

**KLICKITAT COUNTY PLANNING DEPARTMENT**

228 W. Main, MS: CH-17

Goldendale, WA 98620

509 773-5703

**MEMORANDUM**

DATE: February 11, 2011  
TO: All Interested Parties  
FROM: Curt Dreyer, Planning Director  
RE: School Section Wind Energy Project

The purpose of this memorandum is to notify you that the Klickitat County Planning Director has approved the School Section Wind Energy Project, proposed by Northwest Wind Partners, LLC. The attached decision provides additional information.

Appeals may be filed to the Hearing Examiner within twenty (20) days of the decision on project consistency with Klickitat County Code Section 19.60. 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 form and an appeal fee of \$175.00, made payable to Klickitat County Planning Department, must be submitted to the Auditor Department and the Planning Department by March 3, 2011.

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

Attachments.

In the Matter of an Application to Permit	)	FILE NO: EOZ2009-01
the School Section Wind Energy Project	)	
pursuant to the "EOZ" Energy Overlay Zone	)	FINDINGS OF FACT
	)	CONCLUSIONS, AND
	)	DECISION OF THE
	)	KLICKITAT COUNTY
	)	PLANNING DEPARTMENT

Northwest Wind Partners, LLC has applied for a permit pursuant to the Energy Overlay Zone ("EOZ") to establish School Section Wind Farm. The Klickitat County Planning Director finds as follows:

FINDINGS OF FACT

1. Application/Project Location: The Applicant is Northwest Wind Partners, LLC (Applicant or Northwest). The School Section Wind Energy Project is a wind energy generation facility on 678 acres of public land managed by Washington State Department of Natural Resources located within Section 16, Township 4 North, Range 20 East, WM, Klickitat County, Washington. This property is under lease to the applicant.
2. Project Description: The School Section Wind Energy project calls for the installation of wind turbine equipment for the purpose of generating electricity on the subject property as well as construction of approximately 3.8 miles of new access road, underground collector lines located adjacent to the new roads and ten (10) turbine sites. The Project will be located adjacent to the permitted Miller Ranch Wind Project and will utilize the permitted laydown area, substation, transmission line, interconnection, and Operations and Maintenance facility associated with the Miller Ranch Wind Project. The aggregate borrow area associated with the approved Miller Ranch Wind Project will be used to supply rock material required for construction of roads and turbine foundations for the School Section Wind Project.

The proposal is for the installation of up to ten (10) wind turbine generators, within the buildable area depicted in the attached "Exhibit A", with a rated capacity of 2.0 megawatts ("MW") or more per turbine, resulting in a total generating capacity of 20 MW. A generator and pad mounted transformer will be located at the base of each turbine. Each turbine/tower combination would be up to approximately 413 feet tall (measured from the ground to the turbine blade tip at its highest point). The final location of actual turbines and any above and underground electrical cables will be established during the "micro-siting" process, as further described in the Conditions below. An underground electrical feeder system would collect electricity at 34.5-kV from each wind turbine and deliver it to the approved Miller Ranch Wind Project Substation. At the substation the voltage would be increased from 34.5-kV to 230-kV. A new 230-kV overhead transmission line would connect with Klickitat Public Utility District's White Creek Substation. An existing 12-mile-long, 230-kV transmission line extends from White Creek Substation to Bonneville Power Administration's Rock Creek Substation.

3. On-site Uses: The site is managed by the Washington State Department of Natural Resources. The terrain consists of slopes and ridges; primary habitats include native grasslands, wheat fields and former croplands planted to grasses. Current land use surrounding the Project consists of undeveloped cropland and rangeland with scattered residences. The proposed Project will be bordered by existing operating wind energy projects.
4. Zoning: The Project site is zoned Extensive Agriculture ("EA") and within the Energy Overlay Zone ("EOZ"). The surrounding properties are also zoned 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 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/Technical Analysis: The EOZ requires each applicant to submit an expanded SEPA checklist, consisting of a complete environmental checklist (standard form) supplemented by technical reports addressing wildlife and habitat (including avian resources). The applicant elected to have an Environmental Impact Statement (EIS) issued for this proposal. Pursuant to the EOZ ordinance, all requirements for the submittal of individual studies at the time of application are waived. Site specific studies for impacts to habitat/wildlife impacts (including avian impacts), cultural resources impacts and other applicable studies are addressed by the EIS. The Applicant sought deferral of the grading and stormwater management plan, which was granted. 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. The deferral was granted to avoid duplicating Department of Ecology's stormwater management plan requirements. Cultural surveys completed for all buildable area within the Project site identified no resources subject to protection under applicable laws. The Applicant and the Yakama Nation have consulted regarding cultural resources. Yakama Nation cultural staff conducted on-site surveys (for both the School Section project and the nearby Miller Ranch Project) and prepared a report of their findings regarding both project sites. At the time the FEIS was issued, the report had not been completed. The Planning Department received a copy of the report in November 2010. It concludes that no traditional cultural properties are located on the Project site and that the Project will not cause any direct impacts to them. The Applicant and the Yakama Nation staff are continuing to consult on other findings in the report. In addition to the Project's EIS, the EIS prepared for the Klickitat County Energy Overlay in 2004 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 March 5, 2010, for a 30-day comment period. The public comment period on the draft EIS began on March 5, 2010 and ran through April 12, 2010. The final EIS was issued on September 20, 2010. The appeal period ended October 14, 2010, with no appeals being filed.
7. Community Meeting: The applicant provided notice and conducted a community meeting on June 23, 2009. 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. The Klickitat County Planning Department issued a notice of conditional, complete application on August 7, 2009, which was posted on the County website.
8. Review Process: During the review process, additional analysis was submitted to the County. The County also requested comments, as noted below.
9. Comments:
  - Washington State Department of Ecology (DOE) commented on April 9, 2010. Conditions have been imposed to address the comment.
  - Confederated Tribes and Bands of the Yakama Nation commented April 9, November 22 and December 20, 2010. Extensive voluntary consultation has occurred between the applicant and the Nation. Conditions addressing archaeological resources have been imposed

- Washington State Department of Archaeology & Historic Preservation (DAHP) commented on April 12, May 3, and July 29, 2010. Conditions addressing these comments have been imposed.
- Washington State Department of Fish and Wildlife (WDFW) commented on April 12, 2010. Conditions addressing these comments have been imposed.

#### 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 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 environmental reports that addresses noise, air quality, vegetation, wildlife, stormwater, geologic and flood hazards, water resources, cultural resources, visual resources, and public safety. The application included mitigation conditions that adequately address each of the foregoing issues and all EOZ requirements. Required mitigation is set forth in the attachment, and addresses the EOZ requirements. 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/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.

#### DECISION

Based on the above findings of fact and conclusions, the Klickitat County Planning Director approves the School Section Wind Energy Project subject to compliance with EOZ requirements, other applicable County code provisions, and 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 March 3, 2011. The appeal must include the name of the party filing the appeal, contact information (including mailing address), filing fee and describe the issues appealed with specificity.

  
 Curt Dreyer  
 Klickitat County Planning Director

2/11/11  
 Date

SCHOOL SECTION WIND ENERGY PROJECT  
CONDITIONS OF APPROVAL

***GEOTECHNICAL<sup>1</sup>***

1. 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.
2. Design roads, crane pads, and turbine foundations in consultation with a professional geotechnical engineer. Submit designs, including road designs, to Public Works and Building department before building permit issuance, and before commencing construction activity.
3. Design structural foundations, buildings, and structures consistent with applicable seismic zone requirements.

***EROSION / DUST CONTROL / STORMWATER/AIR***

4. Dust Control:
  - 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 (40 km) per hour to minimize generation of dust.
5. Provide up to 6 inches (15 cm) of gravel surface on all Project roads, as necessary, to reduce wind erosion.
6. Prior to building permit issuance, permanent and construction stormwater drainage systems will be designed in consultation with a professional engineer and submitted to the Planning Department. The stormwater drainage system will be designed to handle the 24 hour rainfall of a 100 year storm event. If drainage ditches, culverts, and stormwater facilities are required they will be designed for year round conditions including winter snowmelt factors. Construction will proceed in compliance with the design.
7. During construction, monitor the Project Site for erosion on a weekly basis and after large rainfall or snowmelt events and take corrective action as needed.

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<sup>1</sup> These subheadings do not necessarily reflect all issues the condition is aimed to address, but are designed solely for ease of reference.

8. Prior to building permit issuance, prepare a SWPPP (Stormwater Pollution Prevention Plan) compliant with Washington State Department of Ecology's Construction Stormwater General Permit and the Stormwater Manual for Eastern Washington. The Plan will be implemented consistent with the approved DOE permits and documentation of implementation and monitoring will be provided to the County on a quarterly basis.
9. If project construction results in cut and fill within U.S. Army Corps of Engineers' jurisdictional waters, obtain required permits from the Corps.
10. Avoid clearing and grading during wet seasons or periods of rainy weather. If drainage ditches, culverts, and stormwater facilities are required they will be designed for year round conditions including winter snowmelt factors.
11. 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.
12. Maintain all construction and operation equipment/vehicles to be compliant with applicable state and federal emissions standards.
13. Minimize engine idling time when not in use.
14. Encourage carpooling among construction workers to minimize construction-related traffic and associated emissions.

#### ***ROADS***

15. A Road Impact Assessment /Geotechnical Report shall be prepared for roads to be used by the project. The assessment shall include analysis of project-related traffic routes to be used during phases of construction, project operation and decommissioning. The report and any subsequent amendments shall be used as a discipline study and shall be incorporated into the Road Haul Agreement between the Applicant and the County.
16. Except as otherwise provided by the Haul Road Agreement (see below), any County road used to access the Project 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 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. Prior to building permit issuance, the Applicant shall enter into a Haul Road Agreement with the County Department of Public Works. At minimum, the Agreement must:
  - Identify location of all routes used during the implementation, construction, maintenance, operation, and decommissioning of the Project.
  - Identify the number of trips, type of vehicle, material hauled, weight, width, and height of anticipated loads for each road segment.
  - Identify the anticipated source location for products used in the construction, maintenance, including aggregate sites, concrete batch sites and water to be used for the Project and identify the anticipated haul routes to the Project.

- Identify a schedule including time of year for the various types of loads.
- Identify and assess all features that may be affected by long or wide loads including location of utility poles, sharp curves, tight turning radii at intersections, current traffic volumes, location of residences, the current condition of each proposed haul route, with regard to geometric conditions.
- Identify and assess all features that may be structurally insufficient for the proposed traffic volume or loads.
- Identify and assess potential overhead obstructions such as overhead lines and bridges.
- Identify and assess potential damages to each haul route if used during inclement weather or seasonally weakened periods.
- Identify and assess cumulative impacts of the Project in combination with use of haul routes by other known Projects.
- Identify potential mitigation issues relating to enforcement of traffic laws to control speed of vehicles by workers, vendors, and related traffic.
- Include a letter of credit, bond or other financial security in amounts sufficient to ensure necessary improvements are completed and to provide for the upgrade and/or repair and maintenance of roads, as approved by the Public Works Department. In addition, bonding will be used to cover all costs associated with the administration and oversight of the various energy projects.
- Commitment to participate in and not protest formation of Road Improvement District and/or late-comers agreement for County road improvements, as determined by the County Public Works Department.<sup>2</sup> Nothing in this permit requires the Applicant to waive rights to challenge any special benefit assessment.

The Applicant is responsible for damage from all traffic generated by the project (labor, vendors, etc.) All generated traffic is required to use the identified Haul Route. If needed, the applicant may designate an alternative “plan B,” route, with written authorization from the County to utilize “plan B.”

Any County road used to access the Project 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. The applicant is responsible for all improvements necessary to meet these standards prior to the commencement of construction, except as otherwise provided by the Haul Road Agreement. The applicant shall consult with County Public Works on the implementation of this condition, and the potential for joint funding of such County road improvements from other projects that may use such roads.

