

## ESTERSON Sarah \* ODOE

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**Subject:** FW: Golden Hills RFA 3; Request to Withdraw Proposed Order  
**Attachments:** GH\_RFA\_3\_Second\_Supplement\_10-27-2016.pdf

**From:** [Carrie.Konkol@ch2m.com](mailto:Carrie.Konkol@ch2m.com) [<mailto:Carrie.Konkol@ch2m.com>]

**Sent:** Friday, October 28, 2016 1:43 PM

**To:** WOODS Maxwell \* ODOE <[Maxwell.Woods@oregon.gov](mailto:Maxwell.Woods@oregon.gov)>; FRANCE Renee M <[Renee.M.FRANCE@state.or.us](mailto:Renee.M.FRANCE@state.or.us)>; CORNETT Todd \* ODOE <[Todd.Cornett@oregon.gov](mailto:Todd.Cornett@oregon.gov)>

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**Subject:** RE: Golden Hills RFA 3; Request to Withdraw Proposed Order

Hello Max,

Attached is the Second Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project.

Please let us know if you would like us to mail you a hard copy of this document.

Thank you,  
Carrie

### Carrie Konkol

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**From:** McMahan, Tim [<mailto:tim.mcmahan@stoel.com>]

**Sent:** Sunday, October 23, 2016 8:40 PM

**To:** WOODS Maxwell \* ODOE <[Maxwell.Woods@oregon.gov](mailto:Maxwell.Woods@oregon.gov)>; FRANCE Renee M <[Renee.M.FRANCE@state.or.us](mailto:Renee.M.FRANCE@state.or.us)>; CORNETT Todd \* ODOE <[Todd.Cornett@oregon.gov](mailto:Todd.Cornett@oregon.gov)>

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**Subject:** RE: Golden Hills RFA 3; Request to Withdraw Proposed Order [EXTERNAL]

Hello Max: This is in response to your correspondence below. In response to Golden Hills Request for Amendment No. 3, we received a comment letter and request for contested case that appears to raise the issue of whether Orion Renewable Energy ("Golden Hills") should have evaluated transmission line infrastructure (gen-tie line) under the provisions of ORS 215.274. In the original site certificate application (and previous two amendments), Golden Hills requested and received EFSC approval to construct and operate two transmission lines to connect the Facility to the Bonneville Power Administration (BPA) grid, and two substations associated with each transmission line. One of these transmission lines was to be a 500-kV transmission line and a substation to connect the Facility to an existing BPA substation north of the site boundary. The transmission lines were approved in accordance with the criteria in ORS 215.275.

The current amendment request eliminates the need for the 500-kV transmission line and associated substation. The previously approved 230-kV transmission line would, instead, be extended to a more central location in the site boundary, and connect with a single substation serving the entire Facility. EFSC previously approved the approximately 11 miles of 500-kV transmission line to the John Day substation, and 0.7 mile of 230-kV transmission line to the Klondike substation, for a total of approximately 11.7 miles of to-be-constructed transmission line route. As modified, the Certificate Holder proposes approximately 5 miles of to-be-constructed 230-kV line and approximately 3 miles of to-be-constructed transmission line on the already fully constructed Hay Canyon transmission line for 8 total miles of transmission line. The proposed modification reduces the amount of new transmission line infrastructure by more than half of that which is previously approved by EFSC. Regardless, it is Golden Hill's belief that a conservative approach would be to evaluate the transmission infrastructure for compliance with ORS 215.274, as an "associated" transmission line.

We request that ODOE withdraw its Proposed Order for Golden Hills to submit a supplement to the RFA, in order to address compliance with ORS 214.274. Please advise us immediately if you need any further clarifications. We intend to submit the supplement this week. Thank you. TLM

**Timothy L. McMahan** | Partner

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**From:** WOODS Maxwell \* ODOE [<mailto:Maxwell.Woods@oregon.gov>]

**Sent:** Friday, October 21, 2016 3:30 PM

**To:** McMahan, Tim; FRANCE Renee M; CORNETT Todd \* ODOE

**Cc:** Ryan McGraw; Carrie Konkol ([Carrie.Konkol@ch2m.com](mailto:Carrie.Konkol@ch2m.com)); Jim Eisen ([jeisen@orionrenewables.com](mailto:jeisen@orionrenewables.com)); Reid Buckley; Albrich, Elaine

**Subject:** RE: Golden Hills RFA 3; Request to Withdraw Proposed Order

Hello Tim,

Thank you for your email. Before ODOE makes a decision, please provide additional specificity regarding the issue that Orion will be evaluating and addressing in the supplement.

Regards,

Max

**Maxwell Woods**

Senior Policy Advisor

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**From:** McMahan, Tim [<mailto:tim.mcmahan@stoel.com>]  
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**Subject:** Golden Hills RFA 3; Request to Withdraw Proposed Order

Good morning: On behalf of Orion Renewable Energy, I am asking ODOE to withdraw its Proposed Order at this time. Orion intends to file an additional supplement to RFA 3 to address an issue that we believe should be better evaluated in the RFA.

Thank you for your attention to this matter. TLM

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# Second Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project

*Prepared for*

Oregon Energy Facility Siting Council

October 2016

*Submitted by*

Golden Hills Wind Farm LLC



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# Second Supplement to Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project

## Introduction and Purpose

On December 17, 2015, Golden Hills Wind Farm LLC (Golden Hills or Certificate Holder), a subsidiary of Orion Renewable Energy Group LLC, filed *Request for Amendment No. 3 to the Site Certificate for the Golden Hills Wind Project* (amendment request) with the Oregon Department of Energy<sup>1</sup>. The amendment request presented proposed modifications to the approved Golden Hills Wind Project (Facility or project). This second supplement provides additional detail to support a determination of completeness for the amendment request.

The Energy Facility Siting Council (EFSC) has previously found the Facility, including the associated transmission lines proposed as part of the Facility, to be compatible with siting in the F-1 exclusive farm use (EFU) zone. The changes proposed in the amendment request would not affect the previous findings. As described below, the Facility except the substation and transmission line is a “commercial utility facility” and as such is a conditionally permitted use in the F-1 zone. The Certificate Holder demonstrