

*SNAKE RIVER ETHANOL LLC
3184 Elder Street
Boise, Idaho 83705
Phone: (208) 383-6500
Fax: (208) 383-6688*

July 1, 2008

VIA FEDERAL EXPRESS

Attn: Tom Stoops, Siting Manager
Oregon Department of Energy
Energy Facility Siting Council
625 Marion Street NE
Seattle, WA 98101-3099

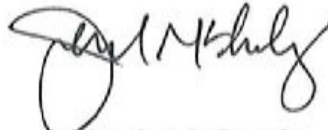
Re: *Snake River Ethanol LLC Notice of Intent*

Dear Tom:

In accordance with Section 345-020-006 of the Oregon Administrative Rules, I hereby submit the original and ten (10) copies of a Notice of Intent for the Energy Facility Siting Council's consideration of the Snake River Ethanol LLC facility in Nyssa, OR. In addition, I have also enclosed the required \$25,000 fee pursuant to Council's order of December 2, 2004.

If you have any questions, please do not hesitate to contact me at jmccreeedy@amalsugar.com or (208) 383-6521. Thank you.

Sincerely,



John C. McCreedy
President

JCM/smh
Enclosures

cc: Claude Luster Peter Mostow
Michael Schnepf Roberta Donovan
Galan Rogers Rick Minster
Jim Jensen

NOTICE OF INTENT

TO APPLY FOR A SITE CERTIFICATE FOR THE

SNAKE RIVER ETHANOL PROJECT

Prepared by
Snake River Ethanol LLC
3184 Elder Street
Boise, ID 83705

July 1, 2008

Contents

EXHIBIT A: APPLICANT INFORMATION	A-1
<i>REGULATORY CITATION</i>	<i>A-1</i>
<i>Response</i>	<i>A-1</i>
<i>Response</i>	<i>A-1</i>
<i>Response</i>	<i>A-2</i>
<i>Response</i>	<i>A-2</i>
<i>Response</i>	<i>A-3</i>
<i>Response</i>	<i>A-4</i>
<i>APPENDIX A-1.....</i>	
EXHIBIT B: FACILITY INFORMATION	B-1
<i>REGULATORY CITATION</i>	<i>B-1</i>
<i>Response</i>	<i>B-2</i>
<i>Response</i>	<i>B-5</i>
<i>Response</i>	<i>B-5</i>
<i>Response</i>	<i>B-5</i>
<i>Response</i>	<i>B-5</i>
<i>Response</i>	<i>B-5</i>
EXHIBIT C: LOCATION INFORMATION	C-1
<i>REGULATORY CITATION</i>	<i>C-1</i>
<i>Response</i>	<i>C-1</i>
EXHIBIT D: ALTERNATIVE SITES FOR TRANSMISSION AND PIPELINES.....	D-1
<i>REGULATORY CITATION</i>	<i>D-1</i>
<i>Response</i>	<i>D-1</i>
EXHIBIT E: REQUIRED PERMITS.....	E-1
<i>REGULATORY CITATION</i>	<i>E-1</i>
<i>State Permits</i>	<i>E-2</i>
<i>Local Permits</i>	<i>E-5</i>
EXHIBIT F: PROPERTY OWNER INFORMATION.....	F-1
<i>REGULATORY CITATION</i>	<i>F-1</i>

Response	F-1
EXHIBIT G: MAPS	G-1
<i>REGULATORY CITATION</i>	G-1
Response	G-1
Figures G-1 to G-4	
EXHIBIT H: NON-GENERATING FACILITY	H-1
<i>REGULATORY CITATION</i>	H-1
Response	H-1
EXHIBIT I: LAND USE	I-1
<i>REGULATORY CITATION</i>	I-1
Response	I-1
EXHIBIT J: ENVIRONMENTAL IMPACT SUMMARY	J-1
<i>OAR 345-020-0011</i>	J-1
Response	J-1
APPENDIX J-1	
EXHIBIT K: COMMUNITY IMPACT INFORMATION	K-1
<i>REGULATORY CITATION</i>	K-1
Response	K-1
EXHIBIT L: WATER REQUIREMENTS	L-1
<i>REGULATORY CITATION</i>	L-1
Response	L-1
EXHIBIT M: CARBON DIOXIDE EMISSIONS	M-1
<i>REGULATORY CITATION</i>	M-1
Response	M-1
EXHIBIT N: STATUTE EVALUATION	N-1
<i>REGULATORY CITATION</i>	N-1
Response	N-1
EXHIBIT O: SITE CERTIFICATION SCHEDULE	O-1
<i>REGULATORY CITATION</i>	O-1
Response	O-1
EXHIBIT P: STATE COMMISSION ON INDIAN SERVICES CONSULTATION	P-1
<i>REGULATORY CITATION</i>	P-1
Response	P-1
APPENDIX P-1	

EXHIBIT A: APPLICANT INFORMATION

REGULATORY CITATION

OAR 345-020-0011(a): Information about the applicant and participating persons, including:

(A) The name and address of the applicant including all co-owners of the proposed facility, the name, mailing address and telephone number of the contact person for the NOI, and if there is a contact person other than the applicant, the name, title, mailing address and telephone number of that person;

RESPONSE

Contact for the applicant:

Snake River Ethanol LLC
Attn.: John McCreedy, President
3184 Elder Street
Boise, ID 83705

Phone: (208) 383-6521
Fax: (208) 383-6688

Contact for person other than the applicant:

Wilson Sonsini Goodrich & Rosati
Attn.: Peter D. Mostow
701 Fifth Avenue, Suite 5100
Seattle, WA 98104

Phone: (206) 883-2541
Fax: (206) 883-2699

(B) The contact name, address and telephone number of all participating persons, other than individuals, including but not limited to any parent corporation of the applicant, persons upon whom the applicant will rely for third-party permits or approvals related to the facility, and persons upon whom the applicant will rely in meeting any facility standard adopted by the Council.

RESPONSE

The Amalgamated Sugar Company LLC (80% member of the applicant)
Attn.: John McCreedy
3184 Elder Street
Boise, ID 83705

Phone: (208) 383-6521

Fax: (208) 383-6688

CarboTec Bioconversions LLC (20% member of the applicant)
Attn: Claude Luster
221 W. Riverridge
Fresno CA 90711

Phone: (559) 261-0379
Fax: (559) 261-0952

(C) If the applicant is a corporation, it shall give:

(i) The full name, official designation, mailing address and telephone number of the officer responsible for submitting the NOI;

(ii) The date and place of its incorporation;

*(iii) A copy of its articles of incorporation and its authorization for submitting the NOI;
and*

(iv) In the case of a corporation not incorporated in Oregon, the name and address of the resident attorney-in-fact in this state and proof of registration to do business in Oregon.

RESPONSE

Not applicable.

(D) If the applicant is a wholly owned subsidiary of a company, corporation, or other business entity, in addition to the information required by paragraph (C), it shall give the full name and business address of each of the applicant's full or partial owners;

RESPONSE

Not applicable.

(E) If the person submitting the NOI is an association of citizens, a joint venture or a partnership, it shall give:

(i) The full name, official designation, mailing address and telephone number of the person responsible for submitting the NOI;

(ii) The name, business address and telephone number of each person participating in the association, joint venture or partnership and the percentage interest held by each;

(iii) Proof of registration to do business in Oregon;

(iv) A copy of its articles of association, joint venture agreement or partnership agreement and a list of its members and their cities of residence; and

(v) If there are no articles of association, joint venture agreement or partnership agreement, the applicant shall state that fact over the signature of each member;

RESPONSE

Person responsible for submitting this NOI:

John McCreedy, President
Snake River Ethanol LLC
3184 Elder Street
Boise, ID 83705
Phone: (208) 383-6521
Fax: (208) 383-6688

The applicant is a Delaware limited liability company, the members of which are:

The Amalgamated Sugar Company LLC (80% interest)
Attn.: John McCreedy
3184 Elder Street
Boise, ID 83705

Phone: (208) 383-6521
Fax: (208) 383-6688

CarboTec Bioconversions LLC (20% interest)
Attn: Claude Luster
221 W. Riverridge
Fresno CA 90711

Phone: (559) 261-0379
Fax: (559) 261-0952

The applicant's certificate of formation and its proof of registration to do business in Oregon are provided in Appendix A-1.

(F) If the applicant is a public or governmental entity, it shall give:

(i) The full name, official designation, mailing address and telephone number of the person responsible for submitting the NOI; and

(ii) Written authorization from the entity's governing body to submit an NOI;

RESPONSE

Not applicable.

(G) If the applicant is an individual, the individual shall give his or her mailing address and telephone number;

Not applicable.

APPENDIX A-1

**Copies of SRE Certificate of Formation and
SRE Proof of Registration to Do Business in Oregon**

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "SNAKE RIVER ETHANOL LLC", FILED IN THIS OFFICE ON THE EIGHTEENTH DAY OF SEPTEMBER, A.D. 2007, AT 9:41 O'CLOCK P.M.

4425160 8100
071028882



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State
AUTHENTICATION: 6020939

DATE: 09-24-07


State of Delaware
Secretary of State
Division of Corporations
Delivered 10:05 PM 09/18/2007
FILED 09:41 PM 09/18/2007
SRV 071028882 - 4425160 FILE

STATE of DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE of FORMATION

- FIRST: The name of the limited liability company is SNAKE RIVER ETHANOL LLC.
- SECOND: The address of its registered office in the State of Delaware is 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. The name of its Registered Agent at such address is Corporation Service Company.
- THIRD: The latest date on which the limited liability company is to dissolve is December 31, 2075.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Snake River Ethanol LLC, this 18 day of September, 2007.

BY: _____


Authorized Person

NAME: John McCreedy
Organizer



Secretary of State
Corporation Division
255 Capitol Street NE, Suite 151
Salem, OR 97310-1327

Phone:(503)986-2200
Fax:(503)378-4381
www.filinginoregon.com

Registry Number: 522035-94
Type: FOREIGN LIMITED LIABILITY COMPANY

RECEIVED
MAY 27 2008

Next Renewal Date: 05/21/2009

SNAKE RIVER ETHANOL LLC
3184 ELDER ST
BOISE ID 83705

Acknowledgment Letter

The document you submitted was recorded as shown below. Please review and verify the information listed for accuracy.

If you have any questions regarding this acknowledgement, contact the Secretary of State, Corporation Division at (503)986-2200. Please refer to the registration number listed above. A copy of the filed documentation may be ordered for a fee of \$5.00. Submit your request to the address listed above or call (503)986-2317 with your Visa or MasterCard number.

Document

APPLICATION FOR AUTHORITY

Filed On
05/21/2008

Jurisdiction
DELAWARE

Duration Date
12/31/2075

Name

SNAKE RIVER ETHANOL LLC

Principal Place of Business

3184 ELDER ST
BOISE ID 83705

Registered Agent

CORPORATION SERVICE COMPANY
285 LIBERTY ST NE
SALEM OR 97301

Mailing Address

3184 ELDER ST
BOISE ID 83705



Phone: (503) 986-2200
Fax: (503) 378-4381

Application for Authority to Transact—Foreign Limited Liability Company

Secretary of State
Corporation Division
255 Capitol St. NE, Suite 151
Salem, OR 97310-1327
FilingInOregon.com

FILED

MAY 21 2008

OREGON
SECRETARY OF STATE

REGISTRY NUMBER:

522035-94

For office use only

In accordance with Oregon Revised Statute 192.410-192.490, the information on this application is public record.
We must release this information to all parties upon request and it will be posted on our website.

For office use only

Please Type or Print Legibly in Black Ink. Attach Additional Sheet if Necessary.

1) NAME Snake River Ethanol LLC

NOTE: (Must contain the words "Limited Liability Company" or the abbreviations "LLC" or "L.L.C.") Must be identical to the name on the Certificate of Existence. See #3.

2) STATE OR COUNTRY OF ORGANIZATION

Delaware

Date of Organization: 9/18/2007

8) ADDRESS OF PRINCIPAL OFFICE OF THE BUSINESS

3184 Elder Street

Boise, ID 83705

3) CERTIFICATE OF EXISTENCE

A certificate of existence, current within 60 days of delivery to this Division, authenticated by the official having custody of the organization, is attached.