18. Prior to any hauling on County roads a current executed Haul Road Agreement must be in place between the County and Applicant. In addition the Applicant shall provide the County with the financial security required by the Haul Road Agreement prior to hauling on County Roads. Hauling on County roads includes but is not limited to overweight, over width, over height, and

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<sup>2</sup> To the extent that the applicant is required by the Haul Road Agreement to upgrade or improve or construct public rights of way, the County may, upon the applicant’s request, provide a process under Chapter 35.72 RCW for potential reimbursement payments from property owners/developers who subsequently develop property with similar improvements that cause use of and/or impact to the rights of way.

legal loads carrying turbine components, rock, water, concrete materials, steel, other general construction materials and construction equipment on County Roads.

19. The applicant shall also 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.
20. The Project's construction traffic shall not cause any roads within the County to fall into disrepair due to heavy loads, increased 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 such required maintenance (e.g., removal of mud and debris) to County roads that result from the Project.
21. The Project shall develop and implement a construction traffic management plan to ensure the safe movement of construction traffic throughout the project and, in particular, at the intersections of SR 14 with Old Highway 8/Dot Road. This construction traffic management plan 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.

22. 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.
23. Crossings of streams by access roads shall maintain compliance with the Critical Areas requirements; culverts shall be sized to maintain original direction and volume of flow at each crossing site.

#### ***SITE RESTORATION***

24. Before Building Permit issuance, prepare a decommissioning plan consistent with the County's "model decommissioning plan," outlining the circumstances under which individual turbines would be removed from the site, methods to restore areas previously containing turbines, and methods for decommissioning the overall Project and restoring the overall site. Provide financial security acceptable to the County to ensure proper decommissioning of the turbines. The decommissioning plan, including the security/financial arrangements, shall be approved by the County before building permits are issued.
25. After construction, reduce all road-related impacts to the operational width of 16-foot, with 5-foot shoulders on either side, and restore and reseed the remaining area. Replace topsoil if appropriate. Restore all construction work space around turbines, except for approximately 4,800 square feet.

#### ***NOISE***

26. Minimize noise impacts:



- 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 of occupied buildings on Sundays, legal holidays or between 10 p.m. and 6 a.m. on other days.
- d. Where feasible, equip construction equipment with noise control devices and muffled exhaust systems.
- e. Ensure that all equipment have sound control devices no less effective than those provided on the original equipment.
- f. Ensure that all construction equipment is adequately muffled and maintained.
- g. Locate all stationary construction equipment as far away as practicable from nearby residences.
- h. 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.
- i. Do not perform pile driving or blasting within 3,000 feet (914 m) 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.
- j. Maintain compliance with applicable local and state noise regulations.

#### ***WILDLIFE HABITAT/PLANTS***

27. Prior to building permit issuance, conduct a contractor training program before groundbreaking to explain restrictions protecting wildlife, habitat, and critical area features in or near the construction zone.
28. Minimize permanent construction disturbance by flagging the limits of the construction zone to avoid sensitive areas designated for preservation, including:
  - High quality native plant communities and priority habitats;
  - 200 feet from streams with fish habitat;
  - 1,300 feet from bald eagle roosts during October thru March;
  - 1,300 feet from occupied red tailed hawk nests or other raptors between April 15 and August 31;
  - 400 feet from occupied western gray squirrel nest between May 15 and September 30 for general construction and 1,300 feet (400 m) for blasting or pile driving.

- 75 feet of any western gray squirrel nest;<sup>3</sup>
- Federal and/or state threatened, endangered, or candidate status plants with potential occurrence in the Project, if found during field surveys.

The setbacks identified above shall apply unless the Applicant obtains County approval of a resource-specific management plan.

29. Construction shall avoid sensitive areas such as surveyed and mapped populations of rare plants. Where access roads are essential in areas with juniper habitat, they will be routed to cross areas of sparsely, rather than densely, distributed juniper trees.
30. 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, develop a reseeded/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. The project will re-vegetate any disturbed areas that are not permanently occupied by Project features in accordance with the approved plan. All reseeded restored area will be monitored for five (5) years or until vegetation is reasonably established.
31. The Applicant shall prepare a mitigation plan to compensate for impacts to habitats within the Project area consistent with the EOZ ordinance. Planning Department approval of the mitigation plan shall be obtained before building permit issuance, absent the Department granting a reasonable extension.
32. The project site shall avoid all wetlands, including a 300 feet buffer.
33. Conduct environmental monitoring during construction activities to assure that flagged areas are avoided.
34. After construction, gate all private access roads to the project site to prevent unauthorized access.

