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FIRST AMENDED SITE CERTIFICATE
FOR THE
SUMMIT RIDGE WIND FARM

Issued by

OREGON ENERGY FACILITY SITING COUNCIL
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Amending the
Site Certificate for the Summit Ridge Wind Farm
of August 19, 2011

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Acronyms and Abbreviations

Council	Oregon Energy Facility Siting Council
Department	Oregon Department of Energy
DOGAMI	Oregon Department of Geology and Mineral Industries
DPO	Draft Proposed Order
ESCP	Erosion and Sediment Control Plan
FAA	Federal Aviation Administration
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
OAR	Oregon Administrative Rule
ODFW	Oregon Department of Fish and Wildlife
ORS	Oregon Revised Statute
WCLUDO	Wasco County Land Use and Development Ordinance

1 **1.0. INTRODUCTION**

2
3 The Oregon Energy Facility Siting Council (Council) issues this site certificate for the Summit
4 Ridge Wind Farm (Summit Ridge) in the manner authorized under ORS Chapter 469. This site
5 certificate is a binding agreement between the State of Oregon (State), acting through the
6 Council, and LotusWorks – Summit Ridge I, LLC (certificate holder) authorizing the certificate
7 holder to construct and operate the facility in Wasco County, Oregon.

8
9 The findings of fact, reasoning, and conclusions of law underlying the terms and conditions of
10 this site certificate are set forth in the Council’s *Final Order in the Matter of the Application for a*
11 *Site Certificate for the Summit Ridge Wind Farm* (Final Order) issued on August 19, 2011, and
12 the Council’s *Amended Final Order in the Matter of the Request for Amendment #1* (Amended
13 Final Order on Amendment 1), and incorporated herein by this reference. In interpreting this site
14 certificate, any ambiguity will be clarified by reference to the following, in order of priority: (1)
15 this Site Certificate, (2) the Amended Final Order on Amendment #1, (3) the Final Order and (4)
16 the record of the proceedings that led to the Final Order.

17
18 This site certificate does not address, and is not binding with respect to, matters that were not
19 addressed in the Council’s Final Order. Such matters include, but are not limited to: building
20 code compliance; wage; hour; and other labor regulations; local government fees and charges;
21 other design or operational issues that do not relate to siting the facility [Oregon Revised Statute
22 (ORS) 469.401(4)]; and permits issued under statutes and rules for which the decision on
23 compliance has been delegated by the federal government to a state agency other than the
24 Council. ORS 469.503(3).

25
26 The obligation of the certificate holder to report information to the Department or the Council
27 under the conditions listed in this site certificate is subject to the provisions of ORS 192.502 *et*
28 *seq.* and ORS 469.560. To the extent permitted by law, the Department and the Council will not
29 publicly disclose information that may be exempt from public disclosure if the certificate holder
30 has clearly labeled such information and stated the basis for the exemption at the time of
31 submitting the information to the Department or the Council. If the Council or the Department
32 receives a request for the disclosure of the information, the Council or the Department, as
33 appropriate, will make a reasonable attempt to notify the certificate holder and will refer the
34 matter to the Attorney General for a determination of whether the exemption is applicable,
35 pursuant to ORS 192.450.

36
37 The Council recognizes that many specific tasks related to the design, construction, operation and
38 retirement of the facility will be undertaken by the certificate holder’s agents or contractors.
39 Nevertheless, the certificate holder is responsible for ensuring compliance with all provisions of
40 the site certificate.

41
42 The definitions in ORS 469.300 and OAR 345-001-0010 apply to terms used in this site
43 certificate, except where otherwise stated, or where the context clearly indicates otherwise.
44
45
46

1 **2.0. SITE CERTIFICATION**

2
3 2.1. To the extent authorized by state law and subject to the conditions set forth herein, the
4 State authorizes the certificate holder to construct, operate, and retire a wind energy
5 facility, together with certain related or supporting facilities, at the site in Wasco
6 County, Oregon, as described in Section 3.0 of this site certificate.
7 [ORS 469.401(1)]
8

9 2.2. This site certificate is effective until 1) it is terminated under OAR 345-027-0110 or the
10 rules in effect on the date that termination is sought; or 2) until the site certificate is
11 revoked under ORS 469.440 and OAR 345-029-0100 or the statutes and rules in effect
12 on the date that revocation is ordered.
13 [ORS 469.401(1)]
14

15 2.3. Both the State and the certificate holder shall abide by local ordinances, state law, and
16 the rules of the Council in effect on the date this site certificate is executed. ORS
17 469.401(2). In addition, upon a clear showing of a significant threat to public health,
18 safety, or the environment that requires application of later-adopted laws or rules, the
19 Council may require compliance with such later-adopted laws or rules.
20 [ORS 469.401(2)]
21

22 2.4. For a permit, license, or other approval addressed in and governed by this site
23 certificate, the certificate holder shall comply with applicable state and federal laws
24 adopted in the future to the extent that such compliance is required under the respective
25 state agency statutes and rules.
26 [ORS 469.401(2)]
27

28 2.5. Subject to the conditions herein, this site certificate binds the State and all counties,
29 cities, and political subdivisions in Oregon as to the approval of the site and the
30 construction, operation, and retirement of the facility as to matters that are addressed in
31 and governed by this site certificate.
32 [ORS 469.401(3)]
33

34 2.6. Each affected state agency, county, city, and political subdivision in Oregon with
35 authority to issue a permit, license, or other approval addressed in or governed by this
36 site certificate shall, upon submission of the proper application and payment of the
37 proper fees, but without hearings or other proceedings, issue such permit, license, or
38 other approval subject only to conditions set forth in this site certificate.
39 [ORS 469.401(3)]
40

41 2.7. After issuance of this site certificate, each state agency or local government agency that
42 issues a permit, license, or other approval for the facility shall continue to exercise
43 enforcement authority over such permit, license, or other approval.
44 [ORS 469.401(3)]
45
46

1 2.8. After issuance of this site certificate, the Council shall have continuing authority over
2 the site and may inspect, or direct the Oregon Department of Energy (Department) to
3 inspect, or request another state agency or local government to inspect, the site at any
4 time in order to ensure that the facility is being operated consistently with the terms and
5 conditions of this site certificate.

6 [ORS 469.430]
7

8 2.9. The certificate holder shall request an amendment of the site certificate to increase the
9 combined peak generating capacity of the facility beyond 194.4 megawatts, to increase
10 the number of wind turbines to more than 72 wind turbines or to install wind turbines
11 with a hub height greater than 91 meters, a blade tip height greater than 152 meters or a
12 blade tip clearance less than 23 meters above ground.

13 [Final Order III.D.7] [Mandatory Condition OAR 345-027-0020(3)]
14

15 2.10. Before any transfer of ownership of the facility or ownership of the site certificate
16 holder, the certificate holder shall inform the Department of the proposed new owners.
17 The requirements of OAR 345-027-0100 apply to any transfer of ownership that
18 requires a transfer of the site certificate.

19 [Final Order IV.B.2.8] [Mandatory Condition OAR 345-027-0020(15)]
20

21 2.11. Any matter of non-compliance under the site certificate shall be the responsibility of the
22 certificate holder. Any notice of violation issued under the site certificate shall be
23 issued to the certificate holder. Any civil penalties assessed under the site certificate
24 shall be levied on the certificate holder.

25 [Final Order IV.B.2.5]
26

27 2.12. Within 72 hours after discovery of conditions or circumstances that may violate the
28 terms or conditions of the site certificate, the certificate holder shall report the
29 conditions or circumstances to the Department.

30 [Final Order IV.B.2.7]
31

32 2.13. The Council shall not change the conditions of this site certificate except as provided
33 for in OAR Chapter 345, Division 27.

34 [Final Order VII.1] [Mandatory Condition OAR 345-027-0020(1)]
35

36 2.14. Following the completion of surveys required by this site certificate, the Department
37 will present the results of those surveys and required consultations at the next regularly
38 scheduled Council meeting.

39 [Added at the August 7, 2015 Energy Facility Siting Council Meeting]
40

41 **3.0 DESCRIPTION OF FACILITY**

42

43 **LOCATION AND SITE BOUNDARY**

44 Summit Ridge I is located in Wasco County, Oregon approximately 17 miles southeast of The
45 Dalles, and eight miles east of Dufur, Oregon. The facility site boundary encompasses
46 approximately 25,000 acres on private land subject to long-term wind energy leases with the

1 landowners.
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6 As defined by OAR 345-001-0010, the “site boundary” is the perimeter of the site of the energy
7 facility, its related or supporting facilities, all temporary laydown and staging areas and all
8 corridors and micro siting corridors. The Summit Ridge turbines will be located within
9 micro siting corridors approximately 1,300 feet wide.
10

11 **THE ENERGY FACILITY**

12 Summit Ridge I has a combined peak generating capacity of 194.4 megawatts (MW). The facility
13 consists of up to 72 wind turbine generators.
14

15 Turbines will be mounted on tubular steel towers no greater than 91 meters (299 feet) tall at the
16 turbine hub, with a maximum blade tip height no greater than 152 meters (499 feet) and a
17 minimum blade tip clearance of no less than 23 meters (75 feet) above the ground. Turbines
18 include a nacelle that houses the generator and gearbox, and supports the rotor and blades at the
19 hub. A gravel turbine pad area would surround the base of each concrete turbine foundation. A
20 step-up transformer increases the output voltage of each wind turbine generator to the voltage of
21 the power collection system. The step-up transformer will be installed on its own concrete pad at
22 the base of each wind turbine tower, or located in the nacelle, depending on the final turbine
23 model selected.
24

25 Summit Ridge will include the following related or supporting facilities:
26

- 27 ● Power collection system
- 28 ● Collector substation
- 29 ● 230-kV transmission line
- 30 ● Supervisory Control and Data Acquisition (SCADA) System
- 31 ● Operations and maintenance (O&M) facility
- 32 ● Meteorological (met) towers
- 33 ● Access roads
- 34 ● Temporary roadway modifications
- 35 ● Additional temporary construction areas (including laydown areas, crane paths, and a
36 concrete batch plant)
- 37

38 **POWER COLLECTION SYSTEM**

39 Power from each turbine will be transmitted via the approximately 49-mile collection line system
40 to the collector substation. The new 34.5-kV collection lines will be constructed underground to
41 the extent possible, although up to 10% of the collector lines may be placed aboveground due to
42 site-specific geotechnical or environmental considerations. Aboveground segments would be
43 supported by H-frame wood poles approximately 55 feet in height.
44

45 **COLLECTOR SUBSTATION**

46 The 34.5 kV collector line system will link each turbine to the facility collector substation, which

1 will step up the power from 34.5 kV to 230 kV. The centrally-located collector substation will
2 occupy approximately five acres, surrounded by a graveled, fenced area.

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6 **230 KV TRANSMISSION LINE**

7 A new overhead 230 kV transmission feeder line approximately eight miles in length will
8 connect the facility’s collector substation to the regional grid at a substation operated by the
9 Bonneville Power Administration (BPA). The 230 kV transmission line runs northwest from the
10 collector substation for approximately two miles, then almost due west for another six miles to
11 the BPA substation, connecting with BPA’s 500 kV “Big Eddy to Maupin-Redmond”
12 transmission line.

13
14 The Summit Ridge transmission line will be supported on wooden H-frame poles that are 70 feet
15 in height and spaced approximately 800 feet apart. The right-of-way for the transmission line is
16 approximately 150 feet wide.

17
18 BPA will be responsible for the operation and maintenance of the interconnection facility. If the
19 Summit Ridge facility ceases operation and a decommissioning/retirement plan is implemented,
20 the transmission system operator is not obliged under this site certificate to dismantle the
21 interconnection station, which will also be used to serve other customers.

22
23 **SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM**

24 A SCADA system will be installed at the facility to enable remote operation and collect operating
25 data for each wind turbine, and archive wind and performance data. The SCADA system will be
26 linked via fiber optic cables or other means of communication to a central computer in the
27 Operations and Maintenance (O&M) building. SCADA system wires will be installed in the
28 collector line underground trenches, or overhead as necessary with the collector line.

29
30 **OPERATIONS AND MAINTENANCE (O&M) FACILITY**

31 One permanent O&M facility will be located within the five-acre facility collector substation site,
32 and will include up to 10,000 square feet of enclosed space for office and workshop areas, a
33 control room, and kitchen and sanitary facilities. The O&M facility will have an adjacent
34 graveled parking area and an approximately 300-foot by 300-foot fenced storage area. The
35 Facility will also include an on-site well and septic system. Domestic water needs for the O&M
36 facility will be served by an on-site well and septic system.

37
38 **METEOROLOGICAL TOWERS**

39 A maximum of three permanent un-guyed meteorological towers will be placed within the site
40 boundary to collect wind resource data (these towers will replace seven existing temporary
41 towers). The met towers will be the same height as the hub of the turbines, approximately 80
42 meters (263 feet) tall. Met tower foundations may be constructed as deep as 40 feet, depending
43 on soil conditions and geotechnical engineering requirements.

44
45 **ACCESS ROADS**

46 Approximately 19 miles of new roads will be constructed within the site boundary to provide

1 access to the turbines and other facility components. Access roads will be designed to be 20-
2 foot wide graveled surfaces with 10-foot compacted shoulders to accommodate construction
3 cranes. After the completion of construction, all new roads within the site boundary will be
4 restored to a total width of 20 feet for general use during facility operation.

5
6 **TEMPORARY ROADWAY MODIFICATIONS**

7 Approximately six miles of existing private roads will be upgraded to accommodate construction
8 and operation of the facility. Where needed, existing roads will be improved to 20-foot wide
9 graveled surfaces with 10-foot compacted shoulders to accommodate construction equipment and
10 cranes. After the completion of construction, improved roads within the site boundary will be
11 restored to a total width of 20-feet for general use during facility operation.

12
13 **ADDITIONAL CONSTRUCTION AREAS**

14 During construction, six temporary laydown areas will be used for the delivery and staging of
15 wind turbine components and other equipment and materials, as well as the staging of
16 construction trailers for the construction crews. Five of the six temporary laydown areas will be
17 located on approximately four acres, covered with gravel, which will be removed following
18 completion of facility construction. The sixth temporary laydown area will encompass the
19 permanent five-acre collector substation and O&M site. Concrete for construction of the facility
20 would be obtained from an on-site concrete batch plant to be located on a graveled 2-acre site
21 within the site boundary.

22
23 **4.0. GENERAL ADMINISTRATIVE CONDITIONS**

- 24
25 4.1. The certificate holder shall begin construction of the facility by August 19, 2016. The
26 Council may grant an extension of the deadline to begin construction in accordance
27 with OAR 345-027-0030 or any successor rule in effect at the time the request for
28 extension is submitted.
29 [Amended Final Order on Amendment 1 III.D.1] [Mandatory Condition OAR 345-027-
30 0020(4)]
31
32 4.2. The certificate holder shall complete construction of the facility by August 19, 2019.
33 Construction is complete when: 1) the facility is substantially complete as defined by
34 the certificate holder's construction contract documents, 2) acceptance testing has been
35 satisfactorily completed; and 3) the energy facility is ready to begin continuous
36 operation consistent with the site certificate. The certificate holder shall promptly notify
37 the Department of the date of completion of construction. The Council may grant an
38 extension of the deadline for completing construction in accordance with OAR 345-
39 027-0030 or any successor rule in effect at the time the request for extension is
40 submitted.
41 [Amended Final Order on Amendment 1 III.D.2] [Mandatory Condition OAR 345-027-
42 0020(4)]
43
44 4.3. The certificate holder shall submit a legal description of the site to the Department of
45 Energy within 90 days after beginning operation of the facility. The legal description
46 required by this rule means a description of metes and bounds or a description of the

1 site by reference to a map and geographic data that clearly and specifically identifies the
2 outer boundaries that contain all parts of the facility.

3 [Final Order III.D.3] [Mandatory Condition OAR 345-027-0020(2)]
4
5

6 4.4. The certificate holder shall design, construct, operate and retire the facility:
7

8 a. Substantially as described in the site certificate;

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

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

13 [Final Order III.D.4] [Mandatory Condition OAR 345-027-0020(3)]
14

15 4.5. The certificate holder shall construct the turbines and transmission line within the
16 corridor locations set forth in Exhibit C of the application for site certificate, subject to
17 the conditions of this site certificate.

18 [Final Order III.D.8] [Mandatory Condition OAR 345-027-0023(5)]
19

20 4.6. The certificate holder shall obtain all necessary federal, state, and local permits or
21 approvals required for construction, operation, and retirement of the facility or ensure
22 that its contractors obtain the necessary federal, state, and local permits or approvals.

23 [Final Order IV.B.2.4]
24

25 **5.0. PRE-CONSTRUCTION REQUIREMENTS**

26
27 In addition to pre-construction requirements contained elsewhere in this site certificate, the
28 certificate holder must meet the following requirements:
29

30 5.1. Before beginning construction, the certificate holder shall notify the Department of the
31 identity and qualifications of the major design, engineering and construction
32 contractor(s) for the facility. The certificate holder shall select contractors that have
33 substantial experience in the design, engineering and construction of similar facilities.
34 The certificate holder shall report to the Department any change of major contractors.

35 [Final Order IV.B.2.1]
36

37 5.2. The certificate holder shall contractually require all construction contractors and
38 subcontractors involved in the construction of the facility to comply with all applicable
39 laws and regulations and with the terms and conditions of the site certificate. Such
40 contractual provisions shall not operate to relieve the certificate holder of responsibility
41 under the site certificate.

42 [Final Order IV.B.2.2]
43

44 5.3. Before beginning construction, the certificate holder shall ensure that participating
45 landowners obtain a Farm-Forest Management Easement. The landowner is required to
46 sign and record in the deed records for the county a document binding the landowner,

1 and the landowner's successors in interest, prohibiting them from pursuing a claim for
2 relief or case of action alleging injury from farming or forest practices for which no
3 action or claim is allowed under ORS 30.936 or 30.937.

4 [Final Order IV.D.2.4] [WCLUDO section 3.210(H)]
5

6 5.4. Before beginning construction, the certificate holder shall submit a Notice of Proposed
7 Construction or Alteration to the Federal Aviation Administration (FAA) and the
8 Oregon Department of Aviation identifying the proposed final locations of turbine
9 towers and meteorological towers, and shall provide to the Department copies of a
10 Determination of No Hazard for all turbine towers and meteorological towers or an
11 equivalent determination to confirm that the structures comply with applicable FAA
12 and Oregon Department of Aviation air hazard rules The certificate holder shall
13 promptly notify the Department of the responses from the FAA and Oregon Department
14 of Aviation.