9) ADDRESS WHERE THE DIVISION MAY MAIL NOTICES

3184 Elder Street

Boise, ID 83705

4) DURATION (Please check one.)

Latest date upon which the Limited Liability Company is to dissolve is 12/31/2075

Duration shall be perpetual.

10) IF THIS LIMITED LIABILITY COMPANY IS NOT MEMBER MANAGED, CHECK ONE BOX BELOW.

This limited liability company is managed by a single manager.

This limited liability company is managed by multiple manager(s).

5) THIS FOREIGN LIMITED LIABILITY COMPANY SATISFIES THE REQUIREMENTS OF ORS 63.714(3).

6) NAME OF OREGON REGISTERED AGENT

Corporation Service Company

7) REGISTERED AGENT'S PUBLICLY AVAILABLE ADDRESS (Must be an Oregon Street Address, which is identical to the registered agent's business office.)

285 Liberty Street NE

Salem, OR 97301

11) EXECUTION (At least one member or manager must sign.)

Signature

[Signature]
5/20/08

Printed Name

The Amalgamated Sugar Company

LLC; by John C. McCreedy,

General Counsel & Secretary

Title

Member

12) CONTACT NAME (To resolve questions with this filing.)

John C. McCreedy

DAYTIME PHONE NUMBER (Include area code.)

(208) 383-6500

FEES

Required Processing Fee \$50
Confirmation Copy (Optional) \$5

Processing Fees are nonrefundable.
Please make check payable to "Corporation Division."

NOTE:

Fees may be paid with VISA or MasterCard. The card number and expiration date should be submitted on a separate sheet for your protection.

John C. McCreedy
05/21

522035-94

Delaware

The First State

PAGE 1 FILED

MAY 21 2008

OREGON
SECRETARY OF STATE

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "SNAKE RIVER ETHANOL LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE NINETEENTH DAY OF MAY, A.D. 2008.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "SNAKE RIVER ETHANOL LLC" WAS FORMED ON THE EIGHTEENTH DAY OF SEPTEMBER, A.D. 2007.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.

4425160 8300

080569192

You may verify this certificate online
at corp.delaware.gov/authvar.shtml



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 6601492

DATE: 05-19-08

*Harriet
05/21*

EXHIBIT B: FACILITY INFORMATION

REGULATORY CITATION

OAR 345-020-0011(b): Information about the proposed facility, including:

(A) A description of the proposed energy facility, including as applicable:

(i) Approximate nominal electric generating capacity;

(ii) Major components, structures and systems, including a description of the size, type and configuration of equipment used to generate electricity and useful thermal energy;

(iii) Methods for waste management and waste disposal, including, to the extent known, the amount of wastewater the applicant anticipates, the applicant's plans for disposal of wastewater and storm water, and the location of disposal;

(iv) For thermal power plants:

(I) A discussion of the source, quantity and availability of all fuels proposed to be used in the facility to generate electricity or useful thermal energy;

(II) Methods for disposal of waste heat;

(v) For transmission lines, approximate transmission line voltage, load carrying capacity and type of current;

(vi) For pipelines, approximate operating pressure and delivery capacity in thousand cubic feet per day;

(vii) For surface facilities related to underground gas storage, estimated daily injection and withdrawal rates, horsepower compression required to operate at design injection or withdrawal rates, operating pressure range and fuel type of compressors;

(viii) For facilities to store liquefied natural gas, the approximate volume, maximum pressure, liquefaction and gasification capacity in thousand cubic feet per hour;

(B) A description of major components, structures and systems of each related or supporting facility;

(C) The approximate dimensions of major facility structures and visible features;

RESPONSE

OVERVIEW

The Facility will produce approximately 130 million gallons per year of ethanol, along with valuable co-products, using corn and sugar as feedstocks. The Facility will be located on an approximately 220 acre industrial site in Nyssa, Oregon that is fully developed and has been in use since 1938. The site is currently developed with a sugar beet processing facility that was idled in 2005 due to market conditions. Corn and sugar will be brought to the site by rail and truck, and ethanol and co-products shipped out by rail and truck. The Facility will be designed to operate within the limits of existing water rights, water discharge permits and air emission permits applicable to the site.

The Facility will be the first in the Northwest to employ highly efficient front-end fractionation technology that separates valuable germ and coarse bran from the corn endosperm prior to its fermentation. Germ can be sold to corn oil manufacturers and bran can be sold or used as a biomass power feedstock at the facility. Other valuable co-products will include high protein distillers grain and food-grade carbon dioxide.

MAJOR COMPONENTS

Table B-1 provides information on the major components of the Facility and all of its related and supporting facilities:

TABLE B-1

Storage Tanks	Diameter	Height	Capacity	Unit
Denaturant	33' dia	33'	188,000	gallons
200 Proof	33' dia	33'	188,000	gallons
190 Proof	33' dia	33'	188,000	gallons
Fuel Additive	7' dia	8'	2,300	gallons
Denatured Ethanol (existing Tank)	146' dia	48'	6,000,000	gallons
Denatured Ethanol (existing Tank)	146' dia	48'	6,000,000	gallons
Building Dimensions	Dimensions	Height		
Fractionation	50'W x 230'L	82' FFE to Eave TOS		
Fermentation	52' W x 220' L	27' FFE to Eave TOS		12/1 pitch
Process	160'W x 180'L	45'4" FFE to TOS		
Dryer Building	Same as EC?			
Grain storage (4 bins)	4-(51'Radius @500,000 Bushels) 1-(25'Radius @150,000 Bushel concrete)	100'	4-500,000 1-150,000	Bushels
Energy Center	100'W x 125'L	43'3" FFE to Eave TOS		12/1 pitch
DDG Loadout	4-(20'R Silos)			
Corn Receiving	72'W x 98'L	42' FFE to Eave TOS		12/1 pitch
Coal Receiving				
Sugar Storage (Existing – 4 silos)	42' dia	130'4"		
Weibull Sugar Storage (existing)	116' dia	90'		
Boiler House Stack (Existing)		62'		
Boiler stack (Existing)		250'		
Administration (Existing)	5487 sq ft			
Engineering Building (Existing)	2805 sq ft			

In addition to the tanks, bins and buildings described in Table B-1, the facility will include a rail loop spur for delivery of fuel and feedstock and for shipping of finished ethanol. Water, sewer, electric service, and natural gas are already available at the 220-acre site, so the applicant does not anticipate any off-site related and supporting facilities. A project layout diagram is provided in Appendix G-2.

METHODS FOR WASTE MANAGEMENT AND WASTE DISPOSAL

The facility's primary waste streams will be noncontact cooling water, boiler blowdown, process wastewater, emissions control wastewater, stormwater, and a limited amount of solid waste.

Wastewater

The plant will be designed for zero process water discharge. Process wastewater will be pre-treated on-site using a bio-methanator unit (a form of digester) for treating all of the evaporator condensate. The bio-methanator will achieve 90 – 95% reduction of the soluble BOD from the evaporator condensate. The discharge from the bio-methanator is returned to the cook section of the process. By doing this, acid levels are reduced in fermentation and overall plant performance is significantly improved.

Non-process wastewater generated at the facility will include:

- Boiler blowdown
- Cooling tower blowdown
- Water softener blowdown
- Reverse osmosis reject
- Storm water
- Sanitary sewage

It is anticipated that overall waste water generation rates will be in the 300 gpm range. Dissolved solid concentration and blowdown volume will depend upon the technology needed to achieve acceptable water for the facility and to meet regulated discharge limits.

Sanitary sewage will be discharged to the City of Nyssa's system through the existing on-site connection.

The plan for the non-process, non-sanitary wastewater discharge is to apply for an amended NPDES discharge permit for the Nyssa facility. The current NPDES permit for the sugar beet processing facility allows for surface evaporation or infiltration into the water table through large ponds on-site. A modified NPDES permit will be sought to allow for the discharge of SRE blowdowns into the Snake River, after thermal adjustment. SRE will also consider discharging to the City of Nyssa. The City is currently exploring the expansion of its waste water treatment facility in a way that would create sufficient capacity for the applicant's wastewater discharges.

Storm water control and management systems will be engineered to fit into the current plant design at the Nyssa Facility. The goal is to eliminate or minimize storm water contact with potential pollutants through the use of best management practices. This will be accomplished by reducing the exposure of materials to rainwater and by controlling and managing storm water runoff and drainage.

All process operations that require periodic maintenance and regular wash downs will be placed within a building or curbed area. In addition, the ethanol storage tanks will be located in a clay-lined diked area to contain any spills.

For Thermal power plants and electric generating facilities producing energy from wind, solar or geothermal energy

RESPONSE

Not applicable.

For transmission lines:

RESPONSE

Not applicable. Electrical service for the facility is available at the site boundary from a local distribution line owned by Idaho Power Company.

For Pipelines, approximate operating pressure and delivery capacity (thousand cubic feet per day):

RESPONSE

Not applicable. Natural gas is available at the site boundary from a local distribution pipeline owned by Cascade Natural Gas.

For surface facilities related to underground gas storage:

RESPONSE

Not applicable.

For facilities to store liquefied natural gas:

RESPONSE

Not applicable.

EXHIBIT C: LOCATION INFORMATION

REGULATORY CITATION

OAR 345-020-0011(c): A description of the location of the proposed energy facility site and the proposed site of each related or supporting facility and all areas that might be temporarily disturbed during construction of the facility, including the approximate land area of each;

RESPONSE

The facility is located on a 220 acre parcel in Nyssa, currently developed with an idle sugar beet processing facility and associated facilities. A vicinity map is attached to Exhibit G as Figure G-1. Figure G-2 is a project layout diagram.

EXHIBIT D: ALTERNATIVE SITES FOR TRANSMISSION AND PIPELINES

REGULATORY CITATION

OAR 345-020-0011(d): If the proposed energy facility is a pipeline or a transmission line or has, as a related or supporting facility, a transmission line or pipeline that, by itself, is an energy facility under the definition in ORS 469.300, identification of at least two proposed corridors, as defined in OAR 345-001-0010, or identification of a single proposed corridor with an explanation of why alternate corridors are unlikely to better meet the applicant's needs and satisfy the Council's standards. The applicant shall include an explanation of the basis for selecting the proposed corridor(s) and, for each proposed corridor, the information described in subsections (e), (g), (i), (j), (k), (n) and (p) that is available from existing maps, aerial photographs, and a search of readily available literature;

RESPONSE

Not applicable.

EXHIBIT E: REQUIRED PERMITS

REGULATORY CITATION

OAR 345-020-0011(e): Identification of all federal, state and local government permits needed before construction and operation the proposed facility, legal citation of the statute, rule or ordinance governing each permit, and the name, address and telephone number of the agency or office responsible for each permit;

Federal Permits

U.S. Army Corps of Engineers

33 USCA 1344; 33 CFR parts 320, 323, 325-28, and 330.

Permit: Clean Water Act, Section 404 fill/removal permit (potential)

Agency: U.S. Army Corps of Engineers
P.O. Box 2946
Portland, OR 97208-2946
Attn: Mary Hoffman, Permit Evaluator
(541) 962-0401

U.S. Fish and Wildlife Service

16 USCA 1536, 1539; 50 CFR 402

Permit: incidental take statement (not expected)

Agency: Gary Miller, Field Supervisor
U.S. Fish and Wildlife Service
La Grande Field Office
3502 Highway 30
La Grande, OR 97850
(541) 962-8584

Federal Aviation Administration

14 CFR 77.13, 77.15, 77.17

Permit: None. No new structures are over 200 feet tall.

Agency: Don Larsen
Northwest Mountain Regional Office
Air Traffic Division, ANM-520
1601 Lind Avenue, SW
Renton, WA 98055-4056
(425) 227-2520

STATE PERMITS

Oregon Department of Energy; Energy Facility Siting Council

ORS 469.300 *et seq.*; OAR Chapter 345, Divisions 1, 21-24.