#### *AVIAN*

35. The Project shall minimize the use of overhead power lines by placing collector electrical systems between turbine strings underground wherever feasible.
36. Use turbines with low rpm and tubular towers to minimize the risk of bird collisions with turbine blades and the tower.
37. Use bird flight diverters on guyed permanent meteorological towers, or unguyed permanent meteorological towers, to minimize potential for avian collisions with guy wires.
38. Space overhead power line conductors to minimize the potential for raptor electrocution. Conform overhead lines to the Avian Power Line Interaction Committee’s suggested practices (2006).
39. Conduct a raptor nesting survey in the spring prior to issuance of the building permit to identify active raptor nest sites in the vicinity of the Project. Schedule construction to avoid impacts on

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<sup>3</sup> Bald eagle roosts, raptor nests, and western gray squirrel nests were not found on site, but buffers would apply to any nests/roosts discovered or constructed.

nesting raptors. Consult a professional biologist to determine the extent of the survey area, with reference to the EOZ recommendation.

40. Report any bird and/or bat fatalities and injuries observed (monthly) for the life of the Project to WDFW and the U.S. Fish and Wildlife Service.
41. Prepare an avian and bat monitoring plan and submit it to the County for approval prior to issuance of the building permit. The goal would be to monitor for avian/bat fatalities in a portion (30% or greater) of the project for a minimum of one year following initiation of operation.
42. Identify a project technical advisory committee (TAC) prior to issuance of the building permit, to examine data related to avian and bat impacts and make recommendations on any additional monitoring or mitigation measures. (The TAC may be a county-wide wind development TAC, or formed specifically for this project). Representatives from the County, WDFW, USFWS, landowners, Yakama Nation and local environmental groups must be (or have been) invited to serve on the TAC.
43. Consider constructing from mid-summer through winter periods to avoid impacts to all wildlife during the sensitive breeding periods.
44. Participate in a bluebird nest box program with the local landowners and communities. This will include a contribution to the local bluebird conservation effort through financial assistance or in-kind labor.

#### ***HEALTH AND SAFETY***

45. Maintain or improve existing fencing and gates to ensure site security. Work with the responsible fire department to ensure that they have access through all locked gates.
46. 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.
47. 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.
48. During construction, designate a Project safety officer to monitor construction activities and provide Project personnel provided with cell phones for timely communications.
49. Provide first aid kits to each construction crew member.
50. 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. 1 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 fire fighting equipment onsite.
  - Make available on-site 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.

51. Oil and Hazardous Materials:

- Do not allow maintenance or refueling within 100 feet (30 m) 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 washdown, 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 containers.
- Berm the fuel storage area and closely supervise in a designated area all refueling activities.
- Place substation transformers on concrete pads and berm substation transformers to contain any loss of cooling fluids.

52. Require that each construction contractor prepare 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 in 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.

53. 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.

54. Fence the site as appropriate and post signs that warn of electrical danger and list emergency contact numbers.

55. Monitor the site for evidence of unauthorized use and provide additional security as appropriate.

56. The perimeter areas around the turbine transformers and Project substations will be graveled and maintained free of vegetation a minimum of 50 feet around all operating equipment and structures. The Planning Department may authorize reductions in the size of this area in coordination with the Fire District.

### ***AESTHETICS***

57. Use non-reflective conductors and non-luminous insulators for transmission systems.
58. Use a non-reflective paint for towers and blades to reduce glare.
59. Keep construction areas clean of construction debris on a daily basis. Keep the facility free of debris, and store unused or broken down equipment off site or within storage facilities.
60. Turbines shall be lit only as necessary to comply with FAA requirements.

