

**EXHIBIT BB
OTHER INFORMATION**

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Introduction

OAR 345-021-0010(1)(bb) *Any other information that the Department requests in the project order or in a notification regarding expedited review;*

RESPONSE

This Exhibit provides information not found in other exhibits and includes:

- 1) Responses to public comments received on the NOI.
- 2) Discussion of Aviation Safety (as requested on Page 9 line 15 of the Project Order).

BB.1 Responses to Public Comments Received on the NOI

The Applicant filed an NOI with the EFSC on June 25, 2010. The ODOE held a public informational meeting on August 12, 2011 and a Project Order was issued on September 15, 2010. In addition to direction about preparation of the ASC, the Project Order also included comments received from reviewing agencies and members of the public on the NOI. A summary of the comments received and Applicant responses is provided in Table BB1.

Table BB1: Project Order VII: Public and Reviewing Agency Concerns

Item Number	Agency	Project Order, Page and Line Reference	Comment	Response
Agency Comments Received and Applicant Responses				
1.	Department of State Lands, Lynn McAllister	Page 15; Line 16	The applicant should have a wetland delineation done within the entire project area and may need to apply for a removal-fill permit from our department. We provide jurisdictional determinations of the wetlands and waters on site and approval for delineations.	<p>The Applicant’s consultant, HDR Engineering, Inc. (HDR), completed a delineation report of wetlands and other waters, in micro-siting areas as provided in Exhibit J. The report was submitted to the USACE and DSL in December 2011 for review and approval.</p> <p>No wetlands were identified during the field survey. Seven ephemeral drainages were identified and mapped within the Facility site boundary. Five additional ephemeral drainages were delineated within the Facility site boundary by previous surveys. All 12 of these ephemeral streams are non-jurisdictional under the state Removal-Fill Law because ephemeral streams are not included in the definition of waters of the state as defined under OAR 141-085-0510(91). Concurrence from DSL is expected in early 2012. A Removal-Fill permit is not necessary since the streams are not jurisdictional to DSL.</p>
2.	Oregon Public Utility Commission, Jerry Murray	Page 16; Line 3	The applicant in constructing the subject facility will become an “operator” of electrical supply lines (i.e. power lines) and is subject to the Oregon PUC’s safety rules in Chapter 860, Division 24 of the Oregon Administrative Rules (OAR) per statutory authority provided under ORS 757.035. Per OAR 860-024-0010, every operator shall construct, operate and maintain electrical supply and communication lines in compliance with the standards prescribed National Electrical Safety Code (NESC). The	<p>The Applicant proposes to incorporate the following condition in the Facility site certificate:</p> <p><i>Condition 103</i></p> <p><i>In advance of, and during, preparation of detailed design drawings and specifications for 230-kV and 34.5-kV transmission lines, the certificate holder shall consult with the Utility Safety and Reliability Section of the Oregon Public Utility Commission to ensure that the designs and specifications are consistent with applicable codes and standards.</i></p>

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			applicant should also note responsibilities covered in OAR 860-024-0000, 860-024-0001, 860-024-0005, 860-024-0007, 860-024-0010, 860-024-0011, 860-024-0012, 860-024-0015 and 860-024-0016.	
3.	Oregon Public Utility Commission, Jerry Murray	Page 16; Line 13	<p>The applicant should provide a schedule to OPUC Safety Reliability Security Staff as to when and how it will provide the following information:</p> <ul style="list-style-type: none"> • Before project design and construction, brief the OPUC Safety Reliability Security Staff as to how it will comply with OAR Chapter 860, Division 24, during design, construction, operation and maintenance and on an ongoing basis. • When the project is put into service, brief the OPUC Safety Reliability Security Staff as to how operator of the project it will comply with OAR Chapter 860, Division 24, on an ongoing basis considering future operations, maintenance, emergency response, and alterations until project retirement. • Name of the qualified person, including contact information, who will be responsible for the operation, maintenance and safety of the 	See response to Item 2.

