**ENERGY FACILITY SITING COUNCIL**

**OF THE STATE OF OREGON**

# FOURTH AMENDED SITE CERTIFICATE FOR THE BIGLOW CANYON WIND FARM

**ISSUANCE DATES**

| | |
|---|---|
| Site Certificate | June 30, 2006 |
| First Amended Site Certificate | November 3, 2006 |
| Second Amended Site Certificate | May 10, 2007 |
| Third Amended Site Certificate | October 31, 2008 |
| Fourth Amended Site Certificate | March 27, 2026 |

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## 1.0 Contents



## List of Figures

## 1.0 Introduction

This site certificate for the Biglow Canyon Wind Farm ("Biglow" or the "facility") is issued and executed in the manner provided by ORS Chapter 469, by and between the State of Oregon ("State"), acting by and through its Energy Facility Siting Council (the "Council"), and Portland General Electric Company ("certificate holder"). This site certificate is a binding agreement between the State, acting by and through the Council, and the certificate holder. [Amendment #1]

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 in the Matter of the Application for a Site Certificate for the Biglow Canyon Wind Farm (the "Final Order on the Application"); (b) the Council's Final Order on Amendment #1; (c) the Council's Final Order on Amendment #2; (d) the Council's Final Order on Amendment #3; and (e) the Council's Final Order on Amendment #4. [Amendments #1, #2, #3 and #4]

In interpreting this site certificate, any ambiguity shall be clarified by reference to the following, in order of priority: (1) this Fourth Amended Site Certificate; (2) the Final Order on Amendment #4; (3) the Final Order on Amendment #3; (4) the Final Order on Amendment #2; (5) the Final Order on Amendment #1; (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, Amendment #3, and Amendment #4. [Amendments #1, #2, #3 and #4]

The terms used in this site certificate shall have the same meaning as set forth in ORS 469.300 and OAR 345-001-0010, except where otherwise stated or where the context clearly indicates otherwise.

## 2.0 Site Certification

A. 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 and solar power generation facility, together with certain related or supporting facilities, at the site in Sherman County, Oregon, as described in Section 4.0 of this site certificate. ORS 469.401(1)

B. 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)

C. 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, Amendment #1, Amendment #2, Amendment #3, or Amendment #4. These 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. ORS 469.503(3). [Amendments #1, #2, #3, #4]

D. 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 issued. 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)

E. 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)

F. 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)

G. 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)

H. 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)

I. After issuance of this site certificate, the Council shall have continuing authority over the site and may inspect, or direct the 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

## 3.0 Descriptions

### 3.1 The Wind Facility

Major Structures

The Biglow Canyon Wind Farm consists of 217 wind turbines (76 Vestas V82 1.65 MW and 141 Siemens 2.3 MWs) with an aggregate nominal nameplate generating capacity of up to 450 megawatts (MW) of electricity and an average electric generating capacity of up to 150 MW. The Vestas V82 turbines are mounted on tubular steel towers with a height of 262 feet at the hub and an overall height of 397 feet including the turbine blades. The Siemens 2.3 MW turbines are mounted on tubular steel towers with a height of 262 feet at the hub and an overall height of 413 feet including the turbine blades. The wind turbines are located on private land that the certificate holder has leased from the affected landowners.
[Final Order on ASC, AMD1, AMD2, AMD4]

Related or Supporting Facilities

The facility includes the following related or supporting facilities:

*Power Collection System*

Each wind turbine generates power at about 600 volts. The transformer sitting at the base of each wind turbine unit increases the voltage to 34.5 kilovolts (kV). From the transformer, power is transmitted to a central substation by means of electric cables. Most of the cables are buried three feet or more below the surface in trenches about 3 feet wide. In areas where collector cables from several turbine strings follow the same alignment, e.g., on approach to the substation, multiple sets of cables have been installed within a single trench. The facility contains approximately 75 miles of 3-wire collector cables are underground. Generally, these cables are above, below or adjacent to the fiber optic cables comprising the supervisory control and data acquisition system.

Approximately 5 miles of 34.5 kV collector cables are above ground on pole or tower structures. Poles or towers supporting aboveground segments of the power collection system are about 23 to 28 feet tall. [Final Order on ASC, AMD1, AMD2, AMD4]

*Substations and Interconnection System*

The substation site is a graveled, fenced area of up to 6 acres with transformers, switching equipment and a parking area. Transformers are non-polychlorinated biphenyl (PCB) oil-filled types. The facility interconnects with a new Bonneville Power Administration (BPA) system transmission line adjacent to the facility substation. [Final Order on ASC, AMD2, AMD4].

*Meteorological Towers*

There are 4 meteorological towers throughout the facility site to collect wind resource data. The towers are 279 feet tall. [Final Order on ASC, AMD4]

*Operations and Maintenance Buildings*

The site of the operations and maintenance buildings is 5 acres adjacent to the substation on Herin Lane. The O&M buildings occupy about 19,500 square feet and include office and workshop areas, control room, kitchen, bathroom, shower, utility sink, and other typical facilities. Water for the bathroom, shower and kitchen is obtained from an onsite well constructed by a licensed contractor in accordance with local and state requirements. Water use from all onsite wells may not cumulatively exceed 5,000 gallons per day, unless a permit is obtained from OWRD. Domestic wastewater generated at the O&M facility drains into an onsite septic system. A graveled parking area for employees, visitors and equipment is located adjacent to the O&M facility. [Final Order on ASC, AMD2, AMD3, AMD4]

*Control System*

The facility includes a supervisory control and data acquisition (SCADA) system to assist with the remote operation of the wind turbines, to collect data from each wind turbine, and to archive wind and performance data from various sources. The SCADA system is linked by means of fiber optic cables or other means of communication to a central computer in the O&M facility. [Final Order on ASC]

*Access Roads*

The facility includes about 41.7 miles of roads to provide access to the wind turbine strings, together with turnaround areas at the end of each wind turbine string. The roads are about 16 feet wide (possibly up to 28 feet wide in some locations) and are composed of crushed gravel with shoulders (without gravel) about 3 feet wide. [Final Order on ASC, AMD2, AMD3, AMD4]

## 3.2 The Solar Facility

The solar facility includes up to 125 MW solar photovoltaic power generation components; a battery energy storage system (BESS) with up to 500 megawatt-hours (MWh) of discharge capacity; and other related or supporting facilities.

The approximate dimensions and specifications approved to be constructed and operated are presented in Table 1 below. The final design of the solar facility must substantially comply with these dimensions and specifications.

**Table 1: Solar Facility Component Summary**

| Component and Design Standard | No. | Unit |
|---|---|---|
| **Site Boundary** | | |
| Solar Micrositing Area[1] | 1,924 | acres |
| Max. Permanent footprint[1] | 1,445 | acres |
| Min. setback from turbines | 520 | feet |
| Maximum nominal generating capacity | 125 | MW |
| Modules (590w module with monocrystalline solar cells, antireflective coating, metal frame, and factory installed wire connectors) | | |
| Approx. number of modules | 264,836 | modules |
| Approx. module dimensions (W x L) | 45x90 | inches |
| **Tracking System** | | |
| Mounting height | 5 | feet AGL |
| Avg. Height at full tilt | 7.5 to 10 | feet AGL |
| Max. Height at full tilt | 15 | feet AGL |
| **Steel Posts (hollow, screw, or pile-type)** | | |
| Approx. Total Number | 32,621 | posts |
| Avg. Installation Depth | 7 to 15 | Feet BGL |
| **Power Conversion Stations (Inverter with integrated Step-Up Transformer)** | | |
| Approx. Total Number | 33 | each |
| Noise Level | 92 | dBA (Broadband) |
| Transformer Oil-Containing Capacity (each) | 700 | gallons |
| **Battery Energy Storage System (Lithium-ion)** | | |
| BESS Yard Site Size | 5 | acres |
| Battery Containers (of Battery Containers on foundations with integrated inverters, HVAC and fire suppression systems, SCADA | | |
| Max. Number Enclosures / Inverters | 153 | Units |
| Approx. Dimensions (HxWxL) | 10 x 5.5 x 29 | Feet |
| BESS Unit and Inverter Noise Level | 84 | dBA (Broadband) |
| BESS Inverters | 153 | each |
| BESS Transformers | 39 | each |
| Transformer Height | 10 | feet |
| BESS Transformer Noise Level | 80 | dBA (Broadband) |
| Transformer Oil-Containing Capacity | 700 | Gallons/each |
| **Related or Supporting Facility Components** | | |
| **34.5 kV Collection System** | | |
| Collector line length, underground | 52 | miles |
| Temporary Impact Corridor (limit) | 50 | feet |
| **Collector Substation** | | |
| Includes GSU transformers, switches, breakers, surge arrestors, metering equipment, grounding, and associated control wiring. Certain equipment is enclosed in a control building. | | |

**Table 1: Solar Facility Component Summary**

| Component and Design Standard | No. | Unit |
|---|---|---|
| Site size | 4.2 | acres |
| Generator Step-Up Transformers | 1 | each |
| Transformer Oil-Containing Capacity | 10,000-15,000 | gallons |
| Transformer Noise Level | 106 | dBA |
| Control building dimensions | 40x15 | Feet |
| Height of structures | 8 to 25 | feet |
| **230 kV Transmission Line** | | |
| Length | 1900 | feet |
| Corridor Width (contains all disturbance) | 150 | Feet |
| Corridor Area | 2 | acres |
| Steep Monopole Support Structures | 3 | each |
| Height of Support Poles | 80 | feet |
| **O&M Facility** | | |
| Steel building/prefabricated office structure with adjacent storage enclosures and parking areas, well, septic system. | | |
| Building Dimensions | 60 X 12 | foot |
| Site size | 3 | Acres |
| 400 $ft^2$ Storage Containers | 3 | Each |
| **Internal Access Roads** | | |
| Length (graveled) | 10.5 | miles |
| Width | 16-20 | feet |
| Vegetation Management Buffer (both sides) | 10 | feet |
| **Perimeter Fence** | | |
| Total Length | 92,400 | Feet |
| Height | 8 | Feet |
| Access gates | 5 | each |
| Clear, brush free Area (10-feet from both exterior and interior) | 20 | Feet |
| **Temporary Construction Areas** | | |
| Site Size | 8.7 | Acres |
| 1,000-gal aboveground fuel storage tanks | 3 | Each |

Acronyms: dBA = A-weighted decibels; HVAC = heating, ventilation and air conditioning; kV = kilovolt; OH = overhead; O&M = operations and maintenance; SCADA = supervisory, control and data acquisition
Sources: RFA4, Table 1.
Notes:

1. Solar facility components would permanently occupy up to 1,445 acres within the 1,924-acre Solar Micrositing Area . Area within the perimeter fenceline of the solar facility is considered a permanent impact under the Fish and Wildlife Habitat standard; however, impacts within the perimeter fenceline to soils, vegetation and noxious weeds are not considered permanent under the Soil Protection and Land Use standards and must be minimized and mitigated, as discussed in applicable sections in this order.

[AMD4]

Solar Photovoltaic Power Generation Facilities

The solar components have a nameplate generating capacity of up to 125 MW. The addition of the solar and battery components increases the peak generating capacity of the facility, as a whole, to 575 MW.

