Request for Amendment No. 4 to the Site Certificate for the Klondike III Wind Power Facility

Prepared for

Oregon Energy Facility Siting Council

December 2010

Prepared by

Klondike Wind Power III LLC

CH2MHILL

Stoel Rives LLP

Printed on Recycled and Recyclable Paper

ES120110012751PDX

Contents

Attachments

SECTION 1

Introduction

Klondike Wind Power III LLC (KIII or certificate holder), a wholly-owned subsidiary of Iberdrola Renewables, Inc., obtained a site certificate in June 2006, to construct the Klondike III Wind Power Facility (Facility) in Sherman County, Oregon, with up to 165 turbines and a peak generating capacity of up to 272.25 megawatts (MW). The site certificate was subsequently amended in November 2006, and again in July and November 2007. The Third Amended Site Certificate (Site Certificate; November 2007) allows for up to 208 turbines and a peak generating capacity of 375 MW.

KIII constructed the Facility under the Site Certificate in two phases referred to as Klondike III (Phase 1) and Klondike IIIa (Phase 2). The first phase consists of 223.6 MW and 125 turbines: 80 GE 1.5-MW turbines, 44 Siemens 2.3-MW turbines, and one Mitsubishi 2.4-MW turbine. The GE and Siemens turbines became operational in October 2007 and the single Mitsubishi turbine became operational in March 2008. Phase 2 consists of 76.5 MW and 51 GE 1.5-MW turbines. Phase 2 became operational in July 2008. The total project is 300.1 MW and consists of 176 turbines.

1.1 Purpose of Proposed Amendment

KIII seeks to amend the Site Certificate to increase the allowed rotor diameter on a single turbine located centrally within the existing permitting site boundary (MHI-1 turbine) from 92.5 meters to 102 meters. The location of the MHI-1 turbine is as described in the second amended site certificate (Final Order on Amendment #2, July 2007). This proposed change to the Facility is described in Section 3.3 of this amendment request.

1.2 Regulatory Framework for This Request

This request is organized in accordance with OARs 345-027-0050, -0060, and -0070, which set forth the required contents of a request to amend a site certificate, as well as additional considerations for the Council in deciding whether to grant an amended site certificate. Sections 2, 3, 4, and 5 of this request provide the information required by OAR 345-027-0050(1), OAR 345-027-0060, and OAR 345-027-0070(10).

KIII seeks expedited review of the Request for Amendment #4 pursuant to OAR 345-027-0080. KIII is submitting a request for expedited review along with this amendment request, and has provided the information listed in OAR 345-027-0060(1) and (2) in Section 3 of this request document. KIII originally filed a request for determination under OAR 345-027-005(5) with the Oregon Department of Energy (ODOE), seeking confirmation that the proposed modification to the Facility would not trigger a Site Certificate amendment. However, upon review, ODOE determined that the proposed modification would require an amendment to the Site Certificate because, in part, the proposed modification would not comply with the language of Condition 28(c). KIII requests the authority to replace the MHI-turbine rotors as soon as possible because the proposed modification will not result in a significant adverse impact.

SECTION 2

Information Required Pursuant to OAR 345-027-0050(1)

(1) 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 change to a condition in the site certificate."

Response: In response to KIII's request for determination under OAR 345-027-0050(5), ODOE concluded that KIII's proposed modification to the Facility would require an amendment to the Site Certificate because in part, the modification would not comply with the language of Condition 28(c). Therefore, KIII submits this Request for Amendment #4.

SECTION 3

Information Required Pursuant to OAR 345-027-0060(1)

3.1 OAR 345-027-0060(1)(a) Name and Mailing Address

(1) To request an amendment of a site certificate, the certificate holder shall submit a written request to the Department of Energy that includes the information described in section (2) and the following:

(a) The name and mailing address of the certificate holder and the name, mailing address and phone number of the individual responsible for submitting the request.

Name and Mailing Address of Certificate Holder:

Klondike Wind Power III LLC
Attention: Sara Parsons
1125 NW Couch Street, Suite 700
Portland, OR 97209

Name, Mailing Address, and Phone Number of Individual Responsible for Submitting the Request:

Klondike Wind Power III LLC
Attention: Sara Parsons
1125 NW Couch Street, Suite 700
Portland, OR 97209
(503) 796-7220

3.2 OAR 345-027-0060(1)(b) Description of Facility

(b) A description of the facility including its location and other information relevant to the proposed change.

Response: The Facility is described in Section III of the Final Order on the Third Amendment (November 2007). The certificate holder is proposing to amend the Facility in the manner described in this amendment request.

The Facility is approved for up to 208 turbines and a peak generating capacity of 375 MW. As constructed and operated, the Facility consists of 176 turbines and has a nameplate capacity of 300.1 MW. KIII constructed the Facility under the Site Certificate in two phases referred to as Klondike III (Phase 1) and Klondike IIIa (Phase 2). The first phase consists of 223.6 MW and 125 turbines: 80 GE 1.5-MW turbines, 44 Siemens 2.3-MW turbines, and one Mitsubishi 2.4-MW turbine. The GE and Siemens turbines became operational in October 2007 and the single Mitsubishi turbine became operational in March 2008. Phase 2 consists of 76.5 MW and 51 GE 1.5-MW turbines. Phase 2 became operational in July 2008.

3.3 OAR 345-027-0060(1)(c) Proposed Changes to the Permitted Facility

(c) A detailed description of the proposed change and the certificate holder's analysis of the proposed change under the criteria of OAR 345-027-0050(1).

Response: The Facility is a wind power facility authorized for construction and operation in Sherman County, Oregon. The Energy Facility Siting Council (Council) over time has approved three site certificate amendments to allow for the use of different turbine types. As part of the second amendment, the Council authorized 18.5 acres of additional micrositing area and the construction of a single wind turbine (MHI-1), access road and collector line within the new micrositing area (Final Order on Amendment #2, July 2007, p. 1). Through this Request for Amendment #4, KIII seeks to replace the rotors on the MHI-1 turbine. The MHI-1 turbine currently has a rotor diameter of 92.5 meters, and KIII proposes to replace the existing rotors with rotors having a diameter of 102 meters. The total tip height would be 430 feet, which is only 15 feet greater than what is ultimately approved under the Site Certificate and affects just one turbine out of the 208 approved. No other changes or modifications are proposed in this amendment request.

3.4 OAR 345-027-0060(1)(d) Proposed Changes to Site Certificate

(d) The specific language of the site certificate, including affected conditions, that the certificate holder proposes to change, add or delete by an amendment.

Response: Attachment 1 to this amendment request is a "redline" version of the Site Certificate, showing the proposed changes.

3.5 Relevant Council Standards

(e) A list of the Council standards relevant to the proposed change.

Response: Council standards relevant to the proposed change include Division 22 (General Standards for Siting Facilities) and Division 24 (Specific Standards for Siting Facilities). The requirements of each of these standards are outlined below, along with the certificate holder's responses.

3.5.1 OAR 345-022

The following Division 22 standards are addressed:

- OAR 345-022-0010 Organizational Expertise
- OAR 345-022-0020 Structural Standard
- OAR 345-022-0022 Soil Protection
- OAR 345-022-0030 Land Use
- OAR 345-022-0040 Protected Areas
- OAR 345-022-0050 Retirement and Financial Assurance
- OAR 345-022-0060 Fish and Wildlife Habitat

- OAR 345-022-0070 Threatened and Endangered Species
- OAR 345-022-0080 Scenic Resources
- OAR 345-022-0090 Historic, Cultural and Archaeological Resources
- OAR 345-022-0100 Recreation
- OAR 345-022-0110 Public Services
- OAR 345-022-0120 Waste Minimization

OAR 345-022-0010 Organizational Expertise

(1) To issue a site certificate, the Council must find that the applicant has the organizational expertise to construct, operate and retire the proposed facility in compliance with Council standards and conditions of the site certificate. To conclude that the applicant has this expertise, the Council must find that the applicant has demonstrated the ability to design, construct and operate the proposed facility in compliance with site certificate conditions and in a manner that protects public health and safety and has demonstrated the ability to restore the site to a useful, non-hazardous condition. The Council may consider the applicant's experience, the applicant's access to technical expertise and the applicant's past performance in constructing, operating and retiring other facilities, including, but not limited to, the number and severity of regulatory citations issued to the applicant.

(2) The Council may base its findings under section (1) on a rebuttable presumption that an applicant has organizational, managerial and technical expertise, if the applicant has an ISO 9000 or ISO 14000 certified program and proposes to design, construct and operate the facility according to that program.

(3) If the applicant does not itself obtain a state or local government permit or approval for which the Council would ordinarily determine compliance but instead relies on a permit or approval issued to a third party, the Council, to issue a site certificate, must find that the third party has, or has a reasonable likelihood of obtaining, the necessary permit or approval, and that the applicant has, or has a reasonable likelihood of entering into, a contractual or other arrangement with the third party for access to the resource or service secured by that permit or approval.

(4) If the applicant relies on a permit or approval issued to a third party and the third party does not have the necessary permit or approval at the time the Council issues the site certificate, the Council may issue the site certificate subject to the condition that the certificate holder shall not commence construction or operation as appropriate until the third party has obtained the necessary permit or approval and the applicant has a contract or other arrangement for access to the resource or service secured by that permit or approval.

Response:

A. Certificate Holder's Expertise

The information regarding the certificate holder's organizational expertise remains the same. Because the Council determined that the certificate holder has the operational expertise to operate the permitted Facility, and because the operational requirements of the Facility, as amended, would be the same as the currently permitted Facility, the Council can

find that the certificate holder has the operational expertise to continue operating the Facility, as amended through this Request for Amendment #4.

B. Third-Party Permits

The certificate holder will not rely on any additional third-party permits to obtain any of the necessary permits or approvals to operate the Facility, as amended.

Conclusions

This Request for Amendment #4 does not affect the certificate holder's ability to satisfy the Organizational Standard and therefore, OAR 345-022-0010 is met.

OAR 345-022-0020 Structural Standard

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that:

(a) The applicant, through appropriate site-specific study, has adequately characterized the site as to Maximum Considered Earthquake Ground Motion identified at International Building Code (2003 edition) Section 1615 and maximum probable ground motion, taking into account ground failure and amplification for the site specific soil profile under the maximum credible and maximum probable seismic events; and

(b) The applicant can design, engineer, and construct the facility to avoid dangers to human safety presented by seismic hazards affecting the site that are expected to result from maximum probable ground motion events. As used in this rule "seismic hazard" includes ground shaking, ground failure, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement, and subsidence;

(c) The applicant, through appropriate site-specific study, has adequately characterized the potential geological and soils hazards of the site and its vicinity that could, in the absence of a seismic event, adversely affect, or be aggravated by, the construction and operation of the proposed facility; and

(d) The applicant can design, engineer and construct the facility to avoid dangers to human safety presented by the hazards identified in subsection (c).

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: In the Final Order on Amendment #2 (July 2007), the Council made findings regarding the site-specific characterization of seismic, geologic, and soil hazards for the Facility, including the MHI-1 turbine. The Council concluded that the structural standard was met, and included mitigation requirements in the conditions of the Site Certificate. Before construction of the Facility, KIII satisfied Conditions 53 and 54 requiring the certificate holder to conduct appropriate site-specific geotechnical investigation before construction and design and construct the Facility in accordance with requirements set forth by the State of Oregon's Building Code Division and any other applicable codes and design

procedures, respectively. There will be no new construction associated with the amendment request and KIII is not requesting a change to Conditions 53 and 54. The Facility is operational, and the proposed amendment would involve replacing three rotors on MHI-1 turbine and increasing the rotor diameter from 92.5 meters to 102 meters. The certificate holder has evaluated the existing turbine foundation and the earlier site-specific geotechnical work and concluded that no modifications are required before installing the 102-meter-diameter rotors. Therefore, the Council can rely on its previous findings and the reasons set forth above to determine that the Facility, as amended, is in compliance with this structural standard.

OAR 345-022-0022 Soil Protection

To issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in a significant adverse impact to soils including, but not limited to, erosion and chemical factors such as salt deposition from cooling towers, land application of liquid effluent, and chemical spills.

Response: No new roads will be constructed as a result of the rotor replacements. Existing roads will be used to transport the new rotors to MHI-1 and haul away the existing rotors once the replacement occurs. In addition, no new laydown areas are needed for construction staging. The crane and rotors will be staged on the existing road. During blade replacement, workers may need to walk and possibly drive into the adjacent wheat field. However, any ground disturbance would be minimal and would occur within the previously-surveyed and approved site boundary. Therefore, there will be no change to the adverse impacts analysis previously conducted for the Facility and the Council can rely on the findings from the Final Order on the Third Amended Site Certificate with regard to soil for this Request for Amendment #4.

OAR 345-022-0030 Land Use

(1) To issue a site certificate, the Council must find that the proposed facility complies with the statewide planning goals adopted by the Land Conservation and Development Commission.

(2) The Council shall find that a proposed facility complies with section (1) if:

(a) The applicant elects to obtain local land use approvals under ORS 469.504(1)(a) and the Council finds that the facility has received local land use approval under the acknowledged comprehensive plan and land use regulations of the affected local government; or

(b) The applicant elects to obtain a Council determination under ORS 469.504(1)(b) and the Council determines that:

(A) The proposed facility complies with applicable substantive criteria as described in section (3) and the facility complies with any Land Conservation and Development Commission administrative rules and goals and any land use statutes directly applicable to the facility under ORS 197.646(3);

(B) For a proposed facility that does not comply with one or more of the applicable substantive criteria as described in section (3), the facility otherwise complies with the

statewide planning goals or an exception to any applicable statewide planning goal is justified under section (4); or

(C) For a proposed facility that the Council decides, under sections (3) or (6), to evaluate against the statewide planning goals, the proposed facility complies with the applicable statewide planning goals or that an exception to any applicable statewide planning goal is justified under section (4).

Response: The certificate holder confirmed with the Sherman County Planning Director that the County has not changed its applicable substantive criteria for the evaluation of wind energy facilities since the issuance of the Third Amended Site Certificate, except for the adoption of Ordinance No. 39-2007 encouraging collaboration and cooperation of neighboring property owners and wind project developers to establish setback requirements between neighboring projects (Ordinance).[1] The Ordinance requires that prior to an application for a wind power project in Sherman County, a project developer is encouraged to negotiate setback distances from wind turbines on the outer edges of the project to the outer boundary lines of the project with adjacent owners or developers. If the project developer is unable to reach a negotiated agreement, then the setbacks from the Ordinance will apply, but the requirements apply only to project boundaries and "will not be required for towers installed internally within the project." Here, the MHI-1 turbine is located in the center of the permitted site boundary and therefore, the requirements of the Ordinance do not apply to the proposed modification. Furthermore, there is no change in the turbine location.

