

OREGON DEPARTMENT OF ENERGY

Regarding Statutes, Administrative Rules and)
Other Requirements Applicable to the Proposed)
Rock Creek Wind Power Facility)
_____)

PROJECT ORDER

1 On August 23, 2010, Rock Creek Wind Power LLC (the applicant) submitted a Notice of
2 Intent (NOI) to apply for a site certificate for the proposed Rock Creek Wind Power Facility
3 (RCWPF). The proposed facility is a wind energy facility consisting of wind turbines and related
4 facility components with a peak generating capacity of up to 550 megawatts.

5 On September 13, 2010, the Department sent a public notice of the NOI to persons on the
6 general mailing list of the Oregon Energy Facility Siting Council (Council), to persons on the
7 special list set up for the project and to property owners identified in the NOI, as required under
8 OAR 345-015-0110.

9 On September 14, 2010, the applicant sent copies of the NOI to a list of reviewing
10 agencies provided by the Oregon Department of Energy (Department) together with a
11 memorandum from the Department as described in OAR 345-015-0120.

12 On September 28, 2010, the Department published notice of the NOI in the *East*
13 *Oregonian*. On September 30, the Department published notice of the NOI in the *Condon Times-*
14 *Journal*.

15 On October 6, 2010, in Condon, Oregon, the Department held a public information
16 meeting about the proposed RCWPF and the site certificate process. The Department accepted
17 public comment on the NOI through October 15, 2010.

18 Under ORS 469.330, the Department must issue a project order following review of a
19 notice of intent and any public comments received in response to the notice of intent. Under
20 OAR 345-015-0160, the Department must send a project order to the applicant following the
21 review and any public information meeting. OAR 345-015-0160(1) requires, in relevant sections,
22 that the Department issue a project order that establishes the following:

- 23 (a) All state statutes and administrative rules containing standards or criteria that must be
24 met for the Council to issue a site certificate for the proposed facility, including
25 applicable standards of OAR Chapter 345, Divisions 22, 23 and 24.
- 26 (b) All local government ordinances applicable to the Council’s decision on the proposed
27 facility.
- 28 (c) All application requirements in OAR 345-021-0010 applicable to the proposed
29 facility.
- 30 (d) All state and local permits necessary to the construction and operation of the
31 proposed facility and the name of each agency with the authority to issue such
32 permits.
- 33 (e) Any other data and information that must be included in the application for a site
34 certificate to allow the Council to determine whether the proposed facility will

1 comply with applicable statutes, administrative rules and local government
2 ordinances.

3 (f) The analysis areas for the proposed facility.

4 (g) Public concerns that address matters within the jurisdiction of the Council that the
5 applicant shall consider and discuss in the application for a site certificate, based on
6 comments from the public and reviewing agencies.

7 (h) The expiration date of the notice of intent.

8 ORS 469.401(4) provides that a site certificate does not govern certain matters. This
9 project order does not address matters that are outside the Council's jurisdiction. The applicant
10 must nevertheless comply with all statutes, regulations and local ordinances applicable to the
11 proposed facility. These include, but are not limited to, employee health and safety regulations,
12 building code compliance, labor regulations and local government fees or charges.

13 As provided in ORS 469.330(4), the Department or the Council may amend this project
14 order at any time. The definitions in ORS 469.300 and OAR 345-001-0010 apply to the terms
15 used in this project order, except where otherwise stated or where the context indicates
16 otherwise.

17 THEREFORE, the Department orders as follows:

18 **I. STATUTES, ADMINISTRATIVE RULES, RELATED PERMITS OR OTHER** 19 **APPROVALS AND DISCUSSION OF SPECIFIC INFORMATION**

18 This section identifies the Oregon statutes and administrative rules that the applicant must
19 address in the application and identifies related state permits and approvals. This section
20 discusses specific information to be included in the application.

1. Energy Facility Siting Council

21 **Statute and Rule References:** ORS 469.300 to ORS 469.507; OAR Chapter 345,
22 Divisions 1, 21, 22, 24, 26 and 27.

23 **Permit:** An energy facility site certificate is required before construction or operation.

24 **Discussion:** Section V below describes specific application requirements under OAR 345-
25 021-0010.

26 All general standards in OAR Chapter 345, Division 22, apply to the proposed facility.
27 For a wind energy facility, the Council need not make findings on the standards described
28 in OAR 345-022-0020 (Structural), OAR 345-022-0090 (Historic, Cultural and
29 Archaeological Resources), OAR 345-022-0110 (Public Services) and OAR 345-022-
30 0120 (Waste Minimization). Nevertheless, the applicant should address these standards in
31 the application because the Council may apply the requirements of the standards to
32 impose conditions in the site certificate.

33 If the Council issues a site certificate for the proposed facility, the certificate holder must
34 implement a compliance plan, as described in OAR 345-026-0048. The site certificate will
35 contain the mandatory conditions, applicable site-specific conditions and monitoring
36 conditions described in OAR 345-027-0020, -0023 and -0028.

2. Oregon Department of Agriculture – Plant Conservation

1 **Statute and Rule References:** ORS Chapter 564; OAR Chapter 603, Division 73.

2 **Permit:** None required.

3 **Discussion:** The Oregon Department of Agriculture (ODA) provides technical review and
4 recommendations regarding compliance with the Council’s threatened and endangered
5 species standard (OAR 345-022-0070) as it relates to plant species.

6 The State list of threatened and endangered plant species is contained in OAR 603-073-
7 0070. In addition, OAR 603-073-0080 gives ODA the authority to designate candidate
8 plants. If the applicant finds any State-listed threatened or endangered plant species that
9 could be adversely affected by the proposed facility, then the applicant must address the
10 information requirements of OAR 603-073-0090(5)(d)(A)-(E) in the application.

11 The applicant should include in its application a list of both State-listed and federally-
12 listed threatened, endangered and candidate plant species that have potential to occur in
13 the analysis area. The applicant should identify these species based on a review of
14 literature, consultation with knowledgeable individuals and reference to the list of species
15 published by the Oregon Biodiversity Information Center (previously known as the
16 Oregon Natural Heritage Information Center).¹

17 The applicant should a conduct a field survey for the listed plant species performed by
18 qualified survey personnel during the season or seasons appropriate to the detection of
19 threatened, endangered and candidate plant species. The application should include a field
20 survey report containing written descriptions of the survey methods and areas surveyed
21 and an analysis of the results of the survey. The applicant should consult with the ODA
22 Native Plant Conservation Program regarding field survey methods, appropriate survey
23 seasons and qualifications of field survey personnel.

3. Department of Environmental Quality – Water Quality

24 **Statute and Rule References:** ORS Chapters 468 and 468B; OAR Chapter 340,
25 Divisions 41, 45 and 71.

26 **Permits:** National Pollutant Discharge Elimination System (NPDES), Water Pollution
27 Control Facilities (WPCF) permits and on-site sewage disposal construction-installation
28 permits.

29 **Discussion:** Under OAR 345-021-0000(7), the Department may not find a site certificate
30 application complete unless the applicant has submitted to the Department a copy of each
31 federally-delegated permit application. The applicant must provide a letter or other
32 indication from the Oregon Department of Environmental Quality (DEQ) stating that the
33 agency has received a permit application from the applicant, identifying any additional

¹ OAR 345-022-0070 applies only to state-listed plant and animal species. Nevertheless, OAR 345-021-0010(1)(q) requires applicants to consider plant and animal species listed as endangered or threatened under either State or federal law. This requirement applies because the Council, in making its decision, must be mindful of possible adverse impacts to federally listed species. Note also that OAR 345-022-0070 applies to all lands affected by a proposed facility including state, federal and private lands.

1 information the agency needs from the applicant and estimating the date when the agency
2 will complete its review and issue a permit decision.

3 Storm Water

4 The U.S. Environmental Protection Agency has delegated authority to DEQ to issue
5 NPDES Storm Water Discharge permits. The Council does not have jurisdiction over the
6 federally-delegated NPDES permits, but the Council may rely on the determinations of
7 compliance and the conditions in the federally-delegated permits in making its
8 determination about whether other standards and requirements under the Council's
9 jurisdiction are met.

10 Septic System

11 The NOI anticipates that the proposed facility will include one Operations & Maintenance
12 (O&M) building on the site and that wastewater from water uses at the O&M building
13 would be discharged to a septic system. DEQ may require a WPCF permit or an on-site
14 sewage disposal construction permit for a septic system. In the site certificate application,
15 the applicant should provide information demonstrating that the proposed septic system is
16 exempt from the WPCF permit requirement or, if not exempt, that the system would meet
17 the requirements for a permit. The substantive requirements for WPCF permits and on-site
18 sewage construction permits are set forth in OAR Chapter 340, Division 71. The specific
19 regulations for WPCF permits are set forth in OAR Chapter 340, Division 45,
20 "Regulations Pertaining to NPDES and WPCF Permits."

4. Department of Environmental Quality – Hazardous Materials

21 **Statute and Rule References:** ORS Chapters 465 and 466; OAR Chapter 340, Divisions
22 100 through 122.

23 **Permit:** None required.

24 **Discussion:** The applicant must include in the application a list of all hazardous materials
25 that potentially would be stored or used at the facility site during construction or
26 operation, which may include lubricating oils, antifreeze, fuels, solvents, cleaners and
27 pesticides. The application should estimate the amount (gallons) of each type of hazardous
28 material that would be on-site at any one time during construction and operation of the
29 facility. The application should describe methods for storage of the materials, including
30 new materials as well as used materials being held for disposal or recycling. The applicant
31 must comply with DEQ regulations concerning the use, clean up and disposal of
32 hazardous materials.

5. Department of Environmental Quality – Noise Control Regulations

33 **Statute and Rule References:** ORS 467.020 and ORS 467.030; OAR 340-035-0035

34 **Permit:** None required.

35 **Discussion:** The proposed facility must comply with the noise control regulations
36 applicable to wind energy facilities. The requirement is incorporated in the general
37 standard of review, OAR 345-022-0000. The applicant must include a noise analysis in
38 the application. The analysis must contain information to support a finding by the Council

1 that the proposed facility could comply with the requirements of OAR 340-035-0035. The
2 analysis must:

- 3 • Identify the locations of all noise sensitive properties that might receive noise
4 levels potentially exceeding applicable limits from RCWPF turbines.
- 5 • Identify all potential noise sources from facility components (for example, wind
6 turbines and substation transformers).
- 7 • Identify all turbine locations used in performing the analysis.
- 8 • Provide manufacturer's declared sound power levels and uncertainty ranges,
9 including octave band data, for representative specific turbine types that might be
10 used at the RCWPF. Include the manufacturer's Declared Sound Power
11 Level and the "K" factor determined in accordance with IEC 61400-14. The
12 analysis must include at least one turbine type representing the maximum sound
13 power level and octave band data that would not be exceeded by any turbine type
14 used at the RCWPF.
- 15 • Provide manufacturer's sound power levels of substation transformers.
- 16 • Identify all input parameters used in performing noise modeling.
- 17 • Provide noise modeling output data, including the contribution of each turbine
18 and transformer to the predicted sound levels at each noise sensitive receiver.

6. Oregon Department of Fish and Wildlife

19 **Statute and Rule References:** ORS Chapters 496, 498, 506 and 509; OAR Chapter 635,
20 Divisions 100 and 415.

21 **Permit:** None required.

22 **Discussion:** The Oregon Department of Fish and Wildlife (ODFW) provides technical
23 review and recommendations on compliance with Council standards. ODFW will base its
24 review and recommendations on state wildlife policy (ORS 496.012) and threatened and
25 endangered species policy (ORS 496.171 - .192) as well as statutes regarding screening
26 and bypass devices for water diversions or obstructions (ORS 498.301 - .346), protection
27 and propagation of fish (ORS 506.036), food fish management (ORS 506.109), placing
28 explosives in water (ORS 509.140), and fish passage statutes and requirements (ORS
29 509.580 - .910). ODFW's review will include State Sensitive Species and State
30 Threatened and Endangered Species rules (OAR Chapter 635, Division 100) and habitat
31 mitigation goals and standards (OAR Chapter 635, Division 415).

32 OAR Chapter 635, Division 100, provides authority for adoption of the state sensitive
33 species list and the Wildlife Diversity Plan and contains the State list of threatened and
34 endangered wildlife species. The applicant should include in its application lists of both
35 State-listed and federally-listed threatened and endangered wildlife species and State
36 Sensitive Species that have potential to occur in the analysis area. The applicant should
37 identify these species based on a review of literature, consultation with knowledgeable
38 individuals and reference to the list of species published by the Oregon Biodiversity
39 Information Center.