Solar photovoltaic power generation facilities typically consist of rows of photovoltaic modules mounted on a racking system that is either fixed in place or able to track the sun on one or more axes. The racking system is typically supported by steel posts that are either driven directly into the ground or installed into pre-drilled holes. The low voltage DC output of the photovoltaic modules is collected with a cabling system and transmitted to inverter and transformer units which convert the output of several rows of modules to 35-kV AC power that can be collected via the facility's electrical collector system. The ground below and surrounding the solar arrays would mostly be vegetated, with gravel where needed for maintenance and access roads or where gravel already exists. [Final Order on AMD4]

*Modules*

Modules typically consist of mono or poly-crystalline solar cells, antireflective coating, non-specular, galvanized steel racks, and factory installed wire connectors. The modules will be connected in series to form strings which are then collected via combiners, cables, and switchboards. The type and number of modules required will be determined at final facility design based on the technology available at that time. The certificate holder assumes use of N-type monocrystalline solar cells. [Final Order on AMD4]

*Tracking System*

Strings of modules will be mounted on single-axis tracker systems to optimize electricity production by rotating the solar modules to follow the path of the sun throughout the day. Each set of modules is expected to be mounted approximately 5 feet off the ground on a single-axis tracker that rotates 60 degrees to the east and west. At maximum tilt, the top edge of the modules is expected to be 7.5 to 10 feet above ground level with a maximum of 15 feet where topography curves under a row. The tracker system and associated posts will be designed to withstand wind, snow, and seismic loads anticipated at the site. [Final Order on AMD4]

*Posts and Foundations*

Each tracker row will be supported by multiple steel posts. Hollow steel sections, screw piles, or pile-type posts may be used. Posts will typically be installed 7 to 15 feet below the ground surface and extend approximately 5 feet above grade. Exterior posts at the end of tracker rows are typically installed to greater depth to withstand inclement weather including high wind conditions. In some soil conditions, concrete grouting may be used as backfill, as required. The total number of posts and foundation installation methods required will be determined during

detailed design of the tracker system and future geotechnical investigations. [Final Order on AMD4]

*Cabling*

Cables will be used to collect and aggregate the DC output of multiple tracker rows for transmission to the inverter/inverter step-up transformer units described below. Cabling may be installed underground along tracker rows and aggregated using combiner boxes or installed aboveground in aluminum trays or using harnessing if a trunk bus system is used for aggregation. Either system requires a similar amount of cabling. [Final Order on AMD4]

*Power Conversion Stations (PCS)*

Integrated inverter and step-up transformer systems called Power Conversion Stations (PCS), or similar systems, will be installed throughout the solar arrays to convert the low-voltage DC output of the modules to 34.5 kV AC power that can be transmitted via the electrical collector system. Each transformer will contain approximately 700 gallons of mineral oil. Each PCS will be installed on a concrete pad or pile-supported foundation. The inverter specifications will comply with the applicable requirements and standards of the National Electric Code and Institute of Electrical and Electronics Engineers standards. [Final Order on AMD4]

Battery Energy Storage Systems

The BESS will be AC-coupled and located adjacent to the collector substation on a fenced 5-acre site.

The BESS will consist of modular enclosures that hold lithium-ion batteries, battery management systems, integrated inverters, and fire prevention systems. Cooling units will be placed either on top of or along the side of the enclosures may include separate chiller plants. Each enclosure will be placed on a concrete pad or pile-supported foundation. The enclosures will be manufactured, assembled, and inspected off-site prior to installation. Each enclosure will be installed on a concrete pad or pile foundation.

The BESS will use lithium-ion (Li-ion) batteries. Li-ion batteries are a type of rechargeable battery where lithium ions, suspended in a gel or liquid electrolyte, move from negative to positive electrodes and back when recharging. A Li-ion battery typically consists of a modular unit containing multiple cells, which are hermetically sealed pouches that serve as primary containment for the electrolyte solution. Modules are placed in anchored racks and wired into strings, with each enclosure containing multiple battery strings. Each enclosure may contain up to 10,000 cells.

Lithium-ion batteries and electrolyte are typically considered to be hazardous materials due to their flammability and potential for chemical reaction. Electrolyte can only escape (as vapor) in

the unlikely case that a battery module fails, and while the enclosure itself provides additional containment in the event of a module failure, venting may be required in the event of a fire or other emergency. Due to the risks, the U.S. Department of Transportation and U.S. Environmental Protection Agency also require special handling when transporting or disposing of lithium-ion batteries.

Initially, the BESS will include up to 153 modular enclosures; however, because battery performance degrades over time additional batteries and associated equipment will be periodically augmented as needed to maintain the design capacity of the system. Approximately 183 enclosures will be installed at the site over the life of the facility. [Final Order on AMD4]

*BESS Transformers*

The BESS includes up to 39 transformers to increase the output voltage from the inverters integrated into the BESS enclosures (typically 660 volts) to the substation feed voltage (34.5-kilovolt [kV] AC). The transformers are anticipated to be approximately 8 to 10 feet in height and will be installed on a concrete pad or pile-supported foundation. Each transformer will contain approximately 700 gallons of mineral oil for cooling. Oils needed for maintenance will be delivered by a licensed maintenance contractor on an as-needed basis, and no substantial quantities will be stored on-site. [Final Order on AMD4]

*BESS Yard*

The BESS facilities will be located in a fenced, graveled yard, adjacent to the collector substation discussed below. The total area expected to be occupied by the BESS yard is approximately 5 acres. [Final Order on AMD4]

<u>Other Related or Supporting Facilities</u>

*34.5 kV Electrical Collection System*

The output of the ISU and BESS transformers will be aggregated and transmitted to the collector substations via underground 34.5-kV collector lines. Up to 52 miles of collector line will be installed within the solar array fence lines. The collector lines will be buried to a minimum of 3 feet at lateral depth, with junction splice boxes positioned intermittently along the lines for maintenance access. [Final Order on AMD4]

*Collector Substation*

A new collector substation will be constructed to aggregate and convert the 34.5 kV power transmitted through the electrical collection system to 230-kV power that can be transmitted to the grid from the existing Biglow Canyon Substation.

The substation will include a generator step-up (GSU) transformer and other electrical equipment including, but not limited to switches, breakers, surge arrests, metering equipment, grounding, and associated control wiring. Certain equipment, including breakers and transformer equipment, will be enclosed in a control building. The GSU transformer is expected to be a ground-mounted unit constructed on a concrete pad. The transformer will contain between 10,000 and 15,000 gallons of mineral or seed oil for cooling and insulation.[1] To minimize the potential for spills, the GSU transformer will be equipped with a secondary containment trap sized to contain the amount of oil inside the transformer plus an additional volume for deluge water and required freeboard. [Final Order on AMD4]

*230-kV Overhead Transmission Line*

The solar facility will include an approximately 1900-foot long 230 kV overhead transmission line connecting the Collector Substation to the existing Biglow Canyon Substation. The transmission line will be supported by three 80-foot steel monopole support structures. [Final Order on AMD4]

*O&M Building*

A new O&M facility will be constructed in the solar area. The O&M facility will include a steel building or prefabricated office structure with facilities for staff use; enclosures for storing spare parts and maintenance equipment; and space for parking service staging zone and clearance areas. The O&M facility will have a septic system, and a septic system permit will be obtained from the Sherman County Public Health Department. Small quantities of lubricants, degreasers, herbicides, or other chemicals may be stored at the O&M facilities. In addition, up to approximately 4,080 spare modules may be stored at the O&M facilities for replacement over the life of the solar components. [Final Order on AMD4]

*Communications and SCADA System*

The SCADA for the solar facility will be integrated with the SCADA for the wind facility, allowing facility operating parameters, power output, and other variables such as meteorological conditions to be constantly monitored from the facility control rooms and remote locations. [Final Order on AMD4]

*Internal Access Roads*

Approximately 10.5 miles of new access roads will be constructed within the solar array areas to provide access to the facility components. In accordance with Oregon Fire Code Section 503, roads needed for emergency access will be approximately 20 feet wide and designed to meet load requirements for all equipment and emergency access needs. Other roads would be

[1] Consistent with federal regulations, the oils used in transformers do not contain polychlorinated biphenyls or compounds listed as extremely hazardous by the U.S. Environmental Protection Agency.

approximately 16 feet wide. All roads would have a 10-foot buffer maintained with low-growing, fire resistant vegetation on either side. [Final Order on AMD4]

*Perimeter Fencing, and Gates*

Each solar array, with any collocated related or supporting facility components, will be enclosed by seven-foot-tall chain-link perimeter fencing with one foot of razor or barbed wire at the top. Alternatively, wire mesh or similar perimeter fencing up to 8 feet in height may be used. Fences will be constructed and grounded in accordance with NESC Rule 110. Vehicle access to the facility will be provided by lockable vehicle gates. Additional gates may be installed for emergency exit or removal of wildlife. [Final Order on AMD4]

Temporary *Construction Areas*

Up to 8.7 acres will be used as a temporary construction area to store supplies and equipment and facilitate the delivery and assembly of materials and equipment during construction. Additional temporary construction areas may be utilized within the Solar Micrositing Area . The area will consist of a crushed gravel surface that will be removed following construction, crushed gravel surface that will remain following construction because that was the pre-existing surface condition, or vegetation that is left in place for which the need to revegetate will be evaluated following construction. Nonreportable quantities of herbicides, insecticides, paint, cleaners, solvents, or other chemicals may be used and stored in the temporary construction areas. Up to three aboveground 1,000-gallon fuel tanks may be installed in an area within the temporary construction area that provides secondary containment. Concrete for construction of foundations will come directly from licensed suppliers and there would not be an on-site batch plant installed at the temporary construction area. [Final Order on AMD4]

*Solar Micrositing Area*

The solar facility components are approved to be located within a 1,924-acre Solar Micrositing Area, as presented in Figure 1.

The existing Biglow Canyon Substation, which will be the point of interconnection for the solar facility components to the regional transmission grid, is located within the Solar Micrositing Area. [Final Order on AMD4]

## 3.3 Location of The Facility

The facility is located about 2.5 miles northeast of the City of Wasco in Townships 1 and 2 North, Ranges 17 and 18 East, Willamette Meridian, Sherman County, Oregon. The Solar Micrositing Area is located approximately 4.8 miles northeast of the Town of Wasco. [Final Order on ASC, AMD4]

The conditions of this Site Certificate are organized and coded to indicate the phase of implementation, the standard the condition is required to satisfy, and an identification number (1, 2, 3, etc.).[2] The table below presents a "key" for phase of implementation:

| Key | Type of Conditions/Phase of Implementation |
|---|---|
| GEN | General Conditions: Design, Construction and Operation |
| PRE | Pre-Construction Conditions |
| CON | Construction Conditions |
| PRO | Pre-Operational Conditions |
| OPR | Operational Conditions |
| RET | Retirement Conditions |

The facility is approved to be constructed in phases. Therefore, preconstruction and construction conditions include language allowing for the condition to be satisfied based on the applicability of the requirements to the location or component to be constructed, rather than the entirety of the facility, components or site not yet constructed or impacted.

## 4.0 Conditions Applicable to the Entire Facility

The conditions listed in this section are based on representations in the site certificate application and supporting record. The Council deems these representations to be binding commitments made by the certificate holder. These conditions are required under OAR 345-025-0006(10).

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.

