



## KLICKITAT COUNTY PLANNING DEPARTMENT

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### MEMORANDUM

DATE: September 19, 2019  
TO: All Interested Parties  
FROM: Mo-chi Lindblad, Planning Director  
RE: Lund Hill Solar Energy Project – maximum output of 150MW (AC)

The purpose of this memorandum is to notify you that the Klickitat County Planning Director has approved the Lund Hill Solar Energy Project proposed by Aurora Solar, a wholly owned subsidiary of Avangrid Renewables, Inc. The attached decision provides additional information.

Appeals may be filed to the Klickitat County Hearing Examiner within twenty (20) days of the decision. Appeals shall state with specificity the basis for the appeal and the errors to be asserted. In order for an appeal to be accepted, the completed appeal must be submitted to the Auditor Department and the Planning Department by **October 9, 2019**. Appeals shall not be deemed complete without payment of the appeal fee applicable to Class C projects, payable to the Klickitat County Planning Department.

Thank you for your attention to this matter. If questions arise, please contact this office.

Attachment.

In the Matter of an Application to Permit	)	FILE NO: EOZ2018-01
the Lund Hill Solar Energy Project	)	
pursuant to the "EOZ" Energy Overlay Zone	)	Findings of Fact, Conclusions, and
	)	Decision of the Klickitat County
	)	Planning Department

Aurora Solar, LLC, a wholly-owned subsidiary of Avangrid Renewables, Inc. has applied for a permit pursuant to the Energy Overlay Zone (EOZ) to establish Lund Hill Solar Energy Project. The Klickitat County Planning Director finds as follows:

**I. FINDINGS OF FACT**

1. Application/Project Location: The Applicant is Aurora Solar, LLC, a wholly-owned subsidiary of Avangrid Renewables, Inc., 1125 NW Couch, Suite 700, Portland, OR 97209 (Applicant). The Lund Hill Solar Energy Project is a solar energy generation facility on approximately 4,513 acres in unincorporated Klickitat County. The project area is located approximately 6.5 miles southwest of Bickleton, Washington. The Solar Facility Siting Area would overlap with portions of the Big Horn and Juniper Canyon wind facilities. The entire project area lies within the Klickitat County Energy Overlay Zone (EOZ). These properties are under lease to the Applicant.
  
2. Project Description: The project area consists of approximately 1,871 acres of private and state lands located within a 4,513-acre "solar facility siting area" within the Energy Overlay Zone (EOZ). The proposed project would consist of a solar array along with supporting facilities located within the project area, as follows:
  - Solar modules and racking system.
  - Low-voltage cabling that would connect the solar strings to inverters to convert solar panel output from direct current to alternating current. Additional cabling would connect the inverters to transformers that would step up the voltage to 34.5 kV for the collector cable lines.
  - A 34.5-kV collector cable system linking the solar inverters and transformers to each other and ultimately to the collection substation. The collector cable system would be underground as much as feasible; however, it would be constructed overhead for portions where necessary to avoid sensitive environmental areas such as streams and wetlands, and to minimize ground disturbance when spanning topographical features.
  - A 5-acre collector substation power transformer to step up the voltage from 34.5 kV to 230 kV for transmission.
  - An overhead 230-kV interconnection from the collector substation to the existing Juniper Canyon 230-kV transmission line that delivers power to the BPA Rock Creek Substation.
  - An Operation and Maintenance (O&M) building (up to 5,000 square feet), parking, and laydown areas constructed on a 10-acre site.
  - Permanent, unpaved access roads within the project area that would provide access along the perimeter of the project area, in between solar strings, to the collector substation, and to the O&M building.
  - A project area perimeter fence up to 8 feet tall.
  
3. On-site Uses: The current land use with the proposed project site consists of agriculture, including irrigated cropland, dryland wheat farming, and grazing. There are also small

areas of residential and undeveloped government property in the area. The proposed project will be adjacent to existing operating wind energy projects.

4. Zoning: The project is within the Energy Overlay Zone (EOZ). The surrounding properties are zoned Extensive Agriculture (EA). The EA is intended to encourage the continued practice of farming on lands best suited for agriculture. The EOZ is intended to provide areas suitable for the establishment of energy resource operations based on the availability of energy resources, existing infrastructure, and locations where energy projects can be sensitively sited and mitigated; and to provide siting criteria for the utilization of wind and solar resources. The EOZ permits solar energy facilities outright, subject to individualized review and the imposition of conditions based on site specific information tailored to address project impacts in accordance with energy development criteria.
5. Comprehensive Plan: The Klickitat County Comprehensive Plan includes policies providing that: energy development should be compatible with surrounding land uses; energy development should be designed and sited with informed consideration of environmental impacts; energy development that utilizes wind and solar are preferred and shall be encouraged.
6. SEPA/Technical Analysis: The Applicant elected to prepare an Environmental Impact Statement (EIS) for this proposal. Pursuant to the EOZ ordinance, an expanded SEPA checklist, consisting of a complete environmental checklist supplemented by technical reports and other individual studies at the time of application are waived. The EOZ requires each Applicant to submit site specific studies for impacts to habitat/wildlife impacts, cultural resources impacts and other applicable studies are addressed by the EIS. The grading and stormwater management plan shall be submitted at the time project proponent applies for the construction stormwater general permit with Washington State Department of Ecology. While extensive cultural resource analysis within the area has been completed, additional analysis during the micro-siting process may be required before building permits are granted. In addition to the Project's EIS, the EIS prepared for the Klickitat County Energy Overlay (2004; as supplemented by Addenda, 2011) was adopted. The Department used the adopted EIS, and the project's EIS and environmental reports in evaluating project impacts and imposing mitigation measures. Klickitat County issued the draft EIS on April 26, 2019, for a 30-day comment period. The public comment period on the draft EIS ran through May 31, 2019. The final EIS was issued on August 23, 2019, and its appeal period ended September 18, 2019.
7. Community Meeting: The Applicant provided notice and conducted a community meeting on December 13, 2018 at the Grange Hall in Bickleton. The meeting was attended by surrounding landowners and interested parties. Materials documenting public notice and community participation were filed with the County following the meeting.
8. Review Process: During the review process, additional analysis was submitted to the County. The County also requested comments, as noted below.
9. Comments:
  - Klickitat County Public Works commented on the application May 31, 2019. Conditions addressing these comments have been imposed.

- Washington State Department of Fish and Wildlife (WDFW) commented on May 31, 2019 and August 26, 2019. Conditions addressing these comments have been imposed.
- Washington State Department of Natural Resources (DNR) commented on May 31, 2019 and July 31, 2019. Conditions have been imposed to address the comment.
- Darby Hanson commented on May 31, 2019 and provided a follow up letter dated July 31, 2019 stating that concerns relating to his personal property have been addressed.
- Washington State Department of Ecology (DOE) commented on May 28, 2019. Conditions have been imposed to address the comment.
- Federal Aviation Administration (FAA) commented May 1, 2019.
- Confederated Tribes and Bands of the Yakama Nation commented May 3, 2019. Conditions addressing these comments have been imposed.
- Washington State Department of Archaeology & Historic Preservation (DAHP) commented on April 29, 2019. Conditions addressing these comments have been imposed.

## **II. CONCLUSIONS OF LAW**

1. The EOZ ordinance does not require project consistency with the Klickitat County Comprehensive Plan, although the Planning Department may consider Plan policies in issuing permit decisions. However, the proposal addresses these policies. The solar project proposal is a type of energy use the Comprehensive Plan encourages at this location. And, the proposal includes conditions to provide for compatibility with the surrounding properties and minimization of environmental impacts. The proposal is therefore consistent with the Klickitat County Comprehensive Plan.
2. The proposal includes a complete application and EIS that addresses noise, air quality, vegetation and wildlife, wetlands and water resources, geologic and flood hazards, cultural resources, visual resources, public safety, roads and transportation, recreation, housing and public services, land use, public service and utilities. The proposal (and the EIS) includes mitigation conditions addressing the foregoing issues and additional required mitigation is set forth in the attachment. These conditions address applicable EOZ requirements. This permit requires compliance with the below conditions, which are based on both the EIS and EOZ. The proposal is consistent with the EOZ.
3. The project application materials address compliance with Klickitat County's critical areas ordinance ("CAO"). Critical areas on the project site within regulated distances of project features have been identified or, in the case of project features whose locations might be shifted, will be identified under conditions requiring delineation prior to disturbance. The conditions imposed by this permit require delineation or flagging of resources, resource protection, and compensatory mitigation to ensure compliance with the CAO. The project will not be constructed in: (1) areas with which federal or state endangered, threatened, or sensitive species have a primary association (as defined by the critical areas ordinance); (2) habitats in which species of local importance have a primary association; or (3) state natural area preserves/natural resources conservation areas. Permit conditions require further analysis and reporting during micro-siting process to confirm permit conditions and critical area requirements continue to be met. The proposal is consistent with the CAO.

### III. DECISION

Based on the above findings of fact and conclusions, the Klickitat County Planning Director approves the Lund Hill Solar Energy Project, subject to compliance with EOZ requirements, other applicable County code provisions, with the conditions set forth below.

An aggrieved party has the right to appeal this decision within 20 days of issuance of this decision or by October 9, 2019. Appeals shall be in writing and filed with the County Auditor. Appeals shall state with specificity the basis for the appeal and the errors to be asserted to the Hearing Examiner. Appeals shall not be deemed complete without payment of the appeal fee applicable to Class C projects, payable to the Klickitat County Planning Department.



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Mo-chi Lindblad  
Klickitat County Planning Director



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Date

## LUND HILL SOLAR ENERGY PROJECT

### CONDITIONS OF APPROVAL

The following conditions must be met prior to issuance of any building permits and/or performance of any land disturbing activities within the solar facility.

1. The project shall comply with applicable federal, state, and local regulations.
2. Structures, existing and proposed, shall comply with all applicable code requirements, including fire separation setbacks, as prescribed by the Washington State Building Code, RCW 19.27. Structures may be subject to a geo-technical analysis and/or engineered foundation, as site conditions warrant. Structures on fill shall require a compaction report, and may need further analysis by a geo-technical engineer.
3. Prior to building permit issuance, prepare a preconstruction geologic hazard report that addresses the performance standards in the Critical Areas Ordinance (CAO) and submit it to Klickitat County.
4. The project will use or upgrade existing roads where possible and minimize construction of new access roads.
5. Construction of the transmission lines will minimize clearing or grading of soil or vegetation.
6. Prior to building permit issuance, prepare a **stormwater pollution prevention plan** compliant with Washington State Department of Ecology's Construction Stormwater General Permit. The project will be implemented consistent with the approved DOE permits and documentation of implementation and monitoring will be provided to the County upon request.
7. A **stormwater plan** prepared by an engineer licensed in the State of Washington shall be submitted for the County review and acceptance prior to building permit issuance. The plan shall be in compliance with the Washington State Department of Ecology's Stormwater Manual for Eastern Washington.
8. Minimize dust control as follows:
  - Coordinate timing of construction to mitigate dust emissions, taking advantage of seasonal/weather conditions and avoiding dry, low-precipitation periods where dust occurrence is high.
  - Protect all exposed soil surfaces that are not actively used during construction by using biodegradable erosion-control mats (in areas of high winds) or weed-free straw. Use water or other dust suppressant measures when and where appropriate. Maintain a water truck on site during construction for dust suppression.
  - Remove or cover stockpiled soils if rain is forecast or apparent.
  - Cover construction materials and soils if they are a source of fugitive dust.
  - Cover storage piles at concrete batch plants if they are a source of fugitive dust.
  - Use dust abatement techniques during earthmoving activities and during clearing.
  - Keep soil loads below the freeboard of trucks and cover loads during road travel.
  - Limit traffic speeds on unpaved roads to 25 miles per hour to minimize generation of dust.