15 [Amended Final Order on Amendment 1 IV.K.2.4]
16

17 5.5. Before beginning construction, the certificate holder shall provide to the Department a
18 description of the turbine types selected for the facility demonstrating compliance with
19 this condition. The certificate holder may select turbines of any type, subject to the
20 following restrictions and compliance with all other site certificate conditions:
21

- 22 a. The total number of turbines at the facility must not exceed 72 turbines.
- 23 b. The combined peak generating capacity of the facility must not exceed 194.4
24 megawatts.
- 25 c. The turbine hub height must not exceed 91 meters and the maximum blade tip
26 height must not exceed 152 meters above grade.
- 27 d. The minimum blade tip clearance must be 23 meters above ground.

28 [Amended Final Order on Amendment 1 III.D.5] [Mandatory Condition OAR 345-027-
29 0020(3)]
30

31 5.6. Before beginning construction the certificate holder shall obtain approval of a
32 Revegetation and Weed Control Plan [Exhibit 1 to Final Order] by the Wasco County
33 Weed Department to control the introduction and spread of noxious weeds, and shall
34 implement that approved plan during all phases of construction and operation of the
35 facility.

36 [Final Order IV.D.2.8] [WCLUDO Section 3.210(J)(17)(5)]
37

38 5.7. Except as necessary for the initial survey or as otherwise allowed for wind energy
39 facilities, transmission lines or pipelines under OAR 345-027-0020, the certificate
40 holder shall not begin construction, as defined in OAR 345-001-0010, or create a
41 clearing on any part of the site until the certificate holder has construction rights on all
42 parts of the site. For the purpose of this rule, "construction rights" means the legal right
43 to engage in construction activities. For wind energy facilities, transmission lines or
44 pipelines, if the certificate holder does not have construction rights on all parts of the
45 site, the certificate holder may nevertheless begin construction, as defined in OAR 345-
46 001-0010, or create a clearing on a part of the site if the certificate holder has

1 construction rights on that part of the site and:
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- 6 a. The certificate holder would construct and operate part of the facility on that
7 part of the site even if a change in the planned route of the transmission line or
8 pipeline occurs during the certificate holder's negotiations to acquire
9 construction rights on another part of the site; or
- 10 b. The certificate holder would construct and operate part of a wind energy facility
11 on that part of the site even if other parts of the facility were modified by
12 amendment of the site certificate or were not built.

13 [Final Order III.D.6] [Mandatory Condition OAR 345-027-0020(5)]
14

15 5.8. Before beginning construction, the certificate holder shall conduct a site-specific
16 geotechnical investigation and shall report its findings to the Oregon Department of
17 Geology & Mineral Industries (DOGAMI) and the Department. The certificate holder
18 shall conduct the geotechnical investigation after consultation with DOGAMI and in
19 general accordance with DOGAMI open file report 00-04 "Guidelines for Engineering
20 Geologic Reports and Site-Specific Seismic Hazard Reports."
21 [Final Order V.A.2.1]
22

23 5.9. Before beginning construction of any new State Highway approaches or utility
24 crossings, the certificate holder shall obtain all required permits from the Oregon
25 Department of Transportation (ODOT) subject to the applicable conditions required by
26 OAR Chapter 734, Divisions 51 and 55. The certificate holder shall submit the
27 necessary application or applications in a form satisfactory to ODOT and the
28 Department for the location, construction and maintenance of approaches to State
29 Highway 197 for access to the site. The certificate holder shall submit the necessary
30 application or applications in a form satisfactory to ODOT and the Department for the
31 location, construction and maintenance of collector cables or transmission lines
32 crossing Highway 197.
33 [Final Order V.C.2.12]
34

35 5.10. Before beginning construction, the certificate holder shall notify the Department in
36 advance of any work on the site that does not meet the definition of "construction" in
37 ORS 469.300 (excluding surveying, exploration, or other activities to define or
38 characterize the site) and shall provide to the Department a description of the work and
39 evidence that its value is less than \$250,000.
40 [Final Order IV.B.2.6]
41

42 5.11. Prior to the beginning of construction a Road Impact Assessment/Geotechnical Report
43 for roads to be used by the project shall be submitted to the Department and Wasco
44 County. Said report should include an analysis of project-related traffic routes to be
45 used during phases of construction, project operation and decommissioning. These
46 reports shall be incorporated into a Road Use Agreement with the County.

1 [Amended Final Order on Amendment 1 V.C.2.17]
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6 **6.0. DESIGN, CONSTRUCTION AND OPERATIONS**
7

8 6.1. During construction, the certificate holder shall have a full-time, on-site assistant
9 construction manager who is qualified in environmental compliance to ensure
10 compliance with all site certificate conditions. The certificate holder shall notify the
11 Department of the name, telephone number, and e-mail address of this person prior to
12 the start of construction and immediately upon any change in the contact information.
13 [Final Order IV.B.2.3]
14

15 6.2. The certificate holder shall provide portable toilets for on-site sewage handling during
16 construction and shall ensure that they are pumped and cleaned regularly by a licensed
17 contractor who is qualified to pump and clean portable toilet facilities.
18 [Final Order V.C.2.1]
19

20 6.3. The certificate holder shall implement a waste management plan during construction
21 that includes but is not limited to the following measures:
22

- 23 a. Recycling steel and other metal scrap.
- 24 b. Recycling wood waste.
- 25 c. Recycling packaging wastes such as paper and cardboard.
- 26 d. Collecting non-recyclable waste for transport to a local landfill by a licensed
27 water hauler.
- 28 e. Segregating all hazardous wastes such as used oil, oily rags and oil-absorbent
29 materials, mercury-containing lights and lead-acid and nickel-cadmium
30 batteries for disposal by a licensed firm specializing in the proper recycling or
31 disposal of hazardous wastes.
- 32 f. Confining concrete delivery truck rinse-out to a designated wash-out area and
33 burying other concrete waste as part of backfilling.

34 [Final Order V.D.2.1]
35

36 6.4. The certificate holder shall install the 34.5-kV collector system underground to the
37 extent practical. The certificate holder shall install underground lines at a minimum
38 depth of three feet. Based on geotechnical conditions or other engineering
39 considerations, the certificate holder may install segments of the collector system
40 aboveground, but the total length of aboveground segments must not exceed five miles.
41 [Final Order VI.D.2.1]
42

43 6.5. In advance of, and during, preparation of detailed design drawings and specifications
44 for the 230-kV and 34.5-kV transmission lines, the certificate holder shall consult with
45 the Utility Safety and Reliability Section of the Oregon Public Utility Commission to
46 ensure that the designs and specifications are consistent with applicable codes and

standards.

[Final Order VI.D.2.3]

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

[Final Order IV.M.2.1] [Mandatory Condition OAR 345-027-0023(4)(a)]

6.7. The certificate holder shall consult with the Wasco Electric Cooperative during the design, construction, and operation of the Summit Ridge Wind Farm to ensure that the integrity and reliability of the power grid in Wasco County is maintained.

[Final Order VI.D.2.4]

6.8. The certificate holder shall design and construct the facility in accordance with requirements set forth by the Oregon Building Codes Division and any other applicable codes and design procedures.

[Final Order V.A.2.4]

6.9. To protect wetlands and waterways, the certificate holder shall construct the proposed facility substantially as described in the Final Order. Specifically, the certificate holder shall not remove material from waters of the State or add new fill material to waters of the State such that the total volume of removal and fill exceeds 50 cubic yards for the project as a whole.

[Final Order VI.B.2.1]

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

[Final Order V.A.2.5]

6.11. The certificate holder shall design, engineer and construct the facility to avoid dangers to human safety presented by seismic hazards affecting the site that are expected to result from all maximum probable seismic events. “Seismic hazard” includes ground shaking, landslide, liquefaction, lateral spreading, tsunami inundation, fault displacement and subsidence.

[Final Order V.A.2.6] [Mandatory Condition OAR 345-027-0020(12)]

6.12. The certificate holder shall design and construct the facility using the minimum land area necessary for safe construction and operation. The certificate holder shall locate access roads and temporary construction laydown and staging areas to minimize disturbance of 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.

[Final Order IV.D.2.7] [WCLUDO Section 3.210(J)(17)(5)]

1
2 6.13. The certificate holder shall notify the Department, the State Building Codes Division
3 and DOGAMI promptly if site investigations or trenching reveal that conditions in the
4 foundation rocks differ significantly from those described in the application for a site
5 certificate. After the Department receives the notice, the Council may require the
6 certificate holder to consult with the DOGAMI and the Building Codes Division and to
7 propose mitigation actions.

8 [Final Order V.A.2.2] [Mandatory Condition OAR 345-027-0020(13)]
9

10 6.14. The certificate holder shall notify the Department, the State Building Codes Division
11 and DOGAMI promptly if shear zones, artesian aquifers, deformations or elastic dikes
12 are found at or in the vicinity of the site.

13 [Final Order V.A.2.3] [Mandatory Condition OAR 345-027-0020(14)]
14

15 6.15. To reduce the visual impact of the facility, the certificate holder shall:

- 16
- 17 a. Mount nacelles on smooth, steel structures, painted uniformly in a low-
18 reflectivity, neutral gray, white, or off-white color.
 - 19 b. Paint the substation structures in a low-reflectivity neutral color to blend with
20 the surrounding landscape.
 - 21 c. Not allow any advertising to be used on any part of the facility.
 - 22 d. Use only those signs required for facility safety, required by law or otherwise
23 required by this site certificate, except that the certificate holder may erect a
24 sign near the O&M building to identify the facility, may paint turbine numbers
25 on each tower and may allow unobtrusive manufacturers' logos on turbine
26 nacelles.
 - 27 e. Maintain any signs allowed under this condition in good repair.

