 and Historic, Cultural and Archaeological conditions 69-

73). Construction within the corridors shown on Figures 1, 2 and 3 would not impair PGE's ability to comply with those conditions.

The proposed change would not require a new condition or a change to a condition of the site certificate.

As described above, the Site Certificate already contains adequate conditions to address any impacts (soil impacts, restoration of temporary disturbance areas, and impacts to previously undiscovered archaeological resources) that might arise from the facility changes addressed in this request.

Evaluation required by OAR 345-027-0050(3)

OAR 345-027-0050(3) requires that if the certificate holder concludes that a change does not require a site certificate amendment "based on the criteria in section (2), the certificate holder shall, nevertheless, complete an investigation sufficient to demonstrate that the proposed change in the design, construction and operation of the facility would comply with applicable Council standards." The certificate holder's justification for not requiring a site certificate amendment arises under OAR 345-027-0050(1), rather than OAR 345-027-0050(2). However, in order to ensure that the Department and the Council have all relevant information, we are providing the evaluation of compliance with applicable Council standards.

For the reasons described above, the certificate holder's proposal to shift turbine corridors as depicted on Figures 1, 2 and 3 does not alter the Council's prior findings that the Biglow Canyon Wind Project will comply with Council standards for Soil Protection (OAR 345-022-0022), Threatened and Endangered Species (OAR 345-022-0070), Fish and Wildlife Habitat (OAR 345-022-0060), and Historic, Cultural and Archaeological Resources (OAR 345-0220-0090). The proposed facility changes would not involve the construction of additional turbines, transmission facilities, or other structures, and would not increase the area of permanent disturbance associated with the Biglow Canyon Wind Farm. Therefore, the changes do not alter the Council's prior findings of compliance with standards regarding Organizational Expertise (OAR 345-022-0010), Retirement and Financial Assurance (OAR 345-022-0050), Land Use (OAR 345-022-0030), Protected Areas (OAR 345-022-0040), Scenic and Aesthetic Values (OAR 345-022-0080), Recreation (OAR 345-022-0100), Public Health and Safety for Wind Energy Facilities (OAR 345-024-0010), Siting Standards for Wind Energy Facilities (OAR 345-024-0015), Siting Standards for Transmission Lines (OAR 345-024-0090), Structural Standard (OAR 345-022-0020), Public Services (OAR 345-022-0110), Waste Minimization (OAR 345-022-0120), and Noise Control (OAR 340-035-0035).

For the reasons set forth in this letter, we request the Department's determination that the proposed changes in turbine corridor locations do not require an amendment to the Site Certificate.

John White
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Thank you for this opportunity to assist with your project, if you have any questions,
please call me at 503-464-8519.

Respectively,

A handwritten signature in black ink, appearing to read "Ray Hendricks", with a long horizontal flourish extending to the right.

Ray Hendricks
Portland General Electric

Enclosures

cc: Jaisen Mody

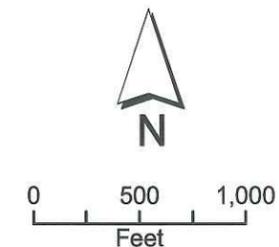
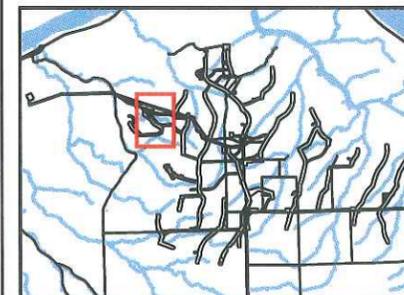
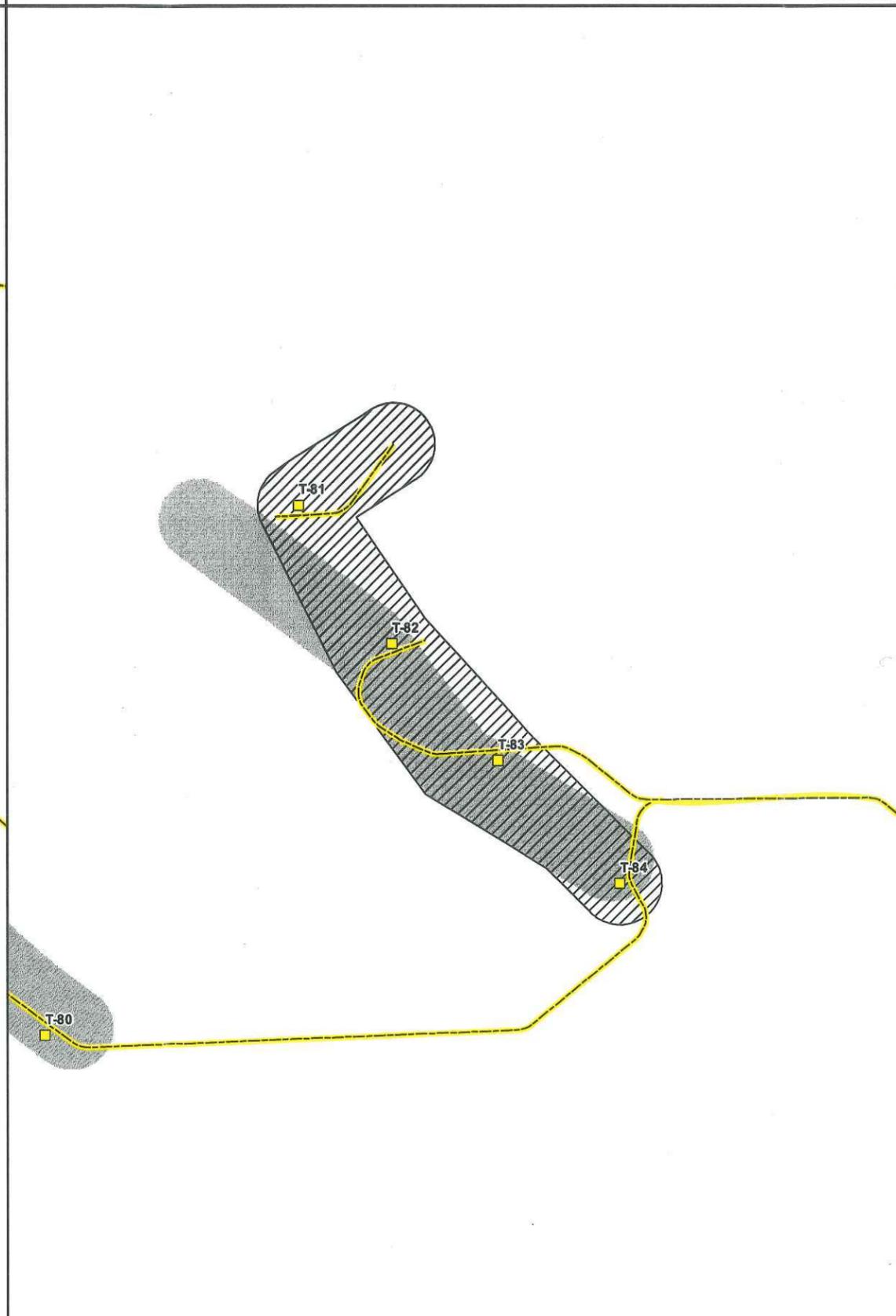
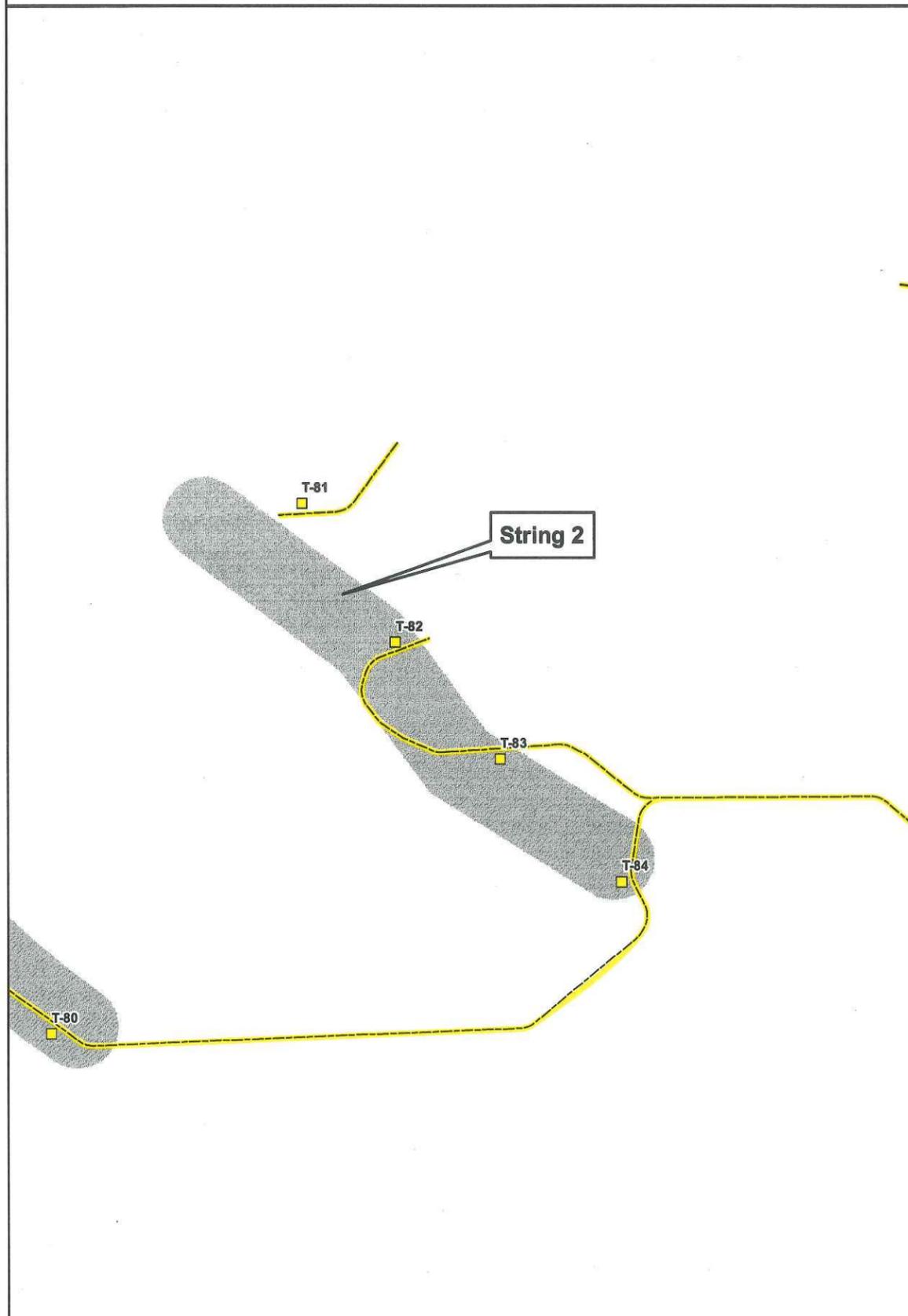
Existing Corridor Layout

Proposed Corridor Modification

Figure 2
FACILITY MODIFICATION
AREA B FOR CHANGE
REQUEST #3
 Biglow Canyon Wind Farm
 June 2008

Legend

- Turbine (Phase 2)
- Proposed Access Road
-  Existing Corridor
-  Proposed Corridor Modification



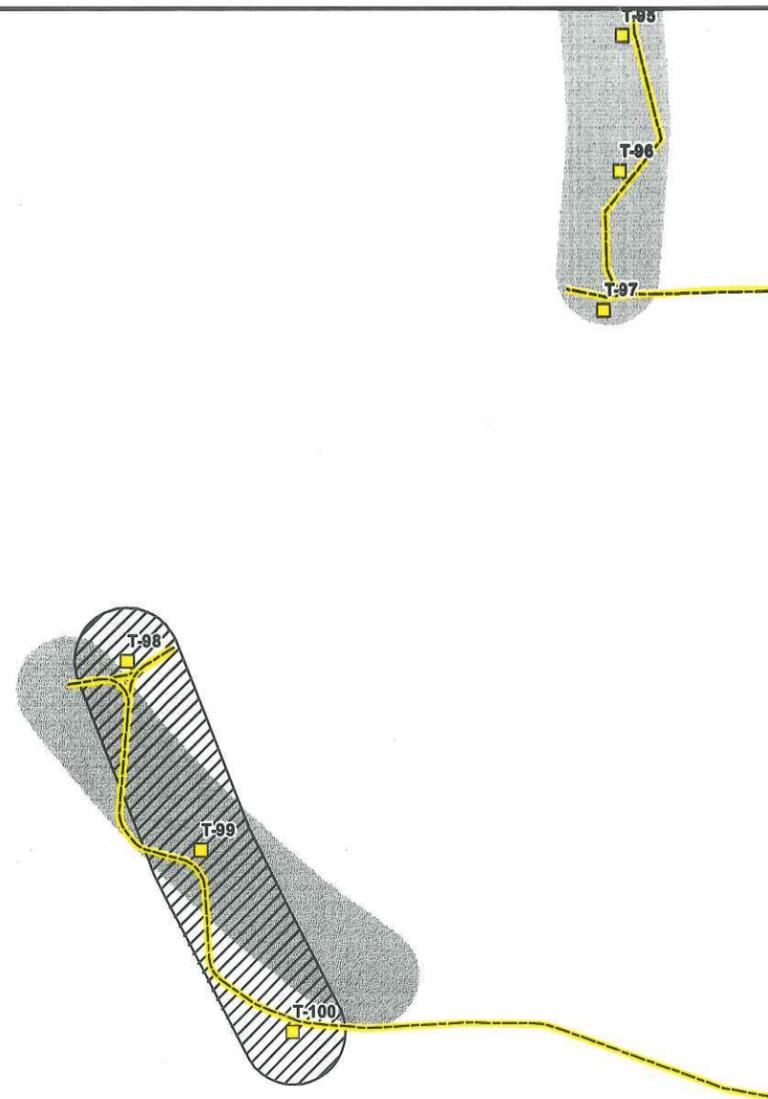
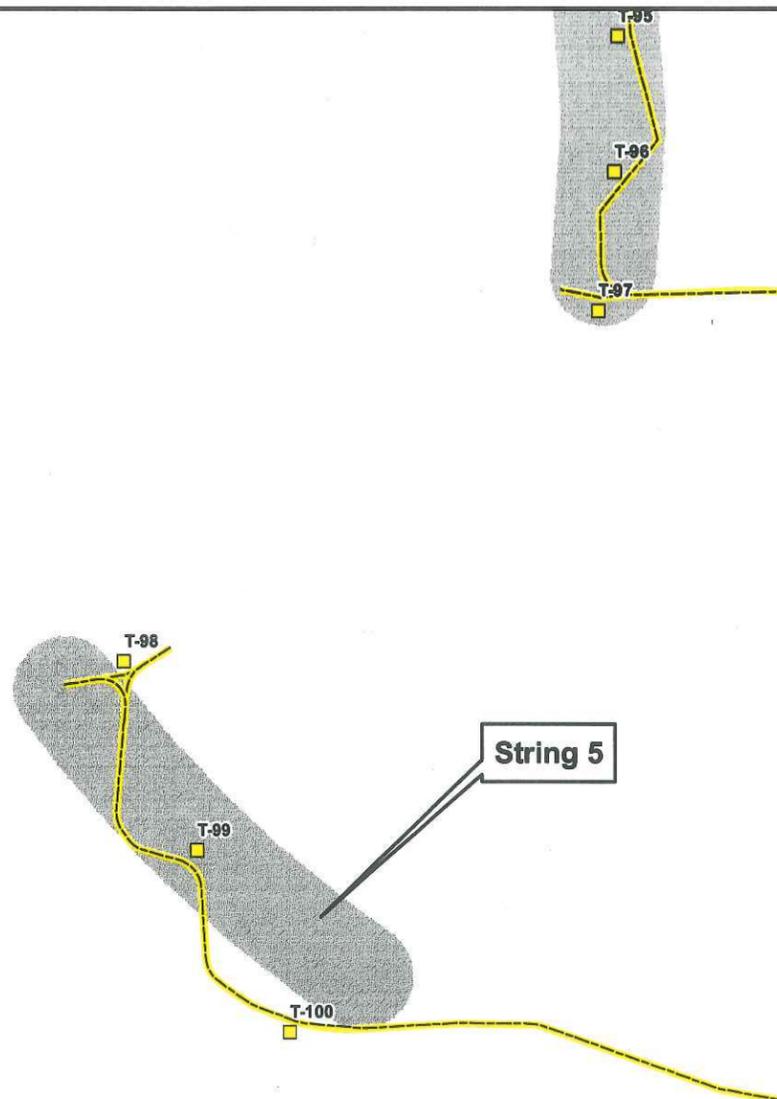
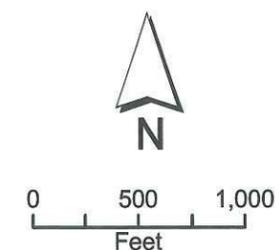
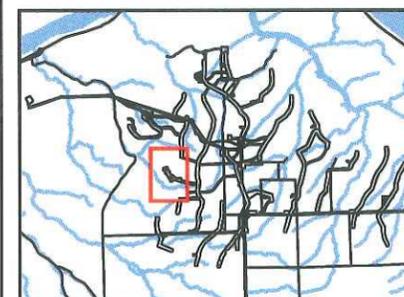
Existing Corridor Layout

Proposed Corridor Modification

Figure 3
FACILITY MODIFICATION
AREA C FOR CHANGE
REQUEST #3
Biglow Canyon Wind Farm
June 2008

Legend

- Turbine (Phase 2)
- Proposed Access Road
- Existing Corridor
- Proposed Corridor Modification



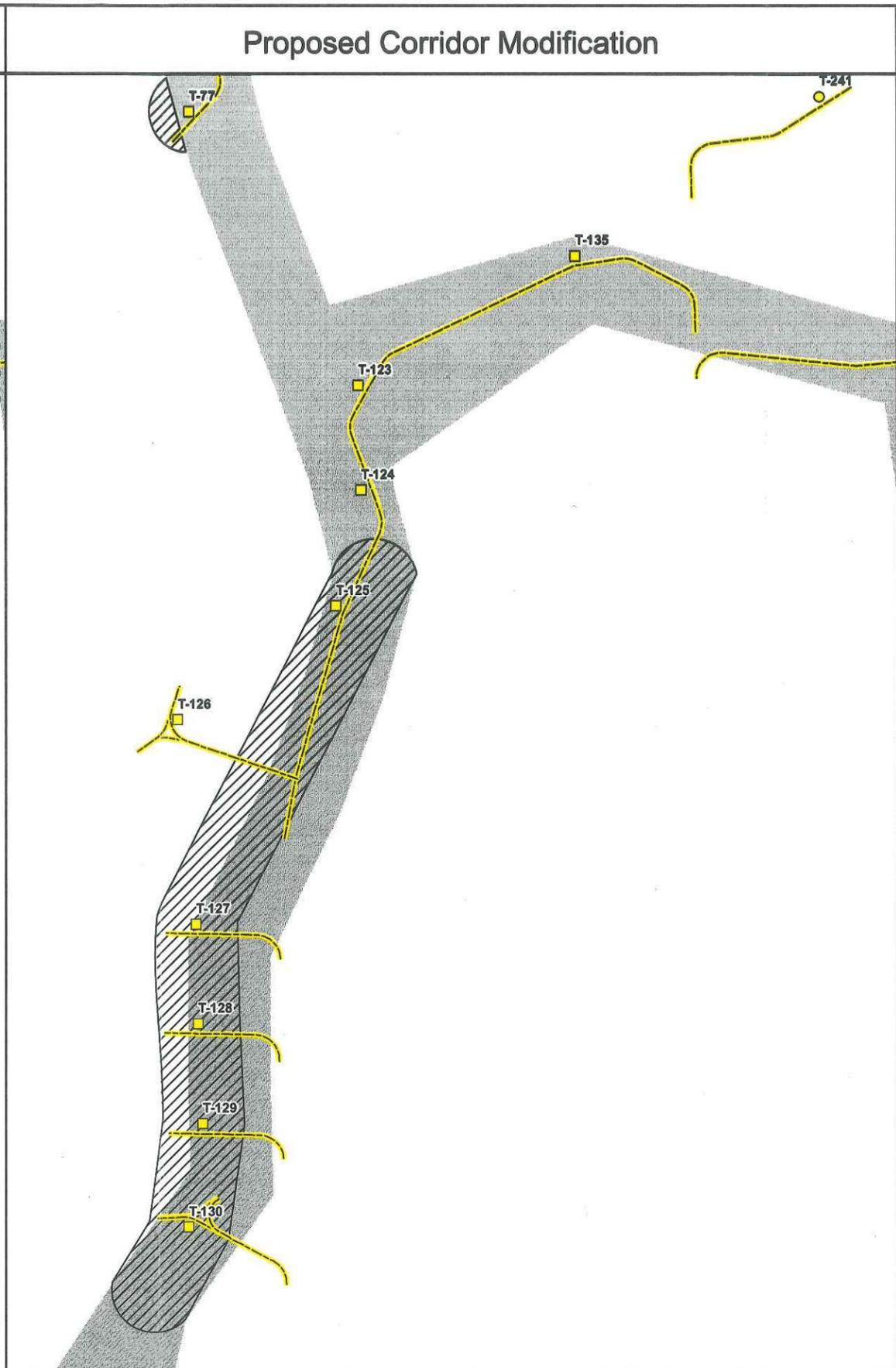
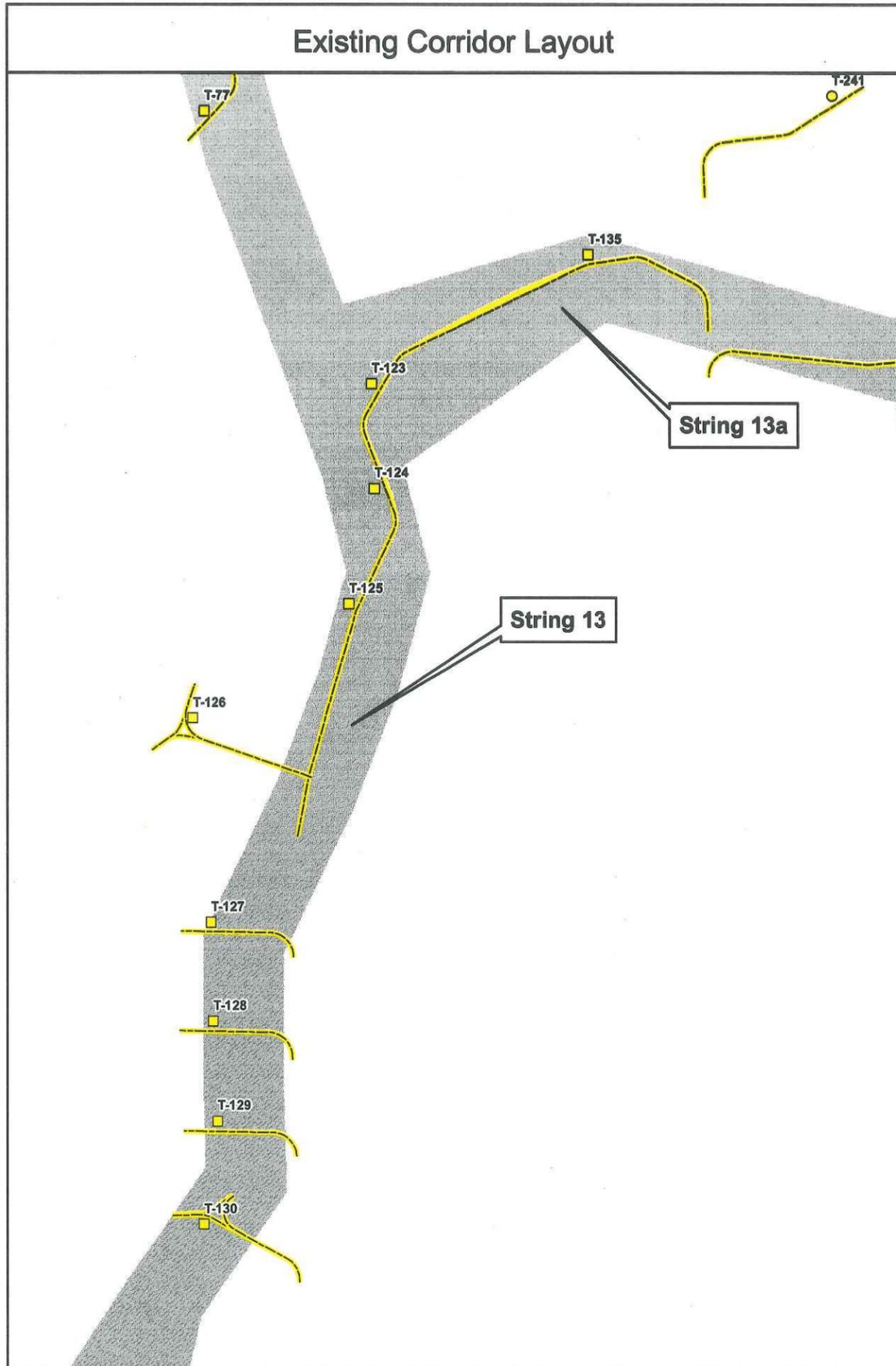


Figure 1
FACILITY MODIFICATION
AREA FOR CHANGE
REQUEST #3
Biglow Canyon Wind Farm
June 2008

Legend

- Turbine (Phase 2)
- Turbine (2-Alt.)
- Proposed Access Road
- Existing Corridor
- Proposed Corridor Modification

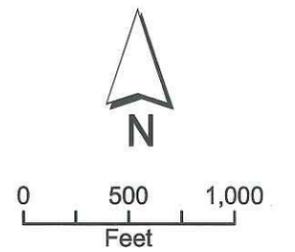
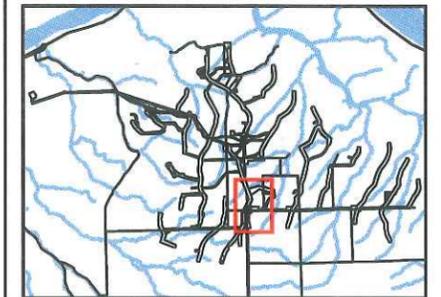


Exhibit 1

Findings (-) archaeological sites
1 historic isolated find
County: Sherman
Township, Range, Section: 3N, 17E, Sec. 35; 2N,
17E, Sec. 1, 2, 10, 11, 13, 25-27; 2N, R18E, Sec. 14,
16, 18-22, 24, 28-31.
USGS: Rufus, Oreg. 1971; Quinton, Oreg. 1971,
Wasco, Oreg. 1971; Klondike, Oreg. 1971
Total Project Acres: 1121
Acres Surveyed: 1121
Project Type: Survey
Field Notes: CH2M HILL, INC.

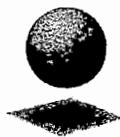
**AMENDMENT III
ARCHAEOLOGICAL SURVEY REPORT
BIGLOW CANYON WIND FARM
SHERMAN COUNTY, OREGON**

Prepared for

Portland General Electric

Prepared by

Robin McClintock and James J. Sharpe



CH2MHILL

**2020 SW 4th Avenue
Portland, Oregon 97201**

June 2008

Biglow Canyon Wind Farm – Supplemental Wetlands and Waters Determination and Rare Plant Habitat Survey for Amendment III

PREPARED FOR: Ray Hendricks/Portland General Electric
PREPARED BY: Peggy O'Neill and Forrest Parsons/CH2M HILL
COPIES: Anne Summers/CH2M HILL
DATE: June 3, 2008

Summary

CH2M HILL conducted a wetland and waters determination for the proposed Biglow Canyon Wind Farm Facility ("Facility") in the summer of 2005. Supplemental determinations were performed in both the summer and winter of 2006 based on the addition of a collector line in the Facility area. Results of previous fieldwork efforts can be found in the Site Certificate Application for the Biglow Canyon Wind Farm (October 2005), the original wetland and rare plant technical memorandum (CH2M HILL, July 2006), the collection line and access roads technical memorandum (CH2M HILL, December 2006), and Change Request No. 2 (June 2007). This memorandum serves as an amendment to the four existing reports cited above.

The purpose of this determination was to investigate additional modifications to the June 2007 Facility layout (Change Request No. 2) and to satisfy the site certificate Condition 55 criterion of performing a spring survey for rare plant species. CH2M HILL conducted site visits on March 31, 2008, and May 5, 2008, to determine the presence and extent of wetlands or jurisdictional waters, as defined under Section 404 of the Clean Water Act and the Oregon Removal-Fill Law. Suitable habitat for and presence of federal and state listed plant species were also investigated. Study areas G, H, I, J, and K were investigated for the potential presence of federal and state-listed plant species. Study areas G, H, I, J, and K were also investigated for the presence of potentially jurisdictional wetlands and waters. Figure 1 shows the study area locations.

No jurisdictional wetlands were identified within the study areas. Potentially jurisdictional waters were identified at study areas G, H, and I (see Figure 1). All three drainages are considered ephemeral streams. The potentially jurisdictional waters identified at these drainages may be affected by construction activities.

No federal or state listed plant habitat or species were identified within any of the study areas.

Methods

Office Review

Prior to conducting the site investigation, the following documents were reviewed:

- U.S. Geological Survey (USGS) Topographic Map, Klondike, Oregon quadrangle (USGS, 1971); Quinton, Oregon quadrangle (USGS, 1976); Rufus, Oregon quadrangle (USGS, 1971); Wasco, Oregon quadrangle (USGS, 1987)
- National Wetland Inventory (NWI) Map, Klondike, Oregon quadrangle (U.S. Fish and Wildlife Service [USFWS], 1991); Quinton, Oregon quadrangle (USFWS, 1983); Rufus, Oregon quadrangle (USFWS, 1983); Wasco, Oregon quadrangle (USFWS, 1988)
- Natural Resource Conservation Service (NRCS) Soil Survey of Sherman County, Oregon (NRCS, 1992)
- Hydric Soils List: Sherman County, Oregon (NRCS, 2000)
- Oregon Natural Heritage Information Center (ORNHIC) Species List (April 2007)
- US Fish and Wildlife Service (USFWS) County Species List (March 2007)
- A facilities map provided by Portland General Electric (PGE) (February 28, 2008), indicating the location and extent of the survey areas (Figure 1)

Site Investigation

Site investigation activities were as follows:

- Conducted a preliminary estimate of the area of potentially jurisdictional wetlands or waters within study areas G, H, I, J, and K that may be affected by construction
- Documented occurrence of or potential habitat for sensitive plant species within the vicinity of study areas G, H, I, J, and K

Qualified CH2M HILL biologists conducted the site investigations for study areas G through K on March 31, 2008 and May 5, 2008.

Results

Office Review

USGS Topographic Map

The Facility site is located in the Klondike, Quinton, Rufus, and Wasco, Oregon 7.5-minute quadrangle of the USGS topographic maps. USGS mapping shows streams within study areas G, H, I, J, and K.

Sherman County Soil Survey

A review of the soil types mapped within study areas G, H, I, J, and K determined that none is listed as hydric (Table 1).

TABLE 1

Mapped Soils Study Areas G, H, I, J, and K (Sherman County, OR)

Soil ID	Soil Name	Hydric	Hydric Inclusions
1B	Anderly silt loam, 1 to 7 percent slopes	No	No
1C	Anderly silt loam, 7 to 15 percent slopes	No	No
3D	Anderly silt loam, 15 to 35 percent south slopes	No	No
16D	Licksillet very stony loam, 7 to 40 percent south slopes	No	No
31C	Walla Walla silt loam, 7 to 15 percent	No	No
32D	Walla Walla silt loam, 15 to 35 percent north slopes	No	No
33D	Walla Walla silt loam, 15 to 35 percent south slopes	No	No
36D	Wato very fine sandy loam, 15 to 35 percent south slopes	No	No

PGE Facilities Map (April 2008)

The facilities map provided by PGE indicated potentially jurisdictional waters within the boundary at study areas G, H, I, J, and K (Figure 1).

Site Investigation

The site investigation was conducted on March 31, 2008, and May 5, 2008, at study areas G, H, I, J, and K. Weather during the site investigation on March 31, 2008, was cool (45 to 55 degrees F [$^{\circ}$ F]) and cloudy. Weather during the site investigation on May 5, 2008, was warm (65 to 70 $^{\circ}$ F) and partly cloudy with no precipitation. Representative site photos are presented in the attachment to this memorandum.

Wetlands and Waters Survey

No vegetated wetlands were identified within any of the study areas. Other waters were present in study areas G, H, I, J, and K. Table 2 provides a summary of survey results. The table is followed by a narrative description of each study area.

TABLE 2

Summary of Survey Results for Study Areas G, H, I, J, and K (Sherman County, Oregon)

Site	Location	Potentially Jurisdictional Waters		Comments
		Federal Clean Water Act	Oregon Removal/Fill Law	
Site G	East and West of Wier Road	Yes	Yes	Ephemeral Tributary to Emigrant Canyon
Site H	North and South of Biglow Lane	Yes	Yes	Ephemeral Tributary to Biglow Canyon
Site I	Biglow Road (upstream of site H)	Yes	Yes	Ephemeral Tributary to Biglow Canyon
Site J	North and South of Herin Lane	No	No	
Site K	South of Herin Lane	No	No	Helm Canyon

Stream Crossing G. The potentially jurisdictional channel identified on the USGS map at Stream crossing G was verified in the field to be potentially jurisdictional. This channel is an ephemeral tributary to Emigrant Springs.

Drainage G is an ephemeral stream located near Emigrant Canyon and is a tributary to the John Day River. This drainage is located east and west of Weir Road at the southeastern portion of the Facility site (Figure 2). Vegetation along the channel banks was primarily bluegrass (*Poa bulbosa*, UPL), Russian thistle (*Salsola kali*, FACU), and dry wheat. There was no flow in the channel during the site visit. Indicators of regular flow included a culvert under Weir Road and a defined channel about 150 east of the road (Attachment, Photo Plates 1 and 2).

Potential temporary impacts to the jurisdictional water identified at Drainage G will not likely occur during construction of proposed crane pads because it is outside of the proposed impact area. Indirect impacts to this potentially jurisdictional water could be avoided by walking the crane down Weir Road and by implementing best management practices (BMPs) such as silt fencing and other erosion control measures to ensure no fill entered the channel. If impacts are unavoidable, mitigation for temporary impacts to this resource would be required by the regulatory agencies.

Stream Crossing H/I. The potentially jurisdictional channel identified on the USGS map at Sites H and I was verified in the field to be potentially jurisdictional. This channel is an ephemeral tributary to the John Day River. This drainage is located north, south, and west of Biglow Lane in the central portion of the Facility site (Figure 3). Vegetation along the channel banks was primarily bluegrass (*Poa bulbosa*, UPL), cheatgrass (*Bromus tectorum*, NOL), and tall fescue (*Festuca arundinacea*, FACU-). There was no flow in the channel during

the site visit. Indicators of regular flow included an approximate 4-foot culvert under the road, scoured unvegetated bed, sediment deposits on the bed, and eroded banks (Attachment, Photo Plates 3 and 4).

Potential temporary impacts to the jurisdictional water identified at stream crossing H/I may occur during construction of the proposed crane walk and collection lines to the north and parallel to Biglow Lane. Impacts to this potentially jurisdictional water could be avoided by moving collection lines along Biglow Lane and implementing BMPs such as silt fencing and other erosion control measures to ensure no fill enters the channel. If impacts are unavoidable, mitigation for temporary impacts to this resource would be required by the regulatory agencies.

Stream Crossing J. The potentially jurisdictional channel identified on the USGS map at Site J was verified in the field as nonjurisdictional. This channel is mapped as a tributary to Biglow Canyon.

This mapped drainage is located north and south of Herin Lane in the central portion of the Facility site (Figure 1). It consists of a broad, vegetated swale dominated by bulbous bluegrass (*Poa bulbosa*, UPL), cheatgrass (*Bromus tectorum*, NOL), and gray rabbitbrush (*Chrysothamnus nauseosus*, NOL). Earthen dams both upstream and downstream of the road crossing block any potential flow (Attachment, Photo Plates 5 and 6).

Stream Crossing K. The potentially jurisdictional channel identified on the USGS map at Site K was verified in the field as potentially jurisdictional. This mapped channel is located in Helm Canyon north and south of Herin Lane in the central portion of the Facility site (Figure 1). Helm Canyon is a tributary to the John Day River. No evidence of a channel, bed, banks, or other indicators of flow was observed. The area of the mapped drainage is completely cultivated in dryland wheat (Attachment, Photo Plate 7).

Rare Plant Survey

Existing literature and scientific data were reviewed to determine species distribution and potential for occurrence within study areas. The ORNHIC database and USFWS were consulted for documented and potential occurrences of candidate, proposed, and listed species.

ORNHIC and USFWS database searches revealed four listed or candidate plant species that might occur within the study area: Northern wormwood (*Artemisia campestris* var. *wormskioldii*), Laurence's milk-vetch (*Astragalus collinus* var. *laurentii*), Henderson's ricegrass (*Achnatherum hendersonii*), and disappearing monkeyflower (*Mimulus evanescens*) (Table 3).

TABLE 3

Federal and State Listed or Candidate Plant Species Potentially Occurring Within the Study Areas (based on April 2007 Oregon Natural Heritage Information Center data)

Common Name	Scientific Name	Federal Status ¹	State Status ¹	Notes on Habitat Occurrence
Northern wormwood	<i>Artemisia campestris</i> var. <i>wormskioldii</i>	C	LE	No suitable habitat
Laurence's milk-vetch	<i>Astragalus collinus</i> var. <i>laurentii</i>	SOC	LT	No suitable habitat
Henderson's ricegrass	<i>Achnatherum hendersonii</i>	SOC	C	No suitable habitat
Disappearing monkeyflower	<i>Mimulus evanescens</i>	SOC	C	No suitable habitat

¹ **State and Federal Status Definitions**

LE—Listed Endangered. Taxa listed by the USFWS or National Marine Fisheries Service (NMFS) as Endangered under the Endangered Species Act (ESA), or by the Departments of Agriculture (ODA) and Fish and Wildlife (ODFW) of the state of Oregon under the Oregon Endangered Species Act of 1987 (OESA). Endangered taxa are those that are in danger of becoming extinct within the foreseeable future throughout all or a significant portion of their range.

LT—Listed Threatened. Taxa listed by the above agencies as Threatened; defined as those taxa likely to become endangered within the foreseeable future.

C—Candidate. Candidate taxa for which NMFS or USFWS have sufficient information to support a proposal to list under the ESA, or which is a candidate for listing by the ODA under the OESA.

SoC—Species of Concern. Former Category 2 candidates for which additional information is needed in order to propose as threatened or endangered under the ESA; these species are under review for consideration as Candidates for listing under the ESA.

A field survey was conducted on May 5, 2008, by a CH2M HILL botanist to determine potential presence of the identified state or federally listed or candidate plant species. Focused surveys were conducted in all locations within the study area not planted in wheat or other cultivated or developed. Table 4 presents all plant species observed in the course of the surveys. No plants identified as state- or federally listed or candidate plant species were observed and no suitable habitat was identified to support any of these species.

TABLE 4
Plant Species Observed

Family	Scientific Name	Common Name
Apiaceae	<i>Lomatium triternatum</i>	nine-leaf biscuitroot
Asteraceae	<i>Artemesia tridentata</i>	big sagebrush
	<i>Balsamorhiza sagitata</i>	balsam root
	<i>Centurium</i> sp.	knapweed
	<i>Chrysothamnus nauseosus</i>	gray rabbitbrush
	<i>Chrysothamnus viscidiflorus</i>	green rabbitbrush
	<i>Crepis capillaris</i>	smooth hawksbeard
	<i>Crepis setosa</i>	bristly hawksbeard
	<i>Salsola kali</i>	Russian thistle
Brassicaceae	<i>Chorispora tenella</i>	blue mustard
	<i>Idahoia scapigera</i>	scalegod
	<i>Sisymbrium altissimum</i>	tumble mustard
Geraniaceae	<i>Erodium cicutarium</i>	stork's bill
Poaceae	<i>Bromus tectorum</i>	cheatgrass
	<i>Festuca arundinaceae</i>	tall fescue
	<i>Poa bulbosa</i>	bulbous bluegrass
	<i>Triticum aestivum</i>	wheat
Polygonaceae	<i>Eriogonum nudicaule</i>	barestem buckwheat
	<i>Polygonum aviculare</i>	prostrate knotweed
Portulacaceae	<i>Claytonia perfoliata</i>	miner's lettuce

Conclusion

An office review of USGS data, NWI and soils maps, and the PGE facilities map identified five potentially jurisdictional waters within the study areas. Field visits performed on March 31, 2008, and May 5, 2008, confirmed streams G, H, and I as potentially jurisdictional waters of the U.S. and the State of Oregon (see Figures 2 and 3). It was determined that the other two potentially jurisdictional waters (drainages J and K) did not have enough evidence of flow (e.g., defined bed and banks, sediment deposits) to be considered jurisdictional.