1 The applicant should conduct field surveys for listed wildlife species performed by
2 qualified survey personnel during the season or seasons appropriate to the detection of
3 these species. The applicant should consult with ODFW regarding field survey methods,
4 appropriate survey seasons, duration of surveys and qualifications of field survey
5 personnel. The application should include a report on all field surveys conducted,
6 describing the field surveys, survey methods and areas surveyed. The report should
7 include an analysis of the findings of the field surveys.

8 OAR Chapter 635, Division 415, describes six habitat categories and establishes a
9 mitigation goal for each category. In the application, the applicant must identify the
10 appropriate habitat category for all areas affected by the proposed facility (temporary and
11 permanent impacts) and explain the basis for each category designation. The applicant
12 must show how the facility would comply with the habitat mitigation goals and standards
13 by appropriate monitoring and mitigation.

7. Department of Geology and Mineral Industries

14 **Statute and Rule References:** OAR 345-022-0020.

15 **Permit:** None required.

16 **Discussion:** The Department of Geology and Mineral Industries (DOGAMI) provides
17 technical review and recommendations on compliance with the Council’s structural
18 standard, OAR 345-022-0020. In the application, the applicant must include the
19 information required by OAR 345-021-0010(1)(h) and OAR 345-021-0010(1)(i).

20 The Department understands that wind developers typically do not perform the detailed
21 geotechnical exploration described in engineering geological reports and site-specific
22 seismic hazard reports until they have identified exact turbine sites. If the applicant plans
23 to defer some of the site-specific geotechnical work pending completion of facility design,
24 then the application must include evidence of personal consultation with DOGAMI staff
25 regarding the appropriate level of site-specific geotechnical investigation that the
26 application should address.

8. Oregon Parks and Recreation Department

27 **Statute and Rule References:** ORS 97.745, 358.920, 390.010 and 390.235; OAR
28 Chapter 736, Division 51.

29 **Permit:** An archaeological permit may be required to conduct archaeological
30 investigations of the site.

31 **Discussion:** The Oregon Parks and Recreation Department provides technical review and
32 recommendations on compliance with Council standards. State parks and waysides are
33 “protected areas” under OAR 345-022-0040.

34 The State Historic Preservation Office (SHPO) within the Oregon Parks and Recreation
35 Department provides technical review and recommendations in reference to the Council’s
36 Historic, Cultural and Archaeological Resources Standard (OAR 345-022-0090). The
37 applicant should conduct a survey of the proposed facility site for historic, cultural and
38 archaeological resources (collectively referred to as a “cultural resource survey”). The
39 survey should be conducted by qualified archaeologists approved by SHPO. The

1 application should include a cultural survey report detailing the findings. The applicant
2 should work as early as possible with SHPO to ensure that the application includes
3 required information in SHPO's preferred formats. SHPO requests up to 30 days to review
4 and comment on cultural resource survey reports.

5 **Note:** Information concerning the location of archaeological sites or objects may be
6 exempt from public disclosure under ORS 192.501(11). Please do not include specific
7 location information in the text of site certificate application. Such sensitive information,
8 including archaeological survey reports, should be provided separately after consultation
9 with the Department.

9. Oregon Department of State Lands

10 **Statute and Rule References:** ORS 196.795 through 196.990; OAR Chapter 141,
11 Division 85.

12 **Permit:** Removal/Fill Authorization.

13 **Discussion:** The applicant should include information in the application to demonstrate
14 whether a removal-fill authorization is needed. The application should include a
15 delineation of potentially jurisdictional wetlands and waters in all areas to be affected by
16 the proposed facility. If a removal-fill authorization is needed, the application must
17 include the information described in OAR 141-085-0550.

18 **Note:** If the delineation report required by the Department of State Lands or the U.S.
19 Army Corps of Engineers contains information concerning the location of archaeological
20 sites or objects, such sensitive information should be extracted from the delineation report
21 and provided to the Department of Energy separately after consultation with the
22 Department.

10. Water Resources Department – Water Rights Division

23 **Statute and Rule References:** ORS Chapters 537 and 540; OAR Chapter 690, Divisions
24 200 through 240, 310, 340 and 380.

25 **Permit:** Water right or limited license.

26 **Discussion:** The applicant should include information in the application to support
27 findings on whether a water right is needed. The application must identify sources of
28 water that could be used during construction and operation, the water rights under which
29 the water would be provided, the quantity of water needed and the means of disposal of all
30 water discharges from the facility.

31 If the applicant will need to obtain a new water right or water right transfer, the
32 application must include information demonstrating that the requirements for issuing the
33 right or transfer are met. These requirements are found in ORS Chapter 537 (for a
34 groundwater or surface water permit) and ORS Chapter 540 (for transfer of a water use).
35 The application should include a discussion and evaluation of all relevant factors,
36 including those factors listed in ORS 537.153(2) and (3), ORS 537.170(8) and OAR
37 Chapter 690, Divisions 310 and 380. If a permit or transfer is needed, the Council will
38 make the issuing decision in consultation with the Water Resources Department.

1 The NOI indicates that the applicant proposes to construct a water well near the O&M
2 building. Water use would be no more than 5,000 gallons of water per day during facility
3 operation. The application should include information demonstrating that water use from
4 the wells would be exempt from water right permitting under ORS 537.545. SB 788
5 (2009) amended ORS 537.545 to require the owner of land on which an exempt well is
6 drilled to provide a map to WRD showing the exact location of the well and to file the
7 exempt water use with WRD for recording with submittal of a fee.

11. Oregon Public Utility Commission

8 **Statute and Rule References:** ORS 757.035; OAR Chapter 860, Division 24.

9 **Permit:** None required.

10 **Discussion:** The Oregon Public Utility Commission reviews transmission line safety and
11 may recommend site certificate conditions.

12. Oregon Department of Aviation

12 **Statute and Rule References:** ORS Chapters 836; OAR Chapter 738, Division 70.

13 **Permit:** None required.

14 **Discussion:** Both the Federal Aviation Administration (FAA) and the Oregon Department
15 of Aviation are responsible for determining whether any wind turbine tower presents a
16 hazard to aviation in Oregon. ORS 836.530 authorizes the Oregon Department of Aviation
17 to adopt rules to “define physical hazards to air navigation and determine whether specific
18 types or classes of objects or structures constitute hazards.” The agency has adopted rules
19 in OAR Chapter 738, Division 70, regarding physical hazards to air safety.