9. Construction laydown/fabrication yard will include lubrication/fuel storage/fueling and truck wash down area, to minimize potential for fuel spill.
10. Use of on-site aggregate borrow pits shall be restricted to project use; on-site aggregate borrow pit(s) shall not exceed three acres in size (individually or cumulatively) unless a Surface Mine Reclamation Permit is secured from DNR. On-site aggregate borrow pits shall be reclaimed with soil cover and revegetation consistent with a County Planning Department approved revegetation plan following completion of the project. Applicant shall coordinate with the Department of Natural Resources if a Surface Mine Reclamation Permit is required and reclamation requirements under the DNR permit will be adhered to. Applicant shall contact the Department of Ecology to determine if a Sand and Gravel General Permit is required.
11. Ecology's Air Quality Program requires all portable rock crushers to obtain coverage under the Portable Rock Crusher General Order of Approval or a separate Notice of Construction (NOC) Air Quality Permit, prior to crushing rock in Ecology's jurisdictional counties. The rock crusher operator is responsible to contact Ecology's Air Quality Program and obtain proper approval.
12. Maintain all construction and operation equipment/vehicles to be compliant with applicable state and federal emissions standards.
13. Encourage carpooling among construction workers to minimize construction-related traffic and associated emissions.
14. Prior to building permit issuance, a **geotechnical report** which analyzes pavement and subsurface conditions to adequately evaluate the proposal and its impact to county roads shall be completed and provided to Public Works for review and approval. The report shall be prepared in accordance with the "Guidelines for Geotechnical Evaluation of Klickitat County Roads". The analysis shall be performed by a licensed geotechnical engineer who specializes in pavement analysis and design.
15. A **road impact assessment** shall be prepared for roads to be used by the project. The Assessment shall include an analysis of project-related traffic routes to be used during phases of construction, project operation and decommissioning (i.e. traffic volumes, weights, frequency, time of year of use, etc.). The Assessment should address, if applicable, project-related developments of new surface aggregate mines and batch plants necessary for road construction.
16. Before building permit issuance, the Applicant shall enter into a **road haul agreement**, with financial security that is developed and agreed to prior to construction. The Agreement shall address impacts to County roads, including but not limited to road maintenance issues and damages that may arise during construction. Except as otherwise provided by the Road Haul Agreement, any County road used to access the project (including the O&M building or off-site facilities) must meet County road standards for all-weather roads, including, adequate drainage and structural sections to provide year round access without increasing County maintenance costs, and the Applicant is responsible for all improvements necessary to meet these standards prior to the commencement of construction. The Applicant shall consult with County Public Works on the implementation of this condition, and on the potential for joint funding of such County road improvements from other projects that may use such roads.

17. All materials use on County roads shall meet the requirements for materials and placement in the most current version of the WSDOT Standard Specifications for Road, Bridge, and Municipal Construction.
18. All access roads leading to the Operation and Maintenance (O&M) building shall meet the Title 12 fire access road standard.
19. All interior access roads shall have an improved driving surface. The minimum road width and depth of surfacing shall be approved by the County Engineer prior to building permit issuance.
20. Mitigation measures to support the project's additional traffic will be implemented prior to the start of construction. Any necessary changes to public roads shall be submitted for approval by Public Works and incorporated into the final road design outlined in the report submitted as a part of the road haul agreement. Final road design and terms for public road use will be memorialized in a separate road agreement between the Applicant and the County. Road improvements and design will comply with WSDOT Standard Specifications.
21. The project's construction traffic shall not cause any roads within the County to fall into disrepair due to heavy loads, increased average daily traffic (ADT) or other causes, and the project shall be responsible for any damage to those County roads caused by its construction traffic or otherwise. This is in addition to any required maintenance (e.g., removal of mud and debris) to County roads that results from the project.
22. The project shall develop and implement a **construction traffic management plan** to ensure the safe movement of construction traffic throughout the project. Construction traffic management plan and/or intersection plans must be submitted to and approved by the Washington State Department of Transportation (as to state highways) and the County prior to construction. The construction traffic management plan shall include any improvements or alternate construction traffic routing on roads within the County, as is necessary to achieve the safe movement of construction traffic to and through the project site. The Applicant will coordinate with the County and Department of Transportation on these issues during preparation of the plan, and throughout project construction. The plan shall be approved before building permits are issued.
23. The Applicant shall obtain such approvals or franchises as are necessary under State and County law before constructing project utility lines within the County right of way. Applicant shall obtain **approach permits** from Public Works Department for road approach access to County roads.
24. All work performed within the Washington State Department of Transportation right-of-way shall require technical review, permits, inspection and approval by WSDOT. Applicant shall contact WSDOT to coordinate the permit process.
25. If project construction results in cut and fill within waters of the United States, obtain required permits from the Corps. A copy of the completed Joint Aquatic Resources Permit Application (JARPA) shall be sent to the Planning Department.