With respect to other applicable substantive criteria addressed, this amendment does not change the footprint or operations of the Facility, except to increase the allowable rotor diameter on a single turbine (MHI-1) from 92.5 meters to 102 meters. In the Final Order on Amendment #2 (July 2007), the Council found that the Facility, including the addition of the MHI-1 turbine, complied with the applicable substantive criteria subject to a Goal 3 exception. The proposed modification does not substantially alter the underlying facts upon which the Council based its previous findings and conclusions regarding land use. The change in the Facility that would be authorized under the requested amendment would alter the Facility design by increasing the rotor diameter on the MHI-1 turbine an additional 9.5 meters beyond that approved as a part of the Final Order on Amendment #3 (November 2007), but would not change the approved land use. Therefore, KIII asserts that the Council can rely on the previous findings and conclusions regarding land use to conclude that the Facility, as amended, complies with OAR 345-022-0030.

OAR 345-022-0040 Protected Areas

(1) Except as provided in sections (2) and (3), the Council shall not issue a site certificate for a proposed facility located in the areas listed below. To issue a site certificate for a proposed facility located outside the areas listed below, the Council must find that, taking into account mitigation, the design, construction and operation of the facility are not likely to result in significant adverse impact to the areas listed below. References in this rule to protected areas designated under federal or state statutes or regulations are to the designations in effect as of May 11, 2007:

[1] Sara Parsons, Iberdrola Renewables, Inc., confirmed with Georgia McNabb, Sherman County Planning Director, on November 29, 2010.

(a) National parks, including but not limited to Crater Lake National Park and Fort Clatsop National Memorial;

(b) National monuments, including but not limited to John Day Fossil Bed National Monument, Newberry National Volcanic Monument and Oregon Caves National Monument;

(c) Wilderness areas established pursuant to The Wilderness Act, 16 U.S.C. 1131 et seq. and areas recommended for designation as wilderness areas pursuant to 43 U.S.C. 1782;

(d) National and state wildlife refuges, including but not limited to Ankeny, Bandon Marsh, Baskett Slough, Bear Valley, Cape Meares, Cold Springs, Deer Flat, Hart Mountain, Julia Butler Hansen, Klamath Forest, Lewis and Clark, Lower Klamath, Malheur, McKay Creek, Oregon Islands, Sheldon, Three Arch Rocks, Umatilla, Upper Klamath, and William L. Finley;

(e) National coordination areas, including but not limited to Government Island, Ochoco and Summer Lake;

(f) National and state fish hatcheries, including but not limited to Eagle Creek and Warm Springs;

(g) National recreation and scenic areas, including but not limited to Oregon Dunes National Recreation Area, Hell's Canyon National Recreation Area, and the Oregon Cascades Recreation Area, and Columbia River Gorge National Scenic Area;

(h) State parks and waysides as listed by the Oregon Department of Parks and Recreation and the Willamette River Greenway;

(i) State natural heritage areas listed in the Oregon Register of Natural Heritage Areas pursuant to ORS 273.581;

(j) State estuarine sanctuaries, including but not limited to South Slough Estuarine Sanctuary, OAR chapter 142;

(k) Scenic waterways designated pursuant to ORS 390.826, wild or scenic rivers designated pursuant to 16 U.S.C. 1271 et seq., and those waterways and rivers listed as potentials for designation;

(L) Experimental areas established by the Rangeland Resources Program, College of Agriculture, Oregon State University: the Prineville site, the Burns (Squaw Butte) site, the Starkey site and the Union site;

*(m) Agricultural experimental stations established by the College of Agriculture, Oregon State University, including but not limited to: * * **

(n) Research forests established by the College of Forestry, Oregon State University, including but not limited to McDonald Forest, Paul M. Dunn Forest, the Blodgett Tract in Columbia County, the Spaulding Tract in the Mary's Peak area and the Marchel Tract;

(o) Bureau of Land Management areas of critical environmental concern, outstanding natural areas and research natural areas;

(p) State wildlife areas and management areas identified in OAR chapter 635, division 8.

Response: The Facility, including the MHI-1 turbine, does not lie within a protected area as defined in OAR 345-022-0040(1)(a) through (p). The Council previously concluded that the protected area standard was met.

The proposed rotor replacement on the MHI-1 turbine and the increase in allowable rotor diameter from 92.5 meters to 102 meters is not likely to result in a significant adverse impact to protected areas listed in OAR 345-022-0040(1)(a) through (p). The subject turbine is centrally located within the permitted site boundary, approximately 7.5 miles from the nearest protected area as shown in Figure R-1 of the Second Request for Amendment (April 2007), and the proposed modification would only increase the total tip height 15 feet (to 430 feet) above what was approved for Facility turbines under the Site Certificate. Moreover, this increase would affect just one turbine out of the 208 approved. The area of potential visibility that is depicted in Figure R-1 of the Second Request for Amendment would not change with an increase in height of 15 feet. This is because the vertical distance of the digital elevation model (DEM) that the visibility assessment was based on is 10 meters (31.4 feet). As a result, a change in turbine height of less than 10 meters would not materially affect the areas shown on the map from which this turbine would be potentially visible, and the existing visibility analysis remains valid for the new turbine height. Additionally, because all protected areas are at least 7.5 miles from the centrally located MHI-1 turbine, and based on the noise analysis presented in Attachment 2, there would be no noticeable increase in noise levels from the Facility resulting from the proposed amendment. Therefore, the Council can rely on its earlier findings and the reasons set forth above to determine that the Facility, as amended, is in compliance with the standard for protected areas.

Sections (2) and (3) of OAR 345-022-0040 do not apply.

OAR 345-022-0050 Retirement and Financial Assurance

To issue a site certificate, the Council must find that:

(1) The site, taking into account mitigation, can be restored adequately to a useful, non-hazardous condition following permanent cessation of construction or operation of the facility.

(2) The applicant has a reasonable likelihood of obtaining a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition.

Response: In the Final Order on Amendment #3 (November 2007), the Council found that the permitted site could be restored adequately to a useful, nonhazardous condition following permanent cessation of construction or operation of the Facility. This amendment request does not seek to change the type of land to be restored. It does not propose to operate in a different manner or use hazardous materials or generate hazardous waste not considered by the Council for the permitted project. The current outstanding letter of credit is $9,936,000 for Facility decommissioning. The decommissioning costs take into account the removal of turbine blades, hubs, and nacelles for each tower. For the Facility, this unit cost was estimated at $5,207 per each 1.5-MW turbine (77-meter rotor diameter) (Final Order on

Amendment #3, November 2007). More recent estimates for other projects involving larger rotors were $5,594 per turbine for a 2.1-MW (88-meter) rotor (Leaning Juniper II Final Order on Amendment #1, November 20, 2009), and $4,910 for a 1.5-MW (77-meter) rotor (Montague Final Order, September 10, 2010). Extrapolating from these more recent unit cost estimates, the approximate unit cost to decommission the proposed 102-meter rotor diameter turbine is $6,087, an increase of $880 over the original estimate. Because this increase is less than the $1,000 increment used to round up the letter of credit amount, replacement of the rotors on the MHI-1 turbine will have no impact on the certificate holder's ability to comply with Condition 32, and the decommissioning cost for the Facility, including the proposed change, is adequately accounted for in the current $9.9 million letter of credit.

Therefore, the Council can find that the certificate holder is in compliance with the retirement and financial assurances standard for purposes of this Request for Amendment #4 and no additional financial assurance is required.

OAR 345-022-0060 Fish and Wildlife Habitat

To issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are consistent with the fish and wildlife habitat mitigation goals and standards of OAR 635-415-0025 in effect as of September 1, 2000.

Response: The proposed modification will not include any ground disturbance activities to native habitat, and will raise the maximum tip height of a single turbine by only 15 feet. As a result, there will be no change to the impacts described in the Site Certificate and the Council can find that the certificate holder is in compliance with the fish and wildlife mitigation goals and standards for purposes of this Request for Amendment #4.

OAR 345-022-0070 Threatened and Endangered Species

To issue a site certificate, the Council, after consultation with appropriate state agencies, must find that:

(1) For plant species that the Oregon Department of Agriculture has listed as threatened or endangered under ORS 564.105(2), the design, construction and operation of the proposed facility, taking into account mitigation:

(a) Are consistent with the protection and conservation program, if any, that the Oregon Department of Agriculture has adopted under ORS 564.105(3); or

(b) If the Oregon Department of Agriculture has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(2) For wildlife species that the Oregon Fish and Wildlife Commission has listed as threatened or endangered under ORS 496.172(2), the design, construction and operation of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

Response: The proposed modification will not include any ground disturbance activities to native habitat, and will raise the maximum tip height of a single turbine by only 15 feet. As

a result, there will be no change to the impacts described in the Site Certificate and the Council can find that the certificate holder is in compliance with the threatened and endangered species standard for purposes of this Request for Amendment #4.

OAR 345-022-0080 Scenic Resources

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to scenic resources and values identified as significant or important in local land use plans, tribal land management plans and federal land management plans for any lands located within the analysis area described in the project order.

Response: In the Final Order on Amendment #3 (November 2007), the Council found that the Facility would have no significant adverse effect on the eight scenic resources and values identified as significant or important in Table 3 in the Final Order on the Application. Turbine MHI-1 is centrally located within the permitted site boundary and the proposed modification would only increase the total turbine height 15 feet above the height approved for Facility turbines under the Site Certificate. The area of potential visibility that is depicted in Figure R-1 of the Second Request for Amendment would not change with an increase in height of 15 feet. This is because the vertical distance of the digital elevation model (DEM) that the visibility assessment is based upon is 10 meters (31.4 feet). Therefore, a change of less than 10 meters would not affect the modeled areas from which the turbine would be potentially visible. In the Final Order on Amendment #2 (July 2007), the Council found that the proposed MHI-1 turbine would have no significant adverse impact on scenic resources. In addition, the Council found that there would be no new impact on the eight scenic resources identified in the Final Order on Amendment #3. Therefore, because the aesthetic values impact analysis conducted for the Site Certificate remains valid, the Council can rely on its earlier findings and the reasons set forth above to determine that the Facility, as amended, meets the scenic and aesthetic values standard.

OAR 345-022-0090 Historic, Cultural and Archaeological Resources

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impacts to:

(a) Historic, cultural or archaeological resources that have been listed on, or would likely be listed on the National Register of Historic Places;

(b) For a facility on private land, archaeological objects, as defined in ORS 358.905(1)(a), or archaeological sites, as defined in ORS 358.905(1)(c); and

(c) For a facility on public land, archaeological sites, as defined in ORS 358.905(1)(c).

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: No new roads will be constructed as a result of the rotor replacements. Existing roads will be used to transport the new rotors to MHI-1 and haul away the existing rotors once the replacement occurs. In addition, no new laydown areas are needed for construction staging. The crane and rotors will be staged on the existing road. During blade replacement, workers may need to walk and possibly drive into the adjacent wheat field. However, any ground disturbance would be minimal and would occur within the previously-surveyed and approved site boundary. As a result, there will be no change to the impacts described in the Site Certificate and the Council can determine that the Facility, as amended, meets the historic, cultural, and archaeological resources standard. This amendment request does not affect KIII's ability to comply with existing Conditions 48 through 51 of the Site Certificate.

OAR 345-022-0100 Recreation

(1) Except for facilities described in section (2), to issue a site certificate, the Council must find that the design, construction and operation of a facility, taking into account mitigation, are not likely to result in a significant adverse impact to important recreational opportunities in the analysis area as described in the project order. The Council shall consider the following factors in judging the importance of a recreational opportunity:

(a) Any special designation or management of the location;

(b) The degree of demand;

(c) Outstanding or unusual qualities;

(d) Availability or rareness;

(e) Irreplaceability or irretrievability of the opportunity.

Response: The Council found in the Final Order on Amendment #2 (July 2007) that recreational opportunities associated with the John Day River, the Journey Through Time Scenic Byway and historic trail alignments are important recreational opportunities within the analysis area. The Council found that construction and operation of the MHI-1 turbine would not result in significant adverse impact to these recreational opportunities, taking into account the mitigation that is required under site certificate conditions. The certificate holder is not seeking any change to site certificate conditions with regard to recreational areas.

As described under the scenic resources analysis above, the subject turbine is centrally located within the permitted site boundary, and the proposed modification would only increase the total tip height 15 feet (to 430 feet)above what was approved for Facility turbines under the Site Certificate. Moreover, this increase would only affect one turbine out of the 208 approved. The area of potential visibility that is depicted in Figure R-1 of the Second Request for Amendment (April 2007) would not change with an increase in height of 15 feet. This is because the vertical distance of the digital elevation model (DEM) that the visibility assessment was based upon is 10 meters (31.4 feet). As a result, a change in turbine height of less than 10 meters would not materially affect the areas shown on the map from which this turbine would be potentially visible, and the existing visibility analysis remains valid for the new turbine height. Additionally, because the MHI-1 turbine is centrally located and far from any identified recreational areas, and based on the noise analysis

presented in Attachment 2, there would be no noticeable increase in noise levels from the project resulting from the proposed amendment. Therefore, the Council can rely on its earlier findings and the reasons set forth above to determine that the Facility, as amended is in compliance with the standard for recreational facilities.

OAR 345-022-0110 Public Services

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that the construction and operation of the facility, taking into account mitigation, are not likely to result in significant adverse impact to the ability of public and private providers within the analysis area described in the project order to provide: sewers and sewage treatment, water, storm water drainage, solid waste management, housing, traffic safety, police and fire protection, health care and schools.

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: In the Final Order on Amendment #3 (November 2007), the Council found that the Facility would have no significant adverse impacts on public services within 30 miles of the permitted site boundary. The rotor replacement does not increase the number of operation employees, and only a few employees will be onsite for a limited period to replace the rotors. In addition, the proposed modification will not change the quantity or method of disposal of solid waste, wastewater, or stormwater. No change to traffic levels will result from this Request for Amendment #4, and no new methods of fire control or emergency response are proposed.

On the basis of the information in Final Order on Amendment #3, the Council concluded that the public services standard was met, and included mitigation requirements in the conditions of the Site Certificate. The certificate holder is not requesting a change to these conditions. Therefore, the Council can rely on its earlier findings to determine that the amended Facility is in compliance with the standard for public services.

This amendment request does not change the certificate holder's ability to comply with the Site Certificate and fulfills the requirements of OAR 345-022-0110.

OAR 345-022-0120 Waste Minimization

(1) Except for facilities described in sections (2) and (3), to issue a site certificate, the Council must find that, to the extent reasonably practicable:

(a) The applicant's solid waste and wastewater plans are likely to minimize generation of solid waste and wastewater in the construction and operation of the facility, and when solid waste or wastewater is generated, to result in recycling and reuse of such wastes;

(b) The applicant's plans to manage the accumulation, storage, disposal and transportation of waste generated by the construction and operation of the facility are likely to result in minimal adverse impact on surrounding and adjacent areas.

(2) The Council may issue a site certificate for a facility that would produce power from wind, solar or geothermal energy without making the findings described in section (1). However, the Council may apply the requirements of section (1) to impose conditions on a site certificate issued for such a facility.

Response: The Request for Amendment #4 does not affect the certificate holder's plans to minimize, manage, recycle, or reuse solid waste or wastewater. The replaced rotors (and blades) will be removed and will likely be recycled or reused at another location. Therefore, the Council can rely on its earlier findings and the reasons stated above to determine that the amended Facility is in compliance with the standard for waste minimization and OAR 345-022-0120 is met.