Permit: Energy Facility Site Certificate (required)

Agency: Adam Bless, Senior Analyst
Energy Siting
Department of Energy
625 Marion St. NE, Suite 1
Salem, OR 97301
(503) 378-8692

Oregon Department of Environmental Quality

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Construction Storm Water Permit 1200-C (required)

Agency: Mitch Wolgamott, Eastern Region Administrator
Department of Environmental Quality
Eastern Region – Water Quality
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063
Wolgamott.Mitch@deq.state.or.us

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Industrial Storm Water Permit 1200-Z (required)

Agency: Department of Environmental Quality
Eastern Region – Water Quality
Attn: Mitch Wolgamott
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063
Wolgamott.Mitch@deq.state.or.us

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: NPDES permit (potential). The plant will use a low discharge system and may discharge non-process blowdowns to the Snake River via a modification to the existing Permit No. 101174. The plant may also discharge to the City of Nyssa wastewater treatment plant. A third discharge option – discharge to the existing infiltration ponds, could be allowed pursuant to the existing NPDES permit.

Agency: Department of Environmental Quality
Eastern Region – Water Quality
Attn: Mitch Wolgamott
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063
Wolgamott.Mitch@deq.state.or.us

ORS 468 and 468B; OAR Chapter 340, Divisions 14, 41, 45, 52, and 55

Permit: Water Pollution Control Facility Permit; may be required if the plant discharges wastewater to the existing infiltration ponds.

Agency: Department of Environmental Quality
Eastern Region – Water Quality
Attn: Mitch Wolgamott
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063
Wolgamott.Mitch@deq.state.or.us

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Water Quality Certification

Agency: Department of Environmental Quality
Eastern Region – Water Quality
Attn: Mitch Wolgamott
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063
Wolgamott.Mitch@deq.state.or.us

33 USCA 1341, Section 401; OAR Chapter 340, Division 48

Permit: Air Contaminant Discharge Permit (new permit or modification of existing Oregon Title V Operating Permit for sugar beet processing facility).

Agency: Mark Fisher, Senior Permit Writer
Department of Environmental Quality
Eastern Region – Air Quality
300 SE Reed Market Road
Bend OR 97701-2237
Telephone: 541-388-6146, ext. 275
Email: fisher.mark@deq.state.or.us

Oregon Department of State Lands

ORS 196; OAR Chapter 141, Division 85

Permit: Removal-Fill Permit (potential)

Agency: Kevin Herkamp, Resource Coordinator
Oregon Department of State Lands
1645 NE Forbes Rd., Suite 112
Bend, OR 97701
(541) 388-6345

Oregon Parks and Recreation Department - Historic Preservation Section

ORS 97, 358, and 390; OAR Chapter 736, Division 51

Permit: Archaeological permit (not expected)

Agency: Susan Lynn White, Assistant State Archaeologist

Oregon Parks and Recreation Department
State Historic Preservation Office
725 Summer St., NE, Suite C
Salem, OR 97301
(503) 986-0674

Oregon Water Resources Department – Water Rights Division

ORS 537 and 540; OAR Chapter 690

Permit: None required. Domestic water for the facility will be supplied by the City of Nyssa. Industrial water will be supplied under existing Water Rights Certificate No. 15744

Agency: Oregon Water Resources Department – Water Rights Division
725 Summer St., NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

LOCAL PERMITS

City of Nyssa

Permit: None required; the project will be designated a permitted use in an industrial zone.

Agency: City of Nyssa
Roberta Donovan, City Manager
301 Main Street
Nyssa, Oregon 97913
(541) 372-2264 x.6

EXHIBIT F: PROPERTY OWNER INFORMATION

REGULATORY CITATION

OAR 345-020-0011(f): A list of the names and mailing addresses of all owners of record, as shown on the most recent property tax assessment roll, of property located within or adjacent to the site boundary as defined in OAR 345-001-0010. In addition to incorporating the list in the NOI, the applicant shall submit the list to the Department of Energy in electronic format acceptable to the Department for the production of mailing labels. Property adjacent to the site boundary means property that is:

(A) Within 100 feet of the site boundary where the site, corridor or micrositing corridor is within an urban growth boundary;

(B) Within 250 feet of the site boundary where the site, corridor or micrositing corridor is outside an urban growth boundary and not within a farm or forest zone; and

(C) Within 500 feet of the site boundary where the site, corridor or micrositing corridor is within a farm or forest zone;

RESPONSE

The proposed facility site is within the City of Nyssa urban growth boundary (UGB). Following are the names and addresses of all property owners located within 100 feet of any portion of the site boundary:

Dean & Li Wong
208 E Main Street
Nyssa, OR 97913

Rosalio & Julia Munoz
302 E Main Street
Nyssa, OR 97913

Mexican American Citizens Le
PO Box 653
Ontairo, OR 97913

Rheault, A Gene Trustee ETAL
Jack Wennistrom
414 E Main Street
Nyssa, OR 97913

Richard and Lucy Beck
214 Thunderegg Blvd.
Nyssa, OR 97913

Asencion & Marta Rodriguez
104 E 5th Street
Nyssa, OR 97913

Ramon Iniguez
213 N 6th Street
Nyssa, OR 97913

Leon & Michelle Nederhood
971 Strader Rd.
Nyssa, OR 97913

Ruben & Margarita Guillen
PO Box 2491
Nyssa, OR 97913

Margarita Morales
302 E Bower Ave.
Nyssa, OR 97913

Maximilliano Elguezabal
101 E 3rd Street
Nyssa, OR 97913

Jose & Berta Mosqueda
211 E. Bower Ave
Nyssa, OR 97913

Larry & Alicia Kroush
6336 HWY 95
Fruitland, ID 83619

Enrique & Josefina Barba
313 E. Bower Ave.
Nyssa, OR 97913

Billy Audiss
PO Box 2539
Nyssa, OR 97913

John & Ruth Weaver
PO Box 831
Payette, ID 83661

Stephen Snyder
415 E Bower Ave
Nyssa, OR 97913

Vear A Haile
PO Box 2564
Nyssa, OR 97913

Dogoberto Zambrano
17 E 1st Street
Nyssa, OR 97913

Joel & Christina Rodriguez
23 E 1st Street
Nyssa, OR 97913

Jose & Laura Lazo
1024 Settlers Street
Caldwell, ID 83607

Juan & Berta Lazo
102 E 1st Street
Nyssa, OR 97913

Vera Suarez
101 E 2nd Street
Nyssa, OR 97913

DC Investments
PO Box 546
Ontario, OR 97913

Francisco DeLeon
143 Marco Dr.
Eagle Pass, TX 78852

Esteban & Ofelia Jimenez
PO Box 2334
Nyssa, OR 97913

Rosaura Hernandez
11 E 2nd Street
Nyssa, OR 97913

Adelina Torres
17 E 2nd Street
Nyssa, OR 97913

Floyd & Leona Jones
1540 Sunset Dr.
Ontario, OR 97913

Donald & Beth Sappe
605 Cloverdale
Nyssa, OR 97913

Billie Morrison
Sandy Morrison
727 Stephen Rd.
Nyssa, OR 97913

Owyhee Irrigation
17 S 1st Street
Nyssa, OR 97913

Dirk & Nancy DeBoer
PO Box 1568
Nyssa, OR 97913

USA General Delivery
Washington, DC 20013

Dean M. Sappe
PO Box 433
Baker City, OR 97814

Snake River Produce Co. LLC
Attn: Reid Saito
PO Box 1727
Nyssa, OR 97913

Edward Ferreira
2900 SW 3rd Avenue
New Plymouth, ID 83655

Rosa Valdez
521 N 1st Street
Nyssa, OR 97913

EXHIBIT G: MAPS

REGULATORY CITATION

OAR 345-020-0011(g): A map or maps showing:

(A) The proposed locations of the energy facility site, all related or supporting facility sites and all areas that might be temporarily disturbed during construction of the facility in relation to major roads, water bodies, cities and towns, important landmarks and topographic features;

(B) The proposed locations of the corridors the applicant has identified under subsection (d) in relation to major roads, water bodies, cities and towns, important landmarks and topographic features;

(C) The study area(s) for the proposed facility as defined in OAR 345-001-0010;

(D) The topography of the study area(s) including streams, rivers, lakes, major roads and contour lines;

(E) All protected areas in the study area as defined in OAR 345-001-0010 for impacts to protected areas; and

(F) The location of any potential waters of the state or waters of the United States that are on or adjacent to the site.

RESPONSE

Appended to this Exhibit G are the following maps:

Figure G-1: Vicinity Map
Figure G-2: Project Layout Diagram
Figures G3-A to G3-D: Study Areas ¹ and Protected Areas
Figure G-4: Statewide Wetland Inventory Map

¹ Study Areas are: fish and wildlife habitat, one-half mile; threatened/endangered species and recreational opportunities, 5 miles; scenic resources and public services, 10 miles; and protected areas, 20 miles.