Impacts to the potentially jurisdictional waters identified at drainages G, H, and I could be avoided by moving crane paths and collector lines to nearby existing roads and implementing BMPs to prevent any fill or removal that could occur at this drainage. Avoiding impact at these drainages obviates the need for subsequent wetland delineation reports, modifications to the existing permit authorizations, and the submittal of a mitigation and restoration plan to the resource agencies. If impacts are unavoidable, mitigation for temporary impacts to these resources would be required by the regulatory agencies.

No jurisdictional wetlands were identified within the study areas. No rare plants or rare plant habitat were identified within the study areas.

Figures

Figure 1
Study Area
Biglow Canyon Wind Farm
Amendment III
June 2008

LEGEND

-  Amendment III Surveyed Area (Wetlands, Streams, Rare Plants)
 -  Permitted Area
 -  Map Key
 -  Potential Stream Crossings
 -  Met Tower (Phase 1)
 -  Turbine (Phase 1)
 -  Met Tower (Phase 2)
 -  Turbine (Phase 2)
 -  Turbine (2-Alt.)
 -  Met Tower (Phase 3)
 -  Turbine (Phase 3)
 -  Turbine (3-Alt.)
 -  Homes
 -  Proposed Transmission Line
 -  Proposed Collection Line
 -  Proposed Crane Walk
 -  Proposed Access Road
 -  Existing Road
 -  Existing Transmission Line
 -  Proposed O&M Facility
 -  Proposed Substation
 -  Proposed Turbine Corridor
 -  John Day Rim Mitigation Area
 -  ESRI Mapped Stream
 -  Waterbodies
 -  Tax Lot
- 0 3,000 6,000 Feet

Source:
 Map created using the following
 USGS, 7.5-Minute Quad Maps:
 Klondike (1971), Quinton (1976),
 Rufus (1971), and Wasco (1987)

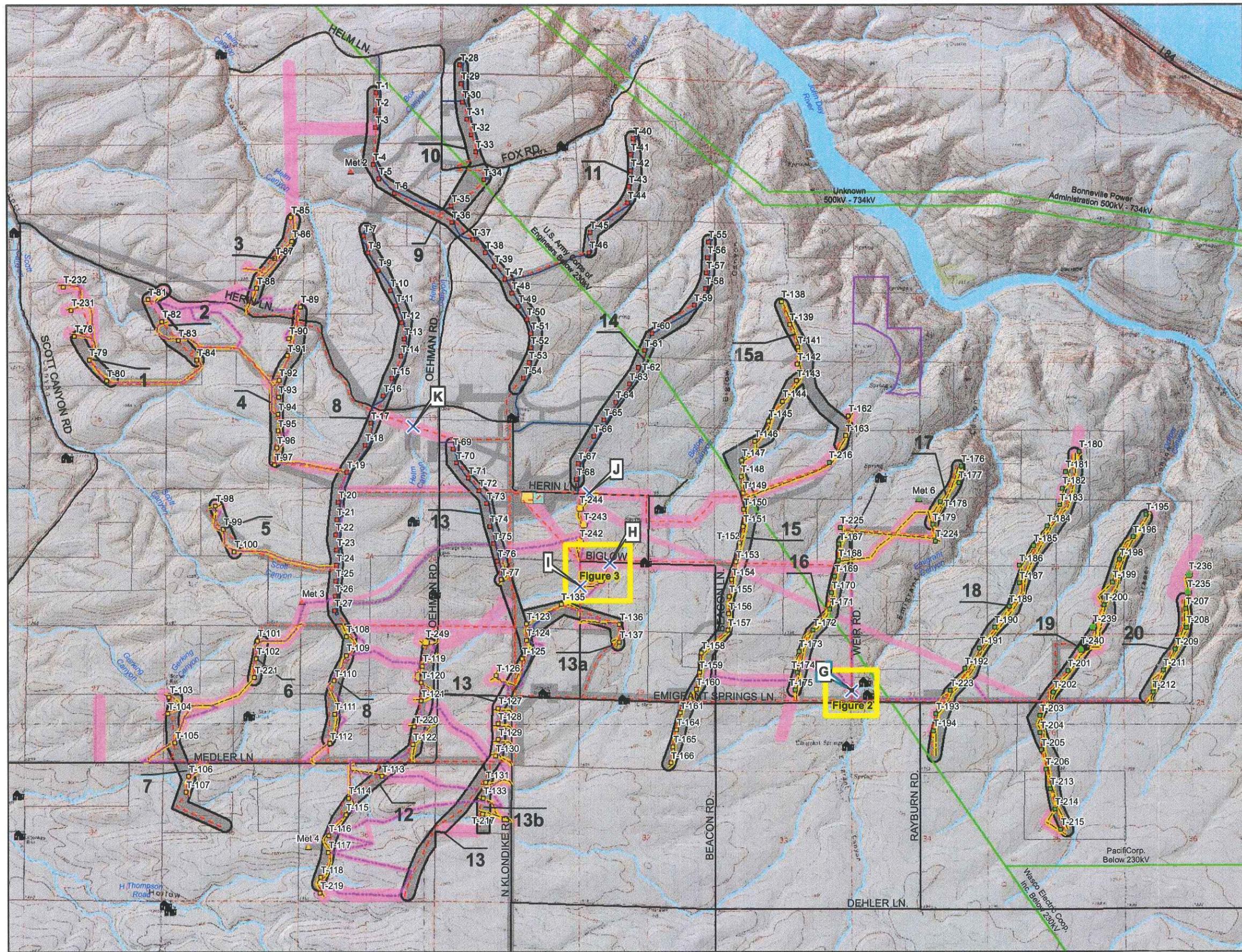
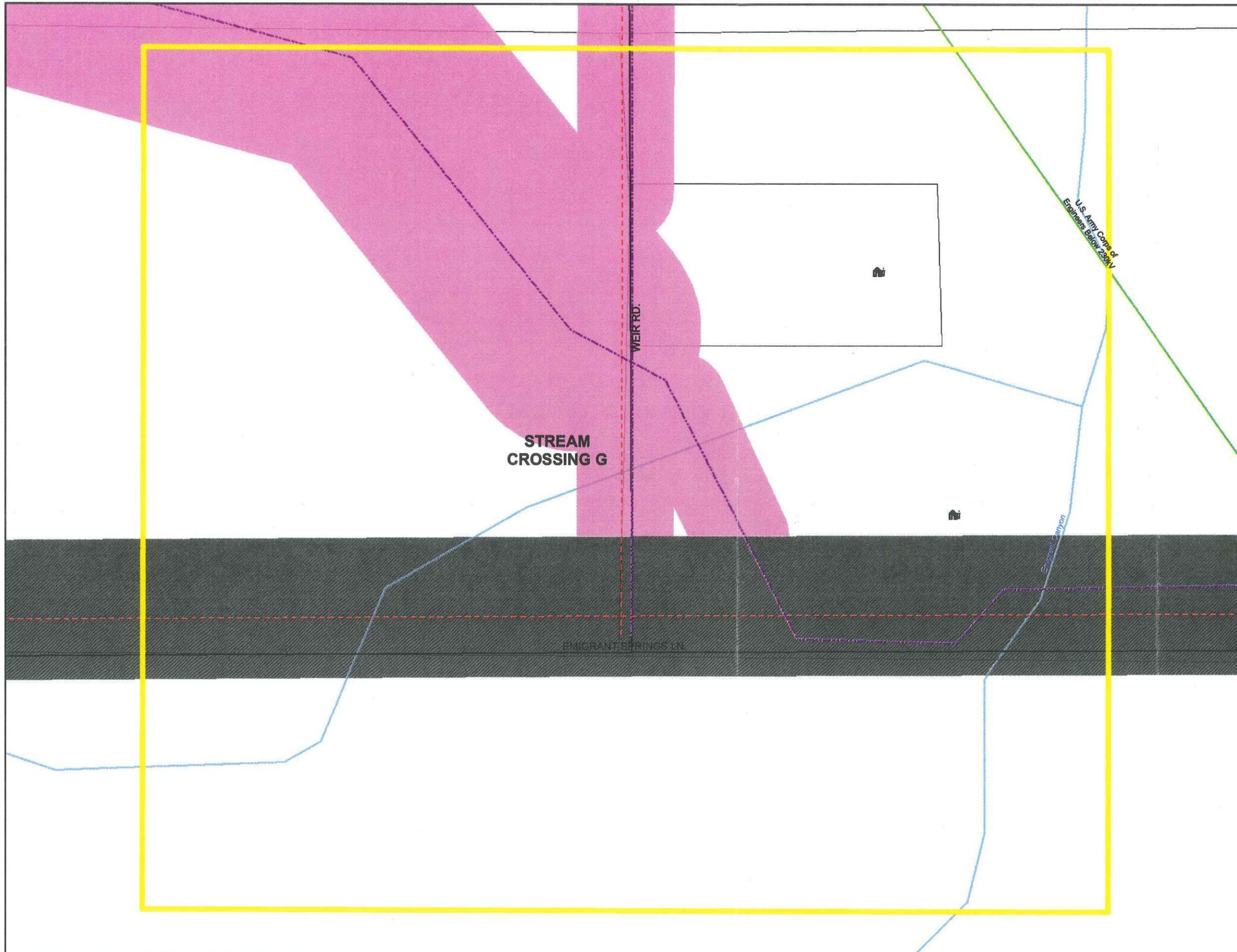