26. Minimize noise impacts as follows:
- a. Maintain sound levels under the maximum levels for the adjacent receiving properties based on the receiving properties' environmental designation for noise abatement per state regulations.
  - b. Minimize idling of trucks and other heavy equipment such as concrete delivery trucks to the extent possible.
  - c. Do not perform construction within 1,000 feet (305 m) of occupied buildings on Sundays, legal holidays or between 10 p.m. and 6 a.m. on other days.
  - d. Do not perform pile driving or blasting within 3,000 feet of an occupied dwelling on Sundays, holidays or between 8 p.m. and 8 a.m. on other days. If blasting is required, notify nearby residences in advance.
  - e. Where feasible, equip construction equipment with noise control devices and muffled exhaust systems.
  - f. Ensure that all equipment have sound control devices no less effective than those provided on the original equipment.
  - g. Ensure that all construction equipment is adequately muffled and maintained.
  - h. Locate all stationary construction equipment as far away as practicable from nearby residences.
  - i. Whenever feasible, conduct different noisy activities, such as blasting and heavy equipment earth moving, simultaneously, since additional sources of noise do not add significant amounts of noise.
  - j. Maintain compliance with applicable local and state noise regulations.
27. Before Building Permit issuance, the Applicant shall prepare a **decommissioning plan**, outlining the circumstances under which individual solar modules, trackers and support structures would be removed from the site, methods to restore areas previously containing such development, and methods for decommissioning the overall project and restoring the overall site. The Applicant shall provide financial security acceptable to the County to ensure proper decommissioning of the solar project. The decommissioning plan, including the security/financial arrangements, shall be approved by the County before building permits are issued.
28. The objective of the decommissioning plan shall be to restore each site location to approximate pre-project condition or better. The Plan shall require removal of the solar panels and rack mounting system, foundations, cables, other below ground components to a minimum depth of three feet below grade and restoration of any disturbed soil to the pre-construction condition.
29. The decommissioning plan shall include the following elements:
- Decommissioning timing and scope.
  - Decommissioning funding and surety. Credit for value of project's equipment may count towards decommissioning security, however, estimated fair market value of the project equipment, for either resale or scrap, shall not be in an amount in excess of 35% of total estimated decommissioning costs.
  - Provisions that addresses both the possibility that restoration will occur prior to, or at the end of the useful life of the site and also the possibility of the site being suspended or terminated during construction.
  - A description of the assumptions underlying the plan. For example, the plan should explain the anticipated useful life of the site, the anticipated time frame of restoration, and the anticipated future use of the location.