28 [Final Order IV.I.2.1]
29

30 6.16. The certificate holder shall design and construct the O&M building to be generally
31 consistent with the character of similar buildings used by commercial farmers or
32 ranchers in the area and shall paint the building in a low-reflectivity, neutral color to
33 blend with the surrounding landscape.

34 [Final Order IV.I.2.2]
35

36 6.17. The certificate holder shall design and construct new access roads and private road
37 improvements to standards approved by the Wasco County Road Department. Where
38 modifications of County roads are necessary, the certificate holder shall construct the
39 modifications entirely within the County road rights-of-way and in conformance with
40 County road design standards subject to the approval of the Wasco County Road
41 Department. Where modifications of State roads or highways are necessary, the
42 certificate holder shall construct the modifications entirely within the public road rights-
43 of-way and in conformance with ODOT standards subject to the approval of ODOT.

44 [Final Order V.C.2.13]
45

46 6.18. The certificate holder shall cooperate with the Wasco County Public Works

1 Department to ensure that any unusual damage or wear to county roads that is caused
2 by construction of the facility is repaired by the certificate holder. Upon completion of
3 construction, the certificate holder shall restore public roads to pre-construction
4 condition or better to the satisfaction of the applicable county departments.
5 [Final Order V.C.2.14]
6

7 6.19. During construction of the facility, the certificate holder shall implement measures to
8 reduce traffic impacts, including:
9

- 10 a. Providing notice to adjacent landowners when heavy construction traffic is
11 anticipated.
- 12 b. Providing appropriate traffic safety signage and warnings.
- 13 c. Requiring flaggers to be at appropriate locations at appropriate times during
14 construction to direct traffic reduce accident risks.
- 15 d. Using traffic diversion equipment (such as advance signage and pilot cars)
16 when slow or oversize construction loads are anticipated.
- 17 e. Maintaining at least one travel lane at all times to the extent reasonably possible
18 so that roads will not be closed to traffic because of construction vehicles.
- 19 f. Encouraging carpooling for the construction workforce.
- 20 g. Including traffic control procedures in contract specifications for construction
21 of the facility.
- 22 h. Keeping Highway 197 free of gravel that tracks out onto the highway at facility
23 access points.

24 [Final Order V.C.2.15]
25

26 6.20. The certificate holder shall ensure that no equipment or machinery is parked or stored
27 on any County road whether inside or outside the site boundary. The certificate holder
28 may temporarily park equipment off the road but within County rights-of-way with the
29 approval of the County Roadmaster.

30 [Final Order V.C.2.16]
31

32 6.21. The height of the proposed Operations and Maintenance building shall not exceed 35
33 feet in height.

34 [Final Order IV.D.2.1] [WCLUDO Section 3.210(F)(2)]
35

36 6.22. Signage for the proposed facility shall conform to the following requirements:
37

- 38 a. The certificate holder shall install the following signs at the facility:
39
 - 40 i. "No Trespassing" signs shall be attached to any perimeter fence;
 - 41 ii. "Danger" signs shall be posted at the height of five feet on turbine towers
42 and accessory structures;
 - 43 iii. A sign shall be posted on the tower showing an emergency telephone
44 number; and
 - 45 iv. Manual electrical and/or overspeed shutdown disconnect switch(es) shall
46 be clearly labeled.

1 [Final Order IV.D.2.2] [WCLUDO Section 19.030(C)(7)]
2

3 b. Signage installed in accordance with Condition 6.22.a shall meet the following
4 requirements:

5
6 i. Permanent signs shall not project beyond the property line.

7 ii. Signs shall not be illuminated or capable of movement.

8 iii. Permanent signs shall describe only uses permitted and conducted on the
9 property on which the sign is located.

10 iv. Freestanding signs shall be limited to twelve square feet in area and 8 feet in
11 height measured from natural grade. Signs on buildings are permitted in a
12 ratio of one square foot of sign area to each linear foot of building frontage
13 but in no event shall exceed 32 square feet and shall not project above the
14 building.

15 v. Freestanding signs shall be limited to one at the entrance of the property.

16 Up to one additional sign may be placed in each direction of vehicular traffic
17 running parallel to the property if they are more than 750 feet from the
18 entrance of the property.

19 vi. Signs on buildings shall be limited to one per building and only allowed on
20 buildings conducting the use being advertised.

21 [Final Order IV.D.2.2] [WCLUDO Section 3.210(F)(4)]
22

23 6.23. Except as necessary to meet the requirements of the Federal Aviation Administration to
24 warn aircraft of obstructions, the certificate holder shall design and implement a
25 lighting plan to ensure that all outdoor lighting is directed downward, limited in
26 intensity, and is shielded and hooded to prevent light from projecting onto adjacent
27 properties, roadways, and waterways. Shielding and hooding materials shall be
28 composed of nonreflective, opaque materials.

29 [Final Order IV.D.2.3] [WCLUDO section 3.210(F)(4)]
30

31 6.24. The certificate holder shall be responsible for restoring, as nearly as possible, to its
32 former condition any agricultural land and associated improvements that are damaged
33 or otherwise disturbed by the siting, maintenance, repair or reconstruction of the
34 facility.

35 [Final Order IV.D.2.5] [WCLUDO Section 3.210(J)(8)(c)]
36

37 6.25. The certificate holder shall consult with area landowners and lessees during
38 construction and operation of the facility and shall implement measures to reduce or
39 avoid any adverse impacts to farm practices on surrounding lands and to avoid any
40 increase in farming costs.

41 [Final Order IV.D.2.6] [WCLUDO Sections 5.020(J) and 5.020(K)]
42

43 6.26. The certificate holder shall not use exterior nighttime lighting except:

44
45 a. The minimum turbine tower lighting required or recommended by the Federal
46 Aviation Administration.

1 b. Safety and security lighting at the O&M facility and substation, if such lighting
2 is shielded or downward-directed to reduce offsite glare.
3 [Final Order IV.I.2.3]
4

5
6 6.27. The certificate holder shall design, construct and operate the facility in a manner to
7 ensure that the facility avoids any material signal interference with communication
8 systems such as, but not limited to, radio, telephone, television, satellite, microwave or
9 emergency communication systems. Should any material interference occur, the
10 certificate holder must develop and implement a mitigation plan in consultation with the
11 department.

12 [Amended Final Order on Amendment 1 IV.D.2.9]
13

14 6.28. The certificate holder must comply with the following turbine setback distances, as
15 measured from the centerline of the turbine to the edge of the dwelling, as set forth
16 below.
17

18
19 a. Wind turbines shall be set back from the property line of any abutting property
20 not part of the project (non-project boundaries), the right-of-way of any
21 dedicated road, and any above ground major utility facility line a minimum of
22 1.5 times the blade tip height of the wind turbine tower. Wind turbines shall be
23 set back from any above ground minor utility facility line a minimum of 1.1
24 times the blade tip height of the wind turbine tower.

25 b. Wind turbines must be setback a minimum of 1 mile (5,280 feet) from all non-
26 resource zoned property boundaries located outside of urban growth boundaries
27 or urban reserves (as measured from the centerline of the turbine to the edge of
28 the property boundary zoned for non-resource purposes, e.g. rural residential).
29

30 [Amended Final Order on Amendment 1 IV.D.2.10]
31

32 6.29. The certificate holder must maintain all access roads for all-weather use to assure
33 adequate, safe and efficient emergency vehicle and maintenance vehicle access to the
34 site.

35 [Amended Final Order on Amendment 1 V.C.2.18]
36

37 6.30. The certificate holder shall submit a legal description of the site to the Wasco County
38 GIS Department upon the beginning operation of the facility. This information shall
39 include the actual latitude and longitude or Oregon State Plane North American Datum
40 1983 (NAD83) High Accuracy Reference Network (HARN) coordinates of each turbine
41 tower, support structures for the 34.5-kV collector lines and 230-kV transmission line,
42 and other related and supporting facilities. The certificate holder may provide the
43 information in a GIS layer based on the geospatial data that includes all characteristics
44 of spatial features of the facility site boundary. The certificate holder shall confer with
45 the Department prior to submittal of GIS-based information.

46 [Amended Final Order on Amendment 1 IV.D.2.11]

1
2
3
4
5
6 **7.0. PUBLIC HEALTH AND SAFETY**
7

8 7.1. The certificate holder shall construct turbine towers with no exterior ladders or access
9 to the turbine blades and shall install locked tower access doors. The certificate holder
10 shall keep tower access doors locked at all times, except when authorized personnel are
11 present.

12 [Final Order IV.K.2.1]
13

14 7.2. For turbine types having pad-mounted step-up transformers, the certificate holder shall
15 install the transformers at the base of each tower in locked cabinets designed to protect
16 the public from electrical hazards and to avoid creation of artificial habitat for raptor
17 prey.

18 [Final Order IV.K.2.2]
19

20 7.3. To protect the public from electrical hazards, the certificate holder shall enclose the
21 facility substation with appropriate fencing and locked gates.

22 [Final Order IV.K.2.3]
23

24 7.4. The certificate holder shall follow manufacturers' recommended handling instructions
25 and procedures to prevent damage to turbine or turbine tower components that could
26 lead to failure.

