

In the matter of a an application)	Findings of Fact,
To permit the Windy Point Partners)	Conclusions and Decision
Project pursuant to the “EOZ”)	of the Klickitat County
Energy Overlay Zone)	Planning Director

Windy Point Partners LLC has applied for a permit pursuant to the EOZ (Energy Overlay Zone) to establish the Windy Point Wind Energy Project. The Klickitat County Planning Director finds as follows:

Findings of Fact

1. Application/Property Location: The applicant is Windy Point Partners LLC, represented by Kurt Humphrey, NW Area Manager of Cannon Power Corporation, 8145 NW Skyline Boulevard, Portland, OR, 97229. The Project is located in portions of Section 13, T3N, R15E; Sections 17 and 18, T3N, R16E; Sections 1, 2, 3, 4, 9, 10, 11, 16, T3N, R17E; Sections 2, 3, 4, 5, 6, 10, 11, T3N, R18E; Sections 33 and 35, T4N, R18E., WM, Klickitat County (Hoctor Road vicinity, approximately 6 miles Southeast of Goldendale).

2. Project Description: Construct up to 97 wind turbines, each with a rated capacity of approximately 2.5 MW, with generators and pad-mounted transformers at each turbine to produce up to 242.5 MW. Turbines would have a maximum height of 415 – 420 feet (from tip of rotor blade at highest point to ground level) with three rotor blades. Electricity generated by the wind turbines would be transmitted by a 34-5-kV electric feeder system consisting of approximately 22 miles of underground circuits. The feeder transmission cable would connect with proposed Substation #2 and Substation #1 to be constructed in the project area. These substations would be connected by a 7.75-mile overhead 230-kV transmission line. From Substation #1 a second 1-mile 230-kV transmission line could interconnect with the proposed BPA Rock Creek Substation. The project would also include the improvement of approximately 15.5 miles of existing roads and the construction of approximately 6.5 miles of new access road. The project site is comprised of approximately 14,893 acres in several ownerships, although only approximately 150 acres would be permanently disturbed as a result of the project.

3. On-site uses: Current use of the site is dry land farming and livestock grazing.

4. Zoning: The project site is zoned Extensive Agriculture and “EOZ” (Energy Overlay Zone). The surrounding properties are also zoned Extensive Agriculture and Rural Residential to the south. The Extensive Agriculture zone 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 wind turbines outright, subject to individualized review and the imposition of conditions based on site specific information tailored to address project impacts in accordance with 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: The EOZ requires each applicant to submit an expanded SEPA checklist, to include a completed environmental checklist (standard form) supplemented by technical reports addressing wildlife and habitat (including avian resources), cultural resources, and grading and stormwater management. The project application met these requests, except that a deferral of the grading and stormwater management plan was sought and granted. A condition is imposed requiring completion of such a plan prior to construction. In addition to the project's expanded SEPA checklist, three draft and final environmental impact statements (EIS's) were adopted as part of the SEPA environmental review. A notice of adoption stating the basis for using these three documents was signed and public notice was given. These EISs include project-level draft and final EIS's for two wind projects that were proposed for development in the same vicinity during the mid-1990's. Also adopted were the draft and final EIS prepared for the Klickitat County Energy Overlay in 2003 and 2004. Also, an addendum was prepared to add information to the adopted EIS's relating them to the Windy Point Project. This office has used the adopted EISs, the SEPA addendum, and the project's SEPA checklist and environmental report in evaluating the environmental impacts and imposing mitigation measures for the project.
 7. Public Notice and Comment: On March 14, 2006 the Planning Department posted notice on its website of the application being deemed complete and sent e-mail notice of the same to individuals listed on the Planning Department's e-mail list; the applicant conducted a public informational meeting on March 16, 2006 that was attended by approximately 65 people; on March 20, 2006 the Planning Department sent the complete application to landowners and other interested parties, with a memorandum inviting comment; on April 4, 2006, the SEPA notice was issued with an appeal deadline of April 27, 2006; on April 5 and 6, the SEPA notice was posted on the Planning Department website, sent to e-mail list recipients, published in the Sentinel and Enterprise newspapers, mailed to landowners within 300 feet of the proposal and other interested parties. Written comments were received from Terry Walker, Mikelsens, the Washington Department of Fish and Wildlife ("WDFW"), Klickitat County Public Works Department and Department of Ecology. The applicant submitted letters on April 18, 2006, responding to the WDFW letter and the Walker and Mikelsen letters.