3.5.2 OAR 345-024

The following Division 24 standards are addressed:

- OAR 345-024-0010 Public Health and Safety Standards for Wind Energy Facilities
- OAR 345-024-0015 Siting Standards for Wind Energy Facilities
- OAR 345-024-0090 Transmission Lines

OAR 345-024-0010, Public Health and Safety Standards for Wind Energy Facilities

To issue a site certificate for a proposed wind energy facility, the Council must find that the applicant:

(1) Can design, construct and operate the facility to exclude members of the public from close proximity to the turbine blades and electrical equipment.

(2) Can design, construct and operate the facility to preclude structural failure of the tower or blades that could endanger the public safety and to have adequate safety devices and testing procedures designed to warn of impending failure and to minimize the consequences of such failure.

Response: The proposed modification does not affect the certificate holder's ability to exclude the public from close proximity to the turbine blades and electrical equipment. Further, the proposed modification does not alter the safety procedures intended to protect public safety. The certificate holder is not requesting any change to the conditions in the Site Certificate addressing these matters and the proposed modification will not affect the certificate holder's ability to comply with these conditions. Therefore, the Council can rely on its earlier findings and the Site Certificate conditions regarding public safety to determine that the amended Facility is in compliance with this standard.

Accordingly, the certificate holder demonstrates that the proposed modification can be designed, constructed, and operated in accordance with OAR 345-024-0010(1) and (2).

OAR 345-024-0015 Siting Standards for Wind Energy Facilities

To issue a site certificate for a proposed wind energy facility, the Council must find that the applicant can design and construct the facility to reduce cumulative adverse environmental effects in the vicinity by practicable measures including, but not limited to, the following:

(1) Using existing roads to provide access to the facility site, or if new roads are needed, minimizing the amount of land used for new roads and locating them to reduce adverse environmental impacts.

(2) Using underground transmission lines and combining transmission routes.

(3) Connecting the facility to existing substations, or if new substations are needed, minimizing the number of new substations.

(4) Designing the facility to reduce the risk of injury to raptors or other vulnerable wildlife in areas near turbines or electrical equipment.

(5) Designing the components of the facility to minimize adverse visual features.

(6) Using the minimum lighting necessary for safety and security purposes and using techniques to prevent casting glare from the site, except as otherwise required by the Federal Aviation Administration or the Oregon Department of Aviation.

Response: In the Final Order on Amendment #3 (November 2007), the Council found that KIII satisfied OAR 345-024-0015. The proposed modification seeks to increase the rotor diameter on MHI-1 turbine to 102 meters; no other modifications are proposed. The amended Facility should not affect existing visual impacts, or public access. Efforts to reduce cumulative adverse environmental impacts would not be affected by the proposed modification.

The certificate holder is not requesting any changes to the conditions in the Site Certificate addressing these matters. Therefore, the Council can rely on its earlier findings and the relevant Site Certificate conditions to determine that the amended Facility is in compliance with OAR 345-024-0015.

OAR 345-024-0090 Transmission Lines

To issue a site certificate for a facility that includes any transmission line under Council jurisdiction, the Council must find that the applicant:

(1) Can design, construct and operate the proposed transmission line so that alternating current electric fields do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public;

(2) Can design, construct and operate the proposed transmission line so that induced currents resulting from the transmission line and related or supporting facilities will be as low as reasonably achievable.

Response: The proposed modification does not change any aspect of transmission line design, construction, or operation. Therefore, the Council can rely on its earlier findings and the Site Certificate conditions regarding these matters to determine that the amended Facility is in compliance with OAR 345-024-0090.

3.6 OAR 345-027-0060(1)(f) Other Applicable Requirements

OAR 345-027-0060(1)(f) requires an analysis of whether the facility, with the proposed change, would comply with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances if the Council amends the site certificate, as requested. For the purpose of this rule, a law, rule, or ordinance is "applicable" if the Council would apply or consider the law, rule, or ordinance under OAR 345-027-0070(9).

Rules and laws applicable under this section include the Oregon Department of Environmental Quality's (DEQ) noise control regulations; regulations adopted by the Department of State Lands (DSL) for removing, filling, or altering material within "waters of the state"; Oregon State laws pertaining to groundwater appropriation; and Oregon Revised Statute (ORS) 469.310 pertaining to the protection of public health and safety. These regulations and the certificate holder's responses are explained further below.

To summarize the results of the following analysis, under this amendment request the certificate holder would comply with applicable DEQ noise control regulations, DSL fill-removal regulations, Oregon laws pertaining to groundwater appropriation, and ORS 469.310. This amendment request does not change the certificate holder's ability to comply with the Site Certificate.

1. DEQ Noise Control Regulations—OAR 340-035-0035

DEQ noise regulations for industrial and commercial noise sources are established under OAR 340-035-0035. More specifically, OAR 340-035-0035(1)(b)(B)(iii) establishes the noise standards for noise levels generated by a wind energy facility.

Response: In Section V.1(a) of the Final Order on Amendment #3 (November 2007), the Council found that KIII would meet applicable DEQ noise standards, subject to conditions of approval (Conditions 101 and 102). The amended Facility includes rotor replacement for a single turbine located in the center of the site boundary (MHI-1 turbine). As described in Attachment 2, *Addendum to Klondike III Wind Project Noise Analysis,* the manufacturer has indicated that the maximum sound power level for the proposed 102-meter rotor would be the same as the existing 92.5-meter rotor, or 110 dBA. A detailed analysis was conducted and the results conclude the following: in the unlikely event that the larger rotor increases the sound power level from 110 to a level as high as 115 dBA, which would result in one of the loudest commercially available turbines in North America, compliance with applicable DEQ requirements would still be maintained. In the event that the measured sound power level of the turbine is found to exceed 115 dBA, remedies are available, including restoring the turbine to its original operating condition with the 92-meter rotor.

The certificate holder has obtained noise easements for all residences within 1.4 miles of the MHI-1 turbine and a potential 5-dBA increase from this single turbine does not result in an exceedance of the 50-dBA criterion at any of these residences nor an exceedance of the 36-dBA criterion at any other residences located further away.

Therefore, the change proposed in this amendment request does not affect the certificate holder's ability to comply with Site Certificate Conditions 101 and 102 or the applicable DEQ noise regulations per OAR 345-021-0010(1)(x)(B).

2. Department of State Lands (DSL) Removal/Fill Regulations—ORS 196.795 to .990, OAR 141-085-0500 to -0785, and Section 404 of the Clean Water Act

Pursuant to OAR 345-022-0000, the Council must determine compliance with applicable statutes, ORS 196.800-.990, and applicable Division of State Lands (DSL) regulations, OAR 141-085-0500, et seq., relating to fill and other operations taking place within wetlands. These regulations require persons to obtain a fill-removal permit if more than 50 cubic yards of material will be removed or altered within "waters of the state." The overall standard to be considered in granting a fill-removal permit is whether the proposed activity would not "unreasonably interfere with the paramount policy of this state to preserve the use of its waters for navigation, fishing, and public recreation."[ORS 196.825(2)]

Response: The proposed modification does not involve any ground disturbance near wetlands or other jurisdictional waters. Therefore, the Council may rely on its findings in the Final Order on Amendment #3 (November 2007) and the conditions in the Site Certificate to determine that the Facility, as amended, is in compliance with applicable Oregon statutes and regulations regarding wetlands.

3. Groundwater Act of 1955—ORS 537.505 to .796, and OAR Chapter 690

Through the provisions of the Groundwater Act (GWA) of 1955, ORS 537.505 to .796, and OAR Chapter 690, the Oregon Water Resources Commission administers the rights of appropriation and use of the groundwater resources of the state. Under OAR 345-022-0000(1), the Council must determine whether the facility complies with these statutes and administrative rules.

Section V.1(c) of the Final Order finds that the certificate holder's proposed use of groundwater would be consistent with (1) the GWA and Oregon Water Resources Department (OWRD) statutes, (2) administration regarding rights of appropriation, and (3) the uses of state groundwater resources.

This amendment request does not change the water needs or usage of the Facility, and does not affect the certificate holder's ability to comply with the Site Certificate. Therefore, the conditions of OAR Chapter 690 are met.

4. Public Health and Safety—ORS 469.310

The Council is required to impose conditions in the site certificate for the protection of public health and safety.

Under ORS 469.310, the Council must ensure that the "siting, construction and operation of energy facilities shall be accomplished in a manner consistent with protection of the public health and safety …." The state siting statute also provides that "the site certificate shall contain conditions for the protection of the public health and safety …."

Response: The Site Certificate has several conditions relating to public health and safety, including measures to provide protection from electric and magnetic fields; none of these conditions are affected by this Request for Amendment #4. The amended Facility will not affect public health and safety and will not affect the Facility's compliance with the public health and safety standards. Therefore, the Council may rely on its findings in the Final Order on Amendment #3 (November 2007) and the conditions in the Site Certificate to

determine that the Facility, as amended, is in compliance with applicable public health and safety requirements.

This amendment request does not change the information presented in the Final Order or the certificate holder's ability to comply with the Site Certificate.

3.7 OAR 345-027-0060(1)(g) Landowners Within or Adjacent to the Facility

This rule requires an updated list of landowners if the amendment would change the site boundary, extend construction deadlines, or change the legal description of the facility.

Response: This amendment request does not change the site boundary, extend construction deadlines, or change the legal description of the Facility. Nonetheless, an updated list of landowners based on current ownership is provided in Attachment 3.

SECTION 4

Information Described in Applicable Exhibits and Incorporation of Previous Information by Reference, Pursuant to OAR 345-027-0060(2)

OAR 345-027-0060(2) In a request to amend a site certificate, the certificate holder shall provide the information described in applicable subsections of OAR 345-021-0010(1). The certificate holder may incorporate by reference relevant information that the certificate holder has previously submitted to the Department or that is otherwise included in the Department's administrative record on the facility.

Response: All exhibits of the Application for Site Certificate are hereby incorporated by reference.

SECTION 5

Information Described in Applicable Exhibits and Incorporation of Previous Information by Reference, Pursuant to OAR 345-027-0060(3), and (4)

OAR 345-027-0060(3) Before submitting a request to amend a site certificate, the certificate holder may prepare a draft request and may confer with the Department about the content of the request. Although the Council does not require the certificate holder to prepare a draft request and confer with the Department, the Council recommends that the certificate holder follow this procedure.

Response: The certificate holder submitted a letter to ODOE on October 22, 2010, to describe the proposed change to the previously-approved Facility, and to request a determination that no Site Certificate amendment would be required. However, upon review, ODOE determined that the proposed modification would require an amendment to the Site Certificate because, in part, the proposed modification would not comply with the language of Condition 28(c). The certificate holder then conferred with ODOE regarding the format and content for this amendment (phone and email communication with John White on November 18 and 22, 2010). This amendment request replaces the original letter submitted to ODOE on October 22, 2010.

OAR 345-027-0060(4) The certificate holder shall submit an original and ten copies of the amendment request to the Department. In addition to the printed copies, the certificate holder shall submit the text (including appendices and graphical information to the extent practical) of the amendment request in a non-copy-protected electronic format acceptable to the Department. The certificate holder shall provide additional copies of the amendment request to the Department upon request and copies or access to copies to any person requesting copies. If requested by the Department, the certificate holder shall send copies of the request to persons on a mailing list provided by the Department.

Response: The certificate holder will comply with this requirement.

ATTACHMENT 1

Redline Site Certificate

ENERGY FACILITY SITING COUNCIL

OF THE

STATE OF OREGON

Fourth ~~Third~~ Amended Site Certificate

for the

Klondike III Wind Project

March __ ~~November 16~~, 2011~~07~~

The Oregon Energy Facility Siting Council

FOURTH ~~THIRD~~ AMENDED SITE CERTIFICATE FOR THE KLONDIKE III WIND PROJECT

I. INTRODUCTION

The Oregon Energy Facility Siting Council (Council) issues this site certificate for the Klondike III Wind Project (the facility) in the manner authorized under ORS Chapter 469. This site certificate is a binding agreement between the State of Oregon (State), acting through the Council, and Klondike Wind Power III LLC (certificate holder) authorizing the certificate holder to construct and operate the Klondike III Wind Project in Sherman County, Oregon.

The findings of fact, reasoning and conclusions of law underlying the terms and conditions of this site certificate are set forth in the following documents related to the facility, which are incorporated herein by this reference: (a) the Council's Final Order on the Application and (b) the Council's Final Orders on Amendments #1, #2, ~~and~~ #3, and #4. In interpreting this site certificate, any ambiguity will be clarified by reference to the following, in order of priority: (1) this Fourth ~~Third~~ Amended Site Certificate, (2) the Final Order on Amendment #4 ~~3~~, (3) the Final Order on Amendment #3, (4) the Final Order on Amendment #2, (~~4~~5) the Final Order on Amendment #1, (~~5~~6) the Final Order on the Application and (6) the record of the proceedings that led to the Final Orders on the Application, Amendment #1, Amendment #2, ~~and~~ Amendment #3, and Amendment #4. [Amendments #1, #2, ~~and~~ #3, and #4]

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

II. SITE CERTIFICATION

1. To the extent authorized by state law and subject to the conditions set forth herein, the State authorizes the certificate holder to construct, operate and retire a wind energy facility, together with certain related or supporting facilities, at the site in Sherman County, Oregon, as described in Section III of this site certificate. ORS 469.401(1).

2. This site certificate is effective until it is terminated under OAR 345-027-0110 or the rules in effect on the date that termination is sought or until the site certificate is revoked under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect on the date that revocation is ordered. ORS 469.401(1).

3. This site certificate does not address, and is not binding with respect to, matters that were not addressed in the Council's Final Orders on the Application and Amendments #1, #2, ~~and~~ #3, and #4. Such matters include, but are not limited to: building code compliance, wage, hour and other labor regulations, local government fees and charges and other design or operational issues that do not relate to siting the facility (ORS 469.401(4)) and permits issued under statutes and rules for which the decision on compliance has been delegated by the federal government to a state agency other than the Council. 469.503(3). [Amendments #1, #2, ~~and~~ #3, and #4]

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

5. For a permit, license or other approval addressed in and governed by this site certificate, the certificate holder shall comply with applicable state and federal laws adopted in the future to the extent that such compliance is required under the respective state agency statutes and rules. ORS 469.401(2).

6. Subject to the conditions herein, this site certificate binds the State and all counties, cities and political subdivisions in Oregon as to the approval of the site and the construction, operation and retirement of the facility as to matters that are addressed in and governed by this site certificate. ORS 469.401(3).

7. Each affected state agency, county, city and political subdivision in Oregon with authority to issue a permit, license or other approval addressed in or governed by this site certificate shall, upon submission of the proper application and payment of the proper fees, but without hearings or other proceedings, issue such permit, license or other approval subject only to conditions set forth in this site certificate. ORS 469.401(3).

8. After issuance of this site certificate, each state agency or local government agency that issues a permit, license or other approval for the facility shall continue to exercise enforcement authority over such permit, license or other approval. ORS 469.401(3).

