

NOTICE OF INTENT
TO APPLY FOR A SITE CERTIFICATE FOR THE
GOLDEN HILLS WIND FARM PROJECT

Prepared for
BP Alternative Energy North America Inc.

Prepared by
David Evans and Associates, Inc.

April 2007

NOTICE OF INTENT

TO APPLY FOR A SITE CERTIFICATE FOR THE

GOLDEN HILLS WIND FARM PROJECT

Prepared for

BP Alternative Energy North America Inc.

700 Louisiana Street

Suite 3300

Houston, TX 77002

Prepared by

David Evans and Associates, Inc.

2100 SW River Parkway

Portland, OR 97201

April 2007

Contents

EXHIBIT A: APPLICANT INFORMATION A-1
 OAR 345-020-0011 A-1
 RESPONSE..... A-1
 AUTHORITY TO TRANSACT BUSINESS A-5
 ARTICLES OF INCORPORATION..... A-7

EXHIBIT B: PROJECT DESCRIPTION..... B-1
 OAR 345-020-0011 B-1
 RESPONSE..... B-2

EXHIBIT C: PROJECT LOCATION..... C-1
 OAR 345-020-0011 C-1
 RESPONSE..... C-1

EXHIBIT D: ALTERNATIVE SITES – TRANSMISSION AND PIPELINES D-1
 OAR 345-020-0011 D-1
 RESPONSE..... D-1

EXHIBIT E: PERMITS..... E-1
 OAR 345-020-0011 E-1
 RESPONSE..... E-1

EXHIBIT F: PROPERTY ONWER INFORMATION..... F-1
 OAR 345-020-0011 F-1
 RESPONSE..... F-1

EXHIBIT G: PROJECT MAPS..... G-1
 OAR 345-020-0011 G-1
 RESPONSE..... G-1
 FIGURES G-1 – G-4..... G-3

EXHIBIT H: NON-GENERATING FACILITY..... H-1
 OAR 345-020-0011 H-1
 RESPONSE..... H-1

EXHIBIT I: LAND USE..... I-1
 OAR 345-020-0011 I-1
 RESPONSE..... I-1

EXHIBIT J: ENVIRONMENTAL IMPACT SUMMARY J-1
 OAR 345-020-0011 J-1
 RESPONSE..... J-1
 ORNHIC RESULTS..... J-3

EXHIBIT K: COMMUNITY IMPACT SUMMARY..... K-1
 OAR 345-020-0011 K-1
 RESPONSE..... K-1

EXHIBIT L: WATER SOURCES AND USE..... L-1
 OAR 345-020-0011 L-1

RESPONSE L-1

EXHIBIT M: CARBON DIOXIDE EMISSIONS..... M-1

 OAR 345-020-0011 M-1

 RESPONSE M-1

EXHIBIT N: STATUTE EVALUATION.....N-1

 OAR 345-020-0011 N-1

 RESPONSE N-1

EXHIBIT O: SITE CERTIFICATION SCHEDULE..... O-1

 OAR 345-020-0011 O-1

 RESPONSE O-1

EXHIBIT P: STATE COMMISSION ON INDIAN SERVICES CONSULTATION P-1

 OAR 345-020-0011 P-1

 RESPONSE P-1

ATTACHMENT..... P-2

 OAR 345-020-0040 P-2

 MAILING LIST..... P-3

EXHIBIT A: APPLICANT INFORMATION

OAR 345-020-0011

(a) *Exhibit 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

Response:

Kelly O'Brien
BP Alternative Energy North America Inc.
700 Louisiana Street
Suite 3300
Houston, TX 77002
(713) 354-2153

Contact person other than the applicant:

Dana Siegfried
David Evans and Associates, Inc.
2100 SW River Parkway
Portland, OR 97201
(503) 223-6663

(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 applicant will not rely on any third party to obtain approvals related to the facility.

(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;*

Response:

Robert L. Lukefahr, President
BP Alternative Energy North America, Inc.
700 Louisiana St, Suite 3300
Houston TX 77002
(713) 354-2110

(ii) The date and place of its incorporation;

Response:

BP Alternative Energy was incorporated in Delaware on April 21, 1994.