20 The applicant should discuss aviation safety in Exhibit BB of the site certificate
21 application. The FAA has recently issued Notices of Presumed Hazard regarding proposed
22 wind turbine locations in Gilliam and Morrow counties. The basis of these notices was
23 presumed interference with an Air Force military radar installation near Fossil, Oregon.
24 Although the hazard notices were later withdrawn, the applicant should consult with the
25 FAA and the Air Force to determine whether the proposed RCWPF wind turbines would
26 be considered a hazard to air navigation or radar operation.

II. TRIBES

27 **Permit:** None required.

28 **Discussion:** The application should include evidence of consultation with affected tribes,
29 including the Confederated Tribes of Umatilla Indian Reservation and the Confederated
30 Tribes of Warm Springs, regarding archaeological and cultural sites and materials within
31 the site boundary. The affected tribes provide technical review and recommendations in
32 reference to the Council’s Historic, Cultural and Archaeological Resources Standard
33 (OAR 345-022-0090).

III. APPLICABLE LOCAL GOVERNMENT ORDINANCES

34 **Local Governments:** Gilliam County.

1 **Statute and Rule References:** Applicable substantive criteria from the Gilliam County
2 codes and comprehensive plans.

3 **Permit:** Conditional Use Permit.

4 **Discussion:** In the application, the applicant may elect to request a Council determination
5 regarding land use in accordance with ORS 469.504(1)(b) or to seek land use approval
6 from the applicable local governments. In the NOI, the applicant has indicated the
7 intention to seek a Council determination regarding land use.

8 The Council must consider the applicable substantive criteria from Gilliam County. On
9 September 10, 2010, the Council appointed the Gilliam County Board of Commissioners
10 as the Special Advisory Group, as required under ORS 469.480. The applicable
11 substantive criteria, as defined by ORS 469.504(1)(b)(A), are those criteria identified by
12 the Special Advisory Group that are required by the statewide planning goals and in effect
13 on the date the Preliminary Application is submitted (see OAR 345-021-0000(10)). The
14 applicant should contact Susie Anderson, Gilliam County Planning Director, regarding the
15 applicable substantive criteria for wind energy facilities in Gilliam County.

16 In addition, the application must identify any Land Conservation and Development
17 Commission administrative rules and goals and any land use statutes that are not
18 implemented in the county's comprehensive plan and that are therefore directly applicable
19 to the facility under ORS 197.646. The applicant should demonstrate how the proposed
20 facility would comply with OAR 660-033-0130(37), if applicable.

21 In the application, the applicant should discuss each land use ordinance and
22 comprehensive plan policy that contains substantive criteria and should demonstrate how
23 the proposed facility complies with those criteria. If the proposed facility does not comply
24 with one or more of the criteria, the applicant must demonstrate how the proposed facility
25 complies with the applicable statewide planning goal. If the proposed facility does not
26 comply with an applicable statewide planning goal, the applicant must demonstrate that an
27 exception is justified under ORS 469.504(2).

28 The applicant should contact the Gilliam County Planning Director to discuss the
29 requirements for a Conditional Use Permit (CUP), Zoning Permit, County Road Use
30 Agreement and any other local land use permits or authorizations that may be required for
31 the proposed RCWPF and to discuss the procedure required to obtain the CUP and other
32 permits if the Council issues a final order granting a site certificate. As provided in ORS
33 469.401(3), if the Council issues a site certificate, the County will be bound to issue local
34 land use permits, subject only to the conditions set forth in the site certificate. Therefore,
35 the applicant should request that the Planning Director identify the conditions that the
36 County would include in the CUP. The Planning Director may identify the conditions by
37 providing a draft CUP.

IV. OTHER CONSTRUCTION-RELATED REGULATIONS

38 If the Council issues a site certificate, the certificate holder must comply with
39 construction-related regulations that apply to the proposed facility. As provided under ORS
40 469.401(4), the site certificate does not address these regulations.

V. APPLICABLE REQUIREMENTS FROM OAR CHAPTER 345, DIVISION 21

1 The application should include the information described in OAR 345-021-0010(1),
2 including but not limited to the information discussed below. In addition, the applicant must
3 submit the information required by OAR 345-021-0000, particularly the information in sections
4 (6) and (7) regarding the status of non-federally-delegated and federally delegated permits. The
5 applicant should provide sufficient information under OAR 345-021-0010(1) to demonstrate that
6 the proposed facility would comply with the Council standards described in OAR Chapter 345,
7 Divisions 22 and 24.

8 (a) Exhibit A – General Information about the Applicant

9 Paragraphs (A) through (D) apply. Note that paragraph (B) calls for a list of
10 “participating persons, other than individuals.” “Person” is defined in OAR 345-001-
11 0010(45). If the applicant is a limited liability company (LLC), the applicant must
12 provide information about the LLC similar to the information listed in the rule for
13 corporations (OAR 345-021-0010(1)(a)(C)). The applicant must include in the
14 application information about all third-party entities (persons other than individuals) that
15 are important to the project.

16 (b) Exhibit B – General Information about the Proposed Facility

17 All paragraphs apply except (A)(vi), (A)(vii), (A)(viii) and (D).

18 The applicant must provide specifications on all turbine types that might be used at the
19 facility. If not all specific turbine types are known, the applicant must provide
20 information on specific turbine types representing the range of turbine types that might be
21 used and the maximum specifications that would not be exceeded. Specifications include:
22 peak generating capacity, maximum turbine hub height in meters, maximum rotor
23 diameter in meters, maximum sound power level (and octave band data) for all
24 equipment associated with the turbine, maximum overall weight of metals in the tower
25 and nacelle per turbine in net (U.S.) tons, maximum estimated cubic yards of concrete per
26 turbine in the tower foundation and transformer pad to a depth of three feet below grade
27 (that is, the concrete in the foundation above that depth including any portion above
28 grade) and the maximum diameter of the foundation. The applicant must state the
29 maximum number of turbines that would be built and the maximum combined peak
30 generating capacity of the facility as a whole.

31 The application must include a physical description of all components of the facility and
32 their proposed locations including, but not limited to, turbines, met towers, new access
33 roads, modifications of existing roads, transmission lines (including collector lines),
34 substations, interconnection facilities and O&M buildings.