8. Comments Addressed:

- Mikelsens. The Mikelsens indicated concerns about noise, aesthetic and zoning issues. In addition, they joined in Mr. Walker's letter (below). The Mikelsens indicate that they own Lot # 40 of the Columbia Hills Estates, and that the project turbines (as well as turbines from a separate proposed wind project) would detrimentally affect their use and enjoyment of their parcel. The potential impacts identified by the Mikelsens are addressed in the project SEPA documents. There is a regulatory framework in place to protect against noise, as described in the 1995 EISs and the applicant's response letter. Although there may be a question as to whether the Mikelsen's property would be considered a "Class A" or "Class B" noise receptor property under the state's noise regulation (Ch. 173-60 WAC), the applicant indicates it will likely meet the lowest potentially applicable standard (60dBA daytime, 50 dBA nighttime) within the subject property, and that it intends to do further investigation (site specific noise modeling) prior to construction to confirm this. Under the EOZ, the applicant must comply with the applicable standard (whichever is legally determined to apply), or, if it cannot comply, reach an accommodation such as a noise easement with the Mikelsens. An additional condition will be imposed on the permit highlighting the EOZ's noise control requirement. The Mikelsens' aesthetic concerns are within the range of visual impacts identified in the adopted EISs and the applicant's checklist and environmental report. The mitigation measures imposed (3.7 of Table 3-1 of the Environmental Report) will reduce the visual impacts.

- Terry Walker. Mr. Walker indicated concerns about habitat, noise, aesthetics, lighting, and vandalism. Mr. Walker owns lots within the Columbia Hills Estates as well. His lots are subject to a noise easement agreement held by the applicant. The easement, which was submitted by the applicant, waives objections based on noise, aesthetic and other environmental impacts associated with wind energy facilities proposed by the applicant in the Columbia Hills, and it is recorded and applies to any successor owners. As noted above, however, the Mikelsens joined in Mr. Walker's comment letter. Mr. Walker requested additional environmental studies with respect to western gray squirrels, raptors, and mule deer. The studies submitted by the applicant, including the 1995 EISs, adequately address habitat and wildlife resources. In addition, the application includes a Fish and Wildlife Habitat Management Plan (see section 2.4.2.4 of the Environmental Report) under the County's Critical Areas Ordinance, as well as commitments to mitigate for impacts to habitat (priority habitats and others) according to the set-aside ratios spelled out in the WDFW Wind Guidelines. Impacts associated with lighting and visibility of project features are considered and mitigated for through EOZ development standards and project conditions, including use of minimal

tower lights permitted by the FAA, and conditions to make the turbine towers blend in with the landscape to the degree practical. The project has incorporated a condition to gate all access roads to the project area (3.4-M7, Table 3-1 of Environmental Report), and that condition should mitigate any increased risk of vandalism to nearby properties attributable to the project.

- Public Works. Klickitat County Public Works requested a condition requiring a road use agreement to be entered prior to the use of Hocter Road for project construction, and prior to the use of the County right-of-way for project utility lines. A condition has been imposed to this effect.