[2] The identification number is not representative of an order that conditions must be implemented; it is intended only to represent a numerical value for identifying the condition.

## 4.1 General (GEN) Conditions: Design, Construction and Operations

| Condition Number | General (GEN) Conditions |
|---|---|
| ***STANDARD: GENERAL STANDARD OF REVIEW (GS) [OAR 345-022-0000]*** | |
| GEN-GS-01 | The Council shall not change the conditions of the site certificate except as provided for in OAR Chapter 345, Division 27.<br>[OAR 345-027-0020(1); Final Order on ASC, Condition 101; AMD4] |
| GEN-GS-02 | Notwithstanding OAR 345-027-0353(1), an amendment of the site certificate is required if the proposed change would increase the electrical generation capacity of the facility or would increase the number of wind turbines or the dimensions of existing wind turbines.<br>[Final Order on ASC, Condition 14; AMD4] |
| GEN-GS-03 | The certificate holder shall design, construct, operate and retire the facility:<br>a. Substantially as described in the site certificate;<br>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<br>c. In compliance with all applicable permit requirements of other state agencies.<br>[OAR 345-027-0020(3); Final Order on ASC, Conditions 13, 103; AMD4] |
| GEN-GS-04 | 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.<br>[OAR 345-027-0028; Final Order on ASC, Condition 120; AMD3; AMD4] |
| GEN-GS-05 | 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.<br>[OAR 345-027-0020(7); Final Order on ASC, Condition 107; AMD4] |
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| GEN-OE-01 | 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 345-027-0400 apply to any transfer of ownership that requires a transfer of the site certificate.<br>[OAR 345-027-0020(15); Final Order on ASC; Condition 115; AMD3; AMD4] |
| GEN-OE-02 | The certificate holder shall contractually require all contractors and subcontractors involved in the construction or operation 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. Any notice of violation, civil penalties, or other enforcement action issued under the site certificate will be issued to the certificate holder. |

| Condition Number | General (GEN) Conditions |
|---|---|
| | [Final Order on ASC, Condition 2; AMD4] |
| GEN-OE-03 | 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 necessary state and local permits or approvals.<br>[Final Order on ASC, Condition 15; AMD4] |
| GEN-OE-04 | The certificate holder shall, as soon as reasonably possible:<br>a. Report incidents or circumstances that may violate the terms or conditions of the site certificate, terms or conditions of any order of the Council, to the Department. In the report to the Department, the certificate holder shall provide all pertinent facts including an estimate of how long the conditions or circumstances existed, how long they are expected to continue before they can be corrected, and whether the conditions or circumstances were discovered as a result of a regularly scheduled compliance audit;<br>b. Initiate and complete appropriate action to correct the conditions or circumstances and to minimize the possibility of recurrence;<br>c. Submit a written report within 30 days of discovery to the Department. The report must contain:<br>i. A discussion of the cause of the reported conditions or circumstances;<br>ii. The date of discovery of the conditions or circumstances by the responsible party;<br>iii. A description of immediate actions taken to correct the reported conditions or circumstances;<br>iv. A description of actions taken or planned to minimize the possibility of recurrence; and<br>v. For conditions or circumstances that may violate the terms or conditions of a site certificate, an assessment of the impact on the resources considered under the standards of OAR Chapter 345 Divisions 22 and 24 as a result of the reported conditions or circumstances.<br>d. Upon receipt of a written report submitted under this condition, the Department may review the facility record for incidents or circumstances related to public health and safety, the environment, or other resources protected under Council standards. If these incidences are determined by the Department to impact the adequacy of the facility decommissioning cost, the Department or Council may adjust the contingencies identified in Final Order on RFA4, Attachment I and shall request and receive an updated bond or letter of credit from certificate holder in the adjusted amount.<br>[Final Order on ASC, Condition 4; AMD4] |
| GEN-OE-05 | The certificate holder shall notify the Department of Energy within 72 hours of any occurrence involving the facility if:<br>a. There is an attempt by anyone to interfere with its safe operation; |

| Condition Number | General (GEN) Conditions |
|---|---|
| | 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<br>c. There is any fatal injury at the facility.<br>[OAR 345-026-0170; Final Order on ASC, Condition 125; AMD3, AMD4] |
| GEN-OE-06 | 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.<br>[OAR 345-026-0105; Final Order on ASC, Condition 124, AMD3, AMD4] |
| GEN-OE-07 | During construction, operation or retirement of the facility, the certificate holder shall notify the Department within 72 hours of any accidents that may result in public health and safety concerns, including mechanical failures on the site associated with construction or operation of the facility.<br>[Final Order on ASC, Condition 37; AMD4] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0022]*** | |
| GEN-SP-01 | The certificate holder shall use hazardous materials in a manner that protects public health, safety and the environment and shall comply with applicable local, state and federal environmental laws and regulations.<br>[Final Order on ASC, Condition 80; AMD4] |
| ***STANDARD: Land Use (LU) [OAR 345-022-0030]*** | |
| GEN-LU-01 | The certificate holder shall ensure that no equipment or machinery is parked or stored on any county road except while in use.<br>[Final Order on ASC, Condition 18; AMD4] |
| ***STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]*** | |
| GEN-RF-01 | a. Prior to construction of the facility, or any component 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.<br>b. The certificate holder shall annually adjust all bonds or letters of credit submitted in compliance with this condition 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"). If at any time the Index is no |

| Condition Number | General (GEN) Conditions |
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| | longer published, the Department shall select a comparable calculation to adjust the amount to present value.<br>[Final Order on ASC, Condition 108; AMD3; AMD4] |
| GEN-RF-02 | For the wind energy facility, the bond or letter of credit required under Condition GEN-RF-01 shall be in an amount approved by the Department and based on the costs shown in Table 1 of the Final Order on Amendment #3. The certificate holder shall adjust the amounts of all bonds or letters of credit submitted in compliance with this condition to present value as of the date of issuance, using the following calculation and subject to approval by the Department:<br>a. Adjust the Subtotal (in 2005 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"). If at any time the Index is no longer published, the Council shall select a comparable calculation to adjust 2005 dollars to present value.<br>b. Add 1 percent of the adjusted Subtotal (i) for the adjusted performance bond amount to determine the adjusted Gross Cost.<br>c. 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.<br>d. 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.<br>[Final Order on ASC, Condition 9, AMD2, AMD3, AMD4] |
| GEN-RF-03 | For the solar facility, the bond or letter of credit required under Condition GEN-RF-01 shall be in an amount approved by the Department and based on the unit costs, markups, and contingencies shown in Attachment J of the Final Order on RFA4, as updated under Condition PRE-RF-01.<br>[Final Order on AMD4, Retirement and Financial Assurance Condition 1] |
| GEN-RF-04 | If the certificate holder elects to use a bond to meet the requirements of Condition GEN-RF-01, 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 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 facility.<br>[Final Order on ASC, Condition 10, AMD4] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |

| Condition Number | General (GEN) Conditions |
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| GEN-FW-01 | The certificate holder shall design and construct all aboveground transmission line support structures following the current practices suggested by the Avian Powerline Interaction Committee at the time of design.<br>[Final Order on ASC, Condition 58; AMD4] |
| ***STANDARD: Siting Standards for Transmission Lines (TL) [OAR 345-024-0090]*** | |
| GEN-TL-01 | The certificate holder shall design all overhead transmission lines so that alternating current electric fields shall not exceed 9 kV per meter at one meter above the ground surface in areas accessible to the public.<br>[Final Order on ASC, Condition 53; AMD4] |
| GEN-TL-02 | The certificate holder shall design all overhead transmission lines so that induced voltages resulting from the transmission lines are as low as reasonably achievable.<br>[Final Order on ASC, Condition 54; AMD4] |
| ***STANDARD: Other – Removal-Fill (WL)*** | |
| GEN-WL-01 | The certificate holder shall avoid any disturbance, including the placement of poles for the collector line, within 25 feet of the stream channel in the area identified as Crossing G in the Request for Amendment #2 and within a wetland area identified as "POWHX" on Figure J-1 of the site certificate application.<br>[Final Order on AMD2, Condition 127; AMD4] |
| GEN-WL-02 | The certificate holder shall avoid any disturbance within 25 feet of the stream channel in the area identified as "Stream Crossing H" in the Request for Amendment #3 and shall install any collector line through the area by tunneling or drilling beneath the stream channel.<br>[Final Order on AMD3, Condition 129; AMD4] |

## 4.2 Operational (OPR) Conditions

| Condition Number | Operational (OPR) Conditions |
|---|---|
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| OPR-OE-01 | a. By April 30 of each year after beginning construction, the certificate holder shall submit an annual report to the Department. The Council Secretary and the certificate holder may, by mutual agreement, change the reporting date.<br>b. In the annual report, the certificate holder shall include the following information for the calendar year preceding the date of the report:<br>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.<br>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 recurrence of such problems;<br>iii. 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;<br>iv. 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.<br>v. 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.<br>vi. 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 345-027-0350.<br>c. To the extent that information required by this condition 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 condition. The Council reserves the right to request full copies of such excerpted reports. |

| Condition Number | Operational (OPR) Conditions |
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| | [OAR 345-026-0080; Final Order on ASC, Condition 122; AMD3; AMD4] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0020]*** | |
| OPR-SP-01 | During operation of the facility, the certificate holder may engage in wind turbine blade and solar panel washing activities but shall ensure that these activities do not cause runoff of washwater from the site or discharges to surface waters, storm sewers or dry wells. The certificate holder shall not use acids, bases or metal brighteners with the wash water. The certificate may use biodegradable, phosphate-free cleaners sparingly.<br>[Final Order on ASC, Condition 88; AMD2; AMD4] |
| OPR-SP-02 | a. If a spill or release of a reportable quantity of fuel, oil, or other hazardous materials occurs during construction or operation of the facility, the certificate holder shall notify the Department within 72 hours.<br>b. The certificate holder shall clean up any spill or release of hazardous materials and dispose of any contaminated soil or other materials according to applicable regulations.<br>c. The certificate holder shall ensure 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.<br>[Final Order on ASC, Condition 81; AMD4] |
| ***STANDARD: Land Use (LU) [OAR 345-022-0030]*** | |
| OPR-LU-01 | During operation of the facility, the certificate holder, in cooperation with landowners, shall avoid impact on cultivated land to the extent reasonably possible when performing facility repair and maintenance activities.<br>[Final Order on ASC, Condition 22; AMD4] |
| ***STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]*** | |
| OPR-RF-01 | During operation of the facility, the certificate holder shall:<br>a. Annually adjust the amount of bonds or letters of credit provided to satisfy Condition GEN-RF-01 to present dollar value, as determined by the Department. The Department shall adjust 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"). If at any time the Index is no longer published, the Department shall select a comparable calculation to adjust the amount to present value.<br>b. Incorporate any additional decommissioning costs for proposed facility changes which have been determined by the Department not to require a site certificate amendment.<br>c. The Department and Council reserve the right to adjust the contingencies, as appropriate and necessary to protect public health and safety or the environment |

| Condition Number | Operational (OPR) Conditions |
|---|---|
| | and ensure the certificate holder's bond or letter of credit is sufficient to restore the site to a useful, non-hazardous condition.<br>[Final Order on AMD4, Retirement and Financial Assurance Condition 3] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |
| OPR-FW-01 | The certificate holder shall conduct wildlife monitoring and mitigation in accordance with the Wildlife Monitoring and Mitigation Plan that is incorporated in the Final Order on Amendment #2 as Attachment A and as may be amended from time to time.<br>[Final Order on ASC, Condition 61; AMD2; AMD4] |
| OPR-FW-02 | For the life of the project, the certificate holder shall provide to the appropriate staff of the Confederated Tribes of the Warm Springs Reservation of Oregon the same annual mitigation and monitoring reports it submits to the Department.<br>[Final Order on ASC, Condition 64; AMD4] |
| OPR-FW-03 | For the life of the project, the certificate holder shall consult annually with the appropriate staff of the Confederated Tribes of the Warm Springs Reservation of Oregon to discuss noxious weed or other issues that may arise from the close proximity of the facility site and tribal lands. The certificate holder shall provide a summary of that consultation in the annual report it provides to the Department.<br>[Final Order on ASC, Condition 65; AMD4] |
| ***STANDARD: Public Services (PS) [OAR 345-022-0110]*** | |
| OPR-PS-01 | During operation of the facility, for any water needed from offsite sources, the certificate holder and its contractors shall:<br>a. Identify all water-related needs and estimate daily and annual water demand for facility operations.<br>b. Provide evidence such as a contract or purchase agreement demonstrating that adequate water supply to meet facility operational demand has been secured and that water for all operational activities will be legally obtained by service providers or third-party permits.<br>[Final Order on ASC, Condition 76; AMD4] |
| OPR-PS-02 | During operation of the facility, the certificate holder shall develop and implement a site health and safety plan that informs on-site employees and others 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.<br>[Final Order on ASC, Condition 47] |
| ***STANDARD: Waste Minimization (WM) [OAR 345-022-0120]*** | |
| OPR-WM-01 | During operation of the facility, 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 with a capacity that is less than 2,500 gallons per day.<br>[Final Order on ASC, Condition 83; AMD3; AMD4] |
| OPR-WM-02 | During operation of the facility, the certificate holder shall implement a waste management plan that includes but is not limited to the following : |

| Condition Number | Operational (OPR) Conditions |
|---|---|
| | a. The format, content and frequency of employee trainings to minimize the generation of solid waste, recycle materials, and properly handle and dispose of electronic wastes and hazardous materials;<br>b. Identify names and locations of licensed haulers and facilities that will be used for the following, including associated collection and hauling protocols and requirements:<br>i. Recycling paper products, metals, glass and plastics, and other recyclable materials;<br>ii. Disposing non-recyclable, nonhazardous waste for transport to a landfill;<br>c. Identify a procedure or process for evaluating whether photovoltaic modules, batteries, or other facility components are considered hazardous waste under state or federal regulations;<br>d. Identify procedures for the segregation of recyclable materials, nonhazardous waste, and hazardous waste sources for transport and disposal by a licensed hauler specializing in the proper recycling or disposal of the wastes;<br>e. Identify inspection and recordkeeping procedures for waste handling, disposal and recycling; and<br>f. Include a provision allowing for updates of the plan, subject to the Department review and approval.<br>[Final Order on ASC, Condition 87; AMD4] |
| ***STANDARD: Other – Water Rights (WR)*** | |
| OPR-WR-01 | a. For any onsite exempt wells, combined water usage shall not exceed 5,000 gallons per day for domestic use at the facility's O&M buildings and solar panel and blade-washing activities.<br>b. If new exempt wells are constructed for the solar facility, the certificate holder shall install flow meters on the existing and new wells; monitor the volume of groundwater used from all onsite wells on a daily basis, maintain a record of such use and make the monitoring records available to the Department upon request.<br>[Final Order on ASC, Condition 75; AMD3, AMD4] |

### 4.3 Retirement (RET) Conditions

| Condition Number | Retirement (RET) Conditions |
|---|---|
| ***STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]*** | |
| RET-RF-01 | a. 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 |

| Condition Number | Retirement (RET) Conditions |
|---|---|
| ***STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]*** | |
| | retirement, notwithstanding the Council's approval in the site certificate of an estimated amount required to restore the site.<br>b. If the certificate holder permanently ceases construction or operation of a portion of the facility that is, by itself, an energy facility under ORS 469.300, the certificate holder must retire that portion of the facility within two years following cessation of construction or operation of the facility components in accordance with the provisions of OAR 345-027-0110(10).<br>[OAR 345-027-0020(9); Final Order on ASC, Condition 109; AMD4] |
| RET-RF-02 | 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 provided under Condition GEN-RF-01 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, non-hazardous 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. [OAR 345-027-0020(160); Final Order on ASC, Condition 116; AMD3, AMD4] |

## 5.0 Conditions Applicable to the Wind Energy Facility

### 5.1 General (GEN) Conditions: Design, Construction and Operations

| Condition Number | General (GEN) Conditions |
|---|---|
| ***STANDARD: Land Use (LU) [OAR 345-022-0030]*** | |
| GEN-LU-02 | 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.<br>[Final Order on ASC, Condition 17; AMD4] |
| GEN-LU-03 | The site certificate holder shall design and construct private access roads associated with the wind energy facility to minimize the division of existing farm units.<br>[Final Order on ASC, Condition 19; AMD4] |
| GEN-LU-04 | The certificate holder shall not locate any aboveground facility structure associated with the wind energy facility (including wind turbines, O&M buildings, substations, and meteorological towers, but not including aboveground transmission and collector 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.<br>[Final Order on ASC, Condition 19; AMD3, AMD4] |
| GEN-LU-05 | The certificate holder shall locate access roads associated with the wind energy facility 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 collector lines and junction boxes along property lines and public road rights-of-way to the extent practicable.<br>[Final Order on ASC, Condition 19; AMD2, AMD4] |
| GEN-LU-06 | Where necessary and feasible, the certificate holder shall provide access to fields within the wind energy facility site and otherwise provide adequate and timely access to properties during critical periods in the farming cycle, such as harvest.<br>[Final Order on ASC, Condition 19; AMD4] |
| GEN-LU-07 | Before beginning construction of the wind energy facility, the certificate holder shall record a Farm Management Easement covering the properties on which the certificate holder locates wind power generation facilities. The certificate holder shall record the easements in the real property records of Sherman County and shall file a copy of the recorded easement with the Sherman County Planning Director. |

| Condition Number | General (GEN) Conditions |
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| | [Final Order on ASC, Condition 19; AMD4] |
| GEN-LU-08 | The certificate holder shall remove from Special Farm Assessment the portions of parcels on which facilities are located and shall pay all property taxes due and payable after the Special Farm Assessment is removed from such properties.<br>[Final Order on ASC, Condition 19; AMD4] |
| GEN-LU-09 | With respect to any turbine constructed within a micrositing corridor approved by the Council after November 21, 2007, the certificate holder shall not locate such turbine within the setback prescribed by Section 4 of the Sherman County Wind Power Set Back Ordinance (Ordinance No. 39-2007) unless the Council has approved a variance to such setback for the turbine or the certificate holder has negotiated a setback agreement with the affected adjacent property owner and wind project developer.<br>[Final Order on AMD3, Condition 128; AMD4] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |
| GEN-FW-02 | The certificate holder may construct turbines and other facility components within the 500-foot turbine corridors shown on Figures P-1 through P-10 of the site certificate application and March 2006 supplement and within the "Permitted Areas" and "Amendment III Areas" as shown on Figures 2, 2a, 2b and 2c of the Request for Amendment #3, subject to the following requirements addressing potential habitat impact:<br>a. The certificate holder shall not construct any facility components within areas of Category 1 or Category 2 habitat and shall avoid temporary disturbance of Category 1 or Category 2 habitat.<br>b. The certificate holder shall design and construct facility components that are the minimum size needed for safe operation of the energy facility.<br>c. Prior to constructing any turbines or permanent related or supporting facilities within the northward extension of Corridor 3 shown on Figure 2a of the Request for Amendment #3, the certificate holder shall provide the Department with maps and calculations documenting the additional permanent impacts, if any, to Category 3 and Category 4 habitat predicted to result from construction. If the construction would result in additional permanent impacts, the certificate holder shall increase the area of mitigation for permanent loss of Category 3 and Category 4 habitat as described in the Habitat Mitigation Plan incorporated herein by GEN-FW-03.<br>[Final Order on ASC, Condition 59; AMD3; AMD4] |
| GEN-FW-03 | 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 in accordance with the Habitat Mitigation Plan that is incorporated in the |

| Condition Number | General (GEN) Conditions |
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| | Final Order on Amendment #3 as Attachment C and as may be amended from time to time.<br>[Final Order on ASC, Condition 63; AMD2; AMD3; AMD4] |
| ***STANDARD: Historic, Cultural and Archaeological Resources (HC) [OAR 345-022-0090]*** | |
| GEN-HC-01 | Before beginning construction of any phase of the facility, the certificate holder shall provide to the Department a map showing the final design locations of all components of that phase of the facility and areas that would be temporarily disturbed during construction and also showing the areas surveyed by CH2M Hill and Archaeological Investigations Northwest, Inc. (AINW) in preparing the Cultural Resources Surveys for Biglow Canyon Wind Farm included in the site certificate application as Attachment S-1 and in Request for Amendment #2 as Attachment 15. The certificate holder shall hire qualified personnel to conduct field investigation of all areas of permanent or temporary disturbance that CH2M Hill and AINW did not previously survey and shall provide to the Department a written report of the field investigation. If any significant historic, cultural or archaeological resources are found during the field investigation, 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 areas where the resources were found and shall implement other appropriate measures to protect the resources. [Amendment #2] |
| ***STANDARD: Public Health and Safety for Wind Energy Facilities (PHSW) [OAR 345-024-0010]*** | |
| GEN-PHSW-01 | Before beginning construction or alteration of any phase of the wind energy facility, 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 for that phase of the facility. The certificate holder shall notify the Department of the FAA's response as soon as it has been received.<br>[Final Order on ASC, Condition 38; AMD4] |
| GEN-PHSW-02 | The certificate holder shall enclose the facility substation with appropriate fencing and locked gates to protect the public from electrical hazards.<br>[Final Order on ASC, Condition 39; AMD4] |
| GEN-PHSW-03 | The certificate holder shall not locate turbine towers within 450 feet of any residence. The certificate holder shall not locate turbine towers within 450 feet of any public road, unless the certificate holder demonstrates to the Department's satisfaction that a lesser setback is consistent with the protection of public health and safety.<br>[Final Order on ASC, Condition 40; AMD4] |
| GEN-PHSW-04 | 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.<br>[Final Order on ASC, Condition 41; AMD4] |

| Condition Number | General (GEN) Conditions |
|---|---|
| GEN-PHSW-08 | During construction of the wind energy facility, the certificate holder shall install generator step-up transformers at the base of each turbine tower in locked cabinets designed to protect the public from electrical hazards and to avoid creation of artificial habitat for raptor prey.<br>[Final Order on ASC, Condition 45; AMD4] |
| ***Siting Standards for Wind Energy Facilities (WF) [OAR 345-024-0015]*** | |
| GEN-WF-01 | 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 throughout operation of the facility.<br>[Final Order on ASC, Condition 48; AMD4] |
| GEN-WF-03 | During construction of the wind energy facility, to reduce the visual impact of the facility, the certificate holder shall:<br>a. Paint turbine towers, nacelles, rotors, meteorological towers, and cabinets containing pad-mounted equipment with a low-reflectivity, neutral gray, white, off-white or earth tone finish to reduce contrast with the surrounding background.<br>b. Apply a low-reflectivity finish to the exterior of the O&M buildings and substation equipment to control their visual integration into the surrounding background.<br>c. With the exception of the turbine manufacturer's logo that may appear on turbine nacelles, not allow any advertising to be used on any part of the facility or on any signs posted at the facility. In addition, the certificate holder may place its logo on the nacelles of not more than 20 percent of the wind turbines.<br>d. Use only those signs required by law or for facility safety or security, except that the certificate holder may erect a sign near the O&M facility or substation to identify the wind energy facility.<br>[Final Order on ASC, Condition 50; AMD2;AMD3; AMD4] |
| GEN-WF-04 | The certificate holder shall design and construct the O&M buildings for the wind energy facility to be generally consistent with the character of similar buildings used by commercial farmers or ranchers in the area and shall paint the building in a neutral color to blend with the surrounding background.<br>[Final Order on ASC, Condition 51; AMD3; AMD4] |
| GEN-WF-05 | The certificate holder shall not use exterior nighttime lighting at the wind energy facility except:<br>a. The minimum turbine tower lighting required by the Federal Aviation Administration.<br>b. Security lighting at the O&M buildings and substation, provided that such lighting is shielded or directed downward to reduce glare.<br>c. Minimum lighting necessary for repairs or emergencies. |

| Condition Number | General (GEN) Conditions |
|---|---|
| | d. Minimum lighting necessary for nighttime construction. The certificate holder may use lighting only at the work location and only directed downward to illuminate the work area at the turbine base or upward from the base to illuminate the turbine tower; construction lighting shall not be directed outward. The certificate holder shall use nighttime lighting only with the approval of the owner of the property on which the work is conducted and shall provide notice of nighttime construction to occupants of all residences within one-half mile of the construction site.<br>[Final Order on ASC, Condition 52; AMD3] |
| ***STANDARD: Siting Standards for Transmission Lines (TL) [OAR 345-024-0090]*** | |
| GEN-TL-03 | The certificate holder shall take reasonable steps to reduce or manage exposure to electromagnetic fields (EMF), consistent with Council findings presented in the "Report of EMF Committee to the Energy Facility Siting Council," March 30, 1993, and subsequent findings. Effective on the date of this site certificate, the certificate holder shall provide information to the public, upon request, about EMF levels associated with the wind energy facility and its related transmission lines.<br>[Final Order on ASC, Condition 38; AMD4] |
| GEN-TL-04 | a. The certificate holder shall design, construct and operate transmission lines associated with the wind energy facility in accordance with the requirements of the National Electrical Safety Code (American National Standards Institute, Section C2, 1997 Edition); and<br>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 by the transmission lines are grounded or bonded throughout the life of the line.<br>[Final Order on ASC, Condition 118; AMD3; AMD4] |
| ***STANDARD: Other – Removal-Fill (WL)*** | |
| GEN-WL-01 | The certificate holder shall avoid any disturbance, including the placement of poles for the collector line, within 25 feet of the stream channel in the area identified as Crossing G in the Request for Amendment #2 and within a wetland area identified as "POWHX" on Figure J-1 of the site certificate application.<br>[Final Order on AMD2, Condition 127; AMD4] |
| GEN-WL-02 | The certificate holder shall avoid any disturbance within 25 feet of the stream channel in the area identified as "Stream Crossing H" in the Request for Amendment #3 and shall install any collector line through the area by tunneling or drilling beneath the stream channel.<br>[Final Order on AMD3, Condition 129; AMD4] |

## 5.2 Operational (OPR) Conditions

| Condition Number | Operational (OPR) Conditions |
|---|---|
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0020]*** | |
| OPR-SP-03 | The certificate holder shall cover turbine pad areas with gravel or other non-erosive material immediately following exposure and shall maintain the pad area covering during operation of the facility.<br>[Final Order on ASC, Condition 28; AMD4] |
| OPR-SP-04 | During operation of the wind energy facility, the certificate holder shall restore areas that are temporarily disturbed during facility maintenance or repairs according to the methods and monitoring procedures in the Revegetation Plan included as Attachment B to the Final Order on the ASC, as amended.<br>[Final Order on ASC, Condition 29; AMD4] |
| OPR-SP-05 | During operation of the wind energy facility, the certificate holder shall routinely inspect and maintain all roads, pads and trenched areas and, as necessary, maintain or repair erosion control measures.<br>[Final Order on ASC, Condition 30; AMD4] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |
| OPR-FW-04 | During operation of the wind energy facility, the certificate holder shall implement a plan to control the introduction and spread of noxious weeds. The certificate holder shall develop the weed control plan in consultation with the Sherman County Weed Control District and the Department.<br>[Final Order on ASC, Condition 49; AMD4] |
| ***STANDARD: Public Health and Safety for Wind Energy Facilities (PHSW) [OAR 345-024-0010]*** | |
| OPR-PHSW-01 | During operation of the wind energy facility, the certificate holder shall follow manufacturers' recommended handling instructions and procedures to prevent damage to towers or blades that could lead to failure.<br>[Final Order on ASC, Condition 42; AMD4] |
| OPR-PHSW-02 | During operation of the wind energy facility, 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.<br>[Final Order on ASC, Condition 43; AMD4] |
| OPR-PHSW-03 | During operation of the wind energy facility, 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 O&M facility, to alert operators to potential dangerous conditions, and the certificate holder shall remedy any dangerous conditions immediately.<br>[Final Order on ASC, Condition 44; AMD4] |
| OPR-PHSW-04 | During operation of the wind energy facility, the certificate holder shall maintain built-in fire prevention measures in each turbine that would shut down the turbine automatically before mechanical problems create excess heat or sparks. |

| Condition Number | Operational (OPR) Conditions |
|---|---|
| | [Final Order on ASC, Condition 92; AMD4] |
| OPR-PHSW-05 | During construction and operation of the wind energy 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.<br>[Final Order on ASC, Condition 93; AMD4] |
| OPR-PHSW-06 | During construction and operation of the wind energy facility, the certificate holder shall ensure that each on-site company vehicle contains a fire extinguisher, water spray can, shovel, emergency response procedures book, and two-way radio for immediate communication with the O&M facility.<br>[Final Order on ASC, Condition 94; AMD4] |
| OPR-PHSW-07 | Upon beginning operation of the wind energy facility, the certificate holder shall provide to all local fire departments maps of the facility site. During operation of the facility, the certificate holder shall provide to all local fire departments 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.<br>[Final Order on ASC, Condition 96; AMD4] |
| OPR-PHSW-08 | During operation of the wind energy facility, 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.<br>[Final Order on ASC, Condition 97; AMD4] |
| OPR-PHSW-09 | During operation of the wind energy facility, the certificate holder shall comply with the written fire protection recommendations of the Fire Chief of the applicable Rural Fire Protection District and shall promptly provide to the Department any correspondence from the Fire Chief regarding those recommendations.<br>[Final Order on ASC, Condition 98; AMD3, AMD4] |

## 6.0 Conditions Applicable to the Solar Facility

### 6.1 General (GEN) Conditions: Design, Construction and Operations

| Condition Number | General (GEN) Conditions |
|---|---|
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0022]*** | |
| GEN-SP-02 | Except for those fuels and oils covered by an SPCC Plan approved under Condition PRE-SP-01 or PRO-SP-02, no reportable quantities of hazardous materials or |

| Condition Number | General (GEN) Conditions |
|---|---|
| | substances, as defined in OAR chapter 340, division 142, may be stored at the site of any solar facility component.<br>[Final Order on AMD4, Soil Protection Condition 8] |
| ***STANDARD: Land Use (LU) [OAR 345-022-0030]*** | |
| GEN-LU-10 | All aboveground components of the solar facility, including perimeter fences, must be setback at least 50 feet from:<br>a. The right-of-way line of an arterial or major collector road or street, including, but not limited, to Hilderbrand Lane (Old Wasco-Heppner Highway);<br>b. The property line extending along a public road not described in (a); and<br>c. Any property line with a tract that is not within the Solar Micrositing Area.<br>[Final Order on AMD4, Land Use Condition 1] |
| GEN-LU-11 | All components of the solar facility, including perimeter fences, must be setback at least 30 feet from the aggregate site located on Tax lot 02N18E00003900, as identified in Sherman County Ordinance 32-2006. Facility components must be arranged in a manner that allows for continued access to and operation of the aggregate site.<br>[Final Order on AMD4, Land Use Condition 2] |
| GEN-LU-12 | a. All structures and equipment associated with the solar facility, including but not limited to, power conversion stations, O&M buildings, and battery enclosures, must be designed or painted with a low-reflectivity, neutral gray, white, off-white or earth tone finish that minimizes contrast with the surrounding landscape.<br>b. The certificate holder may install a sign identifying the facility near each O&M building or collector substation. No other signs may be installed except as required by law or for facility safety or security<br>c. All lighting installed at the O&M buildings, substation, or other facility components, shall be limited in intensity, shielded, and directed downward in a manner that prevents the lighting from projecting onto adjacent properties and roadways.<br>Final Order on AMD4, Land Use Condition 4] |
| ***STANDARD: Historic, Cultural and Archaeological Resources (HC) [OAR 345-022-0090]*** | |
| GEN-HC-02 | The certificate holder must design, construct, and operate the solar facility to avoid archaeological sites (35SH00188, BSP-1-S02BSP-1-S10, and BSP-1-S12) and archaeological isolate (BSP-1-I04) with a 20-meter avoidance buffer.<br>[Final Order on RFA4, Historic, Cultural, and Archaeological Condition 1] |
| GEN-HC-03 | a. Prior to construction, the certificate holder must submit to the Department for approval, in consultation with SHPO, a Cultural Resources Monitoring Plan demonstrating that an Oregon Qualified Archaeologist or Tribal Cultural Resource Monitor will be onsite during ground disturbing activities at the site. The plan may provide for exceptions to monitoring scope and frequency, subject to |

| Condition Number | General (GEN) Conditions |
|---|---|
| | approval by the Department, in consultation with the Confederated Tribes of Warm Springs.<br>b. During construction, the certificate holder shall adhere to the measures approved in the Cultural Resources Monitoring Plan.<br>[Final Order on AMD4, Historic, Cultural, and Archaeological Condition 2] |
| ***STANDARD: Siting Standards for Transmission Lines (TL) [OAR 345-024-0090]*** | |
| GEN-TL-05 | The certificate holder shall construct the 230-kV transmission line connecting the Biglow Canyon Substation to the Solar Substation within a 150-foot corridor, as presented in Figure 2 of the Amended Site Certificate. .<br>[Final Order on ASC, Condition 119; AMD4] |
| GEN-TL-06 | The certificate holder must design, construct, and operate transmission line associated with the solar facility in accordance with the requirements of the 2023 Edition of the National Electrical Safety Code.<br>[Final Order on AMD4. Transmission Line Condition 1] |