35 (c) Exhibit C – Location

36 All paragraphs apply.

37 Maps included in Exhibit C should provide enough information for property owners
38 potentially affected by the facility to determine whether their property is within or near
39 the site. Names of public roads and other landmarks should be shown on the maps. At
40 least one map should identify the locations of other permitted or operating wind energy
41 facilities within 10 miles of the proposed RCWPF site.

1 The application should identify lands enrolled in the Conservation Reserve Program and
2 lands currently used for commercial agriculture. If OAR 660-033-0130(37) is applicable,
3 the application should include maps showing the location of “high-value farmland soils”
4 within the site boundary.

5 Maps should show the location of the site boundary as defined in OAR 345-001-
6 0010(53). The proposed turbine string layout should be indicated. The application should
7 include alternative layouts if the use of different turbine sizes would result in different
8 turbine string alignments.

9 Although a legal description of the site is not required under paragraph (B), the
10 application must include a written description of the micrositing corridors in addition to a
11 map. A legal description of the site will be needed if a site certificate is issued. See OAR
12 345-027-0020(2). The applicant is advised to anticipate the need for a legal description
13 when deciding where to draw the boundary lines of the micrositing corridors for the
14 purposes of the application (for example, straight boundary lines are easier to describe
15 than curved or intricate boundaries).

16 (d) Exhibit D – Organizational Expertise

17 All paragraphs apply.

18 (e) Exhibit E – Permits

19 All paragraphs apply.

20 (f) Exhibit F – Property Owners

21 The entire site is within a farm zone in Gilliam County. Accordingly, the distance in
22 paragraph (C) applies (500 feet from the site boundary).

23 (g) Exhibit G – Materials Analysis

24 All paragraphs apply.

25 (h) Exhibit H – Geology

26 All paragraphs apply.

27 (i) Exhibit I – Soils

28 All paragraphs apply. The application should include information describing the impact
29 of construction and operation of the proposed facility on soil productivity in farm zones.
30 Describe all measures proposed to maintain soil productivity during construction and
31 operation and measures to mitigate erosion and compaction. The applicant should consult
32 with local farmers, landowners and soil conservation districts regarding mitigation of
33 impacts to farmland. The application should include a description of accepted farm
34 practices on surrounding lands devoted to farm use.

35 (j) Exhibit J – Jurisdictional Waters

36 All paragraphs apply. The applicant should include information in the application to
37 demonstrate whether a removal-fill authorization is needed. The application should
38 include a delineation of potentially jurisdictional wetlands and waters in all areas to be
39 affected by the proposed facility. The delineation report should be submitted to the

1 Department of State Lands as early as possible for review and possible concurrence. This
2 can be done in advance of submitting the Preliminary Application to the Department.

3 The definition of “waters of this state” is found in OAR 141-085-0510. Removal/fill
4 authorizations are described in OAR 141-085-0540. If a removal-fill authorization is
5 needed, the application must include the information described in OAR 141-085-0550.

6 (k) Exhibit K – Land Use (Statewide Planning Goals)

7 Paragraphs A and C apply. Paragraphs B and D do not apply. The application should
8 include a discussion of whether the proposed facility would be compatible with farm use.
9 The application should demonstrate that the proposed RCWPF would not seriously
10 interfere with accepted farm practices and would not significantly increase the cost of
11 accepted farm practices. See further discussion under Part III above.

12 If OAR 660-033-0130(37) applies, the application should include a table showing the
13 acres of high-value and non-high-value farmland soils occupied by facility components
14 and a discussion of whether there are reasonable alternatives to locating the facility on
15 high-value farmland soils.

16 (l) Exhibit L – Protected Areas

17 All paragraphs apply.

18 (m) Exhibit M – Financial Capability

19 All paragraphs apply.

20 (n) Exhibit N – Need for the Facility

21 Exhibit N does not apply.

22 (o) Exhibit O – Water Use

23 All paragraphs apply except (D).

24 (p) Exhibit P – Fish and Wildlife Habitat

25 All paragraphs apply. The applicant should consult with the Oregon Department of Fish
26 and Wildlife regarding the classification of habitat within the site boundary. The
27 applicant should accurately classify all habitat within the micrositing areas. The applicant
28 should identify areas of high-value habitat that would be avoided.

29 The application should include a table showing the quantity of habitat (in acres) that
30 would be affected temporarily during construction and permanently during operation
31 (areas occupied by facility components) broken down by habitat category and habitat
32 subtype. The application should include tables for both the expected or typical facility
33 layout and for a “maximum habitat impacts” layout. The maximum habitat impacts table
34 should be based on a buildable project layout with all components hypothetically located
35 where they would affect the greatest quantity of higher-value habitat within the
36 micrositing area (but avoiding proposed exclusion areas, such as Category 1 habitat).

37 The maps required under paragraph (C), must be of sufficient scale to show details (a
38 scale of 1 inch = 2,000 feet is suggested).

1 The application must include a proposed Wildlife Monitoring and Mitigation Plan, a
2 proposed Revegetation Plan and a proposed Habitat Mitigation Plan.

3 (q) Exhibit Q – Threatened and Endangered Species

4 All paragraphs apply.

5 (r) Exhibit R – Scenic Resources

6 All paragraphs apply. For the purposes of Exhibit R, “local” land use plans include state,
7 county and city land management plans. Copies of the local, tribal and federal plans (or
8 relevant excerpts) that identify scenic resources as significant or important should be
9 included as attachments to the exhibit (or, if the documents are available on-line, the
10 application should include website addresses). Zone of Visual Influence modeling or
11 photo-simulations may be included to help demonstrate compliance with the Scenic
12 Resources standard (OAR 345-022-0080).

13 (s) Exhibit S – Historic, Cultural and Archaeological Resources

14 All paragraphs except (C) apply.

15 Information concerning the location of archaeological sites or objects may be exempt
16 from public disclosure under ORS 192.502(4) or ORS 192.501(11). The applicant should
17 submit such information separately, clearly marked as “confidential,” with a written
18 request that the Department and the Council keep the information confidential to the
19 extent permitted by law.

20 Before undertaking cultural resource surveys of the site, the applicant should consult with
21 the State Historic Preservation Office (SHPO) for guidance on survey protocols and
22 qualifications of the survey team. Cultural surveys should be completed early and
23 submitted to SHPO allowing at least 30 days for review before the application will be
24 determined complete.

25 (t) Exhibit T – Recreation

26 All paragraphs apply.

27 (u) Exhibit U – Public Services

28 All paragraphs apply. Include an analysis of estimated facility-related traffic during
29 construction and operation and the potential impact on traffic safety.