- WDFW. WDFW submitted a letter dated March 29, 2006. Although WDFW addressed the letter to the applicant's environmental consultant, it emailed the letter to the Planning Department with a request to include the letter in the record for the project. The applicant submitted a letter (dated April 18) responding to WDFW's March 29 letter. WDFW questioned the adequacy of the public process for the County's review of the EOZ permit, and the applicant's communication with WDFW and other agencies. The County has followed the process established by the EOZ ordinance, and has followed all notification requirements for agencies and the public. Few other agencies or citizens have raised comments. The applicant sought meetings with WDFW early in March, and obtained a meeting on April 13. A follow-up meeting is scheduled to occur in May. Many of the project conditions require the applicant to work with WDFW in completing various pre- and post-operation mitigation requirements, for example, selection of mitigation properties, input on nesting and nest avoidance measures, and participation on the project technical advisory committee. Additionally, the applicant has committed to compliance with WDFW's Wind Guidelines. WDFW also suggested that the project be required to complete a supplemental EIS to consider the cumulative impacts of other nearby proposed and permitted wind projects. The County has analyzed and addressed the impact of multiple wind developments through the programmatic EOZ EIS. That EIS is adopted for this permit, in part to address any cumulative impacts that could occur in the event other proposed projects in the vicinity are permitted. The EOZ's mandatory standards, which apply to the project, implement key findings of the EOZ EIS, and as a result of the site-specific studies required by the EOZ, the applicant has incorporated additional non-mandatory standards from the EOZ EIS. WDFW recommended a number of specific mitigation measures for the project. As provided in the applicant's response letter, most of those measures are already incorporated into the applicant's proposed mitigation and are imposed as binding conditions in this permit. In response to WDFW's suggestion, a condition has been added requiring the applicant to investigate use of anemometer towers without guy wires.

- Ecology. The Department of Ecology's correspondence noted several permits that might be required depending on project construction plans. The applicant is made aware of those permit requirements.
9. Critical Areas: The project application materials address compliance with the 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, marking, resource protection, and compensatory mitigation (in accordance with ratios from the WDFW Wind Guidelines) to ensure compliance with the CAO.

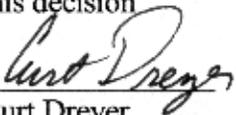
Conclusions:

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. Here, the proposal addresses these policies. The wind project proposal is a type of energy use the 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 expanded checklist that addresses noise, air quality, vegetation and wildlife, stormwater, geologic and flood hazards, water resources, cultural resources, visual resources, and public safety. The applicant has included mitigation conditions that adequately address each of the foregoing issues. The proposal is consistent with the EOZ.

CONDITIONS:

Based on the above findings of fact, conclusions and conditions the Klickitat County Planning Director approves the Windy Point Wind Energy Project. The project is subject to the EOZ Development Standards (K.C.C. 19.39:8) and Use and Construction Standards (K.C.C. 19.39:9), to the project-specific conditions set forth in the appendix, and to all other applicable County code requirements

Any party with standing has the right to appeal this decision within 20 days of issuance of this decision