27 [Final Order IV.K.2.5]
28

29 7.5. The certificate holder shall have an operational safety-monitoring program and shall
30 inspect all turbine and turbine tower components on a regular basis. The certificate
31 holder shall maintain or repair turbine and turbine tower components as necessary to
32 protect public safety.

33 [Final Order IV.K.2.6]
34

35 7.6. The certificate holder shall install and maintain self-monitoring devices on each turbine,
36 linked to sensors at the operations and maintenance building, to alert operators to
37 potentially dangerous conditions, and the certificate holder shall immediately remedy
38 any dangerous conditions. The certificate holder shall maintain automatic equipment
39 protection features in each turbine that would shut down the turbine and reduce the
40 chance of a mechanical problem causing a fire.

41 [Final Order IV.K.2.7]
42

43 7.7. The certificate holder shall notify the Department of Energy and Wasco County within
44 72 hours of any occurrence involving the facility if:

45 a. There is an attempt by anyone to interfere with its safe operation;
46

- 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;
 - c. There is a mechanical failure or accident on the site associated with construction or operation of the facility that may result in public health and safety concerns; or
 - d. There is any fatal injury at the facility.
- [Final Order IV.K.2.8 and OAR 345-026-017]

7.8. During operation, the certificate holder shall discharge sanitary wastewater generated at the Operations and Maintenance building to a licensed on-site septic system in compliance with State of Oregon permit requirements. The certificate holder shall design the septic systems for a discharge capacity of less than 5,000 gallons per day.
[Final Order V.C.2.2]

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

- a. Constructing all aboveground transmission lines at least 200 feet from any residence or other occupied structure, measured from the centerline of the transmission line.
- b. Constructing all aboveground 34.5-kV transmission lines with a minimum clearance of 20 feet from the ground.
- c. Constructing all aboveground 230-kV transmission lines with a minimum clearance of 25 feet from the ground
- d. Providing to landowners a map of underground and overhead transmission lines on their property and advising landowners of possible health risks from electric and magnetic fields.
- e. Designing and maintaining all transmission lines so that alternating current electric fields do not exceed 9-kV per meter at one meter above the ground surface in areas accessible to the public.
- f. Designing and maintaining all transmission lines so that induced voltages during operation are as low as reasonably achievable.

[Final Order VI.D.2.2]

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

[Final Order IV.M.2.2] [Mandatory Condition OAR 345-027-0023(4)]

7.11. A current copy of the electrical protection plan developed in compliance with Condition 7.10 must be available at the O&M building and provided upon request by ODOE staff.
[Final Order IV.M.2.3]

8.0. ON-SITE SAFETY AND SECURITY

1
2 8.1. During construction and operation of the facility, the certificate holder shall provide for
3 on-site security and shall establish good communications between on-site security
4 personnel and the Wasco County Sheriff's Office. During operation, the certificate
5 holder shall ensure that appropriate law enforcement agency personnel have an up-to-
6 date list of the names and telephone numbers of facility personnel available to respond
7 on a 24-hour basis in case of an emergency on the facility site.

8 [Final Order V.C.2.3]
9

10 8.2. During construction, the certificate holder shall require that all on-site construction
11 contractors develop and implement a site health and safety plan that informs workers
12 and others on-site about first aid techniques and what to do in case of an emergency and
13 that includes important telephone numbers and the locations of on-site fire
14 extinguishers and nearby hospitals. The certificate holder shall ensure that construction
15 contractors have personnel on-site who are trained and equipped for tower rescue and
16 who are first aid and CPR certified.

17 [Final Order V.C.2.4]
18

19 8.3. During operation, the certificate holder shall develop and implement a site health and
20 safety plan that informs employees and others on-site about first aid techniques and
21 what to do in case of an emergency and that includes important telephone numbers and
22 the locations of on-site fire extinguishers and nearby hospitals. The certificate holder
23 shall ensure that operations personnel are trained and equipped for tower rescue. The
24 facility must maintain training records and have a current copy of the site health and
25 safety plan on-site and available upon request by the Department of Energy.

26 [Final Order V.C.2.5]
27

28 8.4. During construction and operation of the facility, the certificate holder shall develop
29 and implement fire safety plans in consultation with the Columbia Rural Fire District to
30 minimize the risk of fire and to respond appropriately to any fires that occur on the
31 facility site. In developing the fire safety plans, the certificate holder shall take into
32 account the dry nature of the region and shall address risks on a seasonal basis. The
33 certificate holder shall meet annually with local fire protection agency personnel to
34 discuss emergency planning and shall invite local fire protection agency personnel to
35 observe any emergency drill or tower rescue training conducted at the facility.

36 [Final Order V.C.2.6]
37

38 8.5. Upon the beginning of operation of the facility, the certificate holder shall provide a site
39 plan to the Columbia Rural Fire District. The certificate holder shall indicate on the site
40 plan the identification number assigned to each turbine and the actual location of all
41 facility structures. The certificate holder shall provide an updated site plan if additional
42 turbines or other structures are later added to the facility. During operation, the
43 certificate holder shall ensure that appropriate fire protection agency personnel have an
44 up-to-date list of the names and telephone numbers of facility personnel available to
45 respond on a 24-hour basis in case of an emergency on the facility site.

46 [Final Order V.C.2.7]

- 1
2 8.6. The certificate holder shall construct turbines and pad-mounted transformers on
3 concrete foundations and shall cover the ground within a 15-foot radius with non-
4 flammable material. The certificate holder shall maintain the non-flammable pad area
5 covering during operation of the facility.
6 [Final Order V.C.2.8]
7
8 8.7. During construction and operation of the facility, the certificate holder shall ensure that
9 the O&M building and all service vehicles are equipped with shovels and portable fire
10 extinguishers of a 4A50BC or equivalent rating.
11 [Final Order V.C.2.9]
12
13 8.8. During construction, the certificate holder shall ensure that construction vehicles and
14 equipment are operated on graveled areas to the extent possible and that open flames,
15 such as cutting torches, are kept away from dry grass areas.
16 [Final Order V.C.2.10]
17
18 8.9. During operation, the certificate holder shall ensure that all on-site employees receive
19 annual fire prevention and response training by qualified instructors or members of the
20 local fire districts. The certificate holder shall ensure that all employees are instructed to
21 keep vehicles on roads and off dry grassland, except when off-road operation is
22 required for emergency purposes.
23 [Final Order V.C.2.11]
24

25 **9.0. PROTECTION OF SOIL**

- 26
27 9.1. The certificate holder shall conduct all construction work in compliance with an
28 Erosion and Sediment Control Plan (ESCP) satisfactory to the Oregon Department of
29 Environmental Quality and as required under the National Pollutant Discharge
30 Elimination System (NPDES) Storm Water Discharge General Permit #1200-C. The
31 certificate holder shall include in the ESCP any procedures necessary to meet local
32 erosion and sediment control requirements or storm water management requirement.
33 [Final Order IV.C.2.1]
34
35 9.2. During construction, the certificate holder shall limit truck traffic to improved road
36 surfaces to avoid soil compaction and wind erosion on dirt roads, to the extent
37 practicable.
38 [Final Order IV.C.2.2]
39
40 9.3. During construction, the certificate holder shall implement best management practices
41 to control any dust generated by construction activities, such as applying water to roads
42 and disturbed soil areas.
43 [Final Order IV.C.2.3]
44
45 9.4. The certificate holder shall handle hazardous materials used on the site in a manner that
46 protects public health, safety and the environment and shall comply with all applicable

1 local, state and federal environmental laws and regulations. The certificate holder shall
2 not store diesel fuel or gasoline on the facility site.

3 [Final Order IV.C.2.4]
4
5

6 9.5. If a spill or release of hazardous material occurs during construction or operation of the
7 facility, the certificate holder shall notify the Department within 72 hours and shall
8 clean up the spill or release and dispose of any contaminated soil or other materials
9 according to applicable regulations. The certificate holder shall make sure that spill kits
10 containing items such as absorbent pads are located on equipment and at the O&M
11 building. The certificate holder shall instruct employees about proper handling, storage
12 and cleanup of hazardous materials.

13 [Final Order IV.C.2.5]
14

15 9.6. Upon completion of construction, the certificate holder shall restore vegetation to the
16 extent practicable and shall landscape all areas disturbed by construction in a manner
17 compatible with the surroundings and proposed use and in compliance with the
18 Revegetation and Weed Control Plan (Exhibit 1 to the Final Order). Upon completion
19 of construction, the certificate holder shall remove all temporary structures not required
20 for facility operation and dispose of all timber, brush, refuse and flammable or
21 combustible material resulting from clearing of land and construction of the facility.

22 [Final Order IV.C.2.6] [Mandatory Condition OAR 345-027-0020(11)]
23

24 9.7. During operation of the facility, the certificate holder shall restore areas that are
25 temporarily disturbed during facility maintenance or repair activities using the same
26 methods and monitoring procedures described in the Revegetation and Weed Control
27 Plan.

28 [Final Order IV.C.2.7]
29

30 9.8. During facility operation, the certificate holder shall routinely inspect and maintain all
31 transmission line corridors, roads, pads and trenched areas and, as necessary, maintain
32 or repair erosion and sediment control measures and control the introduction and spread
33 of noxious weeds.

