

To: People Interested in the Proposed Shepherds Flat Wind Farm Project

From: Cathy Van Horn, Oregon Department of Energy

Date: June 27, 2006

Subject: Notice of Intent for Wind Facility

### **Introduction**

On June 27, 2006, the Oregon Department of Energy (Department) received a Notice of Intent from Lifeline Development Group, LLC, to apply to build a wind generation facility between Arlington and Willow Creek on about 32,100 acres of mostly privately owned farm land in Gilliam and Morrow counties. The facility would be called the Shepherds Flat Wind Farm (Project). It would include up to 300 wind turbines with a total nominal generating capacity of up to 750 megawatts (MW) of electricity.

A Notice of Intent signals a company's intent to file an application to build an energy facility in the near future. The application is for a permit called a "site certificate" from the Oregon Energy Facility Siting Council (Siting Council), a seven-member citizen council appointed by the governor. The site certificate application is reviewed under a consolidated state process through which the Siting Council makes decisions on most state permits that otherwise would be decided separately.

The Notice of Intent contains only preliminary information about the facility, its location, its conceptual design, and its potential impacts. The Department uses the notice to work with relevant government agencies and tribes to determine the appropriate regulations or specific concerns that an applicant must address in its application for a site certificate. It also uses the notice to gather public comments about the project early in the process. The Department then uses the agency, tribal and public comments to help us produce a document called a "project order," which details the information Lifeline must put into its application. Lifeline anticipates submitting an application in early fall 2006.

### **Public Review of the Notice of Intent**

You can review a copy of the Notice of Intent at:

- The Department's office in Salem at 625 Marion St. NE
- The Arlington Public Library at 500 W. First St., Arlington, OR
- The Boardman Library at 200 South Main St., Boardman, OR
- On the web at <http://egov.oregon.gov/ENERGY/SITING/announce.shtml>

## **Request for Public Comments and Information Meeting**

**The Department requests written comments on the Notice of Intent by Monday, July 31, 2006.** Written comments or questions can be submitted by regular mail, e-mail, or fax. The Department will also hold a public information meeting on Friday, July 28, 2006, where people can comment orally and ask questions. The public meeting will begin at 7 p.m. at the Arlington High School at 1200 Main Street in Arlington, Oregon.

The Department will hold additional comment opportunities once it receives an application.

At the July 28 meeting, the Department will:

- Explain the state's review process and how the public can participate;
- Hear public comments, questions and concerns on the proposed facility; and
- Ask Lifeline to answer questions from the public.

## **Description and Location of Proposed Facility**

The facility would be called the Shepherds Flat Wind Farm (Project). It would include up to 300 wind turbines with a total nominal generating capacity of up to 750 megawatts (MW) of electricity. The Project would also include:

- Two substations
- An operations, maintenance and communications facility located on commercially zoned property
- Up to 10 permanent meteorological towers
- A 34.5-kilovolt (kV) power collection system linking each turbine to the next and the Project substations. The power collection system would largely be underground, but might be overhead in some locations.
- Interconnection with a Bonneville Power Administration 500 kV transmission line in Gilliam County adjacent to BPA's Slatt switching station
- A temporary concrete batch plant

## **Application Process**

As noted above, the Siting Council will make the decision for the state about whether this facility will be built. The Department is a state agency that serves as staff to the Siting Council.

The Siting Council's site certificate process is a consolidated permitting process that includes the review of applicable regulations of most other state agencies such as the Water Resources Department, Department of Environmental Quality, and the Department of State Lands. The applicant has the ability to choose whether it will seek land use approvals from the local jurisdiction or from the Siting Council. The site certificate does not include federal permits or permits that the federal government has delegated to other state agencies, such as air quality permits delegated to the Department of Environmental Quality.

Briefly, the steps in the site certificate application process are:

- If the applicant moves beyond the Notice of Intent phase to file an Application for Site Certificate, the Department will notify adjacent property owners and any other members

of the public who ask to be on our mailing list. The notification will invite public comments on the application and will say where members of the public can review a copy of the application.

- After the Department considers comments from the public, state/local agencies, and tribes, we issue a Draft Proposed Order that either recommends approval or denial of the application. The Department will then issue notice of the Draft Proposed Order and will invite public comments on it.
- The Department will schedule a public hearing (described in OAR 345-015-0220) on the Draft Proposed Order. Anyone can raise issues or objections to the Draft Proposed Order in writing or at this public hearing. The Department will issue notice of this hearing. Failure to comment in person or in writing on the record of the public hearing described in OAR 345-015-0220 precludes participation in the subsequent contested case and the right to appeal the Siting Council's final decision.
- The Siting Council will hold a contested case hearing, which is a formal, legal hearing format. At the end of the contested case, the Siting Council will make its final decision on the application. Any person can request to participate in the contested case provided he or she commented on the record of the Draft Proposed Order.

### **Land Use**

As part of its application review, the Siting Council considers land use issues. An applicant can choose to obtain land use approvals either through the local jurisdiction or through the Siting Council. In its Notice of Intent, Lifeline has indicated that it plans to pursue land use approvals from the Siting Council. Should Lifeline's plans change, and the company chooses to pursue land use approvals from the local jurisdiction, public comments on land use issues should be directed to the local land use process.

### **To Comment or Request Further Information**

We realize that the energy facility siting process is new to most people. Please feel free to call the Department with any questions or comments about the proposed facility or the permitting process. The Department contact for this project is:

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