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

Response:

The authorization for submitting the NOI, as well as the articles of incorporation are both included at the end of Attachment A.

(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:

The resident attorney-in-fact in the State of Oregon is:

Tim McMahon
Stoel Rives LLP
900 SW Fifth Avenue Suite 2600
Portland, Oregon 97204
(503) 294-9517

(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:

BP Alternative Energy is a wholly owned subsidiary of:

BP America Production Company
501 Westlake Park Blvd
Houston, TX 77079

(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: Not applicable.

(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;

Response: Not applicable.

AUTHORITY TO TRANSACT BUSINESS

ARTICLES OF INCORPORATION

EXHIBIT B: PROJECT DESCRIPTION

OAR 345-020-0011

(b) Exhibit B. Information about the proposed facility, including:

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

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

(ii) 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;

(iii) For thermal power plants and electric generating facilities producing energy from wind, solar or geothermal energy:

(I) A discussion of the source, quantity, availability, and energy content of all fuels (higher heating value) or the wind, solar or geothermal resource used to generate electricity or useful thermal energy. For the purpose of this sub-paragraph, "source" means the coal field, natural gas pipeline, petroleum distribution terminal or other direct source;

(II) Methods for disposal of waste heat;

(III) Approximate nominal electric generating capacity;

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

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

(vi) 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;

(vii) 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 proposed project will generate up to 300 MW of power in Sherman County, near Wasco. 200 MW will connect to the grid at BPA's transmission line near the Klondike substation. The remainder of the power will interconnect at BPA's John Day Substation about 12 miles to the north. The vast majority of the site is used for production of dryland wheat.

Major components:

Up to 200 1.5 MW or 120 2.5 MW wind turbines would be placed within the project area. Associated infrastructure includes new roads and improvements to existing roads, underground and above ground collector system, two transmission lines, one or two substations and an Operations and Maintenance (O&M) facility. During construction, laydown areas and construction corridors will cause temporary disturbance of agricultural lands.

Methods for waste management and waste disposal:

The project will generate very little solid waste during construction or operation. Components will be trucked to the site for construction. During operation, office waste will be the primary solid waste produced. Some materials used for maintenance, such as lubricants, will be generated and disposed of in accordance with all laws.

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

Not applicable.

For Transmission lines:

Not applicable.

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

Not applicable.

For surface facilities related to underground gas storage:

Not applicable.

For facilities to store liquefied natural gas:

Not applicable.

EXHIBIT C: PROJECT LOCATION

OAR 345-020-0011

(c) Exhibit C. A description of the location of the proposed energy facility site and the proposed site of each related or supporting facility, including the approximate land area of each and identification of the Oregon Building Code Seismic Zone designation;

RESPONSE

The project is located in Sherman County near Wasco, and encompasses portions of

Township 2N, Ranges 16 and 17 East

Township 1N, Ranges 16 and 17 East

Township 1S, Ranges 17 and 18 East

as shown in Figure G-1. The project layout is being developed and will be submitted during April 2007, including turbines, roads, collector systems, and other project facilities. The site is approximately 200,000 acres, and is zoned for agricultural use.

The 2004 Oregon Structural Specialty Code, which adopted and modified the 2002 International Building Code, does not include a Seismic Zone designation. This is a departure from previous building codes.

EXHIBIT D: ALTERNATIVE SITES – TRANSMISSION AND PIPELINES

OAR 345-020-0011

(d) Exhibit 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

The proposed energy facility is not a pipeline or a transmission line, and does not include a pipeline or transmission line that in themselves would be considered an energy facility. However, the project will require as a supporting facility two transmission lines: one connecting to BPA's transmission line near the Klondike substation of approximately 3 to 6 miles, and a second of approximately 3 to 6 miles connecting to BPA's John Day substation.

E – Permits

No permits not associated with the wind project would be required for the transmission lines.

G – Maps

The proposed transmission lines are shown on Figure G-1.

I – Land Use

The proposed project is within lands zoned for exclusive farm use; it is expected that a Goal 3 exception will be required. The applicant intends to satisfy the Council's land use standard by seeking a Council determination of compliance with the Council's land use standard under ORS 469.504(1)(b).

J – Environmental Impact Summary

The environmental impacts of transmission line construction will primarily be temporary, and be limited to short term erosion and habitat impacts. To minimize these potential impacts, following construction, any disturbed areas not occupied by transmission towers will be returned to pre-construction contours and seeded with a native grass and forb seed mix, unless they are within areas expected to be cropped.

A survey of historic, cultural, and archaeological resources will be conducted prior to submittal of the Application for Site Certificate.

No impact to air quality or groundwater or surface water availability or quality would result from construction of the transmission lines.

K – Community Impact Summary

Although the transmission line routes have not been designed, they will impact only minor amounts of agricultural land. Impacts of transmission line construction will be temporary; traffic plans will be implemented to minimize any short-term impacts to local traffic. No significant effect to emergency services, schools, water supply or disposal, or other public services would occur.

N – Statute Evaluation

No permits not identified in Section E should be required for siting and operation of the proposed project.

P – State Commission on Indian Services consultation

Consultation with the following tribes would be required: Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of Warm Springs. Refer to Section P for addresses and additional details.

EXHIBIT E: PERMITS

OAR 345-020-0011

(e) Exhibit 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;

RESPONSE

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, if fill occurs in waters of the U.S.

Agency: Mary Hoffman, Permit Evaluator
U.S. Army Corps of Engineers, Portland District
333 SW First Avenue
Portland, OR 97204
(541) 962-0401

U.S. Fish and Wildlife Service

16 USCA 1536, 1539; 50 CFR 402

Permit: Potential incidental take statement.

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

Bonneville Power Administration

42 USCA 4332; 40 CFR pt 1500

Permit: Record of Decision (ROD)/NEPA Compliance.

Agency: Gene Lynard
Bonneville Power Administration
905 NE 11th Avenue
Portland, OR 97208
(503) 230-5361

Federal Aviation Administration

14 CFR 77.13, 77.15, 77.17

Permit: Notice of Proposed Construction (Form 7460.1).

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

Permit: Energy Facility Site Certificate.

Agency: Contact: to be determined
 Oregon Office of Energy
 625 Marion St., NE
 Salem, OR 97301
 (503) 378-3194

Oregon Department of Environmental Quality**Water Quality**

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

Permit: Construction Storm Water Permit 1200-C.

Agency: Oregon Department of Environmental Quality, Eastern Region
 700 SE Emigrant, #330
 Pendleton, OR 97801
 (541) 276-4063

Water Quality

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

Permit: NPDES permit not required. No discharge to surface waters is proposed.

Water Quality

ORS 468 and 468B; OAR Chapter 340, Div. 48

Permit: Water Quality Certificate

Agency: Oregon Department of Environmental Quality, Eastern Region
700 SE Emigrant, #330
Pendleton, OR 97801
(541) 276-4063

Noise

ORS 467; OAR Chapter 340, Division 35

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

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

Permit: Water Quality Certification.

Agency: Alex Cyril
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204
(503) 229-5046

Oregon Department of State Lands

ORS 196; OAR Chapter 141, Division 85

Permit: Removal-Fill, if removal or filling occurs in waters of the state.

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

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.

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 Parks and Recreation Department - Historic Preservation Section

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

Permit: Archaeological permit.

Agency: Dr. Dennis Griffin, Lead Archaeologist
Oregon Department of Parks and Recreation, SHPO
725 Summer St., NE, Suite C
Salem, OR 97301
(503) 986-0674

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

Oregon Water Resources Department – Water Rights Division

ORS 537 and 540; OAR Chapter 690

Permit: None required. Water for the facility will be supplied by the Port of Morrow, which has an existing water right.

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

Local Permits

Sherman County Zoning Code

Section 3.1.3 of the Sherman County Zoning, Subdivision, Partitioning, and Land Development Ordinance

Permit: Project is permitted as a conditional use.

Agency: Sherman County Planning Department
Georgia Macnab
P.O. Box 381
110 Main Street #2
Moro, OR 97039
(541) 565-3601

EXHIBIT F: PROPERTY OWNER INFORMATION

OAR 345-020-0011

(f) Exhibit 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 proposed corridor(s) the applicant has identified in subsection (d) and property located within or adjacent to the site of the proposed facility. In addition to incorporating the list in the NOI, the applicant shall submit the list to the Office of Energy in electronic format suitable to the Office for the production of mailing labels. Property adjacent to the proposed site or corridor means property that is:

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

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

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

RESPONSE

The proposed site and supporting facilities are located outside of the urban growth boundary within a farm zone. Therefore, a list of property owners within 500 feet of the project is attached.

EXHIBIT G: PROJECT MAPS

OAR 345-020-0011

(g) *Exhibit G. A map or maps showing:*

(A) *The proposed locations of the energy facility site, and all related or supporting facility sites, 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 wetlands identified in the Statewide Wetland Inventory of the Division of State Lands that are on or adjacent to the site;*

RESPONSE

The project is located in Sherman County near Wasco (population 380), as shown in Figure G-1. This figure also shows topography at 20-foot contours. Access to the proposed site from I-84 is Hwy 97, located at exit 165, then Hwy 206.

The project layout, including a drawing that shows proposed turbine corridors, roads, and collector line is shown on Figure G-2, which will be submitted in mid-April.

The applicable study areas are shown on figure G-3. Protected areas are also shown on this figure.

The Statewide Wetland Inventory map is attached as Figure G-4.

FIGURES G-1 – G-4

Figures G-1 through G-3 are attached. Figure G-4 (National Wetlands Inventory) is not yet available.

EXHIBIT H: NON-GENERATING FACILITY

OAR 345-020-0011

(h) Exhibit 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

The proposed wind project is not a non-generating facility for which the applicant must demonstrate need under OAR 345-023-0005.

EXHIBIT I: LAND USE

OAR 345-020-0011

(i) Exhibit 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 seeking a Council determination of compliance with the Council's land use standard under ORS 469.504(1)(b).

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 project will emit no pollutants and does not require a permit from the Department of Environmental Quality (DEQ).

Surface and groundwater quality

The wind project will not discharge pollutants to surface water or groundwater. Temporary impacts from construction storm water will be controlled as required by NPDES 1200-C permit issued by DEQ.

The Statewide Wetland Inventory shows widely scattered wetlands or waters of the state occurring on the project site. It is anticipated that most, if not all, impacts to these features can be avoided. Whatever minor impacts may occur will be mitigated in accordance with state law.

Surface and groundwater availability

The project will obtain water from a well drilled on site. Only the O&M facility will require water and water use will be less than 5,000 gallons per day. Use of this small quantity of water will not affect surface or groundwater availability.

Wildlife and wildlife habitat

The vast majority of the site is in agricultural production. In the small areas of non-agricultural lands, vegetation consists of common native and non-native forbs and grasses. Wildlife common to the area would be expected to use the site for feeding or resting. Within this region, retired agricultural lands are typically inhabited by the following avian species: meadow larks, grasshopper sparrows, savannah sparrows, loggerhead shrikes, horned larks, and burrowing owls. The northern harrier, Swainson's hawk, and red-tailed hawk may fly over fields to forage. Other species that may occur within the project vicinity include the great basin spadefoot toad, jackrabbits, coyotes, mule deer, badgers, and various small mammal species.

Threatened and endangered plant and animal species

Database search requests have been submitted to ONHRIC and the U.S. Fish and Wildlife Service. The ONHRIC results are attached.

Historic, cultural and archaeological resources

A survey of historic, cultural, and archaeological resources will be conducted prior to submittal of the Application for Site Certificate (ASC).

Scenic and aesthetic areas

The wind generating project will be in central Sherman County, where existing wind projects of equal stature are located. The tallest wind turbine that would be used on the project will be approximately 150 meters high. Therefore, no substantial change to the scenic or aesthetic character is anticipated as a result of the project.

Recreation

Limited recreation opportunities currently exist on the project site, because it is private land. Therefore, no significant adverse impact to recreation is anticipated as a result of the project.

Land Use

The project is proposed within land zoned for agricultural use. Some conversion of agricultural land will occur, and these impacts will be fully evaluated in the ASC.