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			<p>electrical supply system.</p> <ul style="list-style-type: none"> • Name of the person and organization, including contact information, responsible for receiving emergency notifications and responding to imminent conditions per OAR 860-024-0012(1). • Map of the final routes and installation of electrical supply lines showing transmission lines and structures (over 50 kV), distribution lines and structures (differentiating underground and overhead lines), substations, roads and highways. • Plan and profile drawings of the transmission lines. 	
4.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 16; Line 35	The application should include a map that shows the different vegetation classifications for the project area.	ASC Exhibit P, Figure P5 provides habitat types and Figure P6 provides habitat categories for micro-siting areas within the Facility site boundary.
5.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 16; Line 37	The applicant should conduct Washington ground squirrel surveys in suitable habitat within 1,000 feet of all ground disturbing activities.	Special-status species surveys for areas within the Facility site boundary occurred March 31 through April 12, 2010 and May 20 through June 1, 2010. Following specific ODFW protocols, Washington ground squirrel (WGS) surveys occurred March 31 through April 12, 2010. See Exhibit P for more information.
6.	Oregon Department of Fish and Wildlife, Steve	Page 17; Line 1	The applicant should conduct raptor nest surveys within a 2 mile radius of the project area. ODFW recommends that no	An aerial survey of the entire Facility site boundary, plus a 2-mile buffer from turbine locations, was conducted May 6-9, 2010 encompassing a total of 86,846 acres. Survey findings are

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	Cherry		construction occur within a quarter mile of active raptor nests during the nesting season.	presented in Exhibit P. During construction, sensitive raptor nests will be flagged as avoidance areas. Construction work in these areas will be minimized to the extent possible.
7.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 17; Line 4	The applicant should conduct surveys for any Sensitive species (burrowing owls, loggerhead shrikes, long-billed curlews, white-tailed jack rabbits, grasshopper sparrows and sage sparrows) within the project area and provide a map showing the locations of the different species in respect to the proposed activities.	The Applicant conducted special-status species surveys for areas within the Facility site boundary March 31 through April 12, 2010 and May 20 through June 1, 2010. Suitable habitat for target species was is shown in Exhibit P, Figure P2. A comprehensive list of all wildlife species recorded during NWC surveys is included in Appendix F of Attachment P1 in Exhibit P.
8.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 17; Line 8	The applicant should conduct bat surveys along the Rock Creek drainage to determine if bat abundance and diversity appears different from surveys completed on other regional wind sites that lacked riparian areas similar to Rock Creek.	At the request of ODFW, NWC conducted bat surveys to collect information on species presence and examine spatial (landscape) and temporal (seasonal) bat species composition at various habitat areas along the breaks of Rock Creek. More information on methods and results is provided in Exhibit P, Sections P.1.2.2 and P.5.2.4, respectively.
9.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 17; Line 12	The application should include a detailed monitoring plan for the project. ODFW recommends that the certificate holder monitor all known raptor nest sites in the project area for the life of the project. ODFW requests permission to conduct wildlife surveys on the project area that might help ODFW better understand the long-term effects of the wind farm on the native wildlife.	A Wildlife Monitoring and Mitigation Plan (WMMP) will be prepared as part of the EFSC process. As discussed in Exhibit P, ODFW will be consulted during development of the WMMP. The Applicant will engage with ODFW throughout the EFSC review process to develop appropriate mitigation measures for impacts to sensitive species and habitats.