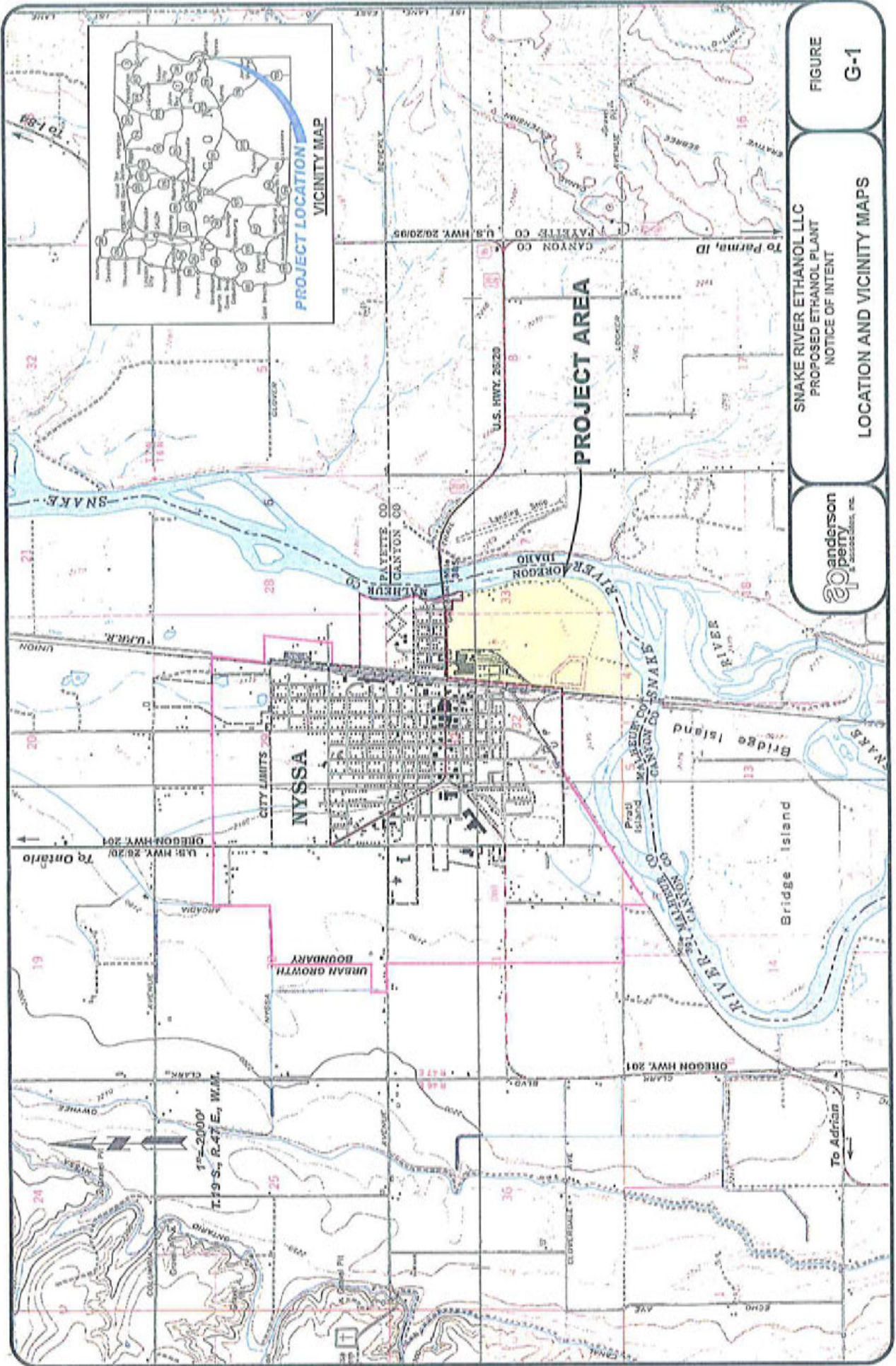
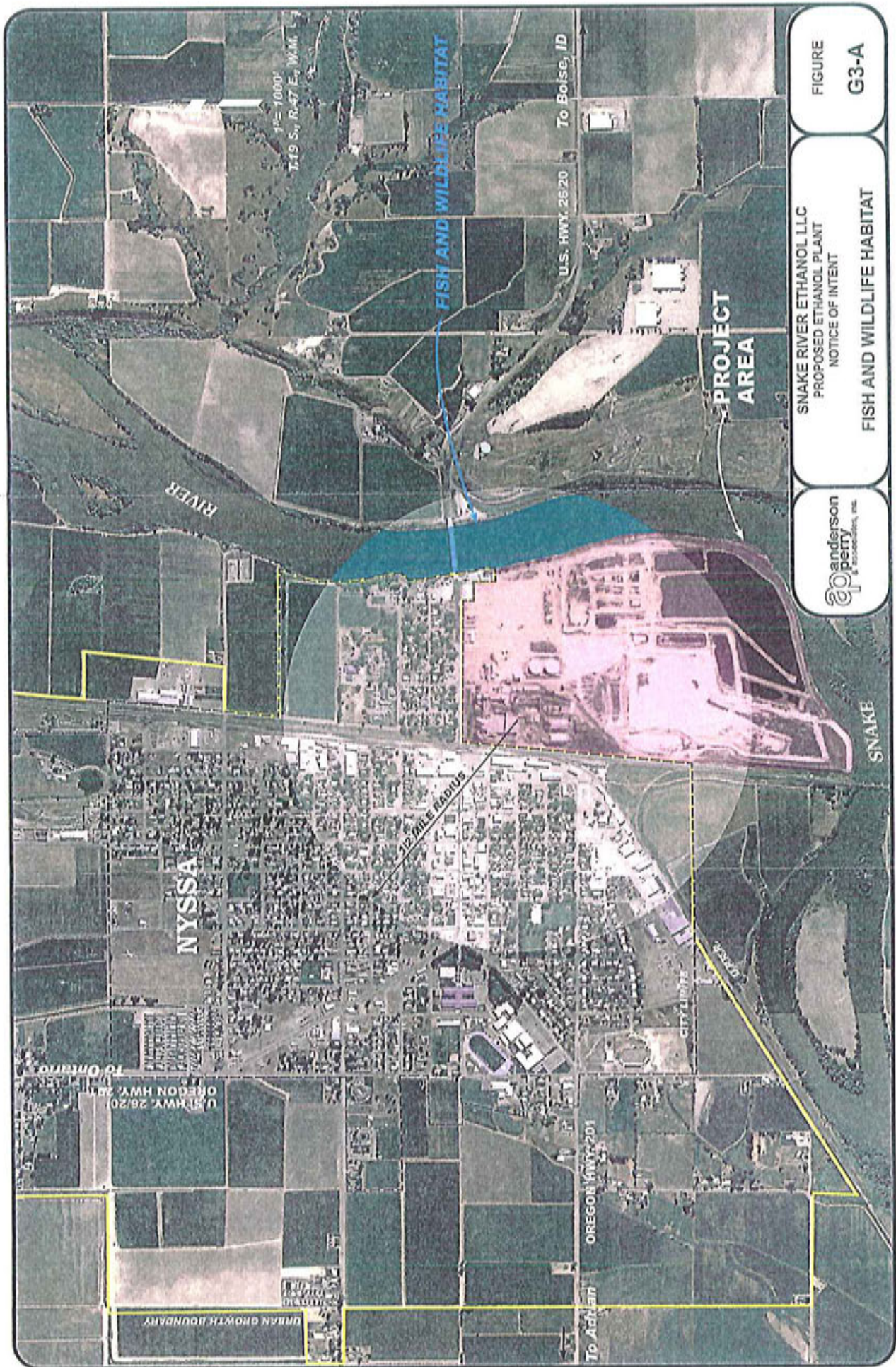


FIGURE
G-1

SLAKE RIVER ETHANOL LLC
PROPOSED ETHANOL PLANT
NOTICE OF INTENT



LOCATION AND VICINITY MAPS



SNAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT
 FISH AND WILDLIFE HABITAT



FIGURE
 G3-A



1" = 6000'
T.19 S., R.47 E., W.M.

LEGEND

- A** SOUGHT PARK
- B** NORTH PARK
- C** CROWFOOTS STICKSEED
(*Rhynchospora corymbosa*) - SPECIES
OF CONCERN (FEDERAL),
THREATENED SPECIES (STATE OF
OREGON)
- D** NYSSA GARDENS

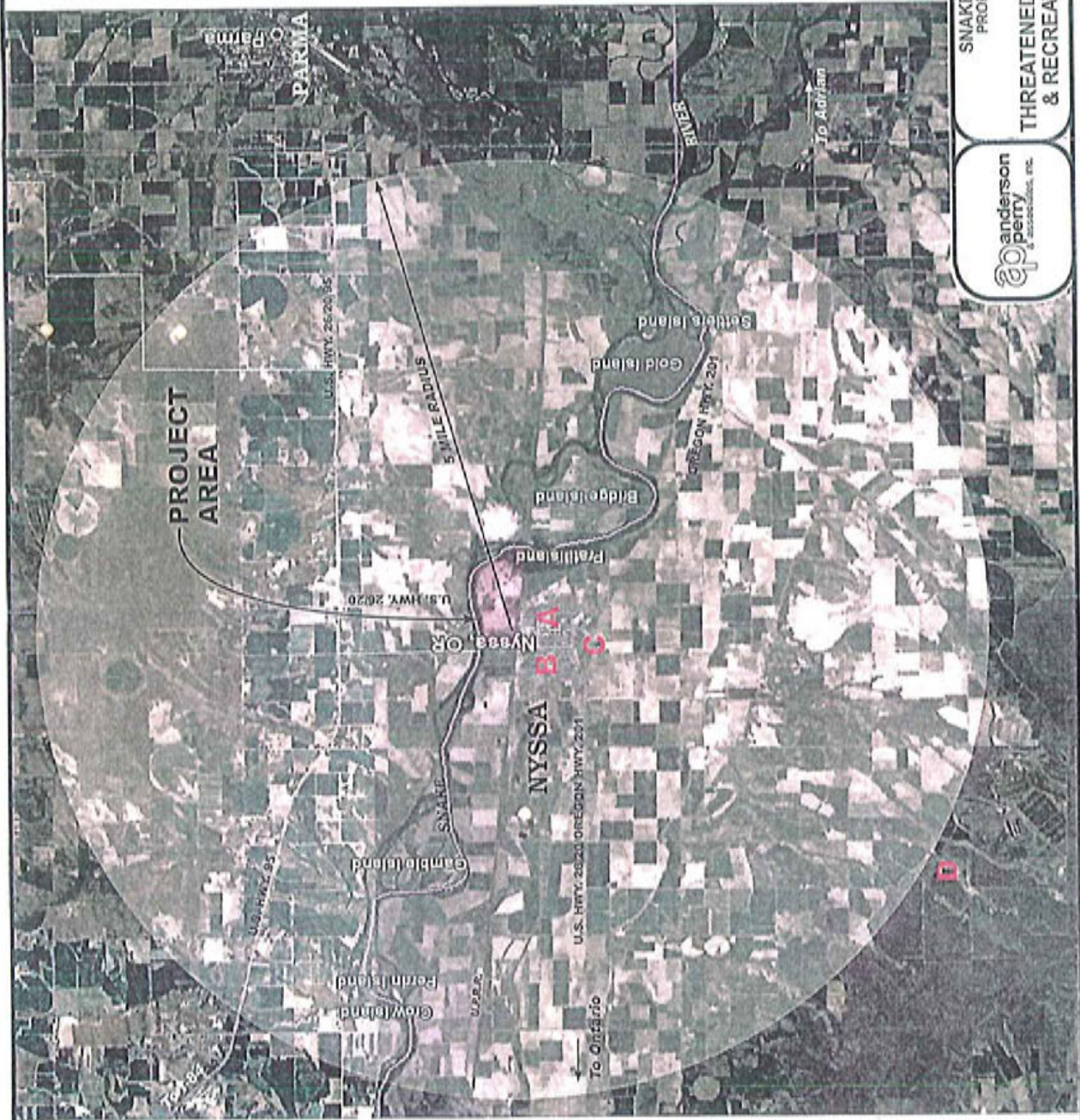
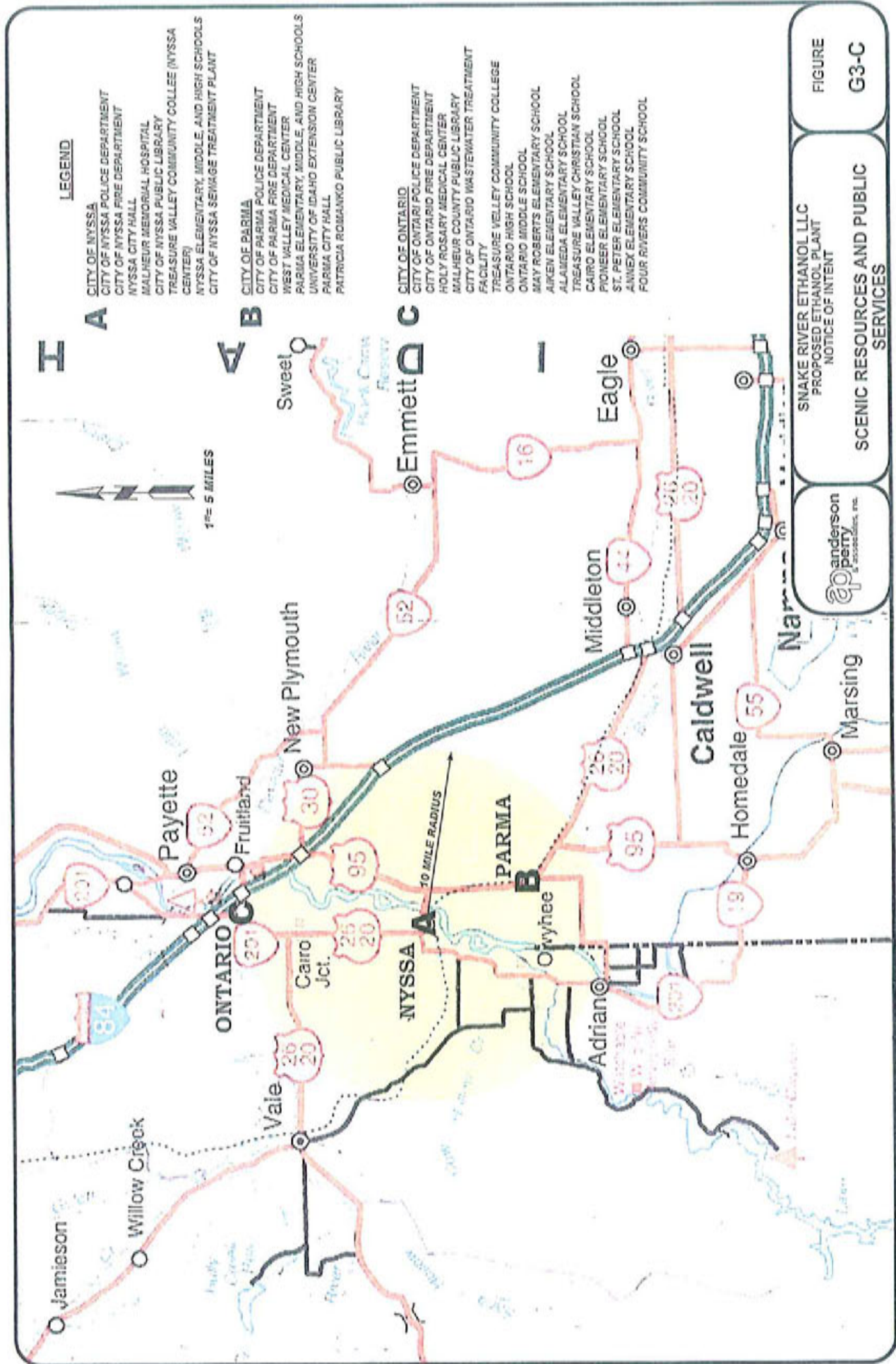