Curt Dreyer
Klickitat County Planning Director

4/24/06
Date

Roads, crane pads, and turbine foundations will be designed in consultation with a professional geotechnical engineer.	Kenetech and CARES EIS
All structural foundations, buildings, and structures will be designed in accordance with the applicable seismic zone requirements (currently Zone 2B).	EOZ Ordinance
The Project will use or upgrade existing roads where possible and minimize construction of new access roads.	Kenetech and CARES EIS
Where possible, roads are located along ridgelines to reduce amount of cut and fill.	Kenetech and CARES EIS
If drainage ditches, culverts, and stormwater facilities are required they will be designed for year round conditions including winter snowmelt factors.	EOZ EIS
Avoid clearing and grading during wet seasons or periods of rainy weather.	Kenetech and CARES EIS
All exposed soil surfaces that are not being actively used during construction will be protected by biodegradable erosion-control mats (areas of high winds) or weed-free straw.	Applicant Proposed
Water or other dust suppressant measures will be used, when and where appropriate.	Applicant Proposed
A preconstruction geologic hazard report will be prepared and submitted to Klickitat County to address the performance standards in the Critical Areas Ordinance(CAO).	Klickitat CAO
Stockpiled soils will be removed or covered, if rain is forecast or apparent.	Applicant Proposed
Idling of trucks and other heavy equipment, such as concrete delivery trucks, will be minimized to the extent possible.	Applicant Proposed
A water truck will be maintained on-site during construction for dust suppression.	EOZ Ordinance
The Project will revegetate any disturbed areas that are not permanently occupied by Project features in accordance with plan to be developed in 3.4-M9 (<i>See Environmental Report, Section 3, listing these conditions</i>).	EOZ Ordinance
Provide a minimum of 6 inches (15 cm) of gravel surface on new Project roads to reduce wind erosion, where necessary.	EOZ Ordinance
Traffic speeds on unpaved roads will be limited to 25 miles per hour to minimize generation of dust.	WDFW Guidelines
Drainages in the Project area will be crossed using existing road crossings and, if required, existing culverts will be replaced to accommodate the 100-year/24-hour storm event.	Kenetech and CARES EIS
Other than upgrades to existing roads, no Project facilities will be constructed in drainage features (turbines, transmission poles, substations, or the O&M facility)	Applicant Proposed

Construction laydown/fabrication yard will include lubrication/fuel storage/fueling and truck washdown area, to minimize potential for fuel spill.	Applicant Proposed
Prior to construction, a stormwater drainage system will be designed in consultation with a professional engineer and submitted to the Planning Department. Construction will proceed in compliance with the design.	EOZ Ordinance
After construction, the Project site will be monitored for erosion on a weekly basis and after large rainfall or snowmelt events and corrective action taken, as needed.	EOZ Ordinance
A construction stormwater management plan, including a Stormwater Pollution Prevention Plan will be implemented concurrent with construction. Prior to restoration activities the construction stormwater pollution prevention features will be redesigned to function as permanent stormwater management components of the Project.	Applicant Proposed; NPDES Stormwater Permit
The Project is designed to use existing roads as much as possible for construction access to the turbines. Construction of the transmission line will minimize clearing or grading of soil or vegetation.	Kenetech and CARES EIS
Two turbines (R3 and R4) were moved from their optimal wind efficiency location to avoid impacts to Oregon white oak habitat.	Applicant Proposed
Impacts to white oak woodlands from construction of the transmission line will be coordinated with the Washington Department of Fish and Wildlife (WDFW), under the Project Wildlife Habitat Management Plan.	Klickitat CAO
A contractor training program will be conducted before groundbreaking to explain restrictions protecting wildlife, habitat, and critical area features in or near the construction zone.	Applicant Proposed
The Project will limit construction disturbance by flagging the limits of the construction zone to protect sensitive areas. See specific requirements below <ul style="list-style-type: none"> - High quality native plant communities and priority habitats; - 25 feet (7.6 meters) from designated critical habitat; - 400 feet (120 meters) from occupied western gray squirrel nest between May 15 and Sept 30 for general construction and 1,300 feet (400 meters) for blasting or pile driving; - 75-foot (20-meter) radius of any western gray squirrel nest; - 1,300 feet from bald eagle roosts during October thru March; - 1,300 feet (400 meters) of occupied red-tailed hawk nests or other raptors from April 15 thru August 31. 	EOZ Ordinance and Kenetech and CARES EIS
Environmental monitoring will be conducted during construction activities to assure flagged areas are avoided.	EOZ Ordinance
Prior to construction, surveys for western gray squirrels nests will be conducted in previously identified potential habitat in the spring and	Applicant Proposed