### ***CULTURAL RESOURCES***

The Applicant completed cultural resource surveys of all buildable portions of the Project site. The surveys did not result in the identification of any prehistoric archaeological sites, or WHR/NRHP-eligible historic sites (collectively, “protected resources”). The conditions in the following sections address the possibility, present at all construction sites, that protected resources might be encountered unexpectedly during clearing or grading operations.

61. If the applicant proposes to construct in areas that have not yet been delineated for cultural resources or critical areas, for example, due to the addition of land to the Project that had not been previously surveyed, the applicant shall perform and document such delineation in a report submitted to the Planning Department for review at least 60 days prior to any kind of land disturbing activities.
62. Before building permit issuance, an approved Inadvertent Discovery Plan (IDP) shall be prepared for the Project.
63. In the event of an inadvertent discovery of a potentially protected resource or human remains on the Project site, work shall cease in the vicinity of the find, protective buffers shall be established, and the protocols of the IDP shall be implemented.
64. If protected resources are later identified on the Project site and avoidance is impracticable, measures must be taken to minimize or mitigate for any resulting impacts to the protected resource, consistent with the mitigation approach set forth in a plan developed in consultation with DAHP and the County. The Applicant or its consultants shall obtain any permits from DAHP that are required to implement the selected mitigation approach.
65. Before building permit issuance, an approved Cultural Resource Management Plan (CRMP) shall be prepared for the Project.
66. The Applicant shall train Project construction workers on the potential for impacts to protected resources, the need to avoid such impacts, and on procedures to follow if previously unidentified resources are encountered during construction.

### ***COMMUNICATION/INTERFERENCE***

67. Determine location and frequency of existing tight beam directional communications transmitters and receivers when siting turbine strings to avoid any material signal interference. Should the Project create electromagnetic interference which interferes with reception, the Project will eliminate such interference, reach an agreement with the property owner experiencing the interference, or prepare a mitigation plan and submit to the Planning Department for approval.

### ***OTHER/MONITORING***

68. If ice throw is reported in the vicinity of occupied (third party) buildings or public right-of-way, or otherwise becomes a safety concern, the County may require that the Project prepare ice throw monitoring and/or mitigation plans and submit such plans to the County for approval. The mitigation plan, if required, may include phased-in operations following icing events for turbines proximate to roads or other areas where people may be present. If any turbine is proposed for siting closer than 500 feet to any public road or from any private road accessing more than four (4) residences, Planning Department approval shall be required before building permits are issued and construction commence.
69. The Project shall be set back from all property boundaries in compliance with EOZ requirements and as set forth in project application and environmental review materials. The White Creek Wind Project adjoins and is located downwind of the proposal. The parties have engaged in a good faith effort to make best use of the wind resource, in a manner fair to both parties. The County shall reserve the ability to increase setbacks or to impose other appropriate measures to maximize the utilization of the wind resource.
70. Designate an environmental monitor during construction to monitor construction activities and ensure compliance with mitigation measures.
71. The owner/operator shall designate a permit compliance manager who shall be responsible for preparing and submitting quarterly permit condition compliance reports to the County during construction. The contact information shall be known to the County and the adjacent property owners.
72. If complaints are filed on speed limit or other traffic issues, the County Planning Department has discretion to require owner/developer to hire local law enforcement as needed to control construction traffic.
73. Developer shall control construction traffic dust and ensure that dust abatement measures are appropriate and effective. The County Planning Department has discretion to require owner/operator to develop a dust control plan to address valid concerns identified by area residents.
74. 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.