9. After issuance of this site certificate, the Council shall have continuing authority over the site and may inspect, or direct the Oregon Department of Energy (Department) to inspect, or request another state agency or local government to inspect, the site at any time in order to ensure that the facility is being operated consistently with the terms and conditions of this site certificate. ORS 469.430.

III. DESCRIPTION 1.

1. The Facility

(a) The Energy Facility

The energy facility is an electric power generating plant with an average electric generating capacity of approximately 125 megawatts and a peak generating capacity of not more than 375 megawatts that produces power from wind energy. The facility consists of not more than 208 wind turbines. The energy facility is described further in the Final Orders on Amendments #1, #2, ~~and~~ #3, and #4. [Amendments #1, #2, ~~and~~ #3, and #4]

(b) Related or Supporting Facilities

The facility includes the following related or supporting facilities described below and in greater detail in the Final Order on the Amendment #1:

- Power collection system
- Substations and interconnection system
- Meteorological towers
- Operations and maintenance building
- Control system
- Access roads
- Temporary construction areas

[Amendment #1]

Power Collection System

A power collection system operating at 34.5 kilovolts (kV) transports power from each turbine to a collector substation. Most of the collection system is in underground segments but may include aboveground segments, not exceeding 12 miles in combined length, mounted on monopole support structures. Power from the eastern section of the facility is transmitted to a substation near Schoolhouse underground and aboveground 34.5-kV collector lines. [Amendment #1]

Substations and Interconnection System

The facility includes one substation located near existing Klondike I and II "Schoolhouse" facilities. The power generated by the facility interconnects with the regional transmission grid at that location. [Amendment #1]

Meteorological Towers

The facility includes three permanent meteorological (met) towers. The met towers are non-guyed steel towers approximately 80 meters in height.

Operations and Maintenance Building

The facility includes two operations and maintenance (O&M) buildings, one of approximately 5,000 square feet and one of approximately 15,000 square feet. [Amendment #3]

Control System

A fiber optic communications network links the wind turbines to a central computer at the O&M building. A "supervisory, control and data acquisition" (SCADA) system collects operating and performance data from each wind turbine and the project as a whole and provides remote operation of the wind turbines.

Access Roads

The facility includes access roads to provide access to the turbine strings. Access roads connect to graveled turbine turn-out and pad areas at the base of each wind turbine. The roads are approximately 20 feet wide and constructed with crushed gravel.

Temporary Construction Areas

During construction, the facility includes temporary laydown areas used to stage construction and store supplies and equipment during construction and temporary crane paths for efficient movement of cranes between turbine strings. [Amendment #1]

2. Location of the Proposed Facility

The facility is located approximately 4 miles east of Wasco, in Sherman County, Oregon, about 5 miles south of the Columbia River. The site is in Townships 1 and 2 North and Ranges 17, 18 and 19 East Sections. The facility is located on land subject to lease agreements with several landowners.

IV. CONDITIONS REQUIRED BY COUNCIL RULES

This section lists conditions required by OAR 345-027-0020 (Mandatory Conditions in Site Certificates), OAR 345-027-0023 (Site Specific Conditions), OAR 345-027-0028 (Monitoring Conditions) and OAR Chapter 345, Division 26 (Construction and Operation Rules for Facilities). These conditions should be read together with the specific facility conditions listed in Section V to ensure compliance with the siting standards of OAR Chapter 345, Divisions 22 and 24, and to protect the public health and safety. In these conditions, "Office of Energy" means the Oregon Department of Energy, and the other definitions in OAR 345-001-0010 apply. [Amendment #3]

The obligation of the certificate holder to report information to the Department or the Council under the conditions listed in this section and in Section V is subject to the provisions of ORS 192.502 et seq. and ORS 469.560. To the extent permitted by law, the Department and the Council will not publicly disclose information that may be exempt from public disclosure if the certificate holder has clearly labeled such information and stated the basis for the exemption at the time of submitting the information to the Department or the Council. If the Council or the Department receives a request for the disclosure of the information, the Council or the Department, as appropriate, will make a reasonable attempt to notify the certificate holder and will refer the matter to the Attorney General for a determination of whether the exemption is applicable, pursuant to ORS 192.450. [Amendment #3]

In addition to these conditions, the site certificate holder is subject to all conditions and requirements contained in the rules of the Council and in local ordinances and state law in effect on the date the certificate is executed. Under ORS 469.401(2), upon a clear showing of a significant threat to the public health, safety or the environment that requires application of later-adopted laws or rules, the Council may require compliance with such later-adopted laws or rules.

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

(1) OAR 345-027-0020(1): The Council shall not change the conditions of the site certificate except as provided for in OAR Chapter 345, Division 27.

(2) OAR 345-027-0020(2): The certificate holder shall submit a legal description of the site to the Department of Energy within 90 days after beginning operation of the facility. The legal description required by this rule means a description of metes and bounds or a description of the site by reference to a map and geographic data that clearly and specifically identifies the outer boundaries that contain all parts of the facility. [Amendment #2]

(3) OAR 345-027-0020(3): The certificate holder shall design, construct, operate and retire the facility:

(a) Substantially as described in the site certificate;

(b) In compliance with the requirements of ORS Chapter 469, applicable Council rules, and applicable state and local laws, rules and ordinances in effect at the time the site certificate is issued; and

(c) In compliance with all applicable permit requirements of other state agencies.

(4) OAR 345-027-0020(4): The certificate holder shall begin and complete construction of the facility by the dates specified in the site certificate. (See conditions (26) and (27).)

(5) OAR 345-027-0020(5): Except as necessary for the initial survey or as otherwise allowed for wind energy facilities, transmission lines or pipelines under this section, the certificate holder shall not begin construction, as defined in OAR 345-001-0010, or create a clearing on any part of the site until the certificate holder has construction rights on all parts of the site. For the purpose of this rule, "construction rights" means the legal right to engage in construction activities. For wind energy facilities, transmission lines or pipelines, if the certificate holder does not have construction rights on all parts of the site, the certificate holder may nevertheless begin construction, as defined in OAR 345-001-0010, or create a clearing on a part of the site if the certificate holder has construction rights on that part of the site and:

(a) The certificate holder would construct and operate part of the facility on that part of the site even if a change in the planned route of a transmission line or pipeline occurs during the certificate holder's negotiations to acquire construction rights on another part of the site; or

(b) The certificate holder would construct and operate part of a wind energy facility on that part of the site even if other parts of the facility were modified by amendment of the site certificate or were not built.

[Amendment #2]

(6) OAR 345-027-0020(6): If the Council requires mitigation based on an affirmative finding under any standards of Division 22 or Division 24 of this chapter, the certificate holder shall consult with affected state agencies and local governments designated by the Council and shall develop specific mitigation plans consistent with Council findings under the relevant standards. The certificate holder must submit the mitigation plans to the Office and receive Office approval before beginning construction or, as appropriate, operation of the facility.

(7) OAR 345-027-0020(7): The certificate holder shall prevent the development of any conditions on the site that would preclude restoration of the site to a useful, non-hazardous condition to the extent that prevention of such site conditions is within the control of the certificate holder.

(8) OAR 345-027-0020(8): Before beginning construction of the facility, the certificate holder shall submit to the State of Oregon, through the Council, a bond or letter of credit in a form and amount satisfactory to the Council to restore the site to a useful, non-hazardous condition. The certificate holder shall maintain a bond or letter of credit in effect at all times until the facility has been retired. The Council may specify different amounts for the bond or letter of credit during construction and during operation of the facility. (*See Condition (32).*) [Amendments #2 and #3]

(9) OAR 345-027-0020(9): The certificate holder shall retire the facility if the certificate holder permanently ceases construction or operation of the facility. The certificate holder shall retire the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110. The certificate holder shall pay the actual cost to restore the site to a useful, non-hazardous condition at the time of retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site.

(10) OAR 345-027-0020(10): The Council shall include as conditions in the site certificate all representations in the site certificate application and supporting record the Council deems to be binding commitments made by the applicant.

(11) OAR 345-027-0020(11): Upon completion of construction, the certificate holder shall restore vegetation to the extent practicable and shall landscape all areas disturbed by construction in a manner compatible with the surroundings and proposed use. Upon completion of construction, the certificate holder shall remove all temporary structures not required for facility operation and dispose of all timber, brush, refuse and flammable or combustible material resulting from clearing of land and construction of the facility. [Amendment #2]

(12) OAR 345-027-0020(12): The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this rule "seismic hazard" includes ground shaking, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement and subsidence.

(13) OAR 345-027-0020(13): The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if site investigations or trenching reveal that conditions in the foundation rocks differ significantly from those described in the application for a site certificate. After the Department receives the notice, the Council may require the certificate holder to consult with the Department of Geology and Mineral Industries and the Building Codes Division and to propose mitigation actions. [Amendment #2]

(14) OAR 345-027-0020(14): The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if shear zones, artesian aquifers, deformations or clastic dikes are found at or in the vicinity of the site. [Amendment #2]

(15) OAR 345-027-0020(15): Before any transfer of ownership of the facility or ownership of the site certificate holder, the certificate holder shall inform the Department of the proposed new owners. The requirements of OAR 345-027-0100 apply to any transfer of ownership that requires a transfer of the site certificate. [Amendment #2]

(16) OAR 345-027-0020(16): If the Council finds that the certificate holder has permanently ceased construction or operation of the facility without retiring the facility according to a final retirement plan approved by the Council, as described in OAR 345-027-0110, the Council shall notify the certificate holder and request that the certificate holder submit a proposed final retirement plan to the Office within a reasonable time not to exceed 90 days. If the certificate holder does not submit a proposed final retirement plan by the specified date, the Council may direct the Department to prepare a proposed a final retirement plan for the Council's approval. Upon the Council's approval of the final retirement plan, the Council may draw on the bond or letter of credit described in section (8) to restore the site to a useful, non-hazardous condition according to the final retirement plan, in addition to any penalties the Council may impose under OAR Chapter 345, Division 29. If the amount of the bond or letter of credit is insufficient to pay the actual cost of retirement, the certificate holder shall pay any additional cost necessary to restore the site to a useful, nonhazardous condition. After completion of site restoration, the Council shall issue an order to terminate the site certificate if the Council finds that the facility has been retired according to the approved final retirement plan. [Amendment #2]

(17) [Condition removed by Amendment #2]

(18) OAR 345-027-0023(4): If the facility includes any transmission line under Council jurisdiction:

(a) The certificate holder shall design, construct and operate the transmission line in accordance with the requirements of the National Electrical Safety Code (American National Standards Institute, Section C2, 1997 Edition); and

(b) The certificate holder shall develop and implement a program that provides reasonable assurance that all fences, gates, cattle guards, trailers, or other objects or structures of a permanent nature that could become inadvertently charged with electricity are grounded or bonded throughout the life of the line.

[Amendment #2]

(19) OAR 345-027-0023(5): If the proposed energy facility is a pipeline or a transmission line or has, as a related or supporting facility, a pipeline or transmission line, the Council shall specify an approved corridor in the site certificate and shall allow the certificate holder to construct the pipeline or transmission line anywhere within the corridor, subject to the conditions of the site certificate. If the applicant has analyzed more than one corridor in its application for a site certificate, the Council may, subject to the Council's standards, approve more than one corridor. [Amendment #2]

(20) OAR 345-027-0028: The following general monitoring conditions apply:

(a) The certificate holder shall consult with affected state agencies, local governments and tribes and shall develop specific monitoring programs for impacts to resources protected by the standards of Divisions 22 and 24 of this chapter and resources addressed by applicable statutes, administrative rules and local ordinances. The certificate holder must submit the monitoring programs to the Department of Energy and receive Department approval before beginning construction or, as appropriate, operation of the facility.

(b) The certificate holder shall implement the approved monitoring programs described in section (a) and monitoring programs required by permitting agencies and local governments.

(c) For each monitoring program described in sections (a) and (b), the certificate holder shall have quality assurance measures approved by the Department before beginning construction or, as appropriate, before beginning commercial operation.

(d) If the certificate holder becomes aware of a significant environmental change or impact attributable to the facility, the certificate holder shall, as soon as possible, submit a written report to the Department describing the impact on the facility and any affected site certificate conditions.

[Amendment #2]

(21) OAR 345-026-0048: Following receipt of a site certificate or an amended site certificate, the certificate holder shall implement a plan that verifies compliance with all site certificate terms and conditions and applicable statutes and rules. As a part of the compliance plan, to verify compliance with the requirement to begin construction by the date specified in the site certificate, the certificate holder shall report promptly to the Department of Energy when construction begins. Construction is defined in OAR 345-001-0010. In reporting the beginning of construction, the certificate holder shall describe all work on the site performed before beginning construction, including work performed before the Council issued the site certificate, and shall state the cost of that work. For the purpose of this exhibit, "work on the site" means any work within a site or corridor, other than surveying, exploration or other activities to define or characterize the site or corridor. The certificate holder shall document the compliance plan and maintain it for inspection by the Department or the Council. [Amendment #2]

(22) OAR 345-026-0080: The certificate holder shall report according to the following requirements:

(a) General reporting obligation for energy facilities under construction or operating:

(i) Within six months after beginning construction, and every six months thereafter during construction of the energy facility and related or supporting facilities, the certificate holder shall submit a semiannual construction progress report to the Department of Energy. In each construction progress report, the certificate holder shall describe any significant changes to major milestones for construction. The certificate holder shall include such information related to construction as specified in the site certificate. When the reporting date coincides, the certificate holder may include the construction progress report within the annual report described in this rule.

(ii) By April 30 of each year after beginning construction, the certificate holder shall submit an annual report to the Department addressing the subjects listed in this rule. The Council Secretary and the certificate holder may, by mutual agreement, change the reporting date.

(iii) To the extent that information required by this rule is contained in reports the certificate holder submits to other state, federal or local agencies, the certificate holder may submit excerpts from such other reports to satisfy this rule. The Council reserves the right to request full copies of such excerpted reports.

(b) In the annual report, the certificate holder shall include the following information for the calendar year preceding the date of the report:

(i) Facility Status: An overview of site conditions, the status of facilities under construction and a summary of the operating experience of facilities that are in operation. In this section of the annual report, the certificate holder shall describe any unusual events, such as earthquakes, extraordinary windstorms, major accidents or the like that occurred during the year and that had a significant adverse impact on the facility.

(ii) Reliability and Efficiency of Power Production: For electric power plants, the plant availability and capacity factors for the reporting year. The certificate holder shall describe any equipment failures or plant breakdowns that had a significant impact on those factors and shall describe any actions taken to prevent the recurrence of such problems.

(iii) Fuel Use: For thermal power plants:

(A) The efficiency with which the power plant converts fuel into electric energy. If the fuel chargeable to power heat rate was evaluated when the facility was sited, the certificate holder shall calculate efficiency using the same formula and assumptions, but using actual data; and

(B) The facility's annual hours of operation by fuel type and, every five years after beginning operation, a summary of the annual hours of operation by fuel type as described in OAR 345-024-0590(5).