34 [Final Order IV.C.2.8]
35

36 **10.0. PROTECTION OF NATURAL RESOURCES** 37

38 10.1. Before beginning construction, the certificate holder shall provide to the Department, to
39 the Oregon Department of Fish and Wildlife (ODFW) and to the Planning Director of
40 Wasco County detailed maps of the facility site, showing the final locations where the
41 certificate holder proposes to build facility components, and a table showing the acres
42 of temporary habitat impact by habitat category and subtype and the acres of permanent
43 habitat impact by habitat category and subtype. The detailed maps of the facility site
44 shall indicate the habitat categories of all areas that would be affected during
45 construction. In classifying the affected habitat into habitat categories, the certificate
46 holder shall consult with ODFW. The certificate holder shall not begin ground

1 disturbance in an affected area until the habitat assessment has been approved by the
2 Department. The Department may employ a qualified contractor to confirm the habitat
3 assessment by on-site inspection.

4 [Final Order IV.G.2.1]
5

6 10.2. The certificate holder shall incorporate the design elements listed below into the final
7 facility design to avoid or mitigate impacts to sensitive wildlife habitat:
8

9 a. Where practicable, facility components and construction areas shall be located
10 to avoid or minimize temporary and permanent impacts to high quality native
11 habitat and to retain habitat cover in the general landscape.

12 b. No facility components may be constructed within areas of Category 1 habitat
13 and temporary disturbance of Category 1 habitat shall be avoided.

14 c. The design of the facility and areas of temporary and permanent disturbance
15 shall avoid impacts to any Category 1 habitat, to any State-listed threatened or
16 endangered plant or wildlife species, and to any State Candidate plant species.

17 [Final Order IV.G.2.2]
18

19 10.3. The certificate holder shall implement measures to avoid or mitigate impacts to
20 sensitive wildlife habitat during construction including, but not limited to, the
21 following:
22

23 a. Preparing and distributing maps to employees and contractors to show areas
24 that are off-limits to construction personnel, such as nesting or denning areas for
25 sensitive wildlife species;

26 b. Avoiding unnecessary road construction, temporary disturbance and vehicle
27 use;
28

29 c. Limiting construction work to approved and surveyed areas shown on facility
30 constraint maps; and

31 d. Ensuring that all construction personnel are instructed to avoid driving cross-
32 country or taking short-cuts within the site boundary or otherwise disturbing
33 areas outside of the approved and surveyed construction areas.

34 [Final Order IV.G.2.3]
35

36 10.4. The certificate holder shall acquire the legal right to create, enhance, maintain and
37 protect a habitat mitigation area, as long as the site certificate is in effect, by means of
38 an outright purchase, conservation easement or similar conveyance and shall provide a
39 copy of the documentation to the Department prior to the start of construction. Within
40 the habitat mitigation area, the certificate holder shall improve the habitat quality as
41 described in the Habitat Mitigation Plan that is incorporated as Exhibit 3 of the Final
42 Order and as amended from time to time.

43 [Final Order IV.G.2.4]
44

45 10.5. The certificate holder shall conduct wildlife monitoring as described in the Wildlife
46 Monitoring and Mitigation Plan that is incorporated as Exhibit 2 of the Final Order and

1 as amended from time to time.

2 [Final Order IV.G.2.5] [Mandatory Condition OAR 345-027-0020(6)]

3
4 10.6. The certificate holder shall hire a qualified environmental professional to provide
5 environmental training during construction and operation. Environmental training
6 includes information on the sensitive species present onsite, precautions to avoid
7 injuring or destroying wildlife or sensitive wildlife habitat, exclusion areas, permit
8 requirements and other environmental issues. The certificate holder shall instruct
9 construction and operations personnel to report any injured or dead wildlife detected
10 while on the site to the appropriate onsite environmental manager.

11 [Final Order IV.G.2.6]

12
13 10.7. Before beginning construction and after considering all micro-siting factors, the
14 certificate holder shall provide to the Department a map showing the final design
15 locations of all components of the facility and the areas that would be disturbed during
16 construction and identifying the survey areas for all plant and wildlife surveys. This
17 information may be combined with the map submitted per the requirements of
18 Condition 9.1. The certificate holder shall hire a qualified professional biologist to
19 conduct a pre-construction plant and wildlife investigation of all areas that would be
20 disturbed during construction that lie outside of the previously surveyed areas. The
21 certificate holder shall provide a written report of the investigation to the Department
22 and to the Oregon Department of Fish and Wildlife (ODFW).

23 [Final Order IV.G.2.7]

24
25 10.8. The certificate holder shall reduce the risk of injuries to avian species by:

26
27 a. Installing turbine towers that are smooth steel structures that lack features that
28 would allow avian perching.

29 b. Installing meteorological towers that are non-guyed structures to eliminate the
30 risk of avian collision with guy-wires.

31 c. Designing and installing all aboveground transmission line support structures
32 following the most current suggested practices for avian protection on power
33 lines published by the Avian Power Line Interaction Committee.

34 [Final Order IV.H.2.1]

35
36 10.9. During facility operation, the certificate holder shall obtain water for on-site uses from
37 an on-site well located near the O&M building. The certificate holder shall construct
38 the on-site well subject to compliance with the provisions of ORS 537.765 relating to
39 keeping a well log. The certificate holder shall not use more than 5,000 gallons of water
40 per day from the on-site well. The certificate holder may use other sources of water for
41 on-site uses subject to prior approval by the Department.

42 [Final Order VI.C.2.1]

43
44 10.10. During facility operation, if equipment washing becomes necessary, the certificate
45 holder shall ensure that there is no runoff of wash water from the site or discharges to
46 surface waters, storm sewers or dry wells. The certificate holder shall not use acids,

1 bases or metal brighteners with the wash water. The certificate holder may use
2 biodegradable, phosphate-free cleaners sparingly.
3 [Final Order VI.C.2.2]
4

5
6 10.11. The certificate holder shall implement a waste management plan during operation that
7 includes but is not limited to the following measures:
8

- 9 a. Training employees to minimize and recycle solid waste.
- 10 b. Recycling paper products, metals, glass and plastics.
- 11 c. Recycling used oil and hydraulic fluid.
- 12 d. Collecting non-recyclable waste for transport to a local landfill by a licensed
13 waste hauler.
- 14 e. Segregating all hazardous, non-recyclable wastes such as used oil, oily rags and
15 oil-absorbent materials, mercury-containing lights and lead-acid and nickel-
16 cadmium batteries for disposal by a licensed firm specializing in the proper
17 recycling or disposal of hazardous wastes.

18 [Final Order V.D.2.2]
19

20 10.12 The certificate holder shall not conduct any construction activities on land mapped as
21 Big Game Winter Range by the Oregon Department of Fish and Wildlife between
22 December 1 and April 15.

23 [Amended Final Order on Amendment 1 IV.G.2.2]
24

25 10.13. Prior to the beginning of construction of the facility the certificate holder shall perform
26 new field surveys for threatened and endangered species following the survey protocol
27 set forth in the Northwest Wildlife Consultants Memorandum regarding Endangered
28 and Threatened Plant Species and Raptor Nest Surveys dated October 17, 2014. The
29 certificate holder shall report the results of the field surveys to the Department, ODA
30 and ODFW. If the surveys identify the presence of threatened or endangered species
31 within the survey area, the certificate holder shall implement appropriate measures to
32 avoid a significant reduction in the likelihood of survival or recovery of the species, as
33 approved by the Department, in consultation with ODA and ODFW.

34 [Amended Final Order on Amendment 1 IV.H.2.2]
35

36 10.14. The certificate holder shall conduct two (2) seasons of raptor nest surveys with at least
37 one (1) season of the surveys occurring prior to the beginning of construction. The
38 raptor nest surveys shall be conducted following the instructions set forth in the Raptor
39 Nest Survey Protocol for Summit Ridge Wind Farm included as Attachment B to the
40 First Amended Site Certificate. The certificate holder shall report the results of the field
41 surveys to the Department and ODFW. If the surveys identify the presence of raptor
42 nests within the survey area, the certificate holder shall implement appropriate measures
43 to assure that the design, construction and operation of the facility are consistent with
44 the fish and wildlife habitat mitigation goals and standards of OAR 635-415-0025, as
45 approved by the Department, in consultation with IVODFW.