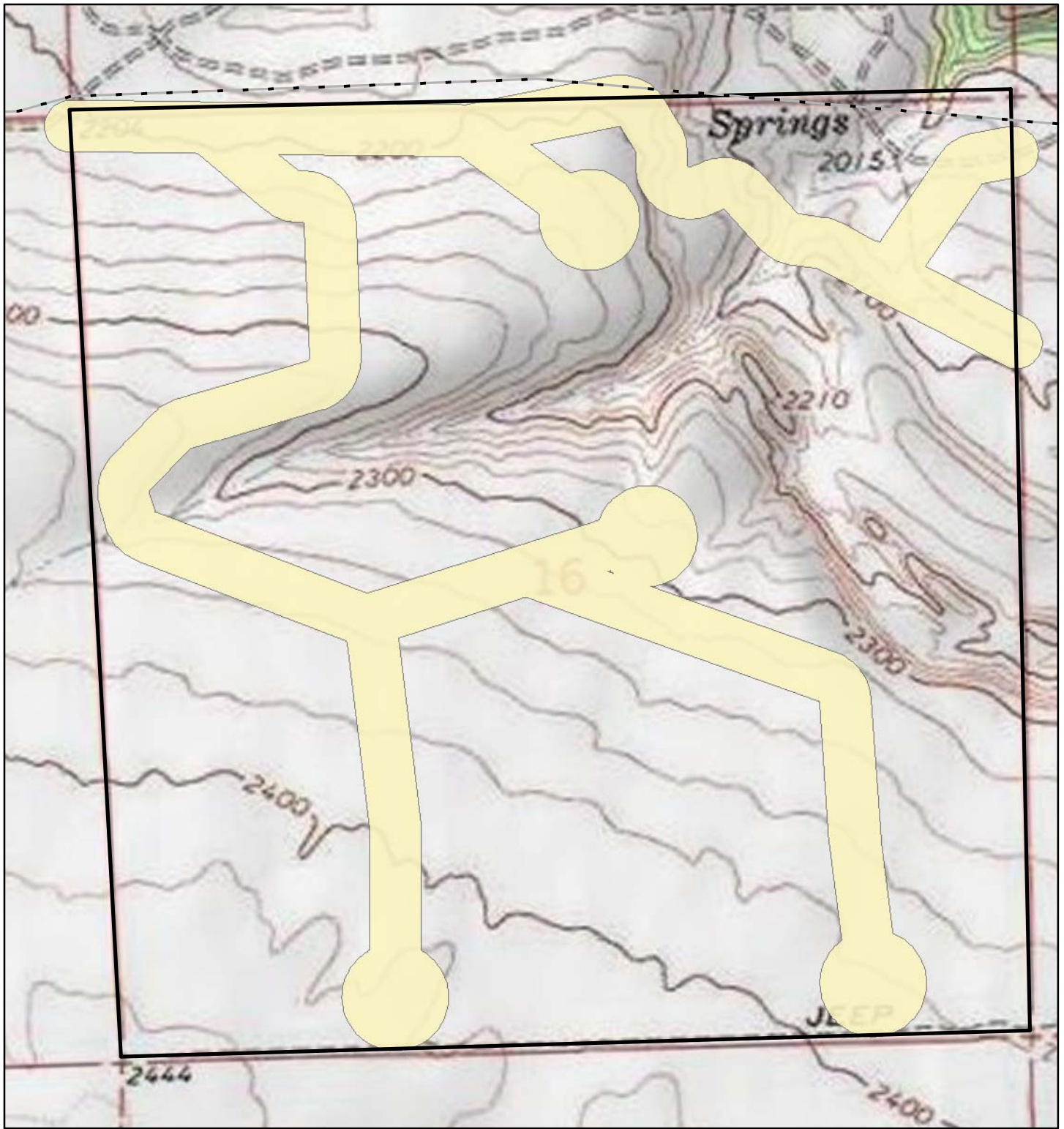
### ***LAWS/STANDARDS***

75. Except as provided herein, develop Project consistent with the SEPA Checklist and application materials. If these documents are inconsistent, the permit conditions shall govern.
76. Comply with applicable federal, state, and local laws (including energy overlay zone and critical areas ordinance requirements).
77. 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.

78. This permit shall expire twelve months from the date of the expiration of the appeal period for the permit unless construction<sup>4</sup> 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.
79. 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.
80. 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.)

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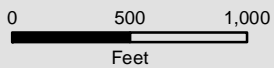
<sup>4</sup> Construction is defined as a physical activity that would lead to the construction of project facilities on the project site, including but not limited to land clearing or road construction.






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enXco Development Corporation

### Exhibit A School Section Wind Project Project Layout



NAD83 UTM 10

-  Transmission Line
-  Project Boundary
-  Project Development Corridor