Figure 2
Stream Crossing G
Biglow Canyon Wind Farm
Amendment III
June 2008



LEGEND

-  Amendment III Surveyed Area
-  Permitted Area
-  Map Key (See Figure 1)
-  Homes
-  Proposed Collection Line
-  Proposed Crane Walk
-  Existing Road
-  Existing Transmission Line
-  ESRI Mapped Stream
-  Tax Lot

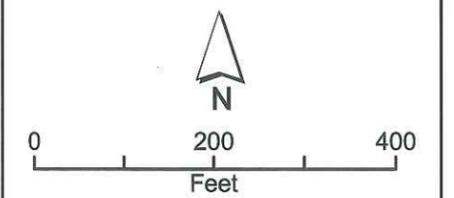
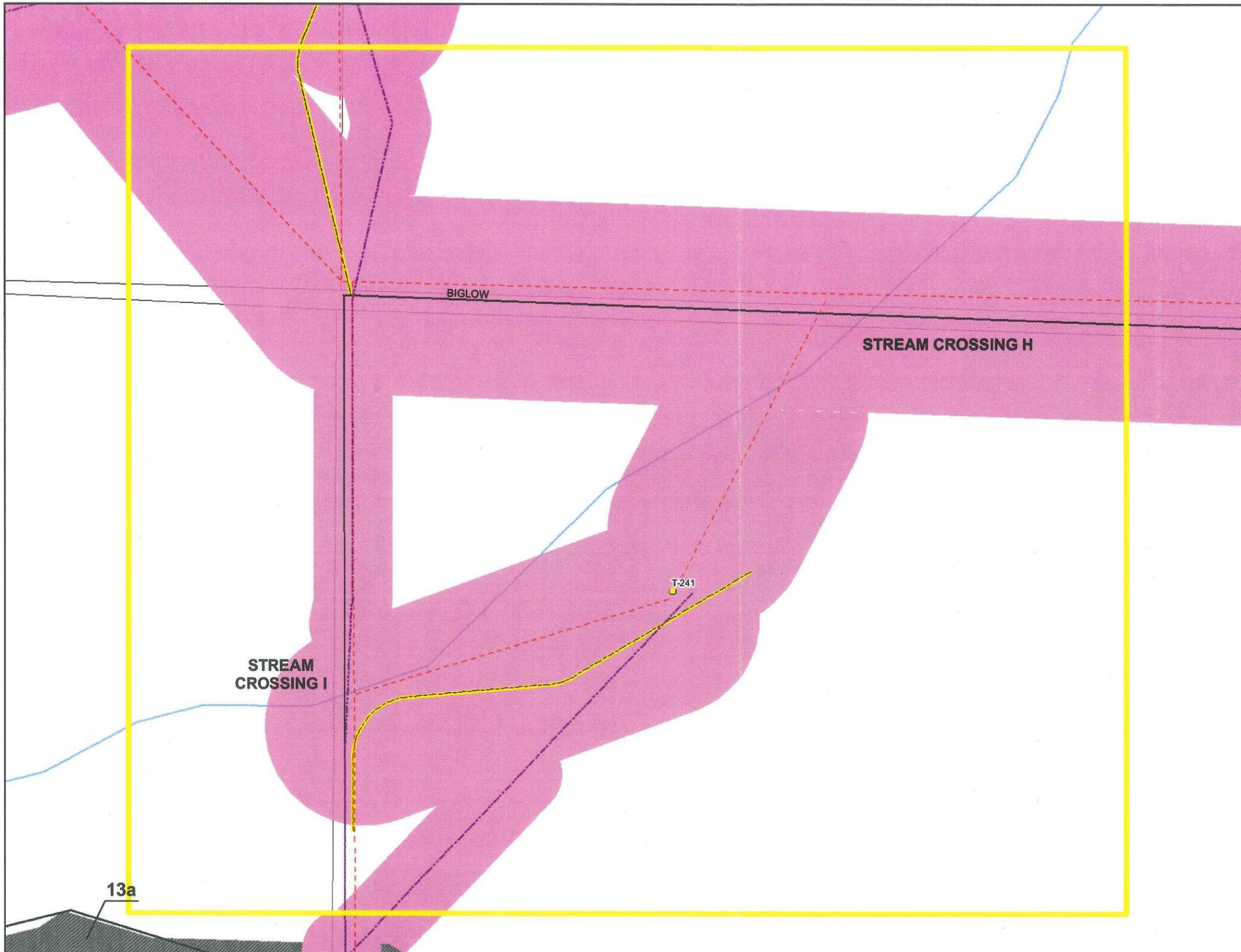
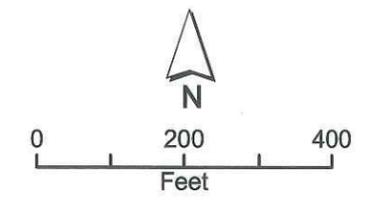


Figure 3
Stream Crossings H and I
Biglow Canyon Wind Farm
Amendment III
June 2008



LEGEND

-  Amendment III Surveyed Area
-  Permitted Area
-  Map Key (See Figure 1)
-  Turbine (2-Alt.)
-  Homes
-  Proposed Collection Line
-  Proposed Crane Walk
-  Proposed Access Road
-  Existing Road
-  Proposed Turbine Corridor
-  ESRI Mapped Stream
-  Tax Lot



13a

ATTACHMENT
Photo Plates



Photo Plate 1 View west, upstream, at stream crossing G, tributary to Emigrant Springs.



Photo Plate 2 View east, downstream, at stream crossing G, tributary to Emigrant Springs.



Photo Plate 3 View southwest, upstream, at stream crossing H, tributary to Biglow Canyon.



Photo Plate 4 View northeast, downstream, at stream crossing H, tributary to Biglow Canyon.



Photo Plate 5 View east, downstream, at stream crossing I, tributary to Biglow Canyon, upstream of stream crossing H.



Photo Plate 6 View west, upstream, at stream crossing I, tributary to Biglow Canyon, upstream of stream crossing H.



Photo Plate 7 View southwest, upstream, at crossing J, ESRI- mapped tributary to Biglow Canyon. Note earthen dam blocking drainage.



Photo Plate 8 View northeast, downstream, at crossing J, ESRI- mapped tributary to Biglow Canyon. Note earthen dam blocking drainage.



Photo Plate 9 View south, upstream, at crossing K, Helm Canyon.

July 21, 2008

Mr. Ray Hendricks
Portland General Electric
121 SW Salmon Street
Portland OR 97204

Re: Biglow Canyon Wind Farm
Change Request #3
Modification of micrositing corridors

Dear Ray,

We have reviewed your request, dated June 18, for a Department determination under OAR 345-027-0050(5) that the modification of three previously-approved micrositing corridors does not require an amendment of the site certificate. On June 19, I requested clarification of several items regarding your request, and on July 8, you responded to my questions and provided additional maps and habitat data. I sent further follow-up comments on July 8, and you responded on July 10 with revised maps and habitat data.

Change Request #3 consists of modifications to the boundaries of micrositing corridors for Strings 2, 5 and 13. The maps that you provided on July 10 illustrate the requested modifications that we address in this letter.