30 The application should include a discussion of the transportation of heavy equipment and
31 large facility components to the site during construction. The applicant should describe
32 the transportation routes from the nearest Interstate Highway to the construction areas
33 and should determine whether any alterations of public roads would be needed along
34 these routes. The applicant should consult with the Oregon Department of Transportation
35 and county public works departments regarding transportation routes and the need for any
36 modifications of the public roadways. The application must describe any alterations of
37 public rights-of-way or adjacent lands that will be necessary during facility construction.

38 (v) Exhibit V – Solid Waste and Wastewater

39 All paragraphs apply.

1 (w) Exhibit W – Facility Retirement

2 All paragraphs apply. The Department recommends estimating site restoration costs
3 based on determining the unit costs for removal of facility components and reclamation
4 of the affected lands. The applicant should review recent Siting Council orders as a guide
5 to the level of detail required in the cost estimate. The Siting Council does not allow any
6 deduction for the salvage or scrap value of wind turbines or turbine towers.

7 (x) Exhibit X – Noise

8 All paragraphs apply. The applicant should engage a qualified expert to conduct a noise
9 modeling analysis demonstrating that the proposed facility could be built in compliance
10 with the applicable noise regulations (see OAR 340-035-0035(1)(b)(B)(iii)(IV) and (VI)).
11 The application should include data from the turbine manufacturers to verify the sound
12 power levels used in the noise modeling. The application should include a map showing
13 the location of potentially affected noise sensitive properties and data demonstrating the
14 contribution of each noise source to the predicted noise levels at those properties. The
15 application should specify any waivers that the applicant would need from affected
16 property owners if the predicted noise levels would exceed the ambient degradation
17 standard. If such waivers have been negotiated, the applicant should submit copies of the
18 waivers (with proof of recording in the real property records of the county). If waivers
19 have not been negotiated, the applicant should inform the affected property owners of the
20 potential noise levels at the affected residences and request the waivers. If a waiver that is
21 necessary to achieve compliance for the desired facility layout cannot be negotiated with
22 the landowner, the applicant will have to re-design the facility layout to achieve
23 compliance without the waiver.

24 (y) Exhibit Y – Carbon Dioxide Emissions

25 Exhibit Y does not apply.

26 (z) Exhibit Z – Cooling Tower Impacts

27 Exhibit Z does not apply.

28 (aa) Exhibit AA – Electric and Magnetic Fields

29 All paragraphs apply to the transmission lines that are components of the facility,
30 including aboveground and underground collector cables.

31 (bb) Exhibit BB – Other Information

32 Include any information requested in this project order that is not addressed in any other
33 exhibit.

34 (cc) Exhibit CC – Other Law

35 Exhibit CC applies.

36 (dd) Exhibit DD – Specific Standards

37 Paragraphs (A) and (C) apply.

VI. ANALYSIS AREAS FOR THE PROPOSED FACILITY

1 The analysis areas are the minimum areas that the applicant must study for potential
 2 impacts from the construction and operation of the proposed facility. The analysis areas
 3 described in this project order do not limit the applicant’s responsibility to assess the potential
 4 impacts of the facility. Analysis areas are the areas in which significant adverse impacts from the
 5 proposed facility, if any, are likely to occur. If significant impacts could occur beyond the
 6 analysis areas described herein, then the applicant must assess those impacts in the application
 7 and show how the facility would comply with the applicable standards with regard to the larger
 8 area where impacts could occur.

9 For all potential impacts, the analysis area includes, at a minimum, all the area within the
 10 site boundary. For potential impacts to particular resources, the analysis area includes additional
 11 area beyond the site boundary as described in the following table. “Site boundary” means “the
 12 perimeter of the site of a proposed energy facility, its related or supporting facilities, all
 13 temporary laydown and staging areas and all corridors and micrositing corridors proposed by the
 14 applicant.” (OAR 345-001-0010(53)). In the application, the applicant must specifically describe
 15 the site boundary and provide a map showing the proposed site boundary and the boundaries of
 16 the analysis areas. The analysis areas are as follows:

<u>Affected Standard or Resource</u>	<u>Exhibit</u>	<u>Analysis Area</u>
Structural Standard	H	The area within the site boundary.
Soils	I	The area within the site boundary.
Wetlands and Waters	J	The area within the site boundary.
Land Use	K	The area within the site boundary and one-half mile from the site boundary.
Protected Areas	L	The area within the site boundary and 20 miles from the site boundary, including areas outside the state.
Fish and Wildlife Habitat	P	The area within the site boundary and one-half mile from the site boundary.
Threatened and Endangered Species	Q	The area within the site boundary and 5 miles from the site boundary.
Scenic Resources	R	The area within the site boundary and 10 miles from the site boundary.
Historic, Cultural and Archaeological Resources	S	The area within the site boundary.
Recreation	T	The area within the site boundary and 5 miles from the site boundary.
Public Services	U	The area within the site boundary and 10 miles from the site boundary.

VII. PUBLIC AND REVIEWING AGENCY CONCERNS

17 The Department received comments on the NOI from the following reviewing agencies
 18 and members of the public. For the purposes of the site certificate application for the proposed
 19 RCWPF, the Department identifies the U.S. Fish and Wildlife Service and the Oregon Historic
 20 Trails Advisory Council as reviewing agencies in addition to the agencies listed in OAR 345-
 21 001-0010(50).

1 The Department has sent copies of all written comments to the applicant. In the
2 application, the applicant should respond to the issues raised in the comments summarized
3 below. The Department notes that recommendations expressed in the comments summarized
4 below reflect the commenter's opinions and do not necessarily represent the Department's own
5 recommendations. If additional comments are received during the review process, the
6 Department may request that the applicant respond to those comments and provide additional
7 information.

8 The Department received the following comments on the NOI from reviewing agencies:

9 Jerry Sauter, Water Resources Department (email, 9/15/10):

- 10 • Unless water is supplied from a municipal entity, a limited license will be required.
11 Existing rights for irrigation or other uses *may not be used* for construction purposes.

12 Lynn McAllister, Department of State Lands (email, 9/20/10):

- 13 • The applicant must conduct a wetland and waters delineation and assessment in
14 accordance with OAR 141-090. The delineation must be submitted to DSL for
15 review. If a permit application is needed for removal-fill activities, it can be
16 submitted jointly to DSL and the U.S. Army Corps of Engineers. The DSL resource
17 coordinator for Gilliam County is Sarah Kelly. DSL recommends that the applicant
18 hire a qualified professional wetland consultant for the site analysis, reporting and
19 assistance with the joint permit application.