## 6.2 Pre-Construction (PRE) Conditions

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| ***STANDARD: General Standard of Review (GS) [OAR 345-022-0000]*** | |
| PRE-GS-01 | Except as necessary for the initial survey, the certificate holder shall not begin construction, as defined in OAR 345-001-0010, of the solar facility, or create a clearing on any part of the solar micrositing area until the certificate holder has construction rights on all parts of the area. For the purpose of this rule, "construction rights" means the legal right to engage in construction activities. [Final Order on ASC; Condition 105; AMD3; AMD4; Mandatory Condition OAR 345-025-0006(5)] |
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| PRE-OE-01 | Prior to construction of any phase or component of the solar facility, the certificate holder shall notify the Department of the identity and qualifications of primary vendors; the engineering, procurement and construction contractors for specific portions of the work; and the identity and qualifications of the individuals that will manage and oversee the selected vendors and contractors. The certificate holder shall select vendors, contractors, and personnel dedicated to managing vendors and 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 or management personnel.<br>[Final Order on ASC, Condition 1; AMD4] |
| PRE-OE-02 | a. Prior to construction of any component or phase of the solar facility, the certificate holder shall submit, to the Department for review and approval, 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, and shall state the cost of that work. For the purpose of this condition, "work on the site" means any work within the Solar Micrositing Area, other than surveying, exploration or other activities to define or characterize the site or corridor.<br>b. The certificate holder shall implement the compliance plan prior to and during construction and make documentation of compliance available for inspection by the Department or the Council upon request.<br>[Final Order on ASC, Condition 121 AMD3; AMD4] |
| PRE-OE-03 | Prior to construction of any component or phase of the solar facility, the certificate holder shall:<br>a. Provide the Department a list of federal, state and local permits, including any third-party permits; and a schedule for obtaining identified permits. |

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| | b. Once obtained, provide copies of all permits, including third-party permits to the Department.<br>[Final Order on AMD4; Organizational Expertise Condition 4] |
| ***STANDARD: Structural (SS) [OAR 345-022-0020]*** | |
| PRE-SS-01 | a. Prior to construction of any component or phase of the solar facility, the certificate holder shall submit, to the Department for review and comment, a final geotechnical report that, at a minimum, addresses the recommendations in the Preliminary Geotechnical Engineering Report provided as RFA4, Exhibit H, Attachment H-2.<br>b. The certificate holder shall prepare the report in accordance with the Oregon Board of Geologists Examiners 2014 Guidelines for Preparing Engineering Geologic Reports.<br>c. The Department may utilize a third-party consultant in the review of the report. The certificate holder shall obtain concurrence from the Department that all comments have been adequately addressed before beginning construction.<br>[Final Order on ASC, Condition 66; AMD4] |
| PRE-SS-02 | The certificate holder shall notify the Department, the State Building Codes Division and the Department of Geology and Mineral Industries promptly if investigations or trenching in the Solar Micrositing Area reveal that conditions in the foundation rocks differ significantly from those described in Request for Amendment 4. 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.<br>[OAR 345-027-0020(13); Final Order on ASC, Condition 113; AMD3; AMD4] |
| PRE-SS-03 | 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 Solar Micrositing Area.<br>[OAR 345-027-0020(14); Final Order on ASC, Condition 114; AMD3; AMD4] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0020]*** | |
| PRE-SP-01 | Prior to beginning construction of any component or phase of the solar facility, the certificate holder shall:<br>a. Finalize the draft Comprehensive Solar Revegetation and Soil Management Plan included as Attachment D to the Final Order on RFA4 based on final facility design and the approved National Pollutant Discharge Elimination System (NPDES) General Permit 1200-C for the facility. The final Comprehensive Solar Revegetation and Soil Management Plan shall be submitted to the Department for review and approval.<br>b. Complete all items included in the Pre-construction Compliance Checklist in the final plan, as applicable to the facility components or phase.<br>[Final Order on AMD4, Soil Protection Condition 1] |

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| PRE-SP-02 | Prior to beginning construction of any component or phase of the solar facility, the certificate holder shall submit, to the Department, a Construction Spill Prevention, Control and Countermeasure (SPCC) Plan that complies with the requirement of 40 CFR 112.<br>[Final Order on AMD4, Soil Protection Condition 4] |
| ***STANDARD: Land Use (LU) [OAR 345-022-0030]*** | |
| PRE-LU-01 | a. Prior to construction of any component or phase of the solar facility, the certificate holder shall submit, to the Department and the Sheman County Planning Commission, an application for Conditional Use Permit Meeting the requirements of SCZO Section 5.4(1) and (3).<br>b. The Site Plan required under SCZO 5.4(1) must demonstrate compliance with all site certificate conditions and the local applicable substantive criteria addressed in the Final Order on AMD4.<br>[Final Order on AMD4, Land Use Condition 3] |
| PRE-LU-02 | Prior to construction of any component or phase of the solar facility, the certificate holder must sign and record in the deed records for the county a document binding the project owner and the project owner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices as defined in ORS 30.930(2) and (4).<br>[Final Order on AMD4, Land Use Condition 5] |
| PRE-LU-03 | Prior to construction of the solar facility, component or phase, as applicable, the certificate holder shall submit to the Department:<br>a. A Memorandum of Understanding or other agreement executed by the certificate holder, Mid-Columbia Community Economic Development District, and Sherman County, establishing a Community Investment Fund in accordance with the Community Investment Plan included as Attachment E to the Final Order on RFA4.<br>b. Evidence that that the certificate holder has contributed at least $1,600 per acre of cultivated land that will be occupied by facility components to the Community Investment Fund.<br>[Final Order on AMD4, Land Use Condition 6] |
| ***STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]*** | |
| PRE-RF-01 | Prior to construction of the solar facility, component or phase, as applicable, the certificate holder shall:<br>a. Submit to the Department Table 14 (Retirement Table with tasks/unit/unit costs) of the Final Order on RFA4, updated based on final design and phased construction, if applicable. Certificate holder may not make changes to the unit cost without review and approval by the Department. Certificate holder must also request that the Department confirm the present-day inflation adjusted |

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| | decommissioning estimate, rounded to the nearest $1,000, to be reflected in the bond or letter of credit in sub c of this condition.<br>b. Incorporate any additional decommissioning costs for facility changes which have been determined by the Department not to require a site certificate amendment.<br>c. Submit to the Department a bond or letter of credit, in the amount affirmed by the Department under (a), based on the Council's current pre-approved financial institution list and form.<br>[Final Order on AMD4, Retirement and Financial Assurance Condition 1] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |
| PRE-FW-01 | Prior to construction of a phase or component of the solar facility, as applicable, the certificate holder shall submit the final Habitat Mitigation Plan substantially similar to Final Order on RFA4 Attachment F, based on the finalization requirements included in Section 2.0 of the plan. The final plan must be submitted for review and approval by the Department in consultation with ODFW.<br>[Final Order on AMD4, Fish and Wildlife Habitat Condition 1] |
| ***STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]*** | |
| PRE-HC-01 | Prior to construction, the certificate holder shall update the contact information provided in the Final Order on ASC Attachment H, Inadvertent Discovery Plan.<br>[Final Order on AMD4; Historic, Cultural and Archeological Condition 3] |
| ***STANDARD: Public Services (PS) [OAR 345-022-0100]*** | |
| PRE-PS-01 | At least 90-days prior to construction of a phase or component of the solar facility, the certificate holder shall provide to the Department and Sherman County a Construction Workforce Housing Plan. The Construction Workforce Housing Plan must include:<br>a. An evaluation of ongoing patterns of housing uses and potential shortages or changes in housing demand;<br>b. Consideration of concerns and suggestions from Sherman County; and<br>c. Provide strategies to minimize impacts to the local housing supply.<br>[Final Order on AMD4, Public Services Condition 1] |
| PRE-PS-02 | Prior to construction of any phase or component of the solar facility, the certificate holder shall:<br>a. Provide an executed Road Use Agreement between the certificate holder and Sherman County Public Works Department, which includes, at a minimum:<br>i. A system for documenting the pre-construction condition of local roads that would serve as transportation routes for delivering equipment to the facility site so that pre-construction conditions can be compared with conditions after construction has been completed to assess needed repairs and payment for repairs.<br>ii. Protocols for monitoring road conditions for degradation during construction so that safe travel paths may be maintained. |

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| | iii. An agreement to fund repairs of construction related damage to the satisfaction of Sherman County Public Works.<br>b. Submit a Construction Traffic Management Plan for Department review and approval. Unless the following are included in the executed Road Use Agreement, the plan shall, at a minimum, require that the certificate holder:<br>i. Provide notice to adjacent landowners when construction takes place to help minimize access disruptions;<br>ii. Provide proper road signage and warnings of "Equipment on Road," "Truck Access," or "Road Crossings;"<br>iii. Implement traffic diversion equipment, such as advance signage and pilot cars, whenever possible when slow or oversized loads are being hauled;<br>iv. Encourage carpooling for the construction workforce to reduce traffic volume;<br>v. Employ flaggers, as necessary, to direct traffic when large equipment is entering or exiting public roads to minimize risk of accidents; and<br>vi. Maintain at least one travel lane at all times so that roadways will not be closed to traffic as a result of construction vehicles entering or exiting public roads.<br>[Final Order on ASC, Condition 77; AMD1; AMD4] |
| ***STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]*** | |
| PRE-WF-01 | Prior to construction of any component or phase of the solar facility, the certificate holder shall finalize and submit to the Department, for review and approval, a Construction Wildfire Mitigation Plan (WMP) consistent with Attachment G to the Final Order on AMD4.<br>[Final Order on AMD4, Wildfire Prevention and Risk Mitigation Condition 1] |
| ***STANDARD: Waste Minimization (WM) [OAR 345-022-0120]*** | |
| PRE-WM-01 | Prior to construction of any component or phase of the solar facility, the certificate holder shall submit a Construction Waste Management Plan, for review and approval by the Department. The plan must include, at a minimum, the following :<br>a. The format, content and frequency of employee trainings to minimize and recycle solid waste;<br>b. Practices and measures that will be implemented to minimize the generation of wastes from construction;<br>c. Identify a procedure or process for evaluating whether photovoltaic modules, batteries, or other facility components are considered hazardous waste under state or federal regulations;<br>d. Identify procedures for the segregation of recyclable materials, non-hazardous waste, and hazardous waste for transport and disposal by a licensed hauler specializing in the proper recycling or disposal of the wastes.<br>e. Identify names and locations of licensed haulers and facilities that will be used for the following, including associated collection and hauling protocols and requirements: |

| Condition Number | Preconstruction (PRE) Conditions |
|---|---|
| | i. Recycling steel and other metal scrap;<br>ii. Recycling wood waste;<br>iii. Recycling packaging wastes, such as paper and cardboard;<br>iv. Collecting non-recyclable waste for transport to a landfill by a licensed waste hauler; and<br>f. Identify inspection and recordkeeping procedures for waste handling, disposal and recycling.<br>g. Include a provision allowing for updates of the plan, subject to Department review and approval.<br>[Final Order on ASC, Condition 84; AMD4] |
| ***STANDARD: Noise Control Regulations (NC) [OAR 340-035-0035]*** | |
| PRE-NC-01 | Prior to beginning construction of any noise generating equipment, the certificate holder shall provide an updated acoustic modeling analysis based on final facility design and equipment specifications demonstrating that the cumulative operational noise levels of the wind and solar facility, taking into account any necessary acoustic mitigation, will comply with the maximum permissible noise level, 50 dBA L50<br>[Final Order on AMD4, Noise Control Condition 1] |
| PRE-NC-02 | Prior to construction of the solar facility, the certificate holder must submit to the Department copies of executed legally effective easement(s) or real covenant(s) for all Noise Sensitive Properties impacted by the facility with noise exceedance.<br>[OAR 340-035-0035(1)(b)(B)(iii)(; Final Order on AMD4; Noise Control Condition 1] |
| ***STANDARD: Other – Removal-Fill (WL)*** | |
| PRE-WL-01 | a. Certificate holder shall flag and avoid, or develop constraints mapping, identifying a 50-foot avoidance buffer from the delineated boundary of wetland WT03 and intermittent waterway ST04 (Wetland Delineation Report WD #2025-0012) to ground disturbing activities.<br>b. Prior to August 12, 2030, if construction of the solar facility has not yet commenced, the certificate holder must submit a renewal request to DSL for Wetland Delineation Report WD #2025-0012. Certificate holder must provide a copy of DSL reissuance to the Department, once obtained.<br>[Final Order on AMD4, Removal-Fill Condition 1] |
| ***STANDARD: Other – Water Rights (WR)*** | |