Figure 1 (Area A) shows the modification of the micrositing area for String 13. This modification would shift the corridor to the west (while retaining its original width) to accommodate the construction of turbines 125 and 127-130 (turbine location 126 is to be addressed in an upcoming amendment request). The modification appears to add an unspecified length to the access roads from North Klondike Road to some or all of these turbines. The habitat impact remains entirely within cultivated fields (Category 6).

Figure 2 (Area B) shows the modification of the micrositing area for String 2. The requested modification is slightly different from the original request (Figure 2 attached to your June 18 letter). We have compared the modification request (Area B) to the micrositing area shown on Figure P-2 in the Application Supplement. Figure P-2 shows an area of Category 1 habitat that lies outside, and to the north of, the approved micrositing area. This area is associated with a raptor nest shown on the construction constraints map (p1r3ConstructionConstraints_3-2-07.pdf). In Figure 2 (Area B), the requested micrositing area modification appears to lie entirely within cultivated fields (Category 6) and the re-routed access road from Herin Lane appears to avoid the Category 1 habitat area. The modification would

accommodate the construction of turbines 81-84 and would reduce the permanent footprint of the associated access roads.

Figure 3 (Area C) shows the modification of the micrositing area for String 5. The requested modification (and the route of the access road within it) is slightly different from the original request (Figure 3 attached to your June 18 letter). The modification would accommodate the construction of turbines 98 and 100. The permanent footprint of the associated access road would be practically the same (reduced by 0.02 acres). The habitat impact remains entirely within cultivated fields (Category 6).

Under OAR 345-027-0050(5), a certificate holder may ask the Department to determine whether a proposed change requires a site certificate amendment by submitting a request describing the proposed change, the certificate holder's analysis under OAR 345-027-0050(1) and (2) and the evaluation described in OAR 345-027-0050(3). The Department may refer its determination to the Council.

In your letter of June 18, you conclude that an amendment is not required for the proposed micrositing area modifications, based on the factors in OAR 345-027-0050(1). I will address each of these factors below. You state that "OAR 345-027-0050(2) is not directly relevant to PGE's request." We agree that the proposed modifications of micrositing corridors are not the type of change to the design, construction or operation of a facility addressed under OAR 345-027-0050(2).

With regard to the first factor under OAR 345-027-0050(1), we agree that the proposed corridor modifications would not "result in a significant adverse impact that the Council has not addressed in an earlier order." As described in your request and summarized above, the modified micrositing corridors would remain in Category 6 habitat. Based on the data you provided on July 10, the net change in habitat impact would be a reduction of permanent impact to Category 6 habitat of approximately 0.8 acres and a reduction of temporary impact to Category 6 habitat of approximately 0.9 acres. These changes would have no effect on the calculation of the size of the habitat mitigation area (which is based on "worst case" permanent and displacement impacts to Category 3 or Category 4 habitat).

Your June 18 letter analyzed the potential impacts to threatened and endangered species, cultural resources, wetlands and rare plants. You provided additional site survey reports that supported your conclusion that the proposed corridor modifications would not have any significant adverse impact on these resources.

You did not directly address other resources (such as land use, soils, protected areas, scenic resources and recreation), although you conclude that the proposed modifications would not alter the Council's previous findings with regard to the standards that protect such resources.

The second factor under OAR 345-027-0050(1) would require a site certificate amendment if the proposed change "could impair the certificate holder's ability to comply with a site certificate condition." Your request partially addresses this factor, in that you conclude that the proposed modification would not impair PGE's ability to comply with those conditions that address "the potential impacts of the temporary disturbance associated with construction in the

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altered turbine corridors (for example, Soil Protection conditions 26-35 and Historic, Cultural and Archaeological conditions 69-73).”

You have not addressed Conditions 13 and 103 (which require the certificate holder to construct the facility “substantially as described in the site certificate”) and Condition 59 (which describes restrictions on the location of turbines and other facility components).

For Conditions 13 and 103, the issue is whether the proposed micro-siting corridor modifications would change the facility to such an extent that the construction would fall outside the scope of what is “substantially” described in the site certificate. The modification affects turbine locations, locations of parts of the power collection and control systems, locations of access roads and locations of temporary disturbances associated with laydown areas and crane paths. All of the changes in location, however, are contiguous with the previously-approved micro-siting corridors. No new corridors are proposed, and most of the construction disturbance for the facility components associated with strings 2, 5 and 13 would remain within the previously-approved corridors. As described above, the corridor modifications would not significantly alter the permanent footprint area. For these reasons, we conclude that the proposed modifications would not impair PGE’s ability to comply with Conditions 13 and 103.

Determining whether the proposed corridor modifications would “impair” PGE’s compliance with Condition 59 requires a careful analysis and interpretation of the condition language. The condition is as follows.

- (59) The certificate holder may construct turbines and other facility components within the 500-foot corridors shown on Figures P-1 through P-10 of the site certificate application and March 2006 supplement, subject to the following requirements addressing potential habitat impact:
 - (a) The certificate holder shall not construct any facility components within areas of Category 1 or Category 2 habitat and shall avoid temporary disturbance of Category 1 or Category 2 habitat.
 - (b) The certificate holder shall design and construct facility components that are the minimum size needed for safe operation of the energy facility.
 - (c) To the extent possible, the certificate holder shall construct facility components in the locations shown on Figure C-2 of the March 2006 site certificate application supplement.

We have reviewed the Council’s Final Order on the Application (June 30, 2006). The Council adopted Condition 59 in support of findings under the Fish and Wildlife Habitat Standard, but there is little discussion about the rationale for the condition in the Final Order (we note a reference to “500-foot corridors” on page 102). We believe that the overriding concern addressed by Condition 59 is the potential impact of the facility on high-value habitat. Subsection (a) specifically prohibits construction within Category 1 or Category 2 habitat and requires avoidance of temporary disturbance of those areas. The proposed corridor modifications would not impair PGE’s ability to comply with these requirements. Approval of the modifications would be subject to the requirements of this condition. Specifically, PGE must avoid disturbance to the Category 1 habitat north of string 2, described above.

The modifications would not impair PGE’s compliance with subsection (b) of Condition 59, which requires facility components to be “the minimum size needed for safe operation of the energy facility.” The data you have provided show that the net area occupied by access roads

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would be somewhat reduced, if PGE is allowed to build the facility as proposed with the modified micro-siting areas.

Subsection (c) of Condition 59 requires PGE to build the facility components in the locations shown on Figure C-2 in the Application Supplement "to the extent possible." The Final Order contains no discussion of this qualifying language that might help us interpret the circumstances in which it would not be "possible" to construct facility components in the locations shown on Figure C-2. There is no information in your request that suggests that it would not be "possible" to construct the facility using the previously approved micro-siting corridors, and we must assume that it would be "possible" to build turbines T-81, T-98 and T-100 (and their associated access roads, collector lines and communication lines) in the locations shown on Figure C-2.

In the context of this change request, we do not believe that an arbitrarily constrained, literal interpretation of the qualifying phrase, "to the extent possible," serves the Council's interest in efficient use of the site certificate amendment process. In consideration of the apparent concern for habitat impacts that Condition 59 addresses and the fact that the proposed micro-siting area modifications would have no substantial effect on temporary or permanent habitat disturbance, we believe that approval of the modifications would not significantly impair PGE's ability to comply with Condition 59.

The final factor under OAR 345-027-0050(1) would require a site certificate amendment if the proposed change "could require a new condition or a change to a condition in the site certificate." You conclude that no new or changed conditions are needed, because the site certificate already contains adequate conditions to address the impacts that might arise from the changes addressed in your request. Although our analysis of Condition 59, discussed above, suggests that a clarification of the condition might be useful (and could be accomplished as part of a future amendment proceeding), we do not believe that the proposed corridor modifications "require" a change to the condition or any new condition.

We agree with your evaluation, required under OAR 345-027-0050(3), and conclusion that the proposed micro-siting area modifications are consistent with applicable Council standards.

For the reasons discussed above, we have determined that a site certificate amendment proceeding is unnecessary and that you may modify the three micro-siting areas as shown on Figures 1-3 that you sent to us on July 8. Please include a description of this change request and our determination in the next annual report required under OAR 345-026-0080 and Condition 122. In the annual report, please describe any unanticipated impacts that result from modification of the micro-siting areas and describe how PGE addressed those impacts.

Sincerely,

John G. White
Senior Analyst