(iv) Status of Surety Information: Documentation demonstrating that bonds or letters of credit as described in the site certificate are in full force and effect and will remain in full force and effect for the term of the next reporting period.

(v) Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the previous year in accordance with site certificate terms and conditions, a summary of the results of those activities and a discussion of any significant changes to any monitoring or mitigation program, including the reason for any such changes.

(vi) Compliance Report: A description of all instances of noncompliance with a site certificate condition. For ease of review, the certificate holder shall, in this section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate.

(vii) Facility Modification Report: A summary of changes to the facility that the certificate holder has determined do not require a site certificate amendment in accordance with OAR 345-027-0050.

(viii) Nongenerating Facility Carbon Dioxide Emissions: For nongenerating facilities that emit carbon dioxide, a report of the annual fuel use by fuel type and annual hours of operation of the carbon dioxide emitting equipment as described in OAR 345-024-0630(4).

[Amendment #2]

(23) [Condition removed by Amendment #2]

(24) OAR 345-026-0105: The certificate holder and the Department of Energy shall exchange copies of all correspondence or summaries of correspondence related to compliance with statutes, rules and local ordinances on which the Council determined compliance, except for material withheld from public disclosure under state or federal law or under Council rules. The certificate holder may submit abstracts of reports in place of full reports; however, the certificate holder shall provide full copies of abstracted reports and any summarized correspondence at the request of the Department. [Amendment #2]

(25) OAR 345-026-0170: The certificate holder shall notify the Department of Energy within 72 hours of any occurrence involving the facility if:

(a) There is an attempt by anyone to interfere with its safe operation;

(b) A natural event such as an earthquake, flood, tsunami or tornado, or a human-caused event such as a fire or explosion affects or threatens to affect the public health and safety or the environment; or

(c) There is any fatal injury at the facility.

[Amendment #2]

V. SPECIFIC FACILITY CONDITIONS

The conditions listed in this section include conditions based on representations in the site certificate application and supporting record. The Council deems these representations to be binding commitments made by the applicant. These conditions are required under OAR 345-027- 0020(10). The certificate holder must comply with these conditions in addition to the conditions listed in Section IV. This section includes other specific facility conditions the Council finds necessary to ensure compliance with the siting standards of OAR Chapter 345,

Divisions 22 and 24, and to protect the public health and safety. For conditions that require subsequent review and approval of a future action, ORS 469.402 authorizes the Council to delegate the future review and approval to the Department if, in the Council's discretion, the delegation is warranted under the circumstances of the case.

1. Certificate Administration Conditions

(26) The certificate holder shall begin construction of the facility by July 12, 2009. Under OAR 345-015-0085(9), a site certificate is effective upon execution by the Council Chair and the applicant. The Council may grant an extension of the deadline to begin construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted. [Amendment #3]

(27) The certificate holder shall complete construction of the facility, including components authorized under Amendments #1 through #3, by July 12, 2011. Construction is complete when: 1) the facility is substantially complete as defined by the certificate holder's construction contract documents, 2) acceptance testing has been satisfactorily completed and 3) the energy facility is ready to begin continuous operation consistent with the site certificate. The certificate holder shall promptly notify the Department of the date of completion of construction. The Council may grant an extension of the deadline for completing construction in accordance with OAR 345-027-0030 or any successor rule in effect at the time the request for extension is submitted. [Amendment #3]

(28) The certificate holder shall construct a facility that includes up to 208 wind turbines substantially as described in the site certificate, subject to the following restrictions on turbine selection and subject to the requirements of Condition 102:

(a) For any turbine string, the certificate holder may select any combination of GE 1.5- megawatt or Vestas V82 1.65-megawatt wind turbines.

(b) For turbine strings K, L, M, R, S, V, W and X as identified in Table 1 of the Final Order on Amendment #1, in addition to the turbine types listed in (a), the certificate holder may select any turbine type such that the hub height does not exceed 80 meters, the rotor diameter does not exceed 92.5 meters, the peak generating capacity does not exceed 2.4 megawatts and the maximum sound power level does not exceed 107 dBA, including uncertainty.

(c) Notwithstanding the restriction described in (b) and in addition to the turbine types listed in (a), the certificate holder may select any turbine type for locations K-02 as shown on Figure B-1 as described in the Final Order on Amendment #1 or MHI-1 as described in the Final Order on Amendment #2, such that the hub height does not exceed 80 meters, the rotor diameter does not exceed 92.5 meters except for MHI-1 which may have a rotor diameter from 92.5 meters up to 102 meters, as described in the Final Order on Amendment #4, and the peak generating capacity does not exceed 2.4 megawatts ~~and the maximum sound power level does not exceed 110 dBA including uncertainty~~.

(d) For turbine strings N, U, Y, Z, AA and BB as shown on Figure 1 as described in the Final Order on Amendment #3, the certificate holder may select any

turbine type such that the hub height does not exceed 100 meters, the rotor diameter does not exceed 100 meters, the peak generating capacity does not exceed 3.0 megawatts and the maximum sound power level does not exceed 110 dBA, including uncertainty, subject to the requirements of Condition 102.

(e) Before beginning construction of turbines, the certificate holder shall identify the turbine types selected for construction and provide evidence satisfactory to the Department that the selected turbine types comply with this condition.

[Amendments #1, #2, ~~and~~ #3, and #4]

(29) The certificate holder shall obtain all necessary state and local permits or approvals required for construction, operation and retirement of the facility or ensure that its contractors obtain the necessary state and local permits or approvals.

(30) Before beginning construction, the certificate holder shall notify the Department in advance of any work on the site that does not meet the definition of "construction" in OAR 345-001- 0010 or ORS 469.300 and shall provide to the Department a description of the work and evidence that its value is less than $250,000.

(31) Before beginning construction and after considering all micrositing factors, the certificate holder shall provide to the Department a detailed map of the proposed facility, showing the final locations where facility components are proposed to be built in relation to the 300-foot and 900-foot corridors having centerlines defined by the endpoints shown on Table 1 of the Final Order on Amendment #1. [Amendments #1 and #3]

(32) Within 60 days following the effective date of the Third Amended Site Certificate, the certificate holder shall submit to the State of Oregon through the Council an amended or replacement bond or letter of credit in the amount described herein naming the State of Oregon, acting by and through the Council, as beneficiary or payee. This bond or letter of credit will replace or amend the financial assurance required under the Second Amended Site Certificate. The amended or replacement bond or letter of credit amount is either $10.412 million (2006 dollars), to be adjusted to the date of issuance as described in (b), or the amount determined as described in (a). The certificate holder shall adjust the amount of the bond or letter of credit on an annual basis thereafter as described in (b).

(a) The certificate holder may adjust the amount of the bond or letter of credit based on the final design configuration of the facility by applying the unit costs and general costs shown in Table 1 of the Final Order on Amendment #3 to the final design and calculating the financial assurance amount as described in that order, adjusted to the date of issuance as described in (b) and subject to approval by the Department.

(b) The certificate holder shall adjust the amount of the bond or letter of credit, using the following calculation and subject to approval by the Department:

(i) Adjust the Subtotal component of the bond or letter of credit amount (expressed in 2006 dollars) to present value, using the U.S. Gross Domestic Product Implicit Price Deflator, Chain-Weight, as published in the Oregon Department of Administrative Services' "Oregon Economic and Revenue Forecast" or by any successor agency (the "Index") and using the annual average

index value for 2006 dollars and the quarterly index value for the date of issuance of the new bond or letter of credit. If at any time the Index is no longer published, the Council shall select a comparable calculation to adjust 2006 dollars to present value.

(ii) Add 1 percent of the adjusted Subtotal (i) for the adjusted performance bond amount to determine the adjusted Gross Cost.

(iii) Add 10 percent of the adjusted Gross Cost (ii) for the adjusted administration and project management costs and 10 percent of the adjusted Gross Cost for the adjusted future developments contingency.

(iv) Add the adjusted Gross Cost (ii) to the sum of the percentages (iii) and round the resulting total to the nearest $1,000 to determine the adjusted financial assurance amount.

(c) The certificate holder shall use a form of bond or letter of credit approved by the Council.

(d) The certificate holder shall use an issuer of the bond or letter of credit approved by the Council.

(e) The certificate holder shall describe the status of the bond or letter of credit in the annual report submitted to the Council under Condition 22.

(f) The bond or letter of credit shall not be subject to revocation or reduction before retirement of the facility site.

[Amendments #1, #2 and #3]

(33) If the certificate holder elects to use a bond to meet the requirements of Condition 32, the certificate holder shall ensure that the surety is obligated to comply with the requirements of applicable statutes, Council rules and this site certificate when the surety exercises any legal or contractual right it may have to assume construction, operation or retirement of the energy facility. The certificate holder shall also ensure that the surety is obligated to notify the Council that it is exercising such rights and to obtain any Council approvals required by applicable statutes, Council rules and this site certificate before the surety commences any activity to complete construction, operate or retire the energy facility. [Amendment #3]

(34) Before beginning construction, the certificate holder shall notify the Department of the identity and qualifications of the engineering, procurement and construction ("EPC") contractor(s) for specific portions of the work. The certificate holder shall select EPC contractors that have substantial experience in the design and construction of similar facilities. The certificate holder shall report to the Department any change of major construction contractors.

(35) The certificate holder shall contractually require all construction contractors and subcontractors involved in the construction of the facility to comply with all applicable laws and regulations and with the terms and conditions of the site certificate. Such contractual provisions shall not operate to relieve the certificate holder of responsibility under the site certificate.

(36) During construction, the certificate holder shall have an on-site assistant construction manager who is qualified in environmental compliance to ensure compliance with all construction-related site certificate conditions. During operation, the certificate holder shall have a project manager who is qualified in environmental compliance to ensure compliance with all ongoing site certificate conditions. The certificate holder shall notify the Department of the name, telephone number, fax number and e-mail address of these managers and shall keep the Department informed of any change in this information.

(37) Within 72 hours after discovery of conditions or circumstances that may violate the terms or conditions of the site certificate, the certificate holder shall report the conditions or circumstances to the Department.

(38) Notwithstanding OAR 345-027-0050(2), an amendment of the site certificate is required if the proposed change would increase the electrical generation capacity of the facility and would increase the number of wind turbines or the dimensions of existing wind turbines.

2. Land Use Conditions

(39) The certificate holder shall construct the public road improvements described in the site certificate application to meet or exceed road standards for the road classifications in the County's Transportation System Plan and Zoning Ordinance because roads will require a more substantial section to bear the weight of the vehicles and turbine components than would usually be constructed by the County.

(40) The certificate holder shall cooperate with the Sherman County Road Department to ensure that any unusual damage or wear caused by construction of the facility is repaired by the certificate holder. Upon completion of construction, the certificate holder shall restore the county roads to at least their pre-project condition, to the satisfaction of the county public works department.

(41) The certificate holder shall ensure that no equipment or machinery is parked or stored on any county road except while in use.

(42) The certificate holder shall not locate any aboveground facility structure (including wind turbines, O&M building, substations and meteorological towers but not including aboveground transmission lines and junction boxes) within 30 feet from any property line or within 50 feet from the right-of-way of any arterial or major collector road or street and shall not allow any architectural feature, as described in Sherman County Zoning Ordinance Section 4.2, to project into these required setbacks by more than 2 feet.

(43) The certificate holder shall locate aboveground transmission lines, junction boxes, access roads and temporary construction laydown and staging areas to minimize disturbance with farming practices and, wherever feasible, shall place turbines and transmission interconnection lines along the margins of cultivated areas to reduce the potential for conflict with farm operations. The certificate holder shall place aboveground transmission lines and junction boxes along public road rights-of-way to the extent

practicable. The certificate holder shall place underground transmission lines and supervisory, control and data acquisition (SCADA) system cables at least 36 inches below the surface of the ground. [Amendment #1]

(44) The certificate holder shall include traffic control procedures in contract specifications for construction of the facility. The certificate holder shall require flaggers to be at appropriate locations at appropriate times during construction to direct traffic and to ensure minimal conflicts between harvest and construction vehicles. The certificate holder shall submit a final transportation plan to Sherman County before beginning construction.

(45) Before beginning construction of the facility, the certificate holder shall record Farm Management Easements on the properties on which the certificate holder locates wind power generation facilities. The certificate holder shall record these easements in the real property records of Sherman County and shall file copies of the recorded easements with the Sherman County Planning Director.

(46) The certificate holder shall remove from Special Farm Assessment the properties on which it locates the facility and shall pay all property taxes due and payable after the Special Farm Assessment is removed from such properties.

(47) During operation, the certificate holder shall avoid impact on cultivated land to the extent reasonably possible when performing facility repair and maintenance activities.

3. Cultural Resource Conditions

(48) Before beginning construction, the certificate holder shall provide to the Department a map showing the final design locations of all components of the facility and areas that would be temporarily disturbed during construction and also showing the areas that Archaeological Investigations Northwest, Inc. (AINW) surveyed in 2005, 2006 and 2007, as described in the site certificate application and the Requests for Amendments #1, #2 and #3. In addition, the certificate holder shall comply with the following requirements:

(a) If the final design of the facility could result in ground disturbance at specific resource sites or within high-probability areas identified by AINW in the June 2006 survey, the certificate holder shall hire qualified personnel to conduct the resurvey or test excavations recommended by AINW in the report on that survey.

(b) The certificate holder shall hire qualified personnel to conduct field investigation of all areas of permanent or temporary disturbance that AINW did not previously survey.

(c) The certificate holder shall provide written reports of the surveys, excavations and field investigations required under (a) and (b) to the Department and to the State Historic Preservation Office (SHPO). If any historic, cultural or archaeological resources are found and are determined significant by the SHPO, the certificate holder shall ensure that construction and operation of the facility will have no impact on the resources. The certificate holder shall instruct all construction personnel to avoid the

areas where the resources were found and shall implement other appropriate measures to protect the resources.

(d) The certificate holder shall avoid impacts within a 30-meter buffer area around the 15 archaeological resources recommended for avoidance in the June 2007 AINW report. If avoidance is not feasible, the certificate holder shall hire qualified personnel to conduct systematic test excavations to assess the significance of the resources affected.

(e) The certificate holder shall avoid impacts to the area of the historic homestead recommended as eligible for listing in the National Register of Historic Places in the 2007 AINW report.

[Amendments #1 and #3]

(49) The certificate holder shall ensure that a qualified person instructs construction personnel in the identification of cultural materials.

(50) The certificate holder shall ensure that construction personnel cease all ground-disturbing activities in the immediate area if any archaeological or cultural resources are found during construction of the facility until a qualified archaeologist can evaluate the significance of the find. The certificate holder shall notify the Department and the State Historic Preservation Office (SHPO) of the find. If the archaeologist determines that the resource is significant, the certificate holder shall make recommendations to the Council for mitigation, including avoidance or data recovery, in consultation with the Department, SHPO and other appropriate parties. The certificate holder shall not restart work in the affected area until the certificate holder has demonstrated to the Department that it has complied with the archaeological permit requirements administered by SHPO.