46 [Amended Final Order on Amendment 1 IV.G.2.8]

1
2 10.15. The certificate holder shall not conduct any construction activities on land mapped as
3 Big Game Winter Range by the Oregon Department of Fish and Wildlife between
4 December 1 and April 15.
5 [Amended Final Order on Amendment 1 IV.G.2.9]
6

7 **11.0. PROTECTION OF HISTORIC, CULTURAL AND ARCHAEOLOGICAL**
8 **RESOURCES**
9

10 11.1. Before beginning construction, the certificate holder shall label all identified historic,
11 cultural or archaeological resource sites on construction maps and drawings as “no
12 entry” areas. The applicant shall implement a 200 foot buffer for all rock alignment and
13 cairn sites, and shall implement a 100 foot buffer for all other archaeological sites. The
14 certificate holder may use existing private roads within the buffer areas but may not
15 widen or improve private roads within the buffer areas. The no-entry restriction does
16 not apply to public road rights-of-way within the buffer areas.
17 [Final Order Section V.B.2.1]
18

19 11.2. Before beginning construction, the certificate holder shall provide to the Department a
20 map showing the final design locations of all components of the facility, the areas that
21 would be temporarily disturbed during construction and the areas that were previously
22 surveyed as described in the Application for Site Certificate.
23 [Final Order V.B.2.2]
24

25 11.3. The certificate holder shall hire qualified personnel to conduct field investigation of all
26 areas to be disturbed during construction that lie outside the previously-surveyed areas.
27 The certificate holder shall provide a written report of the field investigation to the
28 Department and to the Oregon State Historic Preservation Office (SHPO). If any
29 potentially significant historic, cultural or archaeological resource sites are found during
30 the field investigation, the certificate holder shall instruct all construction personnel to
31 avoid the identified sites and shall implement appropriate measures to protect the sites,
32 including the measures described in Condition 11.5 and in accordance with the
33 Archaeological Monitoring Plan required per Condition 11.6.
34 [Final Order V.B.2.3]
35

36 11.4. The certificate holder shall ensure that a qualified archaeologist, as defined in OAR
37 736-051-0070, instructs construction personnel in the identification of cultural materials
38 and avoidance of accidental damage to identified resource sites. Records of such
39 training shall be maintained at the Operations and Maintenance Building and made
40 available to authorized representatives of the Oregon Department of Energy upon
41 request.
42 [Final Order V.B.2.4]
43

44 11.5. The certificate holder shall ensure that construction personnel cease all ground-
45 disturbing activities in the immediate area if any archaeological or cultural resources are
46 found during construction of the facility until a qualified archeologist can evaluate the

1 significance of the find. The certificate holder shall notify the Department and SHPO
2 of the find. If the SHPO determines that the resource is significant, the certificate
3 holder shall make recommendations to the Council for mitigation, including avoidance,
4 field documentation and data recovery, in consultation with the Department, SHPO,
5 interested tribes and other appropriate parties. The certificate holder shall not restart
6 work in the affected area until the certificate holder has demonstrated to the Department
7 and the SHPO that it has complied with archaeological resource protection regulations.
8 [Final Order V.B.2.5]
9

- 10 11.6. The certificate holder shall prepare and implement an Archaeological Monitoring Plan
11 for construction and maintenance activities to address and mitigate impacts from
12 exposure of unanticipated or previously unidentified cultural properties that may be
13 exposed during construction or operation of the facility. A current copy of the plan
14 must be maintained at the Operations and Maintenance Building and made available to
15 authorized representatives of the Oregon Department of Energy upon request.
16 [Final Order V.B.2.6]
17

18 **12.0. NOISE CONTROL AND NOISE COMPLAINT RESPONSE**

19

- 20 12.1. To reduce construction noise impacts at nearby residences, the certificate holder shall:

- 21
22 a. Confine the noisiest operation of heavy construction equipment to the daylight
23 hours.
24 b. Require contractors to install and maintain exhaust mufflers on all combustion
25 engine-powered equipment; and
26 c. Establish a complaint response system at the construction manager's office to
27 address noise complaints. Records of noise complaints during construction
28 must be made available to authorized representatives of the Department of
29 Energy upon request.

30 [Final Order VI.A.2.1]
31

- 32 12.2. Before beginning construction, the certificate holder shall provide to the Department:

- 33
34 a. Information that identifies the final design locations of all turbines to be built at
35 the facility;
36 b. The maximum sound power level for the substation transformers and the
37 maximum sound power level and octave band data for the turbine type(s)
38 selected for the facility based on manufacturers' warranties or confirmed by
39 other means acceptable to the Department;
40 c. The results of the noise analysis of the final facility design performed in a
41 manner consistent with the requirements of OAR 340-035-
42 0035(1)(b)(B)(iii)(IV) and (VI). The analysis must demonstrate to the
43 satisfaction of the Department that the total noise generated by the facility
44 (including the noise from turbines and substation transformers) will not exceed
45 the maximum allowable noise level at any potentially- affected noise receptor.
46 The analysis must also demonstrate that the facility would meet the ambient

1 degradation test at the appropriate measurement point for potentially-affected
2 noise sensitive properties, or that the certificate holder has obtained the noise
3 waiver described in Condition 12.2.d for each noise-sensitive property where the
4 ambient degradation standard cannot be met.

5 d. For each noise-sensitive property where the certificate holder relies on a noise
6 waiver to demonstrate compliance with OAR 340-035-0035(1)(b)(B)(iii)(III), a
7 copy of the a legally effective easement or real covenant pursuant to which the
8 owner of the property authorizes the certificate holder's operation of the facility
9 to increase ambient statistical noise levels L10 and L50 by more than 10 dBA at
10 the appropriate measurement point. The legally-effective easement or real
11 covenant must meet all of the following criteria:

- 12
- 13 i. Include a legal description of the burdened property (the noise sensitive
- 14 property);
- 15 ii. Be recorded in the real property records of the county;
- 16 iii. Expressly benefit the certificate holder;
- 17 iv. Expressly run with the land and bind all future owners, lessees or holders of
- 18 any interest in the burdened property; and
- 19 v. Not be subject to revocation without the certificate holder's written approval.

20 [Final Order VI.A.2.2]

21

22 12.3. During operation, the certificate holder shall maintain a complaint response system to
23 address noise complaints. The certificate holder shall notify the Department within 15
24 days of receiving a complaint about noise from the facility. The notification should
25 include, but is not limited to, the date the complaint was received, the nature of the
26 complaint, the complainant's contact information, the location of the affected property,
27 and any actions taken, or planned to be taken, by the certificate holder to address the
28 complaint.

29 [Final Order VI.A.2.3]

30

31 12.4. Upon written notification from the Department, the certificate holder will monitor and
32 record the actual statistical noise levels during operations to verify that the certificate
33 holder is operating the facility in compliance with the noise control regulations. The
34 monitoring plan must be reviewed and approved by the Department prior to
35 implementation. The cost of such monitoring, if required, will be borne by the
36 certificate holder.

37 [Final Order VI.A.2.4]

38

39 **13.0. MONITORING AND REPORTING REQUIREMENTS - GENERAL**

40

41 13.1. In addition to monitoring and reporting requirements elsewhere in this Site Certificate,
42 the certificate holder shall also report according to the following requirements:

- 43
- 44 a. General reporting obligation for energy facilities under construction or
- 45 operating:
- 46

- 1 i. Within six months after beginning construction, and every six months
2 thereafter during construction of the energy facility and related or supporting
3 facilities, the certificate holder shall submit a semiannual construction
4 progress report to the Department of Energy. In each construction progress
5 report, the certificate holder shall describe any significant changes to major
6 milestones for construction. The certificate holder shall include such
7 information related to construction as specified in the site certificate. When
8 the reporting date coincides, the certificate holder may include the
9 construction progress report within the annual report described in Condition
10 13.1.b.
- 11 ii. By April 30 of each year after beginning construction, the certificate holder
12 shall submit an annual report to the Department addressing the subjects
13 listed in Condition 13.1.b. The Council Secretary and the certificate holder
14 may, by mutual agreement, change the reporting date.
- 15 iii. To the extent that information required by Condition 13.1.b is contained in
16 reports the certificate holder submits to other state, federal or local agencies,
17 the certificate holder may submit excerpts from such other reports to satisfy
18 this rule. The Council reserves the right to request full copies of such
19 excerpted reports.

20 [Final Order VII.4.a] [Mandatory Condition OAR 345-026-0080(1)]
21

22 b. In the annual report, the certificate holder shall include the following
23 information for the calendar year preceding the date of the report:
24

- 25 i. Facility Status: An overview of site conditions, the status of facilities under
26 construction, and a summary of the operating experience of facilities that are
27 in operation. In this section of the annual report, the certificate holder shall
28 describe any unusual events, such as earthquakes, extraordinary windstorms,
29 major accidents or the like that occurred during the year and that had a
30 significant adverse impact on the facility.
- 31 ii. Reliability and Efficiency of Power Production: For electric power plants,
32 the plant availability and capacity factors for the reporting year. The
33 certificate holder shall describe any equipment failures or plant breakdowns
34 that had a significant impact on those factors and shall describe any actions
35 taken to prevent the recurrence of such problems.
- 36 iii. Status of Surety Information: Documentation demonstrating that bonds or
37 letters of credit as described in the site certificate are in full force and effect
38 and will remain in full force and effect for the term of the next reporting
39 period.
- 40 iv. Monitoring Report: A list and description of all significant monitoring and
41 mitigation activities performed during the previous year in accordance with
42 site certificate terms and conditions, a summary of the results of those
43 activities and a discussion of any significant changes to any monitoring or
44 mitigation program, including the reason for any such changes.
- 45 v. Compliance Report: A description of all instances of noncompliance with a
46 site certificate condition. For ease of review, the certificate holder shall, in

1 this section of the report, use numbered subparagraphs corresponding to the
2 applicable sections of the site certificate.

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

6 [Final Order VII.4.b] [Mandatory Condition OAR 345-026-0080(b)]
7

8 13.2. The certificate holder and the Department of Energy shall exchange copies of all
9 correspondence or summaries of correspondence related to compliance with statutes,
10 rules and local ordinances on which the Council determined compliance, except for
11 material withheld from public disclosure under state or federal law or under Council
12 rules. The certificate holder may submit abstracts of reports in place of full reports;
13 however, the certificate holder shall provide full copies of abstracted reports and any
14 summarized correspondence at the request of the Department.