Table BB1: Project Order VII: Public and Reviewing Agency Concerns

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10.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 17; Line 17	The application should include a mitigation package that addresses the loss of habitat as a result of the construction of the proposed facility. ODFW recommends that the certificate holder acquire a “conservation easement” to protect and enhance habitat that is similar to the habitat that is altered or degraded by the proposed project. The “conservation easement” should include provisions for monitoring as well as management activities including habitat improvement as well as potential wildlife surveys or research activities.	Habitat impacts that cannot be avoided or minimized will be addressed through mitigation measures in compliance with ODFW habitat mitigation rules (OAR 635-415-0025). An HMP will be developed in consultation with ODFW and implemented to compensate for permanent unavoidable impacts.
11.	Oregon Department of Fish and Wildlife, Steve Cherry	Page 17; Line 24	The application should include a revegetation plan. The plan should outline how the areas that are temporarily disturbed will be rehabilitated and returned to their pre-construction functionality.	The Applicant will develop a Revegetation Plan in consultation with ODFW. The Revegetation Plan will outline restoration for temporarily disturbed habitats. Mitigation will be developed for the impacts that cannot be avoided or minimized and will be in compliance with OAR 635-415-0025.
12.	Morrow County Planning Director, Carla McLane	Page 17; Line 28	Figure G-4 in the NOI misrepresents the size of the Boardman Bombing Range. Close to 100,000 acres of what the applicant has represented as the Boardman Bombing Range is now privately owned.	The boundary of the Boardman Bombing Range has been corrected in the ASC exhibits.
13.	Morrow	Page 17;	An analysis of Goal 5 resources may be	The Cecil Store is located outside the Facility site boundary. No

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	County Planning Director, Carla McLane	Line 31	needed to identify potential impacts to the Cecil Store and the Oregon Trail.	construction or operation impacts are expected in this area. According to data on file with the SHPO, a segment of the ONHT ran through a portion of the Facility site boundary (SHPO, 2008a). Several segments were investigated during survey of the adjacent Montague Wind Power Facility, and intact portions of the ONHT were not identified. Exhibit S includes more information about ONHT.
14.	Morrow County Planning Director, Carla McLane	Page 17; Line 33	The applicant should do on-the-ground surveys to identify impacts to wildlife and habitat areas. Species to be aware of are: Washington Ground Squirrel; the Long-billed Curlew; Bald and Golden Eagles, particularly nesting sites; and furbearers. Other species of concern identified since development of the Comprehensive Plan include: Ferruginous Hawk; Loggerhead Shrike; and Sage Sparrow.	See response to Item 7.
15.	Morrow County Planning Director, Carla McLane	Page 17; Line 38	The Morrow County Transportation System Plan and various components codified with the Morrow County Zoning Ordinance may apply should any activity related to the development, operation or maintenance of the facility impact roads in Morrow County.	The Facility is located entirely in Gilliam County and no major transporter routes identified for the construction or operation of the Facility pass through Morrow County. See Exhibit U for more information. All required land use, road right-of-way, and utility permits will be obtained from counties and cities with jurisdiction prior to construction of the project.
16.	Morrow County Planning Director, Carla McLane	Page 18; Line 1	The proposed facility will impact the Blue Mountain Scenic Byway (Bluway) based on Figure G-3 in the NOI. Morrow County has not adopted any regulations concerned	Exhibits R and L consider the potential impacts to the Blue Mountain Scenic Byway.

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			with the Bluway, but does include reference to the Bluway when appropriate. There is a “Blue Mountain National Scenic Byway Interpretive Guide” published by the Umatilla National Forest in about 1993. This Interpretive Guide is not regulatory and is intended to guide development along and for the Bluway. Morrow County Planning staff can provide a copy of the Interpretive Guide, if necessary.	
17.	Morrow County Planning Director, Carla McLane	Page 18; Line 9	The application should include an analysis of the proposed turbines, their modeled noise impacts and any noise sensitive properties within Morrow County that could be affected.	Potential impacts from the proposed Facility are discussed in Exhibit X. Noise-sensitive receptors within 2.5 miles of the Facility site boundary were included in the noise analysis. None of the noise-sensitive properties within the 2.5-mile buffer are located in Morrow County.
18.	Todd Hesse, Oregon Department of Environmental Quality, Water Quality Section	Page 18; Line 14	When selecting the locations of wind turbines, transmission lines, staging yards, and maintenance roads, the project should take into consideration the proximity to surface waters, among other factors, and locate the infrastructure and staging areas away from water bodies and drainages when feasible to minimize the potential for water quality impacts from sediment delivery.	Surveys were conducted to determine the location of water bodies, and the results are reported in Exhibit J. The siting of the structures associated with the Facility will avoid water bodies and drainages where feasible.
19.	Todd Hesse, Oregon	Page 18;	Selection of maintenance road location and	Construction activities will comply with the conditions of the