Noise

The plant will comply with state of Oregon noise standards. The ASC for this project will model expected noise output on any nearby sensitive receptor.

ORNHIC RESULTS

Sensitive Data – Do Not Distribute to Public.

EXHIBIT K: COMMUNITY IMPACT SUMMARY

OAR 345-020-0011

(k) Exhibit 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 O&M building will discharge domestic wastewater to a septic tank and drain field.

Water

A well will be drilled near the O&M facility that will provide less than 5,000 gallons a day.

Storm water drainage

The project proposes very limited impervious surfaces, primarily the O&M facility. It is anticipated that storm water would run off impervious surfaces and infiltrate into the ground. Therefore, no impact would be expected from the project.

Solid waste management

Sunrise Disposal and Recycling provides solid waste service for all of Sherman County and portions of Gilliam County. Sunrise Disposal also operates a transfer station that is open to the public on the second and fourth Saturdays of each month. Following pickup, refuse and recycling is transported via truck to the Columbia Ridge Recycling and Landfill site located near Arlington. Columbia Ridge is a large regional facility that accepts refuse from the northwest and Canada. Sunrise does not provide hazardous waste pickup, although hazardous waste disposal is available at Chemical Waste Management of the Northwest, a facility located adjacent to the Columbia Ridge facility. Waste Management, Inc. operates both facilities. Refuse collected from the site is expected to be small and would be accommodated through existing collection services.

Housing

The plant will employ approximately 10 to 12 people full time. Approximately 8 of these jobs would require hiring from outside of the county. The Dalles is the largest community in the vicinity of the proposed project and would likely accommodate additional staff, although immigrant 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.

Approximately 100 to 120 temporary construction workers will be needed for the duration of construction, anticipated to take approximately 10 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

When construction is completed, the proposed project is not anticipated to generate significant traffic. The plant would employ approximately 10 to 12 people, which given the relatively low traffic in the area, would not affect traffic flow along Hwy 206 or local county roads.

The assumed route of construction-related traffic is to take I-84 to US 97 (at Biggs Junction) to the US 97/OR 206 intersection. Workers traveling from Washington would take US 97 south across the Columbia River bridge at Biggs Junction and continue south to OR 206. At that intersection, construction-related traffic will take OR 206 to Wasco. Construction traffic may also approach the site from the south on US 97. Both US 97 and OR 206 are two-lane paved highways with poor to fair pavement condition. Impacts to the road system will be evaluated in the ASC.

Police and fire protection

Police services are provided by the Sherman County Sheriff's Department. The Sherman County Sheriff's Office has 17 employees, including 10 deputies. The project site is located in the North Sherman Fire Protection District based in Wasco. The District contracts with the Moro Rural Fire Protection District to provide ambulance service. The North Sherman Rural Fire Protection District has one volunteer trained in high angle rescue, specifically for potential accidents occurring on wind generation towers or aboveground collector lines.

Health care

The Mid-Columbia Medical Center, located in The Dalles, is the only full service medical facility located within the project area. The Center provides emergency services as well as surgery. If an accident were to occur at the site, ambulance service from the Moro Rural Fire Protection District would transport patients to the hospital. Evacuation via helicopter is also available, if needed. The hospital is the area's regional medical facility and would be able to accommodate the project's short-term and permanent in migrant staff.

Schools

The Sherman County School District serves all of Sherman County. The school district operates one high school (grades 7 to 12) in Moro and two elementary schools (kindergarten through 6th grade) in Grass Valley and Wasco. The district serves approximately 280 students, which has declined in recent years. With the limited number of in migrant staff, the project is not anticipated to have a significant impact on educational facilities in the area.

EXHIBIT L: WATER SOURCES AND USE

OAR 345-020-0011

(L) Exhibit L. Information about water requirements the applicant anticipates for 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 less than 5,000 gallons per day, for use by employees at the O&M facility. The applicant intends to obtain all of the water needed to construct and operate the facility from a well drilled in the vicinity of the O&M building. No new water right is required for a well of this capacity.

EXHIBIT M: CARBON DIOXIDE EMISSIONS

OAR 345-020-0011

(m) Exhibit 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

The project will emit no carbon dioxide.