prior to construction to identify potential nest sites.	
After construction, all access roads to the Project site will be gated to prevent public access without prior approval.	Applicant Proposed
Shrub-Steppe Habitat: Based on WDFW Wind Power Guidelines of a 2:1 replacement ratio for permanently impacted shrub-steppe habitat, the Project will set aside, through legal protection for the life of the Project, 2.0 acres (0.8 hectare) of shrub-steppe habitat for every 1.0 acre (0.4 hectare) impacted. See Table 3.2 in the Environmental Report.	WDFW Guidelines
Shrub-Steppe Habitat: Based on WDFW Wind Power Guidelines for temporarily impacted shrub-steppe habitat, the Project will prepare a restoration plan in consultation with the WDFW that will include site preparation, reseeding with appropriate vegetation, noxious weed control, and protection from degradation; in addition, the Project will set aside through legal protection for the life of the Project 0.5 acre (0.2 hectare) of shrub-steppe habitat for every 1.0 acre (0.4 hectare) of temporary impact. See Table 3.2 in the Environmental Report	WDFW Guidelines
Oregon White Oak Habitat: To mitigate for impacts to Oregon white oak habitat, the Project will work with the County and WDFW to set aside through legal protection for the life of the Project an appropriate amount of similar habitat, to be determined with reference to the Project's actual impact and the value of the affected habitat.	Klickitat CAO Ordinance
Grassland/Rangeland/Crop Reserve Program (CRP): Based on the WDFW Wind Power Guidelines, mitigation for grassland, rangeland or CRP habitat will based on a 1:1 replacement ratio. Legal protection will be provided for the mitigation area for the life of the Project. See Table 3.2 in the Environmental Report.	WDFW Guidelines
Grassland/Rangeland/CRP: Based on WDFW Wind Power Guidelines, mitigation for temporarily impacted grassland, rangeland or CRP habitat will include implementing a restoration plan in consultation with WDFW, and the Project will set aside through legal protection for the life of the Project 0.1 acre (0.04 hectare) of like habitat for every 1.0 acre (0.4 hectare) of temporary impact. See Table 3.2 in the Environmental Report.	WDFW Guidelines
All reseeded restored areas will be monitored for 5 years or until vegetation is reasonably established.	Kenetech and CARES EIS; Applicant Proposed
Develop a reseeding/restoration and weed management plan in consultation with the Klickitat County Weed Control Board, to be implemented and updated over the lifetime of the Project.	EOZ Ordinance; WDFW Guidelines
The Project shall minimize the use of overhead power lines by placing collector electrical systems between turbine strings underground wherever feasible.	WDFW Guidelines; Applicant Proposed
Design of the overhead 230-kV transmission line (and any other overhead lines) will comply with the Avian Power Line Interaction Committee's "Suggested Practices for Raptor Protection on Power Lines; The State of the Art in 1996" and "Mitigating Bird Collisions	EOZ Ordinance; WDFW Guidelines