## 6.3 Construction (CON) Conditions

| Condition Number | Construction (CON) Conditions |
|---|---|
| ***STANDARD: GENERAL STANDARD (GS) [OAR 345-022-0000]*** | |
| CON-GS-01 | The certificate holder must begin construction of the solar facility, phase or component on or before March 27, 2032. Within 7 days of construction commencement, the certificate holder must provide the Department with written |

| Condition Number | Construction (CON) Conditions |
|---|---|
| | verification that it has met the deadline by satisfying applicable preconstruction conditions and completing at least $250,000 work in the Solar Micrositing Area. [OAR 345-025-0006(4), Final Order on AMD4, General Standard Condition 1] |
| CON-GS-02 | The certificate holder must complete construction of the facility, phase or component within 3 years of the actual applicable construction commencement date for the facility or applicable phase reported under Condition CON-GS-01. Within 7 days after completing construction, the certificate holder shall provide the Department written verification that it has met the deadline. [OAR 345-025-0006(4), Final Order on AMD4, General Standard Condition 2] |
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| CON-OE-01 | During construction of any component or phase of the solar facility, the certificate holder shall:<br>a. Maintain a qualified on-site construction manager with demonstrated experience in environmental compliance;<br>b. Require the construction manager to ensure compliance with all construction-related site certificate conditions.<br>c. Notify the Department of the name, telephone number, and e-mail address of the manager within 72 hours after any change in this information.<br>[Final Order on ASC, Condition 3; AMD4] |
| CON-OE-02 | a. Within three months after beginning construction of any phase or component of the solar facility, and every three months thereafter during construction, the certificate holder shall submit a construction progress report to the Department.<br>b. Each construction progress report shall describe:<br>i. Any significant changes to major milestones for construction;<br>ii. 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.<br>iii. 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;<br>iv. Monitoring Report: A list and description of all significant monitoring and mitigation activities performed during the reporting period 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.<br>v. Compliance Report: A description of all instances of noncompliance with a site certificate condition. For ease of review, the certificate holder shall, in this |

| Condition Number | Construction (CON) Conditions |
|---|---|
| | section of the report, use numbered subparagraphs corresponding to the applicable sections of the site certificate.<br>vi. 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.<br>c. When the reporting date coincides, the certificate holder may include the construction progress report within the annual report required under Condition OPR-OE-01.<br>[Final Order on AMD4, Organizational Expertise Condition 3] |
| ***STANDARD: Structural Standard (SS) [OAR 345-022-0020]*** | |
| CON-SS-01 | The certificate holder shall design and construct the solar facility in accordance with the applicable requirements of the International Building Code, Oregon Structural Specialty Code, and any other applicable codes and design procedures in effect at the time of construction.<br>[Final Order on ASC, Condition 67; AMD4] |
| CON-SS-02 | The certificate holder shall design, engineer and construct the solar facility to avoid dangers to human safety and the environment presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. As used in this condition "seismic hazard" includes ground shaking, ground failure, landslide, liquefaction triggering and consequences (including flow failure, settlement buoyancy, and lateral spreading), cyclic softening of clays and silts, fault rupture, directivity effects and soil-structure interaction.<br>[OAR 345-027-0020(12); Final Order on ASC, Condition 112; AMD4] |
| CON-SS-03 | The certificate holder shall design, engineer and construct the solar facility to avoid dangers to human safety presented by non-seismic hazards, including, but not limited to, landslides, flooding, erosion, and collapsible soils. Ground disturbing activities are not permitted in areas within Sherman County's Natural Hazard Combining Zone where slopes exceed 20 percent.<br>[Final Order on ASC, Condition 68; AMD4] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0022]*** | |
| CON-SP-01 | Upon completion of construction of the solar facility, 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.<br>[OAR 345-027-0020(11); Final Order on ASC, Condition 111; AMD3; AMD4] |

<table>
<tr><th>Condition Number</th><th>Construction (CON) Conditions</th></tr>
<tr><td>CON-SP-02</td><td>During and following construction of any component or phase of the solar facility, the certificate holder shall conduct all work in compliance with the Comprehensive Solar Revegetation and Soil Management Plan required under Condition PRE-SP-01.<br>[Final Order on AMD4, Soil Protection Condition 2]</td></tr>
<tr><td>CON-SP-03</td><td>During construction of the solar facility, the certificate holder and all onsite contractors and personnel shall adhere to the requirements of the SPCC Plan approved under Condition PRE-SP-02. Updates or revisions to the Plan shall be submitted to the Department prior to implementation.<br>[Final Order on AMD4, Soil Protection Condition 5]</td></tr>
<tr><td colspan="2">STANDARD: Retirement and Financial Assurance (RF) [OAR 345-022-0050]</td></tr>
<tr><td>CON-RF-01</td><td>If construction extends more than 12 months, the certificate holder shall:<br>a. Annually adjust the amount of the bond or letter of credit to present dollar value, as determined by the Department.<br>b. Incorporate any additional decommissioning costs for proposed facility changes which have been determined by the Department not to require a site certificate amendment.<br>c. The Department and Council reserve the right to adjust the contingencies, as appropriate and necessary to ensure that costs to restore the site are adequate to maintain health and safety of the public and environment.<br>[Final Order on AMD4, Retirement and Financial Assurance Condition 2]</td></tr>
<tr><td colspan="2">STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]</td></tr>
<tr><td>CON-FW-01</td><td>a. Prior to the seasonal restriction referred in this condition and during any year in which construction of any component or phase of the solar facility occurs, the certificate holder shall:<br>i. Use a protocol approved by ODFW to determine whether there are any active nests of the species listed in the table below within a half-mile of any areas that would be disturbed during construction.<br>ii. If a nest is occupied by any of these species after the beginning of the seasonal restriction, 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 the spatial buffer of the nest site.<br>iii. Any work areas within the spatial buffers during the seasonal restriction shall be flagged/marked.<br>b. The seasonal restrictions are as provided in the table below:
<table>
<tr><th>Species</th><th>Spatial Buffer</th><th>Seasonal Restriction</th><th>Early Release Date if Unoccupied</th></tr>
<tr><td>Golden eagle</td><td>0.5 – 1 mile</td><td>Feb 1 – Aug 15</td><td>May 15</td></tr>
<tr><td>Bald eagle</td><td>0.5 mile</td><td>Jan 1 – Aug 15</td><td>May 31</td></tr>
</table>
</td></tr>
</table>

<table>
<tr><th>Condition Number</th><th>Construction (CON) Conditions</th></tr>
<tr><td></td><td>
<table>
<tr><td>Ferruginous hawk</td><td>0.5 mile</td><td>Mar 15 – Aug 15</td><td>May 31</td></tr>
<tr><td>Northern goshawk**</td><td>0.5 mile</td><td>May 1 – Aug 15</td><td>June 30</td></tr>
<tr><td>Peregrine falcon**</td><td>0.25 mile</td><td>Jan 1 – Jul 1</td><td>May 15</td></tr>
<tr><td>Swainson’s hawk**</td><td>0.25 mile</td><td>Apr 1 – Aug 15</td><td>May 31</td></tr>
<tr><td>White-tailed kite</td><td>0.25 mile</td><td>Jan 1 – Aug 15</td><td></td></tr>
<tr><td>Osprey</td><td>0.25 mile</td><td>Mar 1 – Sep 15</td><td></td></tr>
<tr><td>Burrowing owl**</td><td>0.25 mile</td><td>Apr 1 – Aug 15</td><td>May 31</td></tr>
<tr><td>Flammulated owl**</td><td>0.25 mile</td><td>May 1 – Jul 31</td><td>June 15</td></tr>
<tr><td>Great gray owl**</td><td>0.25 mile</td><td>Apr 1 – Jul 31</td><td>May 31</td></tr>
<tr><td>Red-tailed hawk</td><td>0.10 mile</td><td>Mar 1 – Aug 15</td><td>May 31</td></tr>
<tr><td>Other hawks and owls</td><td>0.25 mile</td><td>Mar 1 – Aug 15</td><td>May 31</td></tr>
<tr><td colspan="4">Dates cover territory establishment through fledging. Release dates can be used for unoccupied or failed nests.<br>Some geographic variation exists in seasonal restriction dates, please consult with local ODFW staff.<br>** Indicates Oregon Conservation Strategy Species.</td></tr>
</table>
c. Upon request by the certificate holder, the Department in consultation with ODFW may provide exceptions to this restriction. The certificate holder’s request must include a justification of the request, including any actions the certificate holder will take to avoid, minimize, or mitigate impacts to the raptor and its nest.<br>[Final Order on AMD4, Fish and Wildlife Condition 3]</td></tr>
<tr><td colspan="2">STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]</td></tr>
<tr><td>CON-HC-01</td><td>During construction, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan, as submitted to the Department under Condition PRE-HC-01.<br>[Final Order on AMD4; Historic, Cultural and Archeological Condition 3]</td></tr>
<tr><td colspan="2">STANDARD: Public Services (PS) [OAR 345-022-0100]</td></tr>
<tr><td>CON-PS-01</td><td>Prior to and during construction of any component or phase of the solar facility, as applicable, the certificate holder and its contractors shall:<br>a. Identify all water-related needs and estimate daily and annual water demand for facility construction.<br>b. Provide evidence such as a contract or purchase agreement demonstrating that adequate water supply to meet facility construction demand has been secured and that water for all construction activities will be legally obtained by service providers or third-party permits.<br>[Final Order on ASC, Condition 74; AMD4]</td></tr>
<tr><td>CON-PS-02</td><td>During construction of a phase or component of the solar facility, the certificate holder shall report on the implementation of the Construction Workforce Housing Plan required under PRE-PS-01, including any outstanding issues associated with workforce housing and potential solutions.<br>[Final Order on AMD4, Public Services Condition 2]</td></tr>
</table>