EXHIBIT N: STATUTE EVALUATION

OAR 345-020-0011

(n) Exhibit 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

None.

EXHIBIT O: SITE CERTIFICATION SCHEDULE

OAR 345-020-0011

(o) Exhibit 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 on or about July 1, 2007.

EXHIBIT P: STATE COMMISSION ON INDIAN SERVICES CONSULTATION

OAR 345-020-0011

(p) Exhibit 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

Although a letter to the Commission on Indian Services requesting them to identify each appropriate tribe to consult has not been sent, it is anticipated that the applicant will need to consult with:

Confederated Tribes of the Umatilla Indian Reservation
PO Box 638
Pendleton, OR 97801

Confederated Tribes of Warm Springs
1233 Veterans St
Warm Springs, OR 97761

ATTACHMENT

OAR 345-020-0040

(1) As soon as is practical after the submission of the notice of intent (NOI), the applicant shall distribute, by hand delivery or mailing, copies of the NOI to the following officers, agencies and tribes:

(a) Department of Environmental Quality

(b) Water Resources Commission and the Water Resources Director through the Water Resources Department

(c) Fish and Wildlife Commission through the Department of Fish and Wildlife

(d) State Geologist

(e) Department of Forestry

(f) Public Utility Commission

(g) Department of Agriculture

(h) Department of Land Conservation and Development

(i) Northwest Power Planning Council

(j) Office of State Fire Marshal

(k) Department of State Lands

(l) State Historic Preservation Office

(m) Any other agency identified by the Office of Energy

(n) Any tribe identified by the State Commission on Indian Services as affected by the proposed facility

(o) The governing body of any incorporated city or county in Oregon within the study area as defined in OAR 345-001-0010 for impacts to public services

(p) Any special advisory group designated by the Council under ORS 469.480

(q) The federal land management agency with jurisdiction if any part of the proposed site is on federal lands.

(2) The applicant shall attach the memorandum from the Office described in OAR 345-015-0120 to the copies of the NOI distributed according to section (1).

(3) The applicant shall provide additional copies of the NOI to the Office upon request and copies or access to copies to any person requesting copies.

MAILING LIST

Oregon Department of Environmental Quality, Eastern Region

Patty Jacobs
700 SE Emigrant, #330
Pendleton, OR 97801

Water Resources Commission and the Water Resources Director

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

U.S. Fish and Wildlife Service – Pacific Region

Nancy Gilbert, Field Supervisor
Bend Field Office
20310 Empire Avenue
Suite A-100
Bend, OR 97701

Oregon Department of Geology and Mineral Industries

Yumei Wang, Geotechnical Engineer, Geohazards Team Leader
800 NE Oregon Street
Suite 965
Portland, OR 97232

Oregon Department of Forestry

Land Use Planning
2600 State St.
Salem, Oregon 97310

Public Utility Commission of Oregon

Jack Dent
550 Capitol Street NE
Suite 215
Salem, OR 97301-2551

Oregon Department of Agriculture – Plant Division

Bob Meinke, Program Leader
635 Capitol St., NE
Salem, OR 97301

Oregon Department of Land Conservation and Development

635 Capitol Street, NE
Suite 150
Salem, OR 97301-2540

Northwest Power Planning Council

John Harrison, Information Officer
851 S.W. Sixth Avenue, Suite 1100
Portland, OR, 97204-1348

Office of the Oregon State Fire Marshal

4760 Portland Road NE
Salem, Or 97305-1760

Oregon Department of State Lands

Kevin Herkamp, Resource Coordinator
1645 NE Forbes Road
Suite 112
Bend, OR 97701

**Oregon Parks and Recreation Department
State Historic Preservation Office**

Dennis Griffin
725 Summer St NE
Suite C
Salem, OR 97301

Confederated Tribes of the Umatilla Indian Reservation

Antone Minthorn, Chairman
P.O. Box 638
Pendleton, OR 97801-0638

Confederated Tribes of Warm Springs Reservation, Tribal Council

Ron Suppah, Chairman
P.O. Box C
Warm Springs, OR 97761-3001

Sherman County Planning Department

Georgia Macnab, Planning Director
P.O. Box 381
Moro, OR 97039