(51) The certificate holder shall ensure that construction personnel proceed carefully in the vicinity of the mapped alignment of the Oregon Trail. If any intact physical evidence of the trail is discovered, the certificate holder shall avoid any disturbance to the intact segments, by redesign, re-engineering or restricting the area of construction activity. The certificate holder shall promptly notify the Department and the State Historic Preservation Office (SHPO) of the discovery. The certificate holder shall consult with the Department and with SHPO to determine appropriate mitigation measures.

(52) To offset adverse visual effects to the setting of the Oregon Trail alignment, the certificate holder shall:

(a) Document the pre-construction setting of the Oregon Trail alignment from the John Day River canyon to Biggs through photographs and videotape; and

(b) Enhance the existing Oregon Trail historical marker off I-84 at Biggs with an additional educational and interpretive display in cooperation with the Sherman County Development League and the Sherman County Historical Society.

4. Geotechnical Conditions

(53) Before beginning construction, the certificate holder shall submit a description of site-specific geotechnical work that will be performed before construction. The certificate

holder shall conduct the pre-construction site-specific geotechnical investigation and shall report its findings to the Oregon Department of Geology & Mineral Industries (DOGAMI). The certificate holder shall conduct the geotechnical investigation after consultation with DOGAMI and shall submit a geologic report meeting the guidance contained in the DOGAMI Open File 00-04 (2000) "Guidelines for Engineering Geologic Reports and Site-Specific Seismic Hazard Reports." [Amendment #3]

(54) The certificate holder shall design and construct the facility in accordance with requirements set forth by the State of Oregon's Building Code Division and any other applicable codes and design procedures.

(55) The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety presented by non-seismic hazards. As used in this condition, "non-seismic hazards" include settlement, landslides, flooding and erosion.

5. Hazardous Materials, Fire Protection & Public Safety Conditions

(56) The certificate holder shall notify the Department within 72 hours of any accidents including mechanical failures on the site associated with construction or operation of the facility that may result in public health and safety concerns.

(57) Before beginning construction, the certificate holder shall submit a Notice of Proposed Construction or Alteration to the Federal Aviation Administration (FAA) identifying the proposed final locations of the turbines and related or supporting facilities. The certificate holder shall notify the Department of the FAA's response as soon as it has been received.

(58) To protect the public from electrical hazards, the certificate holder shall enclose the facility substations with appropriate fencing and locked gates.

(59) For those turbines constructed as of November 16, 2007, the certificate holder shall maintain a minimum distance of 450 feet between the centerline of the turbine tower and the centerline of any public road. For those turbines constructed after November 16, 2007, the certificate holder shall maintain a minimum distance of 450 feet or 110-percent of the maximum blade tip height of the nearest turbine, whichever is greater, between the centerline of the turbine towers and the centerline of any public road. The certificate holder shall maintain a minimum distance of 1,250 feet between the nearest turbine tower and any residence existing at the time of construction, measured from the centerline of the turbine tower to the center of the house. [Amendment #3]

(60) The certificate holder shall construct turbine towers that are smooth steel structures with no exterior ladders or access to the turbine blades and shall install locked access doors accessible only to authorized personnel.

(61) The certificate holder shall follow manufacturers' recommended handling instructions and procedures to prevent damage to towers or blades that could lead to failure.

(62) The certificate holder shall have an operational safety monitoring program and shall inspect turbine blades on a regular basis for signs of wear. The certificate holder shall repair turbine blades as necessary to protect public safety.

(63) The certificate holder shall install and maintain self-monitoring devices on each turbine, connected to a fault annunciation panel or supervisory, control and data acquisition (SCADA) system at the operations and maintenance building, to alert operators to potentially dangerous conditions, and the certificate holder shall immediately remedy any dangerous conditions. The certificate holder shall maintain automatic equipment protection features in each turbine that would shut down the turbine and reduce the chance of a mechanical problem causing a fire.

(64) The certificate holder shall install generator step-up transformers at the base of each tower in locked cabinets designed to protect the public from electrical hazards and to avoid creation of artificial habitat for raptor prey.

(65) The certificate holder shall construct turbines on concrete foundations and shall cover the ground within a minimum 10-foot radius with non-flammable material. The certificate holder shall maintain the non-flammable pad area covering during operation of the facility.

(66) During construction and operation of the facility, the certificate holder shall develop and implement fire management plans in consultation with local fire control authorities to minimize the risk of fire and to respond appropriately to any fires that occur on the facility site. In developing the fire management plans, the certificate holder should take into account the dry nature of the region and should address risks on a seasonal basis.

(67) During construction and operation of the facility, the certificate holder shall ensure that service vehicles are equipped with a shovel and portable fire extinguisher of a 4A5OBC or equivalent rating.

(68) During construction, the certificate holder shall ensure that construction vehicles and equipment are operated on graveled areas to the extent possible and that open flames, such as cutting torches, are kept away from dry grass areas.

(69) Upon the beginning of operation of the facility, the certificate holder shall provide to the North Sherman County Rural Fire Protection District and to the Moro Rural Fire Protection District copies of the approved site plan indicating the identification number assigned to each turbine and the location of all facility structures. During operation of the facility, the certificate holder shall provide to the North Sherman County Rural Fire Protection District and to the Moro Rural Fire Protection District the names and telephone numbers of facility personnel available to respond on a 24-hour basis in case of an emergency on the facility site.

(70) During operation, the certificate holder shall ensure that all on-site employees receive annual fire prevention and response training by qualified instructors or members of the

local fire department and that all employees are instructed to keep vehicles on roads and off dry grassland, except when off-road operation is required for emergency purposes.

(71) During construction, the certificate holder shall require that all on-site construction contractors develop and implement a site health and safety plan that informs workers and others on-site what to do in case of an emergency and that includes the locations of fire extinguishers and nearby hospitals, important telephone numbers and first aid techniques.

(72) During operation, the certificate holder shall develop and implement a site health and safety plan that informs employees and others on-site what to do in case of an emergency and that includes the locations of fire extinguishers and nearby hospitals, important telephone numbers and first aid techniques.

(73) The certificate holder shall use hazardous materials in a manner that protects public health, safety and the environment and shall comply with all applicable local, state and federal environmental laws and regulations.

(74) If a spill or release of hazardous materials occurs during construction or operation of the facility, the certificate holder shall notify the Department within 72 hours and shall clean up the spill or release and dispose of any contaminated soil or other materials according to applicable regulations. The certificate holder shall make sure that spill kits containing items such as absorbent pads are located on equipment and storage facilities to respond to accidental spills and shall instruct employees handling hazardous materials in the proper handling, storage and cleanup of these materials.

(75) Before beginning construction, the certificate holder shall cooperate with the Oregon Department of Transportation to implement public safety improvements to the shoulders of State Highway 206 by bearing the cost of constructing two viewpoint turn-offs (one on each side of the highway) within the highway right-of-way in suitable locations from where the public may safely view the wind turbines without entering private property or interfering with facility operations.

6. Water, Soils, Streams & Wetlands Conditions

(76) The certificate holder shall conduct all construction work in compliance with an Erosion and Sediment Control Plan (ESCP) satisfactory to the Oregon Department of Environmental Quality and as required under the National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge General Permit #1200-C. The certificate holder shall include in the ESCP any procedures necessary to meet local erosion and sediment control requirements and storm water management requirements.

(77) During construction, the certificate holder shall limit truck traffic to designated existing and improved road surfaces to avoid soil compaction, to the extent possible.

(78) The certificate holder shall cover turbine pad areas with gravel or other non-erosive material immediately following exposure during construction and shall maintain the pad area covering during operation of the facility.

(79) During construction, the certificate holder shall avoid impacts to waters of the state in the following manner:

(a) The certificate holder shall bore under the intermittent drainage channel identified in Appendix J-1 of the site certificate application in any location where the underground collector system would cross the channel.

(b) The certificate holder shall locate transmission line support structures outside of the drainage channel and the wetland identified in Appendix J-1 of the site certificate application in any location where an aboveground transmission line crosses over the channel or the wetland area.

(c) After the final turbine design locations have been identified, if construction would occur in any locations not previously investigated as described in Appendix J-1 of the application, the certificate holder shall conduct a pre-construction investigation to determine whether any jurisdictional waters of the state exist in those locations. The certificate holder shall submit a written report on the pre-construction investigation to the Department of Energy and to the Department of State Lands for approval before beginning construction and shall ensure that construction of the facility would have no impact on any jurisdictional water identified in the pre-construction investigation.

(80) During construction, the certificate holder shall ensure that the wash down of concrete trucks occurs only at a contractor-owned batch plant or at tower foundation locations. If such wash down occurs at tower foundation locations, then the certificate holder shall ensure that wash down wastewater does not run off the construction site into otherwise undisturbed areas and that the wastewater is disposed of on backfill piles and buried underground with the backfill over the tower foundation.

(81) The certificate holder shall restore areas that are temporarily disturbed during construction according to the methods, monitoring procedures and success criteria described in the Revegetation Plan that is incorporated in the Final Order on the Application as Attachment B and as amended from time to time. During operation, the certificate holder shall restore areas that are temporarily disturbed during facility maintenance or repairs according to the same methods and monitoring procedures.

(82) During facility operation, the certificate holder shall routinely inspect and maintain all roads, pads and trenched areas and, as necessary, maintain or repair erosion control measures.

(83) During operation, the certificate holder shall not use more than a combined total of 5,000 gallons of water per day from the facility's on-site wells. The certificate holder shall not use any water or chemicals for washing turbine blades unless the certificate holder demonstrates to the satisfaction of the Department before any blade-washing begins that:

(a) Oregon Department of Environmental Quality (DEQ) regulations do not require a permit for the proposed blade-washing activity or, if a permit is required, that the proposed blade-washing activity is authorized under a general permit issued by DEQ; and

(b) In conducting blade-washing activities, the certificate holder will use water only from its approved on-site wells.

[Amendment #3]

7. Transmission Line & EMF Conditions

(84) The certificate holder shall install the 34.5-kV collector system underground to the extent practical. Where geotechnical conditions or other engineering considerations require, the certificate holder may install segments of the collector system aboveground in developed or agricultural areas that are Category 6 habitat, but the total length of aboveground segments must not exceed 12 miles. The certificate holder shall construct aboveground segments of the collector system using single or double circuit monopole design as described in the site certificate application and shall not locate any aboveground segments within 200 feet of any existing residence. [Amendment #1]

(85) At least 30 days before beginning preparation of detailed design and specifications for the electrical transmission lines, the certificate holder shall consult with the Oregon Public Utility Commission staff to ensure that transmission line designs and specifications are consistent with applicable codes and standards.

(86) Before beginning construction of facility components authorized by the Final Order on the Application, the certificate holder shall obtain a permit, substantially in the form of the draft permit incorporated in the Final Order on the Application as Attachment D, from the Oregon Department of Transportation (ODOT) authorizing the location, installation, construction, maintenance and use of buried cables within the right-of-way of State Highway 206. Before beginning construction of facility transmission or distribution lines crossing Highway 206 authorized by the Final Order on Amendment #3, the certificate holder shall obtain a permit or permits from ODOT after submitting the necessary applications in a form satisfactory to ODOT and the Department and subject to conditions required under OAR 734 Chapter 55, authorizing the location, installation, construction, maintenance and use of buried or aboveground transmission or distribution lines crossing Highway 206. Before beginning construction of a new highway approach authorized by the Final Order on Amendment #3, the certificate holder shall obtain a permit or permits from ODOT after submitting the necessary applications in a form satisfactory to ODOT and the Department and subject to conditions required under OAR 734 Chapter 51, authorizing the location, construction and maintenance of an approach to State Highway 206 for access to turbines located west of the highway. [Amendment #3]

(87) To protect public safety, the certificate holder shall design and maintain the transmission lines so that:

(a) Alternating current electric fields during operation do not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public.

(b) Induced voltages during operation are as low as reasonably achievable.

(88) The certificate holder shall take reasonable steps to reduce or manage human exposure to electromagnetic fields, including but not limited to:

(a) Constructing aboveground segments of the 34.5-kV transmission line to ensure that conductors have a minimum clearance of 25 feet from the ground at mid-span under maximum sag conditions.

(b) Constructing underground segments of the 34.5-kV transmission line at least 36- inches below the surface of the ground.

(c) Providing to landowners a map of underground and overhead transmission lines on their property and advising landowners of possible health risks.

[Amendment #1]

8. Plants, Wildlife & Habitat Protection Conditions

(89) During construction and operation of the facility, the certificate holder shall implement a plan to control the introduction and spread of noxious weeds. The certificate shall develop the weed control plan in consultation with the Sherman County Weed Control Manager.

(90) The certificate holder shall design all aboveground transmission line support structures following the practices suggested by the Avian Powerline Interaction Committee (APLIC 1996, referenced in the site certificate application, p. P-33) and shall install anti-perching devices on transmission pole tops and cross arms where the poles are located within 1/2 mile of turbines.

(91) If construction begins after 2006, the certificate holder shall review the ONHIC and USFWS databases and consult with Frank Isaacs, Oregon State University Cooperative Wildlife Unit (or other expert designated by ODFW) on an annual basis before beginning construction to determine whether bald eagles or peregrine falcons have been observed in or near the site of the facility. The certificate holder shall report the results of the database review and consultation to the Department and to ODFW and, if there have been new observations of bald eagles or peregrine falcons in the area, the certificate holder shall implement appropriate measures to protect the species from adverse impact, as approved by the Department and ODFW.

(92) The certificate holder may construct turbines and other facility components within 900-foot corridors having centerlines defined by the endpoints shown on Table 1 of the Final Order on Amendment #1, within the MHI-1 micrositing area described in the Final Order on Amendment #2 and within the micrositing areas for turbine strings N, U, Y, Z, AA and BB as described in the Final Order on Amendment #3, subject to the following requirements addressing potential habitat impact and subject to the requirements of Condition 102:

(a) The certificate holder shall not construct any facility components within areas of Category 1 habitat and shall avoid temporary disturbance of Category 1 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, not including components authorized by the Final Order on Amendment #3, in the locations shown on Figure C-2 of the site certificate application.

(d) If the certificate holder must change the layout of facility components, not including components authorized by the Final Order on Amendment #3, from what is shown on Figure C-2 due to micrositing considerations, the certificate holder shall, to the extent possible, construct facility components within 300-foot corridors having centerlines defined by the endpoints shown on Table 1 of the Final Order on Amendment #1 or within the MHI-1 micrositing area described in the Final Order on Amendment #2.

(e) The certificate holder may construct facility components outside the 300-foot corridors if necessary due to micrositing considerations, except that the certificate holder shall not construct any facility components, not including components authorized by the Final Order on Amendment #3, outside the areas within the 900-foot corridors having centerlines defined by the endpoints shown on Table 1 of the Final Order on Amendment #1 or the MHI-1 micrositing area described in the Final Order on Amendment #2 or cause any temporary disturbance outside those areas.

[Amendments #1, #2 and #3]

(93) The certificate holder shall implement measures to mitigate impacts to sensitive wildlife habitat during construction including, but not limited to, the following:

(a) Preparing maps to show sensitive areas, such as nesting or denning areas for sensitive wildlife species, that are off limits to construction personnel.