| Condition Number | Construction (CON) Conditions |
|---|---|
| CON-PS-03 | During construction of the solar facility, the certificate holder shall require that all on-site construction contractors develop and implement a site health and safety plan that informs on-site workers and others 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.<br>[Final Order on ASC, Condition 46; AMD4] |
| CON-PS-04 | During and following construction of a phase or component of the solar facility, the certificate holder shall adhere to the requirements of the Road Use Agreement and Construction Traffic Management Plan required under Condition PRE-PS-02.<br>[Final Order on ASC, Condition 78; AMD4] |
| ***STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]*** | |
| CON-WF-01 | During construction of the solar facility, the certificate holder shall require onsite contractors and employees to adhere to the Construction Wildfire Mitigation Plan (WMP) approved under Condition PRE-WF-01.<br>[Final Order on AMD4, Wildfire Prevention and Risk Mitigation Condition 2] |
| ***STANDARD: Waste Minimization (WM) [OAR 345-022-0120]*** | |
| CON-WM-01 | During construction of a component or phase of the solar facility, the certificate holder and all onsite contractors must implement the Construction Waste Management Plan required under Condition PRE-WM-01.<br>[Final Order on AMD4, Waste Minimization Condition 1] |
| CON-WM-02 | During construction of the facility, the certificate holder shall provide portable toilets for on-site sewage handling and shall ensure that the portable toilets are pumped and cleaned regularly by a qualified licensed contractor.<br>[Final Order on ASC, Condition 82, AMD4] |
| ***Standard: Noise Control, OAR 340-035-0035*** | |
| CON-NC-01 | During construction of the solar facility, the certificate holder shall:<br>a. Confine the noisiest operation of heavy construction equipment to the daylight hours;<br>b. Require contractors to install and maintain exhaust mufflers on all combustion engine-powered equipment; and<br>c. Establish a complaint response system at the construction manager's office to address noise complaints.<br>[Final Order on ASC, Condition 89; AMD4] |
| ***STANDARD: Other – Water Rights (WR)*** | |
| CON-WR-01 | No later than 30 days after completing construction of any new well, the certificate holder shall provide the Department a copy of the map, well log and all other information it provided to OWRD pursuant to ORS 537.545 and ORS 537.765 to qualify for an exempt ground water use for any onsite exempt wells.<br>[Final Order on AMD4, Water Rights Condition 1] |

## 6.4 Pre-Operational (PRO) Conditions

| Condition Number | Pre-Operational (PRO) Conditions |
|---|---|
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| PRO-OE-01 | Prior to beginning operation of the solar facility, the certificate holder shall submit a final Operation and Maintenance Plan to the Department for review and approval. The plan must be finalized in accordance with Table 1 of the O&M Framework provided in Attachment C to the Final Order on AMD4.<br>[Final Order on AMD4, Organizational Expertise Condition 1] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0020]*** | |
| PRO-SP-01 | Prior to beginning operation of the solar facility, the certificate holder shall submit, to the Department, an Operations Spill Prevention, Control and Countermeasure Plan that complies with the requirement of 40 CFR 112.<br>[Final Order on AMD4, Soil Protection Condition 6] |
| ***STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]*** | |
| PRO-WF-01 | a. Prior to operation of the solar facility, phase or component, as applicable, the certificate holder shall submit, to the Department for review and approval, an Operational Wildfire Mitigation Plan that complies with the requirements of OAR 345-022-0115(1)(b).<br>b. The certificate holder may rely on a Wildfire Protection Plan approved by the Oregon Public Utility Commission under OAR chapter 860, division 300, or another plan approved by the Department in accordance with this Site Certificate to satisfy some or all of the requirements of this condition.<br>[Final Order on AMD4, Wildfire Prevention and Risk Mitigation Condition 3] |

## 6.5 Operational (OPR) Conditions

| Condition Number | Operational (OPR) Conditions |
|---|---|
| ***STANDARD: General Standard of Review (GS) [OAR 345-022-0000]*** | |
| OPR-GS-01 | The certificate holder shall submit an updated legal description of the site to the Department of Energy within 90 days after beginning operation of the solar 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.<br>[OAR 345-027-0020(2); Final Order on ASC, Condition 102; AMD3; AMD4] |
| ***STANDARD: Organizational Expertise (OE) [OAR 345-022-0010]*** | |
| OPR-OE-02 | During operation of the solar facility, the certificate holder shall require onsite contractors and employees to adhere to the O&M Plan approved under Condition PRO-OE-01. The O&M Plan may be amended, subject to Department review and approval. |

| Condition Number | Operational (OPR) Conditions |
|---|---|
| | [Final Order on AMD4, Operational Expertise Condition 2] |
| ***STANDARD: Soil Protection (SP) [OAR 345-022-0020]*** | |
| OPR-SP-06 | During operation of the solar facility, the certificate holder shall monitor and maintain vegetation and any necessary erosion controls in compliance with the Comprehensive Solar Revegetation and Soil Management Plan required under Condition PRE-SP-01, as amended. The certificate holder shall include any reports required by the plan in the annual facility operations reports required under Condition OPR-OE-01.<br>[Final Order on AMD4, Soil Protection Condition 3] |
| OPR-SP-07 | During operation of the solar facility, the certificate holder and all onsite contractors and personnel shall adhere to the requirements of the Operations Spill Prevention, Control and Countermeasure Plan approved under Condition PRO-SP-01. Updates or revisions to the Plan shall be submitted to the Department prior to implementation.<br>[Final Order on AMD4, Soil Protection Condition 7] |
| ***STANDARD: Fish and Wildlife Habitat (FW) [OAR 345-022-0060]*** | |
| OPR-FW-05 | During operation of the solar facility, the certificate holder shall implement the Habitat Mitigation Plan finalized under Condition PRE-FW-01. The HMP may be amended from time to time, subject to Department approval.<br>[Final Order on AMD4, Fish and Wildlife Habitat Condition 2] |
| **STANDARD: Historic, Cultural and Archeological (HC) [OAR 345-022-0090]** | |
| OPR-HC-01 | During operations, the certificate holder shall require all onsite employees and contractors to implement and adhere to the requirements of the Inadvertent Discovery Plan, as provided in Condition PRE-HC-01. The IDP shall be reviewed and updated annually for current contact information.<br>[Final Order on AMD4; Historic, Cultural and Archeological Condition 5] |
| ***STANDARD: Wildfire Prevention and Risk Mitigation (WF) [OAR 345-022-0115]*** | |
| OPR-WF-01 | During operation of the solar facility, the certificate holder must adhere to the requirements of the Operational Wildfire Mitigation Plan approved by the Department under Condition PRO-WF-01, as updated in accordance with the requirements of the plan.<br>[Final Order on AMD4, Wildfire Prevention and Risk Mitigation Condition 4] |

## 7.0 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.

## 8.0 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. In the event of a conflict between the conditions contained in this site certificate and the Council's final order, the conditions contained in this site certificate shall control.

## 9.0 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.

## 10.0 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 THEREOF**, this site certificate has been executed by the State of Oregon, acting by and through the Energy Facility Siting Council, and by Portland General Electric Company.

**ENERGY FACILITY SITING COUNCIL**

By: Cynthia R. Condon
Cynthia R. Condon (Apr 1, 2026 16:19:59 PDT)

Cindy Condon, Chair

Date: 01-Apr-2026

**PORTLAND GENERAL ELECTRIC COMPANY**

By: Debbie Powell (Mar 31, 2026 07:09:43 PDT)

Authorized Representative

Date: 31-Mar-2026

# ATTACHMENT 1: FIGURES

**Figure 1: Regional Location of Facility and Site Boundary**

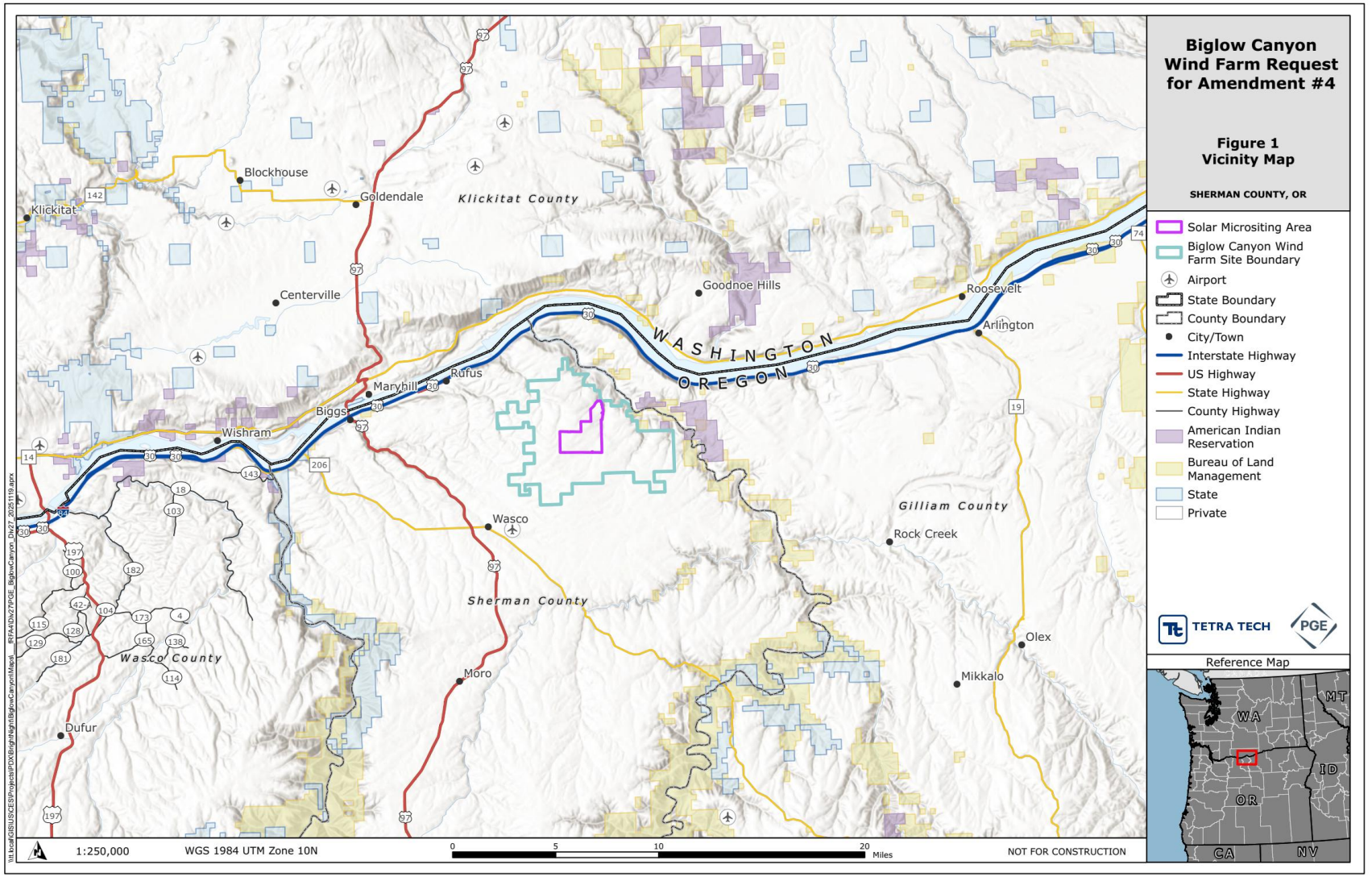

**Figure 2: Approved Transmission Line Corridor**