FIGURE
G3-B

SNAKE RIVER ETHANOL LLC
PROPOSED ETHANOL PLANT
NOTICE OF INTENT
**THREATENED & ENDANGERED SPECIES
& RECREATIONAL OPPORTUNITIES**





LEGEND

- A**
- CITY OF NYSSA
 - CITY OF NYSSA POLICE DEPARTMENT
 - CITY OF NYSSA FIRE DEPARTMENT
 - NYSSA CITY HALL
 - MALNEUR MEMORIAL HOSPITAL
 - CITY OF NYSSA PUBLIC LIBRARY
 - TREASURE VALLEY COMMUNITY COLLEGE (NYSSA CENTER)
 - NYSSA ELEMENTARY, MIDDLE, AND HIGH SCHOOLS
 - CITY OF NYSSA SEWAGE TREATMENT PLANT
- B**
- CITY OF PARMA
 - CITY OF PARMA POLICE DEPARTMENT
 - CITY OF PARMA FIRE DEPARTMENT
 - WEST VALLEY MEDICAL CENTER
 - PARMA ELEMENTARY, MIDDLE, AND HIGH SCHOOLS
 - UNIVERSITY OF IDAHO EXTENSION CENTER
 - PARMA CITY HALL
 - PATRICIA ROMANKO PUBLIC LIBRARY

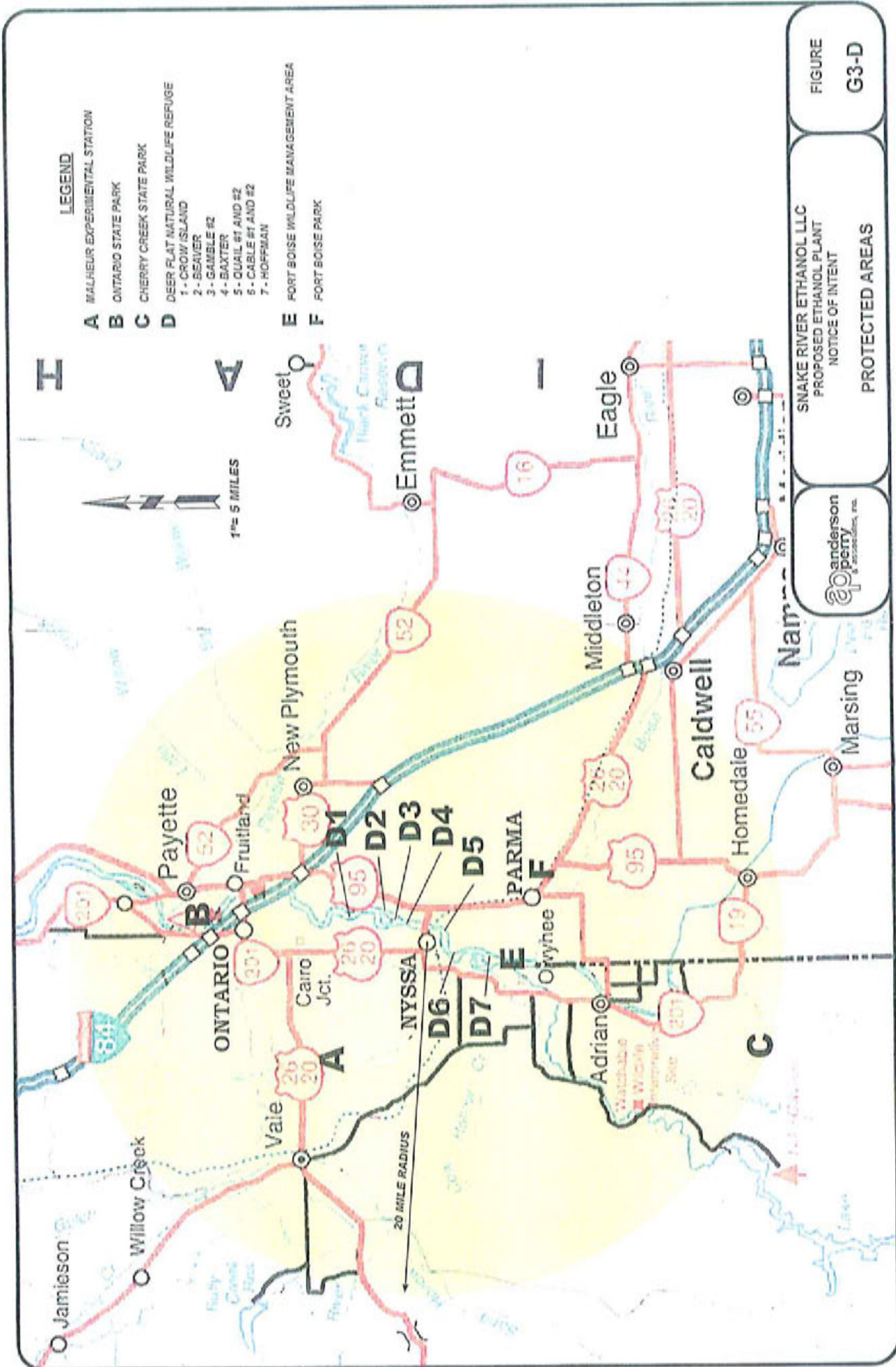
- C**
- CITY OF ONTARIO
 - CITY OF ONTARIO POLICE DEPARTMENT
 - CITY OF ONTARIO FIRE DEPARTMENT
 - HOLY ROSARY MEDICAL CENTER
 - MALHEUR COUNTY PUBLIC LIBRARY
 - CITY OF ONTARIO WASTEWATER TREATMENT FACILITY
 - TREASURE VALLEY COMMUNITY COLLEGE
 - ONTARIO HIGH SCHOOL
 - ONTARIO MIDDLE SCHOOL
 - MAY ROBERTS ELEMENTARY SCHOOL
 - AIKEN ELEMENTARY SCHOOL
 - ALAMEDA ELEMENTARY SCHOOL
 - TREASURE VALLEY CHRISTIAN SCHOOL
 - CAIRO ELEMENTARY SCHOOL
 - PIONEER ELEMENTARY SCHOOL
 - ST. PETER ELEMENTARY SCHOOL
 - ANNEX ELEMENTARY SCHOOL
 - FOUR RIVERS COMMUNITY SCHOOL

SNAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT



SCENIC RESOURCES AND PUBLIC SERVICES

FIGURE G3-C



LEGEND

- A** MALHEUR EXPERIMENTAL STATION
- B** ONTARIO STATE PARK
- C** CHERRY CREEK STATE PARK
- D** DEER FLAT NATURAL WILDLIFE REFUGE
 - 1 - CROW ISLAND
 - 2 - BEAVER
 - 3 - GAMBLE #2
 - 4 - BAXTER
 - 5 - QUAIL #1 AND #2
 - 6 - CABLE #1 AND #2
 - 7 - HOFFMAN
- E** FORT BOISE WILDLIFE MANAGEMENT AREA
- F** FORT BOISE PARK

FIGURE
G3-D

SLAKE RIVER ETHANOL LLC
PROPOSED ETHANOL PLANT
NOTICE OF INTENT



PROTECTED AREAS

H



1" = 5 MILES

20 MILE RADIUS

anderson
permy
ASSOCIATES, INC.

Snake River Ethanol LLC
Proposed Ethanol Plant, Notice of Intent
Figure G-4, Statewide Inventory Map
Wetland Classification

PABF:	palustrine, aquatic bed, semi-permanently flooded
PEM1A:	palustrine, emergent, persistent, temporarily flooded
PEM1B:	palustrine, emergent, persistent, saturated
PEM1Cr:	palustrine, emergent, persistent, seasonally flooded, artificial substrate, excavated
PEMC:	palustrine, emergent, seasonally flooded
PEM1KCr:	palustrine, emergent, persistent, artificially flooded, seasonally flooded, artificial substrate, excavated
PEMC1:	palustrine, emergent, persistent, seasonally flooded
PFO1A:	palustrine, forested, broad leaved deciduous, temporarily flooded
PFOA:	palustrine, forested, temporarily flooded
PSS1C:	palustrine, scrub-shrub, broad leaved deciduous, seasonally flooded
PSSC:	palustrine, scrub-shrub, seasonally flooded
PUBHr:	palustrine, unconsolidated bottom, permanently flooded, artificial substrate, excavated
PUBHx:	palustrine, unconsolidated bottom, permanently flooded, excavated
PUSC:	palustrine, unconsolidated shore, seasonally flooded
PUSCr:	palustrine, unconsolidated shore, seasonally flooded, artificial substrate, excavated
R3UBH:	riverine, upper perennial, unconsolidated bottom, permanently flooded

EXHIBIT H: NON-GENERATING FACILITY

REGULATORY CITATION

OAR 345-020-0011(h): If the proposed facility is a non-generating energy facility for which the applicant must demonstrate need under OAR 345-023-0005, identification of the rule in Division 23 of this chapter under which the applicant intends to demonstrate need and a summary statement of the need and justification for the proposed facility;

RESPONSE

Not applicable.

EXHIBIT I: LAND USE

REGULATORY CITATION

OAR 345-020-0011(i): A statement indicating whether the applicant intends to satisfy the Council's land use standard, OAR 345-022-0030, by obtaining local land use approval under ORS 469.504(1)(a) or by seeking a Council determination under ORS 469.504(1)(b).

RESPONSE

The applicant intends to satisfy the Council's land use standard by obtaining local land use approval.

EXHIBIT J: ENVIRONMENTAL IMPACT SUMMARY

OAR 345-020-0011

(j) Exhibit J. Identification of significant potential environmental impacts of construction and operation of the proposed facility on the study areas, including those impacts affecting air quality, surface and ground water quality and availability, wildlife and wildlife habitat, threatened and endangered plant and animal species, historic, cultural and archaeological resources, scenic and aesthetic areas, recreation, and land use;

RESPONSE

Air Quality

The stationary emission sources at the facility include grain handling, fermentation, distillation, combustion, storage tanks, ethanol loadout, and fugitives. The applicant will submit to DEQ a request to construct the facility and/or a request to modify the existing Title V Permit for the sugar beet processing facility. The applicant expects to employ design and technology measures sufficient to operate within previously-permitted emissions levels.

Odors from the plant will be minimal. Common odor complaints about ethanol plants are associated with drying the distillers grains. This ethanol facility will employ a closed loop system that controls odors from grain drying as well as from fermentation by employing proven technologies including a thermal oxidizer; therefore, no odor problem is anticipated.

Surface and groundwater quality

The plant will employ a zero-discharge system for process wastewater. Non-process wastewater may be discharged to the City (if the City treatment system is expanded), to on-site infiltration ponds, or to the Snake River pursuant to an NPDES permit or permit modification. The applicant will evaluate these alternatives to ensure they can be employed consistent with applicable permitting standards.

The Statewide Wetland Inventory shows no wetlands or waters of the state as occurring on the project site except for industrial infiltration ponds constructed and used by the property owner on the southern portion near the river bend. *See Figure G-4.* The site is already fully developed for industrial use.

Surface and groundwater availability

The project will obtain domestic water from the City of Nyssa. It will obtain industrial water from the Snake River under existing industrial Water Rights Certificate No. 15744. This project will use up to 1000 gpm of groundwater that is not currently used for other purposes. The permit allows use of up to 3700 gpm. The project is not expected to impact surface water availability.

Wildlife and wildlife habitat

For more than half a century, the site has been fully developed for industrial use and it has no value as wildlife habitat. Modifying the sugar beet processing facility to an ethanol facility is not expected to cause any new impact on wildlife.

Threatened and endangered plant and animal species

No impacts to protected species are expected due to the previously built nature of the entire Facility site. Database search requests have been submitted to ONHRIC and the US Fish and Wildlife Services. A copy of each of the letters is attached in Appendix J-1.

Historic, cultural and archaeological resources

Since the site has been fully developed and in active industrial use for decades, no historic, cultural or archeological resources are expected to be disturbed by the conversion of the sugar beet processing facility into a biofuels facility.

Scenic and aesthetic areas

The plant will be set in a developed industrial area where existing facilities of equal stature are located near the existing grain silos. The tallest new structure will be the grain storage bins at approximately 100 feet high. Existing structures adjacent to the facility site include a boiler stack (250 feet) and sugar storage silos (90 to 130 feet). No substantial change to the scenic or aesthetic character is anticipated as a result of the project.