20 Carla McLane, Morrow County Planning Director (letter, 9/22/10):

- 21 • Figure G-4 in the NOI does not identify the Cecil Store in Morrow County. An
22 analysis of Goal 5 resources may be needed to identify potential impacts to the Cecil
23 Store and the Oregon Trail, which are both identified in the Morrow County
24 Comprehensive Plan and listed under Historic Sites, Structures and Objectives.
- 25 • The applicant should do on-the-ground surveys to identify impacts to wildlife and
26 habitat areas. Species to be aware of are: Washington Ground Squirrel; the Long-
27 billed Curlew; Bald and Golden Eagles, particularly nesting sites; and furbearers.
28 Other species of concern identified since development of the Comprehensive Plan
29 include: Ferruginous Hawk; Loggerhead Shrike; and Sage Sparrow.
- 30 • The Morrow County Transportation System Plan and various components codified
31 with the Morrow County Zoning Ordinance may apply should any activity related to
32 the development, operation or maintenance of the facility impact roads in Morrow
33 County.
- 34 • The proposed facility may impact the Blue Mountain Scenic Byway (Bluway) based
35 on Figure G-4 in the NOI. Morrow County has not adopted any regulations
36 concerned with the Bluway, but does include reference to the Bluway when
37 appropriate. There is a "Blue Mountain National Scenic Byway Interpretive Guide"
38 published by the Umatilla National Forest in about 1993. This Interpretive Guide is
39 not regulatory and is intended to guide development along and for the Bluway.
40 Morrow County Planning staff can provide a copy of the Interpretive Guide, if
41 necessary.

- 1 • The application should include an analysis of the proposed turbines, their modeled
2 noise impacts and any noise sensitive properties within Morrow County that could be
3 affected.

4 Alex Phillips, Oregon Parks and Recreation Department (letter, 10/1/10):

- 5 • Cottonwood State Park has a primitive and wilderness like setting providing visitors
6 with a unique experience that could be altered by the view of industrial, unnatural
7 structures on the nearby landscape and the noise and vibrations coming through the
8 park when the turbines are operating.
- 9 • The most likely viewpoints in and near the park are:
- 10 ○ Southern viewpoint: Township 1 South, Range 19 East, Section 20. This is
11 also the wildest section of the park, which is bordered by a BLM Wilderness
12 Study Area.
- 13 ○ The potential viewpoint on the "gooseneck" on Starvation Lane, located to
14 the west of the park in Township 1 South, Range 19 East, Section 15. While
15 wind energy facilities are visible to the west from this point, the eastern
16 viewpoint is still largely untouched.
- 17 ○ The views on the approach to Hay Creek. The views from the road for several
18 miles to the mouth of canyon would be to the west, towards the transmission
19 line, located in Township 2 South, Range 20 East, Sections 18, 7 and 8.
- 20 • OPRD requests: (1) an assessment of the towers and their visibility from the state
21 park; (2) an assessment of the noise generated from the turbine blades, including a
22 comparison of the existing quieter night time background noise with the noise level
23 of the turbines at various wind direction and speeds; and (3) an assessment of the
24 ground vibration levels thought the park, including the combined vibrations of all the
25 levels at various wind speeds.

26 Shannon Jewett, Oregon Department of Fish and Wildlife (letter, 10/1/10):

- 27 • The application should include a map that shows the different vegetation
28 classifications for the project area.
- 29 • The applicant should conduct Washington ground squirrel surveys in suitable habitat
30 within 1,000 feet of all ground disturbing activities.
- 31 • The applicant should conduct raptor nest surveys within a 2 mile radius of the project
32 area. ODFW recommends that no construction occur within a quarter mile of active
33 raptor nests during the nesting season.
- 34 • The applicant should conduct surveys for any Sensitive species (burrowing owls,
35 loggerhead shrikes, long-billed curlews, white-tailed jack rabbits, northern sagebrush
36 lizard, grasshopper sparrows and sage sparrows) within the project area and provide
37 a map showing the locations of the different species in respect to the proposed
38 activities.
- 39 • The applicant should conduct bat surveys along the Rock Creek drainage to
40 determine if bat abundance and diversity appears different from in surveys

1 completed on other regional wind sites that lacked riparian areas similar to Rock
2 Creek.

- 3 • The application should include a detailed monitoring plan for the project. ODFW
4 recommends that the certificate holder monitor all known raptor nest sites in the
5 project area for the life of the project. ODFW requests permission to conduct wildlife
6 surveys on the project area that might help ODFW better understand the long-term
7 effects of the wind farm on the native wildlife.
- 8 • The application should include a mitigation package that addresses the loss of habitat
9 as a result of the construction of the proposed facility. ODFW recommends that the
10 certificate holder acquire a “conservation easement” to protect and enhance habitat
11 that is similar to the habitat that is altered or degraded by the proposed project. The
12 “conservation easement” should include provisions for monitoring as well as
13 management activities including habitat improvement as well as potential wildlife
14 surveys or research activities.
- 15 • The application should include a revegetation plan. The plan should outline how the
16 areas that are temporarily disturbed will be rehabilitated and returned to their pre-
17 construction functionality.

18 Jerry Murray, Oregon Public Utility Commission (email, 10/6/10):

- 19 • The applicant in constructing and operating electric transmission, distribution and
20 substation facilities will become an owner and “operator” of electrical supply lines
21 (i.e. power lines). The applicant is subject to the safety authority of the Oregon
22 Public Utility Commission (OPUC) under Oregon Revised Statute (ORS) 757.035
23 for the entire life of the electric power lines. As an electric supply operator, the
24 applicant must comply with OPUC’s safety rules in Chapter 860, Division 024 of the
25 Oregon Administrative Rules (OAR). Per OAR 860-024-0010, every operator shall
26 construct, operate and maintain electrical supply and communication lines in
27 compliance with the standards prescribed National Electrical Safety Code (NESC).
28 The applicant should also note its responsibilities covered in OAR 860-024-0000,
29 860-024-0001, 860-024-0005, 860-024-0007, 860-024-0010, 860-024-0011, 860-
30 024-0012, 860-024-0015, and 860-024-0016.
- 31 • The applicant should provide a schedule to OPUC Safety Reliability Security Staff
32 as to when and how it will provide the following information:
 - 33 ○ Before project design and construction, brief the OPUC Safety Reliability
34 Security Staff as to how it will comply with OAR Chapter 860, Division 24,
35 during design, construction, operation and maintenance and on an ongoing
36 basis.
 - 37 ○ When the project is put into service, brief the OPUC Safety Reliability
38 Security Staff as to how operator of the project it will comply with OAR
39 Chapter 860, Division 24, on an ongoing basis considering future operations,
40 maintenance, emergency response, and alterations until project retirement.
 - 41 ○ Name of the qualified person, including contact information, who will be
42 responsible for the operation, maintenance and safety of the electrical supply

1 system (e.g. power lines) on an ongoing basis. This person will serve as
2 OPUC Safety Reliability Staff's contact who will give permission for
3 applicable Staff inspections, audits, and other liaison.