with Power Lines; State of the Art in 1994.”	
Lighting of the turbines will be limited to the minimum requirements of the Federal Aviation Administration (FAA).	WDFW Guidelines
After construction all road-related impacts will be reduced to the operational width of 35 feet (10 meters) and the remaining area restored including replacing top soil if appropriate and reseeded. All construction work space around turbines, except for approximately 5,000 square feet (465 square meters) will be restored.	Applicant Proposed
Turbines originally sited for optimal wind energy generation will be relocated a minimum of 164 feet (50 meters) away from the ridge edge to minimize impacts to raptors.	Applicant Proposed; EOZ FEIS.
A professional biologist with experience in avian resources will assist in micro-siting turbines in the vicinity of the ridgeline to minimize impacts on birds.	Applicant Proposed
To the degree feasible, where the 230-kV transmission line crosses Oregon white oak woodlands, the trees will be trimmed, but not cut down. If possible, maintain 50 percent canopy if within 400-foot (120-meter) radius of western gray squirrel nest trees.	Applicant Proposed; Kenetech and CARES EIS
The Project will use turbines with low rpm and use of tubular towers to minimize risk of bird collision with turbine blades and the tower.	Applicant Proposed
The Project will use bird flight diverters on guyed permanent meteorological towers or use unguyed permanent meteorological towers to minimize potential for avian collisions with guy wires. The Project will investigate with suppliers of the anemometer towers the feasibility of construction of such towers without guy wires, and will avoid use of guy wires if feasible.	EOZ Ordinance; WDFW Guidelines; WDFW comment
Overhead power line conductors will be spaced to minimize potential for raptor electrocution.	EOZ Ordinance; WDFW Guidelines
A raptor nesting survey will be conducted in the spring prior to construction to identify active raptor nest sites in the vicinity of the Project. A professional biologist will be consulted to determine extent of survey area, with reference to the EOZ recommendation.	Applicant Proposed
The Project will monitor raptor nests on-site for activity prior to construction, and schedule construction to avoid impacts to nesting raptors.	EOZ Ordinance
The Project will monitor for and remove carcasses of livestock, big game, and others from the Project area that may attract foraging bald eagles or other raptors.	EOZ Ordinance
The Project will monitor the wind turbine area for a minimum of one year to estimate bird and bat fatality rates using a standard protocol.	EOZ Ordinance
The Project will report bird fatalities observed (monthly) for the life of the Project to WDFW and the U.S. Fish and Wildlife Service.	EOZ Ordinance
A Project Technical Advisory Committee will be formed prior to	EOZ Ordinance;

construction (invite representatives from WDFW, USFWS, landowners, Yakama Nation and environmental groups) to examine data related to avian and bat impacts and make recommendations on any additional monitoring or mitigation measures.	WDFW Guidelines
The Project will comply with all applicable Federal, state, local, and industry health and safety codes, regulations, and standards.	Kenetech and CARES EIS
The perimeter areas around the turbine transformers and Project substations will be graveled and maintained free of vegetation.	Kittitas Valley EIS
Proposed 230-kV transmission lines will be designed and built according to industry standards, including meeting Bonneville Power Administration (BPA) guidelines at the transmission line right-of-way for electric fields.	Applicant Proposed
General: Existing fencing and gates will be maintained or improved to ensure site security. New road entrances without existing gates will be gated with locks and the substations will be fenced with access points gated and locked.	EOZ EIS and Kenetech EIS
General: An operational health and safety plan will be prepared that 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.	EOZ Ordinance
Personal Safety: Offer job-specific health and safety training, including cardio-pulmonary resuscitation, first aid, Occupational Safety and Health Administration training related to the work environment at a wind farm, and a guidance manual on equipment inspection.	EOZ EIS
Personal Safety: All construction personnel will have site- and job-specific safety and first aid training and, during construction, prior to initiating work, “tail-gate” safety briefings will be held.	EOZ EIS
Personal Safety: During construction a Project safety officer will be designated to monitor construction activities and Project personnel provided with cell phones to provide timely communication.	EOZ Ordinance
Personal Safety: First aid kits will be provided to each construction crew and at the construction laydown and fabrication yard.	Applicant Proposed