Recreation

The facility site is located in a developed industrial area with little opportunity for recreation. The only nearby recreation facility is a small boat ramp northeast of the site, adjacent to the Highway 20-26 bridge over the Snake River. This facility is infrequently used and has a separate access off of Highway 20-26. The development and construction of the facility is not expected to impact this facility.

Land use

The facility site is already in a similar industrial use so no change in land use pattern is expected. The site recently was annexed by Nyssa and is within the Nyssa UGB. It is zoned industrial by Nyssa, and a zone text amendment is underway to clarify that a biofuels processing facility and related uses are permitted uses.

Noise

The plant will comply with state of Oregon noise standards for previously used industrial sites. The ASC for this project is anticipated to evaluate expected noise inputs on any nearby sensitive receptors and to demonstrate compliance with all applicable standards.

APPENDIX J-1

Copies of Letters to ONHRIC and USFWS

SNAKE RIVER ETHANOL LLC
3184 Elder Street
Boise, Idaho 83705
Phone: (208) 383-6500
Fax: (208) 383-6688

June 13, 2008

Oregon Natural Heritage Information Center
1322 SE Morrison Street
Portland, OR 97214-2531
Phone and Fax: (503) 731-3070

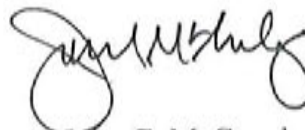
To Whom It May Concern:

Snake River Ethanol LLC is proposing to develop an ethanol production facility on an approximately 220 acre industrial site in Nyssa, Oregon that is fully developed and has been in use since 1938. The Facility will produce approximately 130 million gallons per year of ethanol, along with valuable co-products, using corn and sugar as feedstocks. Corn and sugar will be brought to the site by rail and truck, and ethanol and co-products shipped out by rail and truck. The Facility will be designed to operate within the limits of existing water rights and air emission permits applicable to the site. The facility will be zero-discharge for process wastewater, and may discharge non-process wastewater (e.g., cooling tower blowdown) to on-site treatment/infiltration ponds, to the Snake River pursuant to an NPDES permit, or to the City of Nyssa's treatment system.

In connection with this development, Snake River Ethanol LLC would like to request that the Oregon Natural Heritage Information Center perform a database search to identify any state-listed threatened or endangered plant or animal species that are known to exist within five (5) miles of the project site. This information will assist Snake River Ethanol in identifying and avoiding impacts on threatened or endangered species that may be present in the project vicinity.

The project site is bounded on the north by Main Street (Hwy. 20-26), on the west by the Union Pacific Railroad, and on the east and south by the Snake River. A map of the project location and a 5 mile radius map are attached to this letter.

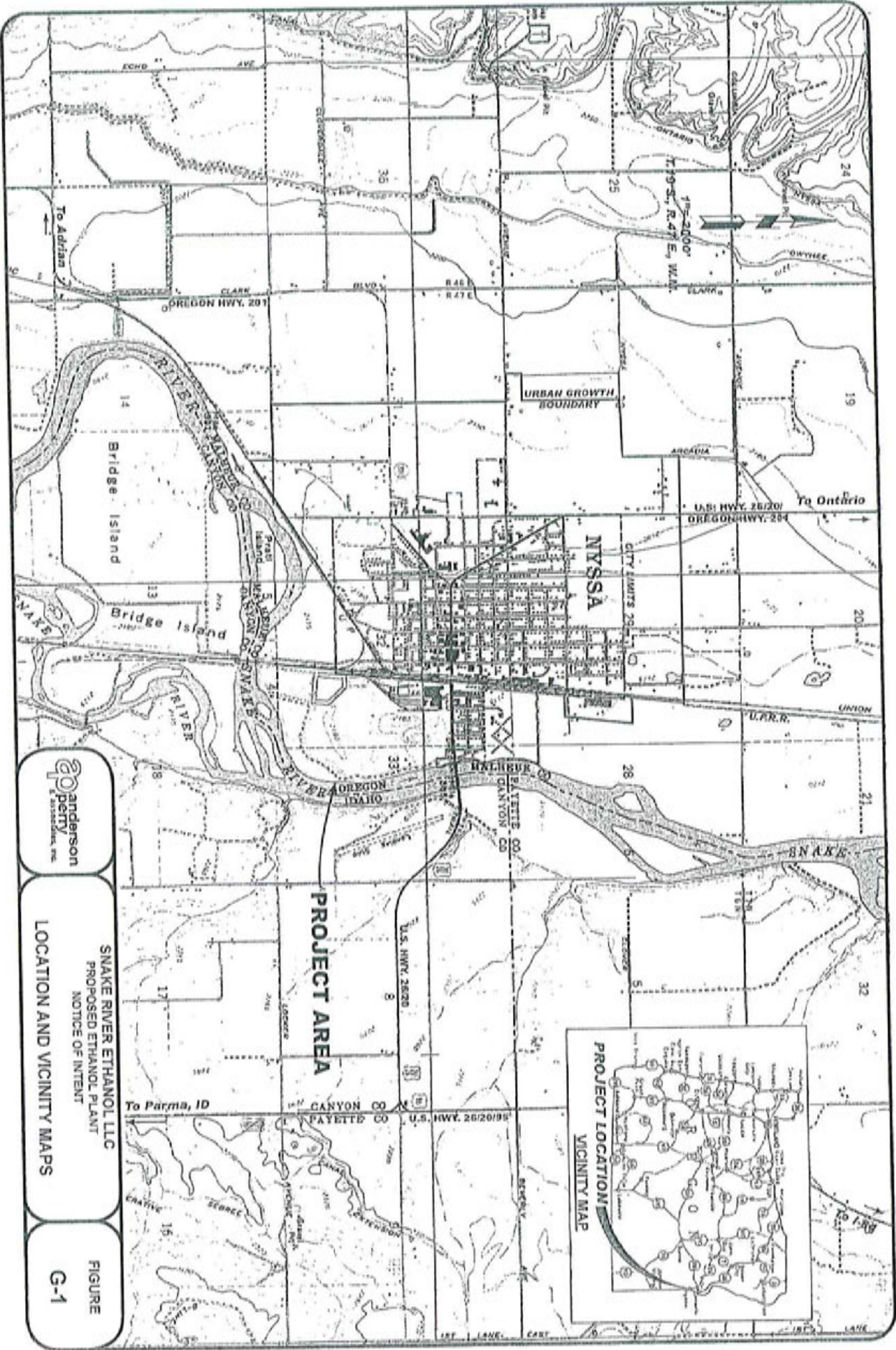
Sincerely,



John C. McCreedy, President
Snake River Ethanol LLC

JCM/smh
Enclosures

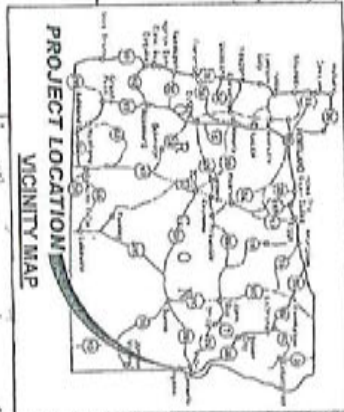
Y:\Legal\data\wp\Amalgamated\Ethanol\or.nat.heritage.01.doc




 Anderson
 Property
 Services, Inc.

PROJECT AREA
 SNAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT
 LOCATION AND VICINITY MAPS

FIGURE
 G-1



PROJECT AREA

**PROJECT LOCATION
VICINITY MAP**

To Adrian, ID
 To Ontario
 To Parma, ID

NYSSA

Bridge Island

Bridge Island

Snake River

Snake River

Snake River

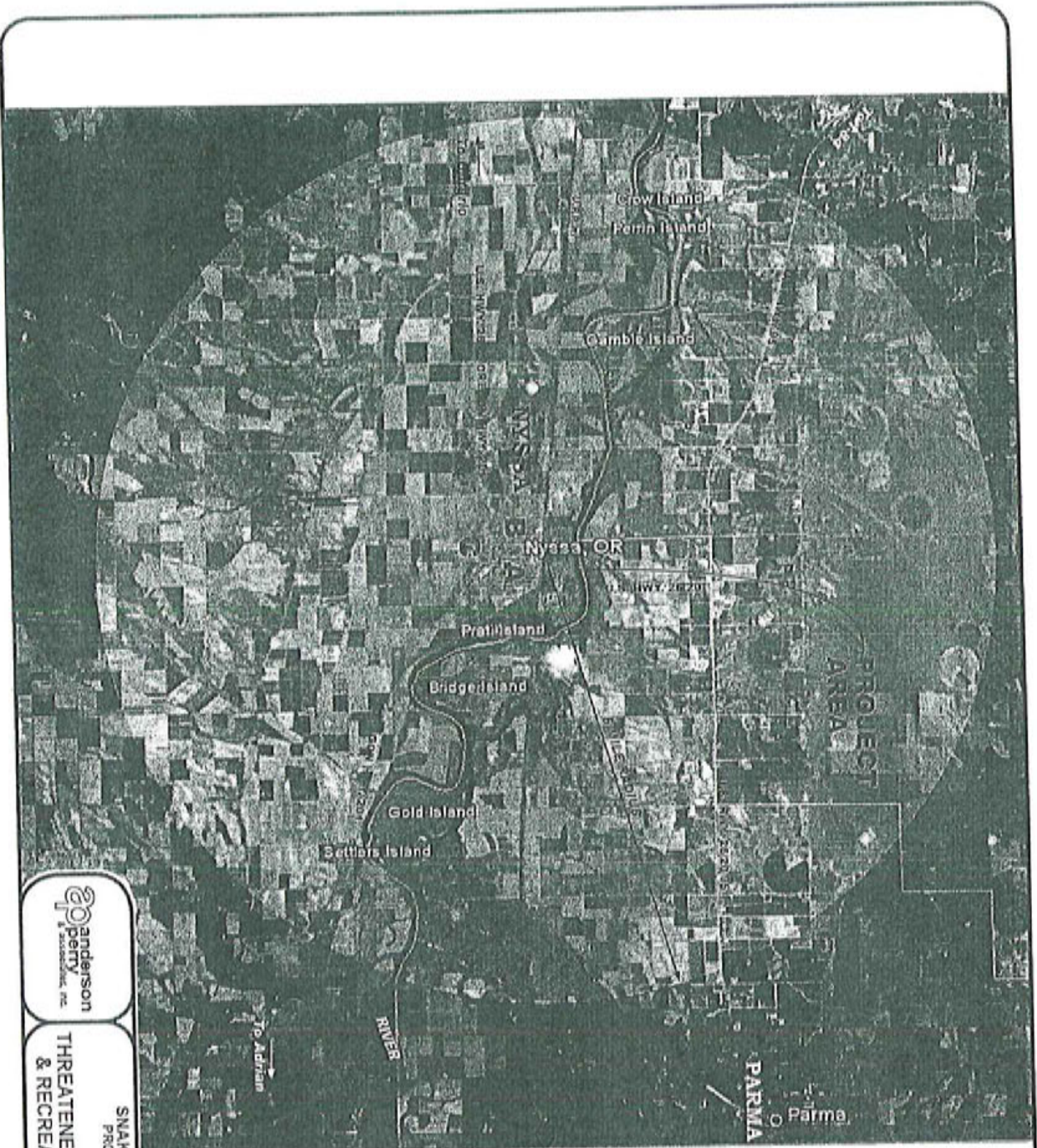
Snake River

Snake River

Snake River

Snake River

Snake River



1" = 6000'
 T.19 S., R.47 E., W.M.

- LEGEND**
- A** SOUTHT PARK
 - B** NORTH PARK
 - C** CROWQUISTS STICKSEED
 (Rackelia Cronquistii) - SPECIES
 OF CONCERN (FEDERAL,
 THREATENED SPECIES (STATE OF
 OREGON))
 - D** NYSSA GARDENS

anderson
 perry
 CONSULTANTS, INC.

SLAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT

THREATENED & ENDANGERED SPECIES
 & RECREATIONAL OPPORTUNITIES

FIGURE
 G3-B

SNAKE RIVER ETHANOL LLC
3184 Elder Street
Boise, Idaho 83705
Phone: (208) 383-6500
Fax: (208) 383-6688

June 13, 2008

U.S. Fish and Wildlife Service – Pacific Region
Attn: Nancy Gilbert, Field Supervisor
Bend Field Office
20310 Empire Avenue, Suite A-100
Bend, OR 97701
(541) 383-7146

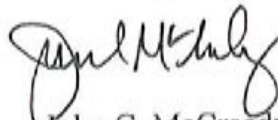
Dear Ms. Gilbert:

Snake River Ethanol LLC is proposing to develop an ethanol production facility on an approximately 220 acre industrial site in Nyssa, Oregon that is fully developed and has been in use since 1938. The Facility will produce approximately 130 million gallons per year of ethanol, along with valuable co-products, using corn and sugar as feedstocks. Corn and sugar will be brought to the site by rail and truck, and ethanol and co-products shipped out by rail and truck. The Facility will be designed to operate within the limits of existing water rights and air emission permits applicable to the site. The facility will be zero-discharge for process wastewater, and may discharge non-process wastewater (e.g., cooling tower blowdown) to on-site treatment/infiltration ponds, to the Snake River pursuant to an NPDES permit, or to the City of Nyssa's treatment system.

In connection with this development, Snake River Ethanol LLC would like to request that the U.S. Fish and Wildlife Service perform a database search to identify any federally-listed threatened or endangered species that are known to exist within five (5) miles of the project site. This information will assist Snake River Ethanol in identifying and avoiding potential impacts on threatened or endangered species that may be present in the project vicinity.

The project site is bounded on the north by Main Street (Hwy. 20-26), on the west by the Union Pacific Railroad, and on the east and south by the Snake River. A map of the project location and a five (5) mile radius map are attached to this letter.

Sincerely,

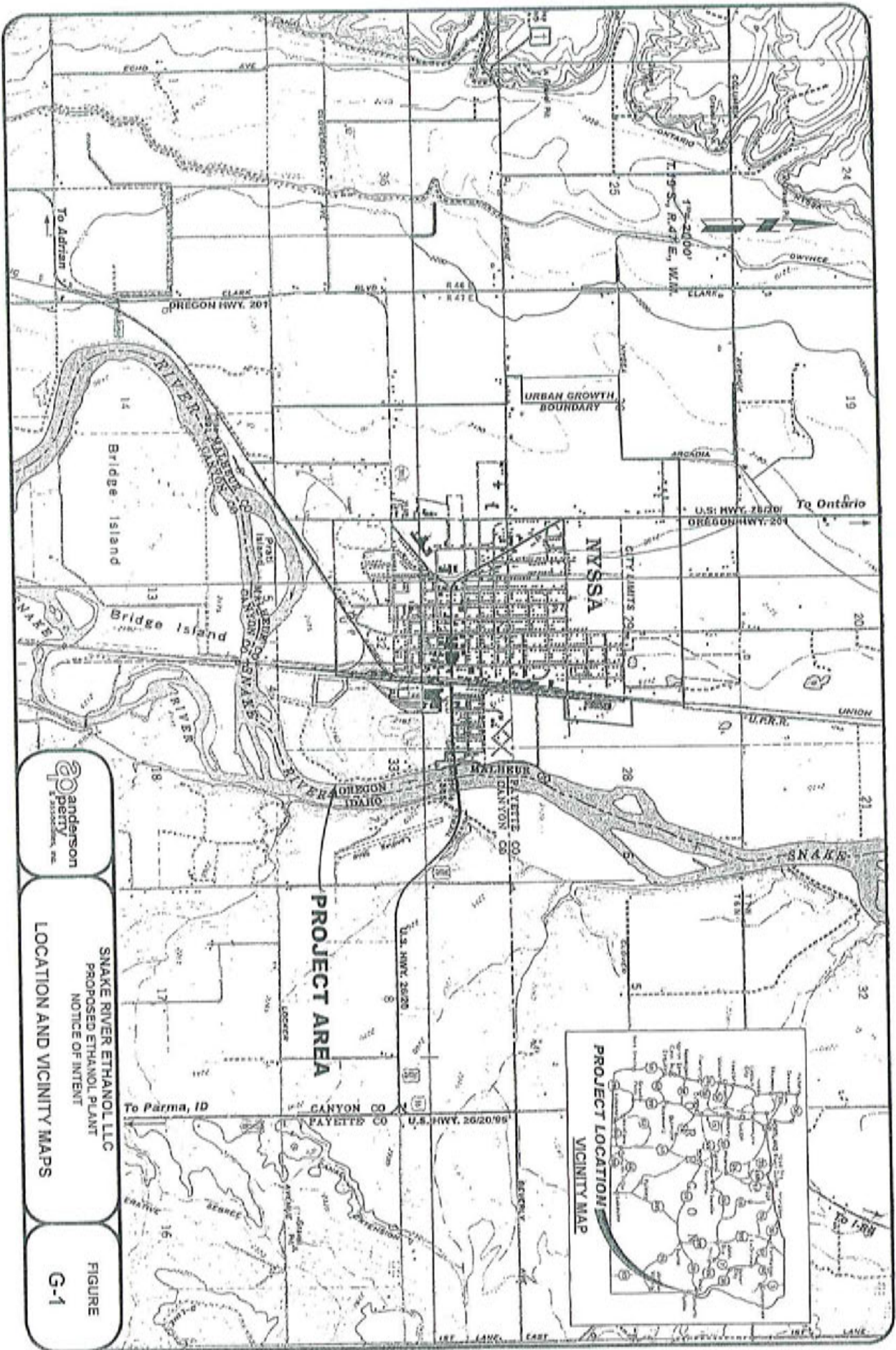


John C. McCreedy, President
Snake River Ethanol LLC

JCM/smh

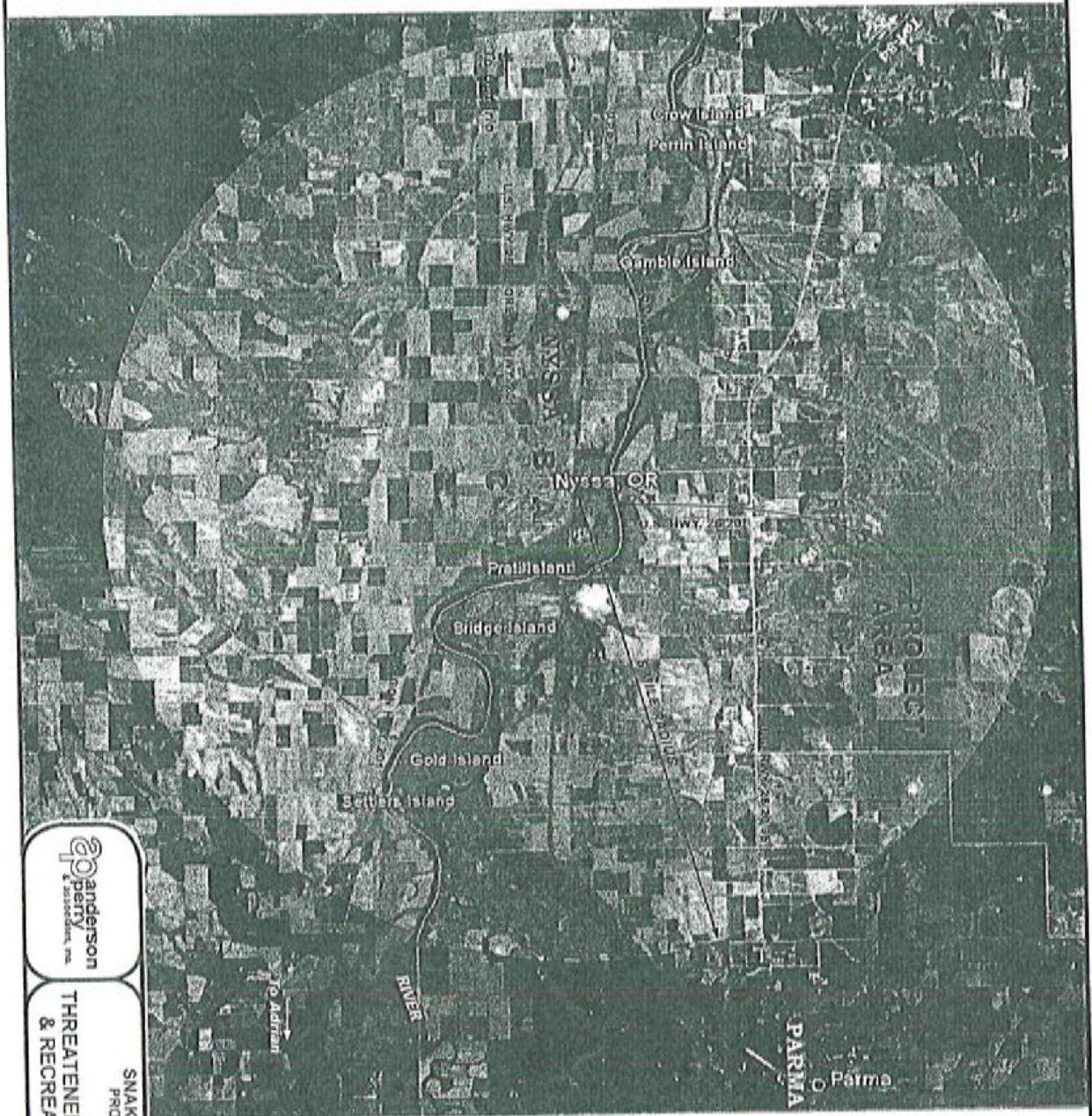
Enclosures

Y:\Legal\data\wp\Amalgamated\Ethanol\us.fish.wildlife.01.doc



Anderson Property Services
Snake River Ethanol LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT
LOCATION AND VICINITY MAPS

FIGURE
G-1



1" = 6000'
 T.19 S., R.47 E., W.4M.

LEGEND

- A** SOUGHT PARK
- B** NORTH PARK
- C** CROWDUST'S STICKSEED
 (Panicum Crispum) - SPECIES
 OF CONCERN (FEDERAL,
 THREATENED SPECIES STATE OF
 OREGON)
- D** NYSSA GARDENS


ANDERSON PROPERTY ASSOCIATES, INC.
 SNAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT
 THREATENED & ENDANGERED SPECIES
 & RECREATIONAL OPPORTUNITIES

FIGURE
G3-B

EXHIBIT K: COMMUNITY IMPACT INFORMATION

REGULATORY CITATION

OAR 345-020-0011(k): Information about significant potential adverse impacts of construction and operation of the proposed facility on the ability of communities in the study area to provide the services listed in OAR 345-022-0110;

RESPONSE

Sewers and sewage treatment

The facility will discharge sanitary wastewater to the City of Nyssa's collection and treatment system via the existing connection at the sugar beet processing facility. The applicant expects the load to change little and the City to have sufficient capacity.

The facility will be zero discharge for process wastewater. For non-process wastewater, on-site and NPDES discharge options are under consideration and would have no impact on the City's system. Non-process wastewater would be discharged to the City only if the City's system is expanded sufficiently to handle the load growth.

Water

The City has stated that it can provide the relatively small domestic water service needed for the facility. A letter to this effect will be provided in the ASC. Process water will be obtained by the applicant from an existing, on-site well.

Storm water drainage

Storm water would run off impervious surfaces and infiltrate into the ground via a retention pond. There is no system of pipes or ditches within the parcel proposed for development. Therefore, no impact to the City system would be expected from the project.

Solid waste management

S&S Disposal, Inc. provides garbage collection for the City of Nyssa. It deposits solid waste at the Malheur County Landfill.

Housing

The plant will employ approximately 40-50 people full time. Approximately 10 of these jobs would require hiring from outside of the county. The City of Ontario is the largest community in the vicinity of the proposed project and would likely accommodate additional staff, although in migrant employees may also choose to live in another community or in rural areas in the vicinity of the proposed project. Considering the relatively small number in migrant staff, the proposed project is not anticipated to have an adverse impact or create a major demand for housing.

The construction workforce is anticipated to peak at about 300 to 400 people (and a major work force will be in place) over approximately 14 months. These people are expected to come largely from outside of the project area and would require temporary housing. Construction workers hired from outside the area would stay in area motels or other rental units for the duration of their stay, which could affect the short-term availability of rentals in the vicinity of the project. Workers from outside the area would benefit the community and local businesses by renting rooms, eating at local restaurants, and purchasing goods and services.