- 4 ○ Name of the person and organization, including contact information,
5 responsible for receiving emergency notifications and responding to
6 imminent conditions per OAR 860-024-0012(1).
- 7 ○ Maps and Drawings of routes and installation of electrical supply lines
8 showing: transmission lines and structures (over 50,000 Volts); distribution
9 lines and structures - differentiating underground and overhead lines (over
10 600 Volts to 50,000 Volts); substations, roads and highways.
- 11 ○ Plan and profile drawings of the transmission lines.

12 Krista Ratliff, Oregon Department of Environmental Quality, Water Quality Section (email,
13 10/11/10):

- 14 ● Solid Waste and Hazardous Waste comments: The applicant should deal directly
15 with Gilliam County to properly document recycling efforts from their construction
16 activities to assure that proper credit is given to the Gilliam County Wasteshed.
- 17 ● Solid Waste and Hazardous Waste comments: Facility operation should comply with
18 all pertinent State and Federal rules and regulations involving hazardous wastes. To
19 determine which of your solid wastes are hazardous wastes, refer to the ODEQ Fact
20 Sheet at our website or ask for DEQ technical assistance at the nearest ODEQ office.
- 21 ● Water Quality comments: Due to the expansive existing and newly constructed road
22 network that will be utilized, avoiding vehicle track-out will require specific
23 stringent Best Management Practices. Monitoring will be necessary to demonstrate
24 construction activities will not violate Water Quality Standards or sediment loads for
25 Rock Creek and several wetlands within the site boundary.
- 26 ● Water Quality comments: OAR 340-045-0015 and 0033(5) require all owners or
27 operators responsible for these activities to register under the NPDES 1200-C
28 Stormwater Discharge Permit. The new permit terms will include EPA established
29 effluent limitations guidelines and new source performance standards to control the
30 discharge of pollutants from construction sites (20 CFR §450). Please follow link
31 <http://www.deq.state.or.us/wq/stormwater/1200Cpermit.htm> for information on the
32 Proposed Reissuance of the Statewide 1200-C Construction Stormwater Permit.

33 Joe Misek, Oregon Department of Forestry (email, 10/12/10):

- 34 ● ODF does not have any concerns.

35 Susie Anderson, Gilliam County Planning Director (letter, 10/13/10):

- 36 ● Solid Waste Management (NOI p. K-2): It is important to note that no matter who
37 the contractor is, if the waste is generated in Gilliam County, it needs to be reported
38 as solid waste from Gilliam County. This includes scrap metals, paper, glass,
39 cardboard, wood, aluminum and tires. These materials will be reported on and
40 included in our required reporting to Oregon DEQ for our recycling rates.

- 1 • Access Roads (p. B-6): When discussing County Road permits, etc., the Gilliam
2 County Public Works Department should be referred to as the Gilliam County Road
3 Master.
- 4 • Permits Needed (p. E-3) Permits Needed: Under Local Permits, the applicant should
5 include the Conditional Use Permit and the required County Road Use Agreement
6 that is to be in approved by the Gilliam County Roadmaster and in place prior to
7 construction of the facility.
- 8 • A Weed Control Plan for construction and Operation needs to be completed and
9 approved by the Gilliam County Weed Director for both the construction and
10 operation of the facility.
- 11 • Statutes, Rules and Ordinances (p. N-2): The Department of Land Conservation &
12 Development should be added to the list of Agencies and/or Departments.
- 13 • Construction Housing (p. K-2): The applicant should include the need for temporary
14 workforce housing and the ability of the County to permit a temporary campground
15 for workforce housing for the construction of Utility Facilities necessary for public
16 service.
- 17 • We recommend that there be noise and visual studies completed as part of the
18 application process.
- 19 • A Fire Prevention Plan should be in place during construction and operation. The
20 local volunteer fire department Coordinator should be involved in the development
21 of the fire prevention plan and subsequent trainings.

VIII. EXPIRATION

22 OAR 345-020-0060 provides that an NOI expires two years after the date the applicant
23 submits the NOI to the Department. Accordingly, the NOI submitted by Rock Creek Wind
24 Power LLC will expire on August 23, 2012, unless the applicant submits a timely petition to
25 extend the expiration date. If the applicant does not submit a Preliminary Application for a site
26 certificate before the expiration of the NOI or any extension period granted by the Council, the
27 applicant must submit a new NOI to satisfy ORS 469.330.

IX. AMENDMENT AND COMPLETENESS

28 The Council or the Department may amend this project order at any time (ORS
29 469.330(4)). Amendments may include changes to the analysis areas. To issue a site certificate,
30 the Council must determine that the proposed facility complies with the Oregon statutes and
31 administrative rules that this project order identifies as applicable (ORS 469.503(3)).

32 Under OAR 345-015-0190(5), when the Department determines the application contains
33 adequate information for the Council to make findings on all applicable Council standards, the
34 Department may determine that the application is complete, whether or not the application
35 contains all information required under OAR 345-021-0000 and OAR 345-021-0010. After a
36 determination that an application is complete, the Department may require the applicant to
37 submit additional information if the Department identifies a need for that information during its
38 review of the application. OAR 345-015-0190(9).

X. APPLICABILITY

- 1 Failure to include an applicable statute, rule, ordinance, permit or other requirement in
- 2 this project order does not render that statute, rule, ordinance, permit or other requirement
- 3 inapplicable nor in any way relieve applicant from the duty to comply with the same.

OREGON DEPARTMENT OF ENERGY

Thomas M. Stoops, Siting Division Administrator
Oregon Department of Energy

Date of Issuance: November 17, 2010