<p>Fire and Explosion: Prior to construction, the Project will develop and implement a fire and explosion protection plan that includes the following at a minimum:</p> <ul style="list-style-type: none"> • All on-site construction and service vehicles will be equipped with a fire extinguisher, shovels, and other fire-fighting equipment during the summer fire season. • A water tank truck will be available on site during the summer fire season and, as appropriate, stationed near areas where blasting or welding is occurring. • Prior to blasting, vegetation will be cleared around the blast excavation zone. • Smoking will be restricted to designated outdoor gravel-covered areas • Minimize or restrict high fire-risk activities during extreme dry weather conditions. 	<p>EOZ EIS; Kenetech and CARES EIS; Kittitas Valley EIS</p>
<p>Oil and Hazardous Material:</p> <ul style="list-style-type: none"> • No maintenance or refueling will occur within 100 feet of wetlands, drainages, or sensitive plant and animal habitat. • Absorbent materials and spill clean-up supplies will be kept in the vicinity of refueling areas. • All petroleum and hazardous materials, such as oils, grease, lubricants, antifreeze, and other similar products, will be stored at the O&M facility or other staging areas in approved containers. • The fuel storage area will be bermed and all refueling activities will be closely supervised in a designated area. • Turbine pads will feature a small berm to contain any loss of lubricant while operating or during servicing • Substation transformers will be placed on concrete pads and bermed to contain any loss of cooling fluids. 	<p>Applicant Proposed</p>
<p>Health and Safety Plan. A Project construction Health and Safety Plan will be prepared by each construction contractor to ensure compliance with the state and federal health and safety laws and regulations cited above. All construction workers will be trained in and follow the Project Health and Safety Plan.</p>	<p>EOZ Ordinance</p>
<p>Security: Fence site as appropriate and post warnings signs of electrical danger with emergency contact numbers.</p>	<p>EOZ Ordinance</p>
<p>Security: The site will be monitored for evidence of unauthorized use and additional security will be provided as appropriate.</p>	<p>EOZ Ordinance</p>
<p>Noise: Construction will not be performed within 1,000 feet of occupied buildings on Sundays, legal holidays or between 10 p.m. and 6 a.m. on other days.</p>	<p>EOZ EIS</p>

Noise: Construction equipment will, where feasible, be equipped with noise control devices and muffled exhaust systems	EOZ EIS
Noise: Pile driving or blasting will not be performed with 3,000 feet of an occupied dwelling on Sundays, holidays or between 8 p.m. and 8 a.m. on other days.	EOZ EIS
Noise: The Project shall maintain sound levels that are under the maximum levels for the adjacent receiving properties based on the receiving properties' environmental designation for noise abatement per state regulations and shall comply with applicable noise control regulations.	EOZ; Mikelsens comment
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.	Applicant Proposed
The Project will use non-reflective conductors and non-luminous insulators for transmission systems	Applicant Proposed
The Project will use a non-reflective paint for towers and blades to reduce glare. The towers could be painted a neutral color that will blend easily with the neutral colors of the existing landscape.	EOZ Ordinance
Construction areas will be kept clean of construction debris on a daily basis. The facility will be kept free of debris and unused or broken down equipment will be stored off-site or with storage facilities.	EOZ Ordinance
The O&M facility will be constructed of materials compatible with existing buildings in the area and to the degree possible, the storage of maintenance and other materials will be within buildings.	Applicant Proposed
Substations 1 and 2 and the O&M facility will include drought tolerant plantings around the perimeter of the facilities to minimize visual impacts.	Applicant Proposed
To minimize Project facility lighting from being visible offsite, the applicant will install lights that are shielded and directed downward along the perimeter of the Substation# 1and O&M building. Substation #2 will be equipped with lights that are operated manually if needed for nighttime work, otherwise lighting will be limited to motion detector sensor lights.	EOZ Ordinance
The design of the Project has incorporated the use of existing roads to the degree possible to reduce the likelihood of potential impacts on cultural resources.	Applicant Proposed
Two alternative sites were selected for Substation #2 so that if significant cultural resources are found during initial investigations that preclude the use of the site an alternative site has already been selected.	Applicant Proposed
The Project will locate boundaries of significant (NRHP eligible) sites relative to the turbine strings and road construction areas and design the construction zone to protect sites.	EOZ Ordinance