Traffic safety

The plant would employ approximately 40-50 people, which given the relatively low traffic in the area, would not affect traffic flow along Oregon Highway 201 or US Highway 26/20, the major roads in the site vicinity. The majority of the ethanol and DDGS from the plant would be shipped out via rail or truck. Truck traffic will be analyzed in the application and is expected to be less than traffic associated with the sugar beet processing facility during its operation.

During construction, the primary delivery route would likely be Highway 26/20 and would access the site at the existing entrance on Highway 26/20. Construction-related traffic would be concentrated in industrial areas where transportation facilities are designed to accommodate heavy loads.

Police and fire protection

Police services are provided by the City of Nyssa Police Department. The Police Department has 11 employees, including 7 full time officers. Fire protection services are provided by the Volunteer City Fire Department which consists of approximately 22 volunteers.

The project area will be fenced during construction and operation and will have a fire suppression system in accordance with the Oregon Fire Code. The proposed project is not anticipated to have any impacts on local service providers.

Health care

Holy Rosary Medical Center in Ontario, Oregon is approximately 12 miles away from the proposed project, and would provide emergency health care for employees and their families.

The hospital provides a full range of medical, surgical, laboratory and nursing services; physical, occupational, respiratory and speech therapy; a full range of radiological services, (electroencephalography, electrocardiography, stress testing, radiology, nuclear medicine, ultrasound, bone densitometry, echocardiography, CT scanning, magnetic resonance imaging), and a wide variety of health education/information and wellness programs.

The additional people, both construction and permanent in-migrant employees, would receive treatment if needed at this facility. The hospital is the area's regional medical facility and would be able to accommodate the ethanol facility's short-term and permanent in migrant staff.

Schools

Nyssa School District No. 26 is located in the Nyssa area. The district has a high school, junior high and elementary school on a single campus and serves the communities of Nyssa and adjacent rural areas educating about 1200 students in grades K-12. With the limited number of

permanent staff, the project is not anticipated to have a significant impact on educational facilities in the area.

EXHIBIT L: WATER REQUIREMENTS

REGULATORY CITATION

OAR 345-020-0011(l): Information about anticipated water use during construction and operation of the proposed facility, including:

- (A) A description of each source of water and the applicant's estimate of the amount of water the facility will need from each source;*
- (B) If a new water right is required, the approximate location of the points of diversion and the estimated quantity of water to be taken at each point;*
- (C) For operation, the source of cooling water and the estimated consumptive use of cooling water, based on annual average conditions;*

RESPONSE

The facility requires up to 1000 gallons per minute (gpm) during operation (this figure includes cooling tower makeup water requirements). All industrial process water will be provided from the Snake River under existing industrial Water Right Certificate No. 15744. This previously-perfected water right authorizes use of up to 3700 gpm.

Domestic water will be provided by the City of Nyssa.

EXHIBIT M: CARBON DIOXIDE EMISSIONS

REGULATORY CITATION

ORAR 345-020-0011(m): If the proposed facility would emit carbon dioxide, an estimate of the gross rate of carbon dioxide emissions, a table listing all the factors that form the basis for calculating the estimate, and a statement of the means by which the applicant intends to comply with the applicable carbon dioxide emissions standard under OAR 345-024-560, OAR 345-024-600, or OAR 345-024-630.

RESPONSE

Based on currently available information about process heat needs and boiler technology, the facility's boiler combustors may emit up to approximately 287,000 tons of carbon dioxide per year. In addition, the grain fermentation process at maximum capacity is expected to create approximately 455,000 tons of carbon dioxide per year. The applicant is investigating methods for capturing and selling at food-grade the carbon dioxide from fermentation, as well as methods for increasing plant efficiency and reducing combustor carbon dioxide emissions.

There is no applicable carbon dioxide emissions standard for an ethanol production facility. *See* Final Order on Columbia Ethanol Project at 53 (July 2, 2007).

EXHIBIT N: STATUTE EVALUATION

REGULATORY CITATION

OAR 345-020-0011(n): Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant shall analyze and describe any problems the applicant foresees in satisfying the requirements of any such statute, rule or ordinance.

RESPONSE

Oregon Department of Environmental Quality – Noise

ORS 467; OAR Chapter 340, Division 35

Permit: None required, but facility must meet state noise standards.

Oregon Department of Fish and Wildlife – Habitat Conservation Division

ORS 496, 506, and 509; OAR Chapter 635, Divisions 100, 415, and 425

Permit: None required, but state habitat mitigation standards must be met.

Agency: Rose Owens, Habitat Special Projects Coordinator
Oregon Department of Fish and Wildlife – Wildlife Division
3406 Cherry Avenue, NE
Salem, OR 97303
(503) 947-6085

Oregon Department of Geology and Mineral Industries

OAR 345-021-0010(1)(h).

Permit: None required, but EFSC standard must be met.

Agency: Yumei Wang, Geotechnical Engineer, Geohazards Team Leader
Oregon Department of Geology and Mineral Industries
800 NE Oregon St., Suite 965
Portland, OR 97232
(503) 731-4100

Oregon Department of Land Conservation and Development

ORS 197, 215, and 283; OAR Chapter 660

Permit: None required. Agency provides technical review and recommendations on compliance with Council rule OAR 345-022-0030.

Agency: Oregon Department of Land Conservation and Development
635 Capitol St., NE, Suite 150
Salem, OR 97301-2540
(503) 373-0050

Oregon Department of Agriculture – Plant Conservation Biology Program

ORS 564; OAR Chapter 603, Division 73

Permit: None required

Agency: Bob Meinke, Program Leader
Oregon Department of Agriculture – Plant Division
635 Capitol St., NE
Salem, OR 97301
(541) 737-2317

EXHIBIT O: SITE CERTIFICATION SCHEDULE

REGULATORY CITATION

OAR 345-020-0011(o): A schedule stating when the applicant expects to submit an application for a site certificate;

RESPONSE

The applicant expects to submit an application for site certificate by August 1, 2008.

EXHIBIT P: STATE COMMISSION ON INDIAN SERVICES CONSULTATION

REGULATORY CITATION

OAR 345-020-0011(p): Evidence of consultation with the State Commission on Indian Services to identify each appropriate tribe to consult with regarding the proposed facility's possible effects on Indian historic and cultural resources;

RESPONSE

Attached as Appendix P-1 is a copy of the applicant's letter to the Commission on Indian Services requesting that it identify appropriate tribes for future consultation. The Commission has not yet responded.

APPENDIX P-1
Copy of letter to CIS

SNAKE RIVER ETHANOL LLC
3184 Elder Street
Boise, Idaho 83705
Phone: (208) 383-6500
Fax: (208) 383-6688

June 13, 2008

Legislative Commission on Indian Services
Attn: Karen Quigley, Executive Director
167 State Capitol
Salem, OR 97310-1347
Phone: (503) 986-1067
Fax: (503) 986-1071

Dear Ms. Quigley:

Snake River Ethanol LLC is proposing to develop an ethanol production facility on an approximately 220 acre industrial site in Nyssa, Oregon that is fully developed and has been in use since 1938. The Facility will produce approximately 130 million gallons per year of ethanol, along with valuable co-products, using corn and sugar as feedstocks. Corn and sugar will be brought to the site by rail and truck, and ethanol and co-products shipped out by rail and truck. The Facility will be designed to operate within the limits of existing water rights and air emission permits applicable to the site. The facility will be zero-discharge for process wastewater, and may discharge non-process wastewater (e.g., cooling tower blowdown) to on-site treatment/infiltration ponds, to the Snake River pursuant to an NPDES permit, or to the City of Nyssa's treatment system.

In connection with this development, Snake River Ethanol LLC would like to request that the Legislative Commission on Indian Services identify appropriate tribes for future consultation regarding the proposed facility's possible effects on tribal historic and cultural resources.

The project site is bounded on the north by Main Street (Hwy. 20-26), on the west by the Union Pacific Railroad, and on the east and south by the Snake River. A map of the project location is attached to this letter.

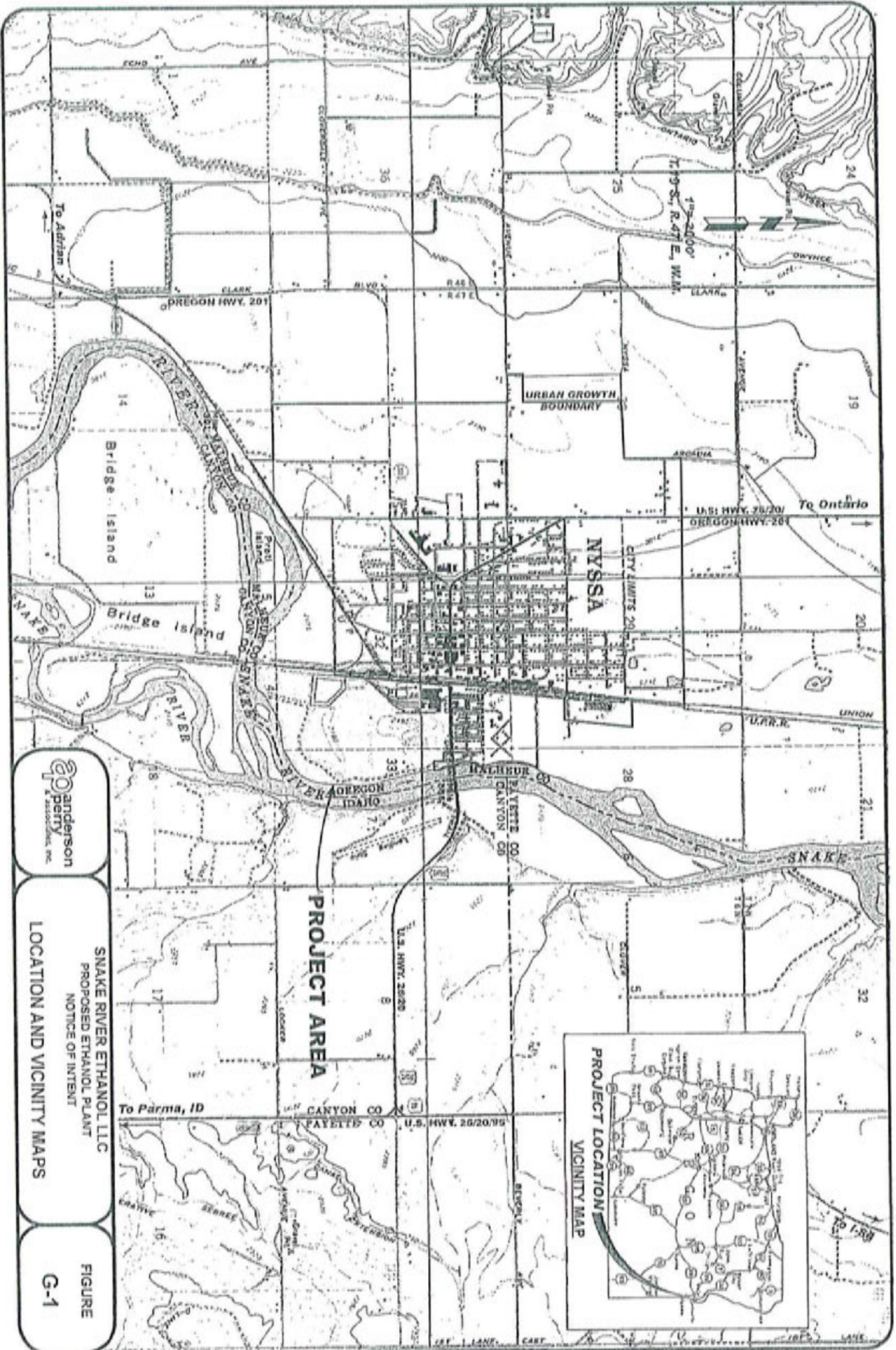
Sincerely,



John C. McCreedy, President
Snake River Ethanol LLC

JCM/smh
Enclosures

Y:\Legal\data\wp\Amalgamated\EthanolNeg.comm.indian.serv.01.doc





 Anderson Property Associates, Inc.

SNAKE RIVER ETHANOL LLC
 PROPOSED ETHANOL PLANT
 NOTICE OF INTENT
 LOCATION AND VICINITY MAPS

FIGURE
 G-1