(b) Ensuring that a qualified person instructs construction personnel to be aware of wildlife in the area and to take precautions to avoid injuring or destroying wildlife or significant wildlife habitat.

(c) Avoiding unnecessary road construction, temporary disturbance and vehicle use.

(94) During construction, the certificate holder shall protect the area within a 1300-foot buffer around active nests of the following species during the sensitive period, as provided in this condition:

Species	Sensitive Period	Early Release Date
Swainson's hawk	April 1 to August 15	May 31
Golden eagle	February 1 to August 31	May 31
Ferruginous hawk	March 15 to August 15	May 31
Burrowing owl	April 1 to August 15	July 15

During the year in which construction occurs, the certificate holder shall use a protocol approved by the Oregon Department of Fish and Wildlife (ODFW) to determine whether there are any active nests of these species within a half-mile of any areas that would be disturbed during construction. If a nest is occupied by any of these species after the beginning of the sensitive period, the certificate holder shall not engage in high-impact construction activities (activities that involve blasting, grading or other major ground disturbance) or allow high levels of construction traffic within 1300 feet of the nest site.

In addition, the certificate holder will flag the boundaries of the 1300-foot buffer area and shall instruct construction personnel to avoid any unnecessary activity within the buffer area. The certificate holder shall hire an independent biological monitor to observe the active nest sites during the sensitive period for signs of disturbance and to notify the Department of any non-compliance with this condition. If the monitor observes nest site abandonment or other adverse impact to nesting activity, the certificate holder shall implement appropriate mitigation, in consultation with ODFW and subject to the approval of the Department, unless the adverse impact is clearly shown to have a cause other than construction activity. The certificate holder may begin or resume high-impact construction activities before the ending day of the sensitive period if any known nest site is not occupied by the early release date. If a nest site is occupied, then the certificate holder may begin or resume high-impact construction before the ending day of the sensitive period with the approval of ODFW, after the young are fledged. The certificate holder shall use a protocol approved by ODFW to determine when the young are fledged (the young are independent of the core nest site).

(95) The certificate holder shall conduct wildlife monitoring as described in the Wildlife Monitoring and Mitigation Plan that is incorporated in the Final Order on the Application as Attachment A and as amended from time to time.

(96) To mitigate for potential adverse impacts to bat species, the certificate holder shall contribute $10,000 per year for three years, beginning in the first year of operation, to fund research toward better understanding wind facility impacts to bats and to develop mitigation solutions. In consultation with the Oregon Department of Energy and the Oregon Department of Fish and Wildlife, the certificate holder shall select an appropriate bat conservation organization to receive this funding.

(97) Before beginning construction of the facility, the certificate holder shall acquire the legal right to create, maintain and protect a habitat mitigation area for the life of the facility by means of an outright purchase, conservation easement or similar conveyance and shall provide a copy of the documentation to the Department. Within the habitat mitigation area, the certificate holder shall improve the habitat quality as described in the Habitat Mitigation Plan that is incorporated in the Final Order on the Application as Attachment C and as amended from time to time.

9. Visual Effects Conditions

(98) To reduce the visual impact of the facility, the certificate holder shall:

(a) Mount nacelles on smooth, hollow steel towers, approximately 20 feet in diameter at the base.

(b) Paint all towers uniformly in a neutral white or light gray color.

(c) Paint the substation buildings in a neutral color to blend with the surrounding landscape.

(d) Not allow any advertising to be used on any part of the facility or on any signs posted at the facility, except that the turbine manufacturer's logo may appear on turbine nacelles.

(e) Use only those signs required for facility safety or required by law, except that the certificate holder may erect a sign near each operations and maintenance building to identify the wind energy facility.

(f) Maintain any signs allowed under this condition in good repair.

[Amendment #3]

(99) The certificate holder shall design and construct the operation and maintenance building to be generally consistent with the character of similar buildings used by commercial farmers or ranchers in the area and shall paint the buildings in a neutral color to blend with the surrounding landscape. [Amendment #3]

(100) The certificate holder shall not use exterior nighttime lighting except:

(a) The minimum turbine tower lighting required by the Federal Aviation Administration.

(b) Security lighting at the operations and maintenance buildings and at the substations, provided that such lighting is shielded or downward-directed to reduce glare.

(c) Minimum lighting necessary for repairs or emergencies.

[Amendment #3]

10. Noise Control Conditions

(101) To reduce noise impacts at nearby residential areas, the certificate holder shall:

(a) Confine the noisiest operation of heavy construction equipment to the daylight hours.

(b) Require contractors to install and maintain exhaust mufflers on all combustion engine-powered equipment; and

(c) Establish a complaint response system at the construction manager's office to address noise complaints.

(102) The certificate holder shall present information demonstrating to the satisfaction of the Department that the requirements of (a), (b) and (c) have been met.

(a) Before beginning construction of turbines F-05, F-06, F-07, F-08 and J-01 as shown on Figure B-1 described in the Final Order on Amendment #1, the certificate holder must obtain a legally effective easement or real covenant from the owner of property R3 (as identified in the Final Order on Amendment #3) pursuant to which the owner of the property authorizes the certificate holder's operation of the facility to increase ambient statistical noise levels L_{10} and L_{50} by more than 10 dBA at the appropriate measurement point. A legally effective easement or real covenant shall: include a legal description of the burdened property (the noise sensitive property); be recorded in the real property records of the county; expressly benefit the certificate holder; expressly run with the land and bind all future owners, lessees or holders of any interest in the burdened property; and not be subject to revocation without the certificate holder's written approval. If the certificate holder cannot obtain the legally effective easement or real covenant described above, the certificate holder must identify the turbine type and the final design locations of all turbines to be built in the F and J strings

and perform a noise analysis, in accordance with OAR 340- 035-0035(1)(b)(B)(iii)(IV) and using input parameters approved by the Department, demonstrating to the satisfaction of the Department that the total noise generated by the facility would meet the ambient degradation test at the appropriate measurement point when all turbines are placed in their final design locations.

(b) Before installing a turbine tower in the MHI-1 micrositing area (as identified in the Final Order on Amendment #2), the certificate holder must obtain a legally effective easement or real covenant (as described in (a)) from the owner of property R8 (as identified in the Final Order on Amendment #3) pursuant to which the owner of the property authorizes the certificate holder's operation of the facility to increase ambient statistical noise levels L_{10} and L_{50} by more than 10 dBA at the appropriate measurement point. If the certificate holder cannot obtain the legally effective easement or real covenant described above, the certificate holder must identify the turbine type and the final design location of the turbine to be built in the MHI-1 micrositing area and perform a noise analysis, in accordance with OAR 340-035-0035(1)(b)(B)(iii)(IV) and using input parameters approved by the Department, demonstrating to the satisfaction of the Department that the total noise generated by the facility would meet the ambient degradation test at the appropriate measurement point when all turbines are placed in their final design locations.

(c) The certificate holder shall not install turbines that have a maximum sound power level greater than 106 dBA, including uncertainty, in strings N, U, Y, Z, AA and BB, except as allowed in this condition. The certificate holder shall locate the turbines within these strings according to the "Proposed GE Turbine Layout" (as described in the Final Order on Amendment #3). Before beginning construction of turbines in these strings, the certificate holder must obtain a legally effective easement or real covenant (as described in (a)) from the owners of properties R6, R7, R8 and R14 (as identified in the Final Order on Amendment #3) pursuant to which the owners of the properties authorize the certificate holder's operation of the facility to increase ambient statistical noise levels L_{10} and L_{50} by more than 10 dBA at the appropriate measurement points. If the certificate holder cannot obtain the legally effective easements or real covenants described above or if the certificate

(d) holder elects to use turbines that have a maximum sound power level greater than 106 dBA or to deviate from the "Proposed GE Turbine Layout," the certificate holder must identify the turbine type and the final design location of the turbines to be built in strings N, U, Y, Z, AA and BB and perform a noise analysis, in accordance with OAR 340-035- 0035(1)(b)(B)(iii)(IV) and using input parameters approved by the Department, demonstrating to the satisfaction of the Department that the total noise generated by the facility would meet the ambient degradation test at the appropriate measurement points when all turbines are placed in their final design locations.

[Amendments #1 and #3]

11. Waste Management Conditions

(103) The certificate holder shall provide portable toilets for on-site sewage handling during construction and shall ensure that they are pumped and cleaned regularly by a licensed contractor who is qualified to pump and clean portable toilet facilities.

(104) During operation, the certificate holder shall discharge sanitary wastewater generated at the O&M buildings to licensed on-site septic systems in compliance with county permit requirements. The certificate holder shall design the septic systems for a capacity of less than 2,500 gallons per day at each O&M building. [Amendment #3]

(105) The certificate holder shall implement a waste management plan during construction that includes but is not limited to the following measures:

(a) Training employees to minimize and recycle solid waste.

(b) Minimizing the generation of wastes from construction through detailed estimating of materials needs and through efficient construction practices.

(c) Recycling steel and other metal scrap.

(d) Recycling wood waste.

(e) Recycling packaging wastes such as paper and cardboard.

(f) Collecting non-recyclable waste for transport to a landfill by a licensed waste hauler.

(g) Segregating all hazardous wastes such as used oil, oily rags and oil-absorbent materials, mercury-containing lights and lead-acid and nickel-cadmium batteries for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous wastes.

(106) The certificate holder may dispose of waste concrete on site with the permission of the landowner and in accordance with OAR 340-093-0080 and other applicable regulations. The certificate holder shall dispose of waste concrete on site by placing the material in an excavated hole, covering it with at least three feet of topsoil and grading the area to match existing contours. If the waste concrete is not disposed of on site, the certificate holder shall arrange for proper disposal in a landfill.

(107) The certificate holder shall implement a waste management plan during operation that includes but is not limited to the following measures:

(a) Training employees to minimize and recycle solid waste.

(b) Recycling paper products, metals, glass and plastics.

(c) Collecting non-recyclable waste for transport to a landfill by a licensed waste hauler.

(d) Segregating all hazardous wastes such as used oil, oily rags and oil-absorbent materials, mercury-containing lights and lead-acid and nickel-cadmium batteries for disposal by a licensed firm specializing in the proper recycling or disposal of hazardous wastes.

VI. SUCCESSORS AND ASSIGNS

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

VII. SEVERABILITY AND CONSTRUCTION

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

VIII. GOVERNING LAW AND FORUM

This site certificate shall be governed by the laws of the State of Oregon. Any litigation or arbitration arising out of this agreement shall be conducted in an appropriate forum in Oregon.

IX. EXECUTION

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

IN WITNESS WHEREOF, this site certificate has been executed by the State of Oregon, acting by and through its Energy Facility Siting Council, and by Klondike Wind Power III LLC.

ENERGY FACILITY SITING COUNCIL	KLONDIKE WIND POWER III LLC
By: _____	By: _____
W. Bryan Wolfe~~David Ripma~~, Chair Oregon Energy Facility Siting Council	Print:_____
Date: _____	Date: _____

ATTACHMENT 2

Addendum to Helix Wind Power Facility Noise Analysis

Addendum to Klondike III Wind Power Facility Noise Analysis

PREPARED FOR: Sara Parsons/Iberdrola Renewables, Inc.

PREPARED BY: Mark Bastasch, P.E./CH2M HILL

COPIES: Linnea Eng/CH2M HILL

DATE: December 2, 2010

Purpose

The purpose of this memorandum is to provide information about predicted noise levels during the construction and operation of the Klondike III Wind Power Facility (Facility), as amended, per Oregon Administrative Rule (OAR) 345-021-0010(1)(x)(A), and analyze Facility compliance with applicable Oregon Department of Environmental Quality (DEQ) noise regulations per OAR 345-021-0010(1)(x)(B). This noise analysis concludes that applicable DEQ noise regulations will be met for the construction and operation of the proposed modifications to the Facility.

Project Description

The amendment request seeks to increase the maximum rotor diameter of one turbine designated as MHI-1, from 92.5 meters to 102 meters. The manufacturer of MHI-1 has indicated that the maximum sound power level of both the 102-meter rotor and the existing 92.5-meter rotor is 110 decibels on an A-weighted scale (dBA).

Summary of Regulations

OAR Chapter 340, Division 35, specifically addresses noise from wind energy facilities as follows:

- OAR 340-035-0035(1)(b)(B)(iii)(I) establishes the option for a proposed wind energy facility to assume a background L_{50} ambient noise level of 26 dBA.
- OAR 340-035-0035(1)(b)(B)(iii)(IV) requires a proposed wind energy facility to satisfy the ambient noise standard, where a landowner has not waived the standard, by predicting facility noise levels at the appropriate measurement point, assuming that all of the proposed wind facility's turbines are operating between cut-in speed and the wind speed corresponding to the maximum sound power level established by IEC 61400-11. These predictions must be compared to the assumed ambient noise level of 26 dBA, or to the actual ambient background L_{10} and L_{50} noise levels, if measured. If this comparison shows that the increase in noise is not more than 10 dBA over this entire range of wind speeds, the facility complies with the ambient background standard.

- OAR 340-035-0035(1)(b)(B)(iii)(VI) requires that a proposed wind energy facility predict compliance with the "Table 8" limits set forth in the regulations (summarized below in Table 1). Compliance must occur at the appropriate measurement point, with reference to the turbine's maximum sound power level, following procedures established by IEC 61400-11, and assuming that all of a facility's turbines are operating at the maximum sound power level.

TABLE 1
State of Oregon Statistical Noise Limits for Industrial and Commercial Sources (OAR 340-35-0035)

	Maximum Permissible Statistical Noise Levels (dBA)	
Statistical Descriptor	**Daytime (7:00 a.m. – 10:00 p.m.)**	**Nighttime (10:00 p.m. – 7:00 a.m.)**
L_{50}	55	50
L_{10}	60	55
L_1	75	60

Notes:

Based on "Table 8" of OAR-340-0035: New Industrial and Commercial Noise Source. Standards and OAR-340-0035(1)(b)(B(i).

dBA = decibel (A-weighted scale).

Based on the applicable standards, assuming an ambient level of 26 dBA, the maximum allowable noise level produced by a proposed wind facility, as measured at a sensitive receptor such as a home, is an increase of 10 dBA over the ambient level across the entire range of wind speeds between the cut-in wind speed and the wind speed corresponding to the maximum sound power level, or 36 dBA (26 dBA +10 dBA). In accordance with OAR 340-035-0035(1)(b)(B)(iii)(IV), the 36-dBA level must be complied with when all turbines operate at the maximum sound power level established by IEC 61400-11. At wind speeds corresponding to sound power levels less than the maximum (for example, during cut-in wind speeds), the resulting noise level also will be less. Therefore, it is not necessary to predict noise levels for each wind speed between cut-in and the maximum sound power level when assuming an ambient level of 26 dBA.[1]

If a proposed wind facility complies with the OAR 340-035-0035(1)(b)(B)(iii)(IV) limit of 36 dBA at a receptor, it necessarily also complies with OAR 340-035-0035(1)(b)(B)(iii)(VI), namely the OAR "Table 8" limit of 50 dBA, at that same receptor.