15 [Final Order VII.5] [Mandatory Condition OAR 345-026-0105]
16

17 13.3. The following general monitoring conditions apply:
18

19 a. The certificate holder shall consult with affected state agencies, local
20 governments and tribes and shall develop specific monitoring programs for
21 impacts to resources protected by the standards of Divisions 22 and 24 of OAR
22 Chapter 345 and resources addressed by applicable statutes, administrative rules
23 and local ordinances. The certificate holder must submit the monitoring
24 programs to the Department of Energy and receive Department approval before
25 beginning construction or, as appropriate, operation of the facility.

26 b. The certificate holder shall implement the approved monitoring programs
27 described in Condition 13.3.a and monitoring programs required by permitting
28 agencies and local governments.

29 c. For each monitoring program described in Conditions 13.3.a and 13.3.b, the
30 certificate holder shall have quality assurance measures approved by the
31 Department before beginning construction or, as appropriate, before beginning
32 commercial operation.

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

37 [Final Order VII.2] [Mandatory Condition OAR 345-027-0028]
38

39 **14.0. RETIREMENT AND FINANCIAL INSURANCE** 40

41 14.1. Before beginning construction, the certificate holder shall submit to the State of Oregon
42 through the Council a bond or letter of credit in the amount described herein naming the
43 State of Oregon, acting by and through the Council, as beneficiary or payee. The initial
44 bond or letter of credit amount is either \$6.965 million (in 3rd Quarter 2010 dollars), to
45 be adjusted to the date of issuance as described in (b), or the amount determined as
46 described in Condition 14.1.a below. The certificate holder shall adjust the amount of

1 the bond or letter of credit on an annual basis thereafter as described in Condition
2 14.1.b.

- 3
4
5
6 a. The certificate holder may adjust the amount of the bond or letter of credit
7 based on the final design configuration of the facility and turbine types selected.
8 Any revision to the restoration costs should be adjusted to the date of issuance as
9 described in Condition 14.1.b, and is subject to review and approval by the
10 Department.
- 11 b. The certificate holder shall adjust the amount of the bond or letter of credit,
12 using the following calculation and subject to approval by the Department:
- 13
- 14 i. Adjust the Subtotal component of the bond or letter of credit amount
15 (expressed in 3rd Quarter 2010 dollars) to present value, using the U.S. Gross
16 Domestic Product Implicit Price Deflator, Chain-Weight, as published in the
17 Oregon Department of Administrative Services “Oregon Economic and
18 Revenue Forecast” or by any successor agency (the “Index”) and using the
19 3rd Quarter 2010 index value and the quarterly index value for the date of
20 issuance of the new bond or letter of credit. If at any time the Index is no
21 longer published, the Council shall select a comparable calculation to adjust
22 3rd Quarter 2010 dollars to present value.
- 23 ii. Add 1 percent of the adjusted Subtotal (i) for the adjusted performance bond
24 amount to determine the adjusted Gross Cost.
- 25 iii. Add 10 percent of the adjusted Gross Cost (ii) for the adjusted
26 administration and project management costs and 10 percent of the adjusted
27 Gross Cost (ii) for the adjusted future developments contingency.
- 28 iv. Add the adjusted Gross Cost (ii) to the sum of the percentages (iii) and
29 round the resulting total to the nearest \$1,000 to determine the adjusted
30 financial assurance amount.
- 31
- 32 c. The certificate holder shall use a form of bond or letter of credit approved by the
33 Council.
- 34 d. The certificate holder shall use an issuer of the bond or letter of credit approved
35 by the Council.
- 36 e. The certificate holder shall describe the status of the bond or letter of credit in
37 the annual report submitted to the Council required by Condition 13.1.b.
- 38 f. The bond or letter of credit shall not be subject to revocation or reduction before
39 retirement of the facility site.

40 [Final Order IV.F.2.1] [Mandatory Condition OAR 345-027-0020(8)]

- 41
- 42 14.2. If the certificate holder elects to use a bond to meet the requirements of Condition 14.1,
43 the certificate holder shall ensure that the surety is obligated to comply with the
44 requirements of applicable statutes, Council rules and this site certificate when the
45 surety exercises any legal or contractual right it may have to assume construction,
46 operation or retirement of the energy facility. The certificate holder shall also ensure

1 that the surety is obligated to notify the Council that it is exercising such rights and to
2 obtain any Council approvals required by applicable statutes, Council rules and this site
3 certificate before the surety commences any activity to complete construction, operate
4 or retire the energy facility.

5 [Final Order IV.F.2.2]
6

7 14.3. The certificate holder shall prevent the development of any conditions on the site that
8 would preclude restoration of the site to a useful, non-hazardous condition to the extent
9 that prevention of such site conditions is within the control of the certificate holder.

10 [Final Order IV.F.2.3] [Mandatory Condition OAR 345-027-0020(7)]
11

12 14.4. The certificate holder must retire the facility in accordance with a retirement plan
13 approved by the Council if the certificate holder permanently ceases construction or
14 operation of the facility. The retirement plan must describe the activities necessary to
15 restore the site to a useful, non-hazardous condition, as described in OAR 345-027-
16 0110(5). After Council approval of the plan, the certificate holder must obtain the
17 necessary authorization from the appropriate regulatory agencies to proceed with
18 restoration of the site.

19 [Final Order IV.F.2.4] [Mandatory Condition OAR 345-027-0020(9)]
20

21 14.5. The certificate holder is obligated to retire the facility upon permanent cessation of
22 construction or operation. If the Council finds that the certificate holder has
23 permanently ceased construction or operation of the facility without retiring the facility
24 according to a final retirement plan approved by the Council, as described in OAR 345-
25 027-0110, the Council shall notify the certificate holder and request that the certificate
26 holder submit a proposed final retirement plan to the Department within a reasonable
27 time not to exceed 90 days. If the certificate holder does not submit a proposed final
28 retirement plan by the specified date, the Council may direct the Department to prepare
29 a proposed final retirement plan for the Council's approval.

30 [Final Order IV.F.2.5] [Mandatory Condition OAR 345-027-0020(16)]
31

32 14.6. Upon the Council's approval of the final retirement plan, the Council may draw on the
33 bond or letter of credit submitted per the requirements of Condition 6.1 to restore the
34 site to a useful, non-hazardous condition according to the final retirement plan, in
35 addition to any penalties the Council may impose under OAR Chapter 345, Division 29.
36 If the amount of the bond or letter of credit is insufficient to pay the actual cost of
37 retirement, the certificate holder shall pay any additional cost necessary to restore the
38 site to a useful, non-hazardous condition. After completion of site restoration, the
39 Council shall issue an order to terminate the site certificate if the Council finds that the
40 facility has been retired according to the approved final retirement plan.

41 [Final Order IV.F.2.6] [Mandatory Condition OAR 345-027-0020(16)]
42

43 14.7. Following receipt of the site certificate or an amended site certificate, the certificate
44 holder shall implement a plan that verifies compliance with all site certificate terms and
45 conditions and applicable statutes and rules. As a part of the compliance plan, to verify
46 compliance with the requirement to begin construction by the date specified in the site

1 certificate, the certificate holder shall report promptly to the Department of Energy
2 when construction begins. Construction is defined in OAR 345-001-0010. In reporting
3 the beginning of construction, the certificate holder shall describe all work on the site
4 performed before beginning construction, including work performed before the Council
5 issued the site certificate, and shall state the cost of that work. For the purpose of this
6 exhibit, "work on the site" means any work within a site or corridor, other than
7 surveying, exploration or other activities to define or characterize the site or corridor.
8 The certificate holder shall document the compliance plan and maintain it for inspection
9 by the Department or the Council.

10 [Final Order VII.3] [Mandatory Condition OAR 345-026-0048]
11

12 **15.0. SUCCESSORS AND ASSIGNS**
13

14 To transfer this site certificate or any portion thereof or to assign or dispose of it in any other
15 manner, directly or indirectly, the certificate holder shall comply with OAR 345-027-0100.
16

17 **16.0. SEVERABILITY AND CONSTRUCTION**
18

19 If any provision of this agreement and certificate is declared by a court to be illegal or in conflict
20 with any law, the validity of the remaining terms and conditions shall not be affected, and the
21 rights and obligations of the parties shall be construed and enforced as if the agreement and
22 certificate did not contain the particular provision held to be invalid.
23

24 **17.0. GOVERNING LAW AND FORUM**
25

26 This site certificate shall be governed by the laws of the State of Oregon. Any litigation or
27 arbitration arising out of this agreement shall be conducted in an appropriate forum in Oregon.
28

29 **18.0. EXECUTION**
30

31 This site certificate may be executed in counterparts and will become effective upon signature by
32 the Chair of the Energy Facility Siting Council and the authorized representative of the certificate
33 holder.
34

35 **IN WITNESS THEREOF**, this site certificate has been executed by the State of Oregon, acting
36 by and through its Energy Facility Siting Council, and by LotusWorks – Summit Ridge I, LL.
37

38 ENERGY FACILITY SITING COUNCIL

LotusWorks – Summit Ridge I, LLC

39
40
41 By: _____
42 Barry Beyeler, Chair
43 Oregon Energy Facility Siting Council

By: _____
Print: _____

44
45 Date: _____

Date: _____

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37

38 ENERGY FACILITY SITING COUNCIL

LotusWorks – Summit Ridge I, LLC

39
40
41 By: 
42 Barry Beyeler, Chair
43 Oregon Energy Facility Siting Council

41 By: 
42 Print: STEVEN A OSTROWSKI, Jr

44
45 Date: AUGUST 7, 2015

45 Date: 08/07/15