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	Department of Environmental Quality, Water Quality Section	Line 19	design (including surface stabilization) should focus on eliminating or minimizing the potential for sediment discharge during and after construction of the project.	NPDES 1200-C permit to minimize the effects of ground disturbance and other construction activities on water quality.
20.	Todd Hesse, Oregon Department of Environmental Quality, Water Quality Section	Page 18; Line 22	Exhibit J indicates that the applicant will obtain coverage under the 1200-C permit for construction of the Baseline Wind Facility. DEQ may elect to require coverage under an individual NPDES permit for this project rather than the general 1200-C construction permit due to the size and scope of the proposed project, but does not anticipate doing so based on the currently available information.	Comment noted.
21.	Oregon Parks and Recreation Department, Alex Phillips	Page 18; Line 28	The Notice of Intent failed to list Cottonwood State Park as a protected area within the Project Study Area.	Exhibit R includes an analysis to potential impacts relating to Cottonwood Canyon State Park.
22.	Oregon Parks and Recreation Department, Alex Phillips	Page 18; Line 30	We are concerned with the impacts to the scenery as visible from the parks, and in particular, the viewpoints and views from entrance roads and viewpoints, the audible sounds of the turning blades and the ground vibrations resulting from the active wind turbines. OPRD requests: (1) an assessment of the towers and their	As required by OAR 345-001-0010 (57) Exhibit R includes an analysis of potential impacts on scenic resources within 10 miles of the Facility site boundary and Exhibit L provides a similar analysis regarding potential impacts to protected areas within 20 miles of the Facility site boundary. Exhibit X addresses potential wind turbine noise in accordance with OAR 345-021-0010(1)(x)(A), and includes an analysis of the Facility's compliance with applicable DEQ noise regulations per OAR 345-021-0010(1)(x)(B). The following sections discuss the

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			visibility from the state park; (2) an assessment of the noise generated from the turbine blades, including a comparison of the existing quieter night time background noise with the noise level of the turbines at various wind direction and speeds; and (3) an assessment of the ground vibration levels throughout the park, including the combined vibrations of all the levels at various wind speeds.	requirements and present the findings to support a finding by the EFSC that the Facility complies with applicable DEQ noise control standards in OAR 340-035-0035.
Public Comments Received and Applicant Responses				
23.	David Welch, Oregon-California Trails Association	Page 19; Line 3	We wish to emphasize the potential for impacts to the Oregon National Historic Trail and its setting. We look forward to working with the developer, SHPO and OEFSC to assess impacts and determine appropriate solutions. We would like to meet with First Wind and others at an early date to discuss the project.	Potential impacts to the ONHT are addressed in Exhibit S. The Applicant will consult with the Oregon-California Trails Association.
24.	Greg Currie, Bureau of Land Management, Prineville District	Page 19; Line 7	Of concern to the BLM is the potential for effects to scenic quality particularly from key viewpoints such as the John Day River and the Oregon Trail Interpretive Site. The BLM maintains an inventory of scenic values on BLM-administered lands. This includes identification of Key Observation	Comment noted. Visual impacts from the Facility, including potential impacts to BLM lands are discussed in Exhibit R.