- Performing an on-site audit and preparing an initial plan for disposing of hazardous materials (if any) present on the site and remediation of hazardous contamination. In particular, if the Applicant constructs the site with solar panels incorporating hazardous materials, such as Cadmium Telluride, then the Applicant shall use appropriate precautions during decommissioning and removal of the solar panels to safely dispose of and to avoid, and, if necessary, remediate any soil contamination resulting from the panels' hazardous materials.
30. After construction, all access roads to the project site will be managed to prevent unauthorized access.
  31. Conduct a contractor training program before groundbreaking to explain restrictions protecting wildlife, habitat, and critical area features in or near the construction zone.
  32. Construction shall avoid surveyed and mapped populations of rare plants.
  33. Impacts to native vegetation in the temporarily disturbed areas will be minimized. Topsoils or top layers of rocky lithosolic "soils" in native habitats will be segregated to retain native root stock, desirable seeds, and other valuable properties of topsoil, where feasible. Before building permit issuance, for temporarily impacted upland habitat, prepare a **restoration and weed management plan** in consultation with WDFW, Klickitat County Planning Department, Klickitat County Weed Control Board, USDA Farm Services Agency (for CRP), project wildlife biologist or botanist, and respective landowners that includes site preparation, reseeding with appropriate vegetation (i.e. native shrubs, forbs, grasses, and/or agricultural crops), noxious weed control, and protection from degradation. Monitor all restored areas for three (3) years or until vegetation is reasonably established. The Plan shall be implemented and updated (if necessary) over the lifetime of the project. The Plan shall include measures to minimize potential introduction and spread of undesirable plants during and after construction. The Applicant will submit a formal restoration and weed management plan (before building permit issuance) to the Planning Department for review and approval.
  34. To the greatest extent feasible, the project site shall avoid all wetlands and streams, including the appropriate buffer pursuant to Table 3 of the Wetland Delineation Report dated September 2018. Prior to any land disturbing activities, if applicable, the Applicant shall prepare a **conceptual wetland and stream mitigation proposal** to address disturbed wetland and stream areas pursuant to County's CAO requirement. The Applicant will submit a formal mitigation and monitoring plan (before building permit issuance) to the Planning Department for review and approval.
  35. The project shall minimize the use of overhead power lines wherever feasible.<sup>1</sup>
  36. The Applicant shall, in consultation with Klickitat County and WDFW, develop a **wildlife habitat management and mitigation plan**. The plan shall describe existing habitat conditions and the project's impact on the habitat. The plan shall detail mitigation measures to be implemented for temporary and permanent losses of habitat. Mitigation may include set aside through legal protection for the life of the project, habitat to compensate for impacts to wildlife habitat, restoration of revegetation, and/or other alternative proposal to facilitate and

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<sup>1</sup> As addressed in the SEPA review, placing collector systems aboveground is authorized in (a) areas of steep terrain where undergrounding would be infeasible or unsafe; (b) sensitive environmental areas where placing aboveground is necessary to avoid impacts; (c) in areas of low thermal conductivity preventing adequate heat conductivity; or, (d) where rocky conditions significantly increase trenching costs.

better coordinate mitigation strategies among projects. The mitigation obligation will include benchmarks and a timeline for revegetation success, and a plan to require all temporarily disturbed areas to be restored with an appropriate mix of plant species that are adapted to local site conditions, such as native plant species in a manner and sequence that will maximize the likelihood of successful restoration of the area and prevent the spread of noxious weeds. Planning Department approval of the wildlife habitat management and mitigation plan shall be obtained before building permit issuance, absent the Department granting a reasonable extension.

37. Conduct environmental monitoring during construction activities to assure that flagged areas are avoided.
38. If construction activities must occur during the nesting season, a **migratory bird management plan** shall be prepared and submitted to the Planning Department prior to any construction activities.
39. Rock or slash piles will be promptly removed from the construction site when construction is complete. This will reduce available habitat for the non-native and invasive California ground squirrel.
40. Fence the substation as appropriate and post signs that warn of electrical danger and list emergency contact numbers. Maintain or improve existing fencing and gates to ensure site security. Work with the responsible fire responders to ensure that they have access through all locked gates.
41. Provide all construction personnel with site- and job-specific safety and first aid training. During construction, prior to initiating work, hold "tail-gate" safety briefings.
42. Provide first aid kits to each construction crew member and at the construction laydown areas and construction trailers.
43. Prior to construction, develop and implement a **fire and explosion protection plan** that includes the following at a minimum:
  - Equip all on-site construction and service vehicles with a fire extinguisher, shovels, and other fire-fighting equipment during the summer fire season. One full water vest shall be assigned to each vehicle during the June 1 through September 30 timeframes. Ensure that all workers have completed basic fire safety training and are trained in the use of the firefighting equipment onsite.
  - Make available on-site, during construction, a water tank truck during the summer fire season (June 1 through September 30, unless extended by the fire authority). The water truck will be equipped with front and rear sprayers, shall have a minimum of 2,000 gallons of water on board and be capable of pumping a minimum of 300 gallons per minute. A pressurized 2.5" NH male fire fitting will be available for fire department use. Station a water tank truck near areas where blasting, or welding, grinding or excavating is occurring.
  - Prior to blasting, clear vegetation around the blast excavation zone. Coordinate with the responsible fire department if burning will be used to clear vegetation.
  - Restrict smoking to designated outdoor gravel-covered areas. Wind resistant receptacles will be used for butts and matches. No discarded butts or matches are allowed.

- Minimize or restrict high fire-risk activities during extreme dry weather conditions. Contact the responsible fire department prior to engaging in high fire-risk activities.
  - All fires will be immediately reported to 911.
44. Handling oil and hazardous materials as follows:
- Do not allow maintenance or refueling within 100 feet of wetlands, drainages, or sensitive plant and animal habitat.
  - Prior to issuance of building permits, specific areas shall be identified for lubrication/fuel storage/fueling and truck wash down, and include provisions to minimize potential for fuel spill.
  - Keep absorbent materials and spill clean-up supplies in the vicinity of refueling areas.
  - Store all petroleum and hazardous materials, such as oils, grease, lubricants, antifreeze, and other similar products, at the O&M building or other staging areas in approved covered containers or storage lockers.
  - Berm the fuel storage area and closely supervise the area designated for all refueling activities.
  - Place substation transformers on concrete pads and construct substation transformers in accordance with **spill prevention control and countermeasures plan** to contain any loss of cooling fluids.
45. Require that each construction contractor follow a Project **construction health and safety plan** to ensure compliance with the state and federal health and safety laws and regulations. All construction workers will be trained and expected to follow the project health and safety plan. The plan will include emergency notification information, locations of first aid kits, fire extinguishers, location of emergency services, and in addition to 911, other key telephone numbers.
46. Prior to commencing construction activities, prepare an **operational health and safety plan** that includes information on emergency notification, locations of first aid kits and fire extinguishers, and key telephone numbers besides 911 for emergency service providers. Provide copies to the Planning and Public Works Departments.
47. The 230-kV transmission line will be constructed of wood poles, which cause less reflection and are more visually compatible with the surrounding environment than steel poles, unless metal poles are required for structural purposes.
48. Use non-reflective conductors and non-luminous insulators for transmission systems.
49. Construct the O&M building from materials comparable with existing buildings in the area and, to the degree possible, store maintenance and other materials within buildings.
50. Incorporate "green building" technology in the O&M building to reduce energy use to the extent practicable. This includes utilizing passive solar design techniques, utilizing local materials where possible, considering reflecting roofing to minimize cooling needs, etc.
51. To minimize the offsite visibility of project lighting, install lights that are shielded and directed downward along the perimeter of the Substation and the O&M building. Equip Substation with lights that are operated manually if needed for night time work; otherwise limit lighting to motion detector sensor lights.

52. The Applicant completed cultural resource surveys of all buildable portions of the project site. The conditions in the following sections address the possibility present at all construction sites, that the identification of any prehistoric archaeological sites, or WHR/NRHP-eligible historic sites (collectively, "protected resources") might be encountered unexpectedly during clearing or grading operations.
- a. Prior to any land disturbing activities, the project will complete archaeological investigations of areas that could be disturbed by construction activities. Results of the surveys and mitigation measures directed toward any further resources identified are to be provided to Klickitat County prior to construction.
  - b. If the Applicant proposes to construct in areas that have not yet been delineated for cultural resources or critical areas, for example, due to micro-siting of facilities for environmental or project-related reasons, the Applicant shall perform and document such delineation in a report submitted to the Planning Director prior to disturbing the area.
  - c. Locate boundaries of archaeological/cultural resources sites relative to the solar array and road construction areas, which state law prohibits disturbance of without a permit from the Department of Archaeology and Historic Preservation, and design the construction zone to protect these sites. Flag the boundaries of the construction zone with sufficient buffers to protect these sites. If avoidance of these sites is not possible, obtain any required permits before proceeding with construction.
53. Train project construction workers on the need to avoid cultural properties and on the procedures to follow if previously unidentified cultural properties are encountered during construction.
54. Prepare and implement a **cultural resource management plan** (CRMP). The CRMP shall establish a process for continued protection of known or unknown cultural resources within the project site. This Plan includes a process for unanticipated discovery. The Plan shall set forth protocols to be initiated if cultural resources are inadvertently discovered during construction or operation of the project. The plan also described the legal requirements and regulatory protocols to be followed if human remains are encountered during construction and operation of the project.
55. The developer shall submit a final project layout map showing the actual locations of the solar facility along with supporting facilities and transmission line corridors as identified in the EIS. Planning Department approval of the final layout is required before any building permits are issued. Approval is based upon consistency with the EOZ permit conditions.
56. If complaints are filed on speed limit or other traffic issues, the County Planning Department has discretion to require owner/developer to hire flaggers as needed to control construction traffic.
57. The owner/operator shall post an emergency contact list with staff phone numbers on site at a location where it is completely visible to vehicle traffic and pedestrians. The contact list shall be updated periodically and maintained in good and legible condition by the owner/operator for the duration of the project. A copy of the contact list and updates shall be submitted to the Planning Department.



58. Except as provided herein, develop project consistent with the EIS and application materials. If these documents are inconsistent, the permit conditions shall govern.
59. The Applicant is responsible for complying with all applicable Federal, state, local (including energy overlay zone and critical areas ordinance requirements), and including health and safety codes.
60. The Applicant is responsible for achieving compliance with all permit terms and conditions. As provided for in the County Code, the County may take enforcement action to achieve compliance with any permit condition.
61. The Applicant shall have five (5) years from permit approval to fully build out the project. The number of megawatts approved under this permit will be reduced by the number of megawatts not completed at the end of five years from the date of approval. The filing of any appeals shall defer the running of such period until the final resolution of such appeals and the expiration of any appeal period following such resolution. The Planning Director may extend the permit validity upon a showing of need by the Applicant for not more than two years in total, upon demonstration of progress, and may condition the extension on bonding being obtained to ensure work is completed. The permit Applicant shall continue to make substantial progress toward project completion after construction commences.
62. Transfer of this permit to a new developer shall be subject to prior review and approval by the Klickitat County Planning Department. The permit holder must submit a report indicating current status of compliance with all permit conditions. Before the Planning Department can approve the transfer, the new developer must submit a written acceptance of responsibility for compliance with all permit conditions and related responsibilities for project development and operation. The written acceptance also requires execution of a decommissioning plan, cost reimbursement agreement, and road agreement, consistent with County code, development regulations, and permit conditions. The new developer shall confirm it has the financial ability to comply with all project requirements.
63. The permit holder shall provide **monthly reports** certifying compliance with each condition during construction and during the first year following the project's commercial operation date. The permit holder may designate the project manager or other appropriate employee, contractor, consultant, or owner, with adequate knowledge regarding permit compliance, to sign and file the reports. The County may require certain conditions to be addressed by a professional engineer, licensed in the State of Washington, or qualified professional, as appropriate. (A qualified professional means an accredited or licensed professional with a combination of education and experience in a discipline appropriate for the subject matter that is being commented on; someone who would qualify as an expert in their field.)