In addition to the foregoing limits, OAR 340-035-0035(1)(f) establishes standards that regulate octave band sound pressure levels and audible discrete tones. Such standards can be applied by DEQ when it believes subsections (1)(a), (b), or (c) (summarized in Table 1 above) do not adequately protect the health, safety, or welfare of the public.

Impulse noise is also regulated in OAR 340-35-0035(1)(d), but wind turbines do not generate impulse noise and therefore OAR 345-035-0035(1)(d) does not apply to wind projects.

[1]At receptors that have not waived the 10-dBA increment, the 26-dBA "assumed ambient" results in a regulatory limit of 36 dBA under all wind speeds. Therefore, it is necessary to model only the loudest scenario that occurs at the wind speed corresponding to the maximum sound power level.

The noise limits in OAR 340-035-0035(1)(b) apply at "appropriate measurement points" on "noise sensitive property." The "appropriate measurement point" is defined as whichever of the following is farther from the noise source:

- 25 feet (7.6 meters) toward the noise source from that point on the noise sensitive building nearest the noise source; or
- That point on the noise-sensitive property line nearest the noise source.

"Noise-sensitive property" is defined as "real property normally used for sleeping, or normally used as schools, churches, hospitals, or public libraries. Property used in industrial or agricultural activities is not noise-sensitive property unless it meets the foregoing criteria in more than an incidental manner." Residences are the only noise-sensitive property identified within the Facility site boundary.

Noise Analysis

The acoustical analysis summarized in the Final Order on Amendment #3 (November 16, 2007) was based on a maximum sound power level of 110 dBA for the MHI-1 turbine (inclusive of +2 dBA for uncertainty). These results were rounded to the nearest whole decibel in Table 5 of the Final Order on Amendment #3 (page 48) and appropriately indicate that 50 dBA was achieved at R13. The detailed analysis identified the overall Facility sound level at R13 as 49.5 dBA. MHI-1's contribution was 33.9 dBA. While the manufacturer has indicated that the maximum sound power level for the 102-meter rotor and the existing 92.5-meter rotor is 110 dBA, in the unlikely event that the larger rotor increases the sound power level from 110 to a level as high as 115 dBA, which would result in one of the loudest commercially available turbines in North America, the 50-dBA level at R13 would still be maintained. In the event that the measured sound power level of the turbine is found to exceed 115 dBA, remedies are available, including restoring the turbine to its original operating condition with the 92-meter rotor. The certificate holder seeks this flexibility as part of the Request for Amendment #4.

The certificate holder has obtained noise easements for all residences within 1.4 miles of the MHI-1 turbine and a potential 5-dBA increase from this single turbine does not result in an exceedance of the 50-dBA criterion at any of these residences nor an exceedance of the 36-dBA criterion at any other residences located farther away.

Conclusion

The change proposed in this amendment request does not affect the certificate holder's ability to comply with the site certificate or the applicable DEQ noise regulations per OAR 345-021-0010(1)(x)(B).

ATTACHMENT 3

Owners of Record within 500 feet of Site Boundary

Owners of Record within 500 feet of Klondike III Wind Power Facility Site Boundary

MAP TAX LOT	NAME	AGENT	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
02N18E00008800	BAARS, MAGAW, MAGAW LLC		2461 WILDWOOD RD.		CURTIS	WA	98538-9715
01N18E00004700	BELSHE, JAMES R & JERRINE CO T		500 SANDON STREET	P.O. Box 327	WASCO	OR	97065
01N18E00004900	BELSHE, JAMES R & JERRINE CO T		500 SANDON STREET	P.O. Box 327	WASCO	OR	97065
01N18E00006300	BELSHE, JAMES R & JERRINE CO T		500 SANDON STREET	P.O. Box 327	WASCO	OR	97065
01N17E00005400	CLARK, MARILYN JANE	PROBSTFIELD, JUDITH	8395 SW 88TH		Portland	OR	97223
01N17E00005500	CLARK, MARILYN JANE	PROBSTFIELD, JUDITH	8395 S W 88TH		Portland	OR	97223
01N18E00001900	DUTTON RANCH TRUST	DUTTON, DONALD W CO TRUSTEE	1604 X AVENUE		WASCO	OR	97786
01N18E00002300	DUTTON RANCH TRUST	DUTTON, DONALD W CO TRUSTEE	1604 X AVENUE		WASCO	OR	97786
01N18E00002100	FANER, NANCY M		23860 LONG VALLEY ROAD		Hidden Hills	CA	91302-2420
01N18E0000600	FANER, NANCY M		23860 LONG VALLEY ROAD		Hidden Hills	CA	91302-2420
02N18E00007400	GRAY, BRETT L. & TRENA		97642 EMIGRANT SPRING LANE	PO Box 325	Wasco	OR	97065
01N17E00007900	HART, KENNETH R TRUST		63461 FRASER RD		MORO	OR	97039-3011
01N17E00005600	HART, KENNETH R TRUST		63461 FRASER RD		MORO	OR	97039-3011
01N18E00003100	HILDERBRAND, GORDON W		P O BOX 326		Wasco	OR	97065
01N18E00003104	HILDERBRAND, GORDON W		P O BOX 326		Wasco	OR	97065
01N18E00001200	HILDERBRAND, GORDON W. ET AL		P O BOX 326		Wasco	OR	97065
01N18E00003101	HILDERBRAND, JOHN O & WANDA F		96247 HILDERBRAND LANE		Wasco	OR	97065
01N19E00001300	J BAR S RANCH	DBA Simantel & Sons	P.O. Box 31		Wasco	OR	97065
01N19E00001500	J BAR S RANCH	DBA Simantel & Sons	P.O. Box 31		Wasco	OR	97065
02N18E00007100	JONES, RICHARD E & IRMGARD L		1600 N RHODODENDRON DR #236		Florence	OR	97439
02N18E00008400	JONES, RICHARD E & IRMGARD L		1600 N RHODODENDRON DR #236		Florence	OR	97439
01N18E00002000	KASEBERG, LEE & KAREN		70031 VAN GILDER RD		Wasco	OR	97065
01N18E00003900	LAUGHLIN, VIRGINIA ET AL LE		63011 MARSH ORCHID RD.		Bend	OR	97701
01N18E00004600	LAUGHLIN, VIRGINIA ET AL LE		63011 MARSH ORCHID RD		Bend	OR	97701
01N18E00003400	LEWIS, NANCY SHELTON		7460 MOUNTAINSIDE DR.		Cornelius	OR	97113
02N18E00008600	LEWIS, NANCY SHELTON		7460 MOUNTAINSIDE DR.		Cornelius	OR	97113
02N18E00006000	LIBERTY RANCH LLC	C/O SUSKIE, LESLIE ANN TRUSTEE	2102 NE 80th Place		VANCOUVER	WA	98664-1155
02N19E00001000	LIBERTY RANCH LLC	C/O SUSKIE, LESLIE ANN TRUSTEE	2102 NE 80th Place		VANCOUVER	WA	98664-1155
02N18E00008200	MAC FIVE FARM, LLC		3440 NW VAUGHN ST		Portland	OR	97210
01N18E00005600	MAKINSTER, CAROLE LIVING TRUST		P O BOX 353		MORO	OR	97039-0353
01N17E00004200	MCCLENNAN, LYNDON P		P O BOX 955		THE DALLES	OR	97058-0955
01N17E00003800	MCDERMID CENTURY FARM, LLC		27640 POWERLINE ROAD		HALSEY	OR	97348-9754
01N18E00003300	MCDERMID CENTURY FARM, LLC		27640 POWERLINE ROAD		HALSEY	OR	97348-9754
01N18E00001100	MCGREGOR, RICHARD D & JEAN H		10242 SE WALNUT DRIVE		Happy Valley	OR	97086
01N18E0000400	MEDLER FARMS, LLC		PO BOX 189		WASCO	OR	97068
02N18E00007000	MEDLER FARMS, LLC		PO BOX 189		WASCO	OR	97068
02N18E00008500	MEDLER FARMS, LLC		PO BOX 189		WASCO	OR	97068
02N18E00008701	MEDLER FARMS, LLC		PO BOX 189		WASCO	OR	97068
02N18E00009000	MEDLER FARMS, LLC		PO BOX 189		WASCO	OR	97068
01N18E00001000	MELZER, VERNON & VIRGINIA		P O BOX 41		WASCO	OR	97068
01N18E0000300	MELZER, VERNON & VIRGINIA		P O BOX 41		WASCO	OR	97068
01N18E0000700	MELZER, VERNON C & VIRGINIA D		P O BOX 41		WASCO	OR	97068
01N18E00005800	MID COLUMBIA PRODUCERS, INC		P O BOX 344		MORO	OR	97039
01N18E00005900	MID COLUMBIA PRODUCERS, INC		P O BOX 344		MORO	OR	97039
02N19E00001300	MURPHY, SARA J ET AL LE		10044 CERMAK ROAD		WESTCHESTER	IL	60154-4513
02N19E00001400	MURPHY, SARA J ET AL LE		10044 CERMAK ROAD		WESTCHESTER	IL	60154-4513
01N18E00003500	O'MEARA, WILLIAM P. ET AL		5080 GREEN ROAD		Hood River	OR	97031
01N18E00005200	O'MEARA, WILLIAM P. ET AL		5080 GREEN ROAD		Hood River	OR	97031
01N18E00005500	O'MEARA, WILLIAM P. ET AL		5080 GREEN ROAD		Hood River	OR	97031
01N18E00005700	O'MEARA, WILLIAM P. ET AL		5080 GREEN ROAD		Hood River	OR	97031
01N18E00005701	O'MEARA, WILLIAM P. ET AL		5080 GREEN ROAD		Hood River	OR	97031
01N18E00002900	PARKER, JAN G.	c/o Wanda Culley	3612 TURTLE DOVE CT.		Evansville	IN	47715-3082
01N17E00004100	POWELL, PATRICK A		7580 SW FULTON PK BLVD	P.O. Box 440	Wasco	OR	97065
01N17E00003900	POWELL, RONALD R LE	c/o POWELL, PATRICK A.	7580 SW FULTON PARK BLVD.	P.O. Box 440	Wasco	OR	97065

Owners of Record within 500 feet of Klondike III Wind Power Facility Site Boundary

MAP TAX LOT	NAME	AGENT	ADDRESS 1	ADDRESS 2	CITY	STATE	ZIP CODE
01N17E00005800	ROGERS, SYLVIA IRENE ET AL		2010 SW NANCY DR		GRESHAM	OR	97080-8303
01N17E00007700	ROGERS, SYLVIA IRENE ET AL		2010 SW NANCY DR		GRESHAM	OR	97080-8303
01N19E00001001	SCHLECHT, DAVID K		5701 NE 88TH ST		VANCOUVER	WA	98665-0938
01N19E00001700	SCHLECHT, DAVID K		5701 NE 88TH ST		VANCOUVER	WA	98665-0938
01N19E0000801	SCHLECHT, DAVID K		5701 NE 88TH		VANCOUVER	WA	98665-0938
02N19E00001100	SCHLECHT, DAVID K		5701 NE 88TH ST		VANCOUVER	WA	98665-0938
01N18E00002401	SHERMAN COUNTY	c/o Sherman County Court	PO BOX 365		MORO	OR	97039
01N18E00002701	SHERMAN COUNTY	c/o Sherman County Court	PO BOX 365		MORO	OR	97039
01N18E00006100	SHULL, EDITH LUETTA LE ETAL		P O BOX 171		Wasco	OR	97065
01N18E0000200	SIMANTEL, L ROLAND & SHARON		P O BOX 364		MORO	OR	97039-0364
01N18E00002400	SIMANTEL, L ROLAND & SHARON		P O BOX 364		MORO	OR	97039-0364
01N18E00002500	SIMANTEL, L ROLAND & SHARON		P O BOX 364		MORO	OR	97039-0364
01N18E00002700	SIMANTEL, L ROLAND & SHARON		P O BOX 364		MORO	OR	97039-0364
01N18E00002800	SIMANTEL, L ROLAND & SHARON		P O BOX 364		MORO	OR	97039-0364
01N19E00002800	SMITH, NATHAN A		P O BOX 21		WASCO	OR	97065
01N18E00002600	SMITH, RAY D		P O BOX 293		WASCO	OR	97065
01N19E00001400	SMITH, RAY D		P O BOX 293		WASCO	OR	97065
01N18E0000100	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N18E00003700	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E00001000	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E00001100	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E00001200	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E00001600	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E0000800	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N19E0000900	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
02N18E00009300	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
02N18E00009400	STEVENS FAMILY FARMS	STEVENS, HERBERT A	P O BOX 257		HUSUM	WA	98623
01N18E00002200	THOMAS, DANIEL P. ET AL		3564 E. 2ND STREET #61		THE DALLES	OR	97058-9686
01N18E00003000	THOMAS, DANIEL P. ET AL		3564 E. 2ND STREET #61		THE DALLES	OR	97058-9686
01N18E00003600	THOMAS, DANIEL P. ET AL		3564 E. 2ND STREET #61		THE DALLES	OR	97058-9686
01N18E00005100	THOMAS, DANIEL P. ET AL		3564 E. 2ND STREET #61		THE DALLES	OR	97058-9686
02N18E00006900	THOMAS, DEWEY J TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00007300	THOMAS, DEWEY J . TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00006300	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00006400	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00006500	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00006800	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00009100	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
02N18E00009200	THOMAS, DEWEY J. TRUSTEE		P O BOX 153		WASCO	OR	97065-0153
01N18E0000900	WASCO METHODIST CHURCH	MCKEE,GORDON E&PATRICIA L LE	16500 SE 1ST STREET #130		WASCO	OR	97065
01N18E00003103	WEEDMAN RANCHES, INC.		P O BOX 386		WASCO	OR	97065
01N18E00003102	WEEDMAN, MICHAEL &	WEEDMAN, GUY	P O BOX 386		WASCO	OR	97065
01N18E00003800	WEEDMAN, MICHAEL E & GUY PHILL		99436 MONKLAND LANE		MORO	OR	97039-3049
01N18E0000800	WEIR, JAMES MEMORIAL FUND	BIGLOW DISTRICT	C/O TRENA GRAY	PO BOX 325	WASCO	OR	97065
02N18E00008900	WEIR, JAMES MEMORIAL FUND	BIGLOW DISTRICT	C/O TRENA GRAY	PO BOX 325	WASCO	OR	97065
01N18E0000500	WELK, RODNEY & LYNETTE TRUSTEE		31530 SODAVILLE ROAD		LEBANON	OR	97355-8921
01N17E00005300	YAMAUCHI, ALISON		4900 CRESTWOOD DRIVE		LITTLE ROCK	AR	72207-5440
01N17E00005900	YAMAUCHI, ALISON		4900 CRESTWOOD DRIVE		LITTLE ROCK	AR	72207-5440
02N18E00006700	ZANIKER, FRANK K.		PO BOX 1153		THE DALLES	OR	97058-4044
02N18E00008300	ZANIKER, FRANK K.		PO BOX 1153		THE DALLES	OR	97058-4044
02N18E00008700	ZANIKER, FRANK K. & DEANNA		PO BOX 1153		THE DALLES	OR	97058-4044