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			Points, Existing Scenic Quality, and management standards for design and development of future projects. The BLM uses a defined process (Contrast Rating, BLM Manual 8431) for analyzing visual resource effects during environmental review. This information may be useful in the design and assessment of the proposed project.	
25.	Don and Diana Roberts	Page 19; Line 17	It appears that the proposed overhead transmission line will come within 30-50 feet of our home. The wind turbines lie from within 2 miles to ¼ mile of our property. The close proximity of the power lines and wind turbines will seriously impact the use and enjoyment of our home.	Comment noted. The proposed alignments are located within or adjacent to County or State (as applicable) right-of-way along sections of existing roads, including Berthold Road (east side), Bottemiller Road (north side), Oregon Highway 19 (east side), Baseline Road (east side), and Ridge Road (west side).
26.	Don and Diana Roberts	Page 19; Line 21	We request that the applicant select a different route for the overhead transmission lines, a route that will not fall adjacent to our property.	Comment noted. See response to Item 25.
27.	Don and Diana Roberts	Page 19; Line 23	We feel strongly that government approval decisions about high impact land use should be guided by a policy that's intended to prevent significant negative impacts on property values, while also upholding the peaceful use and enjoyment	Comment noted. The ASC has been prepared to respond to the requirements and the applicable sections of ORS, Chapter 469, Energy Conservation; and OAR, Chapter 345. See also response to Item 11.

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			of an existing property by its residents.	
28.	Don and Diana Roberts	Page 19; Line 27	We, and the previous owners, successfully created an “island habitat” for birds and butterflies in the middle of Shutler Flat, an area which consists of an almost unbroken expanse of 2000 acres of wheat fields. We are concerned for the birds that have become accustomed to using our yard as an annual nesting and drop-in area. Both turbines and transmission lines have been shown to increase bird mortality. We request that the applicant create a “buffer zone” around this property, to assure the safety of the breeding, resident and migrating birds.	Comment noted. Exhibits P and Q provide detailed information about the potential impacts to habitats and protected species. See also responses to Items 11 and 27.
29.	Catherine Lee	Page 19; Line 35	We do not need any more wind turbines in this county, including the Baseline Wind Energy Facility. It seems the power grid administrators (Bonneville Power Administration) cannot even support all the power these wind turbines are generating. And when the wind is blowing too hard and the water is running too fast and high near the dams, these huge wind turbines have to be turned off. At times like that, which has already occurred this year, it seems especially unfair that our part of	Comment noted.

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			the state has to endure all these unsightly towers that aren't even being fully utilized due to the limitations of the power grid system.	
30.	Catherine Lee	Page 20; Line 3	There has not been enough research done on the impact these wind towers have on the wildlife of the area (birds and bats) or the environmental concerns of Wind Turbine Syndrome (effects on the inner ear due to low-frequency noise and vibrations of the wind turbines within a two mile radius).	Comment noted. The ASC has been prepared to respond to the requirements and applicable sections of ORS, Chapter 469, Energy Conservation; and OAR, Chapter 345.

BB.2 Discussion of Aviation Safety

The Oregon Department of Aviation conducted an aeronautical review of the Facility and determined in June 2010 that the turbines do not constitute a hazard to air navigation (Attachment BB1). Although the turbines exceed required FAA notice criteria, the Oregon Department of Aviation concluded that the turbines do not create a negative impact or hazard to the nearest airport, Arlington 1 S8. The marking and lighting summary as presented in the original submission are acceptable to the Oregon Department of Aviation provided that they are installed and maintained in accordance with FAA Advisory Circular AC70/7460-1 K.

Additionally, the FAA issued the final "Determinations of No Hazard to Air Navigation" for the Facility in Arlington, OR on November 22, 2010 (Attachment BB2). First Wind revised the marking and lighting on 32 of the 226 wind turbines from the original filings in order to comply with safety regulations.

Baseline Wind LLC will continue to consult with FAA and other federal agencies regulating the use of airspace.

ATTACHMENTS

Attachment BB1: Aeronautical Review of the Facility

Attachment BB2: Determinations of No Hazard to Air Navigation