The boundaries of the construction zone will be flagged with sufficient buffers to protect significant sites.	Applicant Proposed
Prior to construction, the Project will complete archaeological investigations of road corridors, the new substation locations, and the construction laydown yard/O&M facility site. Results of the surveys and mitigation measures directed toward any further resources identified are to be provided to Klickitat County prior to construction.	Applicant Proposed
Mitigation measures for National Register of Historic Places-eligible cultural properties include avoidance of impacts, minimization of impacts, and scientific data recovery for archaeological properties significant under Criterion D.	Applicant Proposed
The Project will apply for permits from the Washington Department of Archaeology and Historic Preservation (DAHP) to further test sites identified as “eligibility undetermined” if they cannot be avoided and there is a potential to impact the site.	Applicant Proposed
The Project will design and implement scientific data recovery in the event further testing confirms eligibility of additional resources and avoidance is not feasible.	Applicant Proposed
The Project will provide for and support a tribal environmental monitor, appointed by the Yakama Indian Nation	Kenetech and CARES EIS
Project construction workers will be trained on the need to avoid cultural properties and on the procedures to follow if previously unidentified cultural properties are encountered during construction.	EOZ Ordinance
An “unanticipated Discovery Plan” will be prepared to guide response in the event previously unidentified cultural resource properties are encountered during construction. If a cultural resource is discovered during construction, the construction activity will cease in the vicinity of the site pending implementation of the unanticipated Discovery Plan.	EOZ Ordinance

<p>To the extent economically feasible, the Project will schedule construction activities to avoid the use of paved county roads during likely periods of freeze/thaw cycles and comply with temporary county weight restrictions. County roads will be limited to loads at/under legal weight restrictions, including seasonal restrictions, unless applicant provides a bond to the County and enters into a Road Haul Agreement with the Public Works Department which provides for the assessment by the County and applicant and funding by applicant of road improvements or repairs necessary to protect or restore the condition of County roads to the condition they were in before Project construction. At a minimum the Road Haul Agreement will include:</p> <ul style="list-style-type: none"> ○ a specified haul route; ○ identification of structural improvements to the haul route, including roads and bridges, to allow for overweight loads; ○ a method and timeframe to assess and address needed road repairs and/or improvements; and ○ provisions for traffic control. <p>The bond amount will be calculated at \$70,000 a mile of paved County road to be used, and \$20,000 a mile of gravel County road to be used, or as approved by the Public Works Department.</p> <p>The applicant shall also obtain such approvals or franchises as are necessary under State or 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.</p>	<p>Kenetech and CARES EIS; Public Works request.</p>
<p>The Project will consult with Washington, Oregon and Federal recreation agencies as well as Oregon and Washington Transportation Departments to provide signs directing sightseers along major traffic routes and to existing public facilities that provide safe viewing areas of the Project site. Provide interpretive signs as requested by public facilities.</p>	<p>Applicant Proposed</p>
<p>The O & M building will incorporate “green building” technology to reduce energy use.</p>	<p>Applicant Proposed</p>
<p>The Project will prepare a decommissioning plan outlining the circumstances under which individual turbines would be removed from the site, methods used to restore areas previously containing turbines</p>	<p>EOZ Ordinance; WDFW Guidelines</p>

<p>and methods for decommissioning the overall Project and restoring the overall site. The Project will provide a bond, letter, or other security/financial arrangements acceptable to the County to ensure proper decommissioning of the turbines. The amount of the security/financial arrangements can be later determined on the basis of the site-specific conditions affecting the costs of decommissioning, access, depth of foundation, terrain, etc., to include credit for salvage value of the equipment. The decommissioning plan shall include a schedule and funding plan to specify how the security/financial arrangements mechanism will be funded during project operation. The decommissioning plan, including the security/financial arrangements, shall be approved by the County Planning Department before building permits are issued.</p>	
<p>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. If significant resources cannot be avoided, the report shall propose mitigation, and disturbance of the area shall not occur until the Planning Director approves in writing.</p>	
<p>This permit shall expire twelve months from the date of the expiration of the appeal period for the permit unless construction¹ of project facilities has commenced within that period. 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 six-month periods. The permit applicant shall continue to make substantial progress toward project completion after construction commences.</p>	

¹ Construction is defined as a physical activity that would lead to the construction of project facilities on the project site, including but not limited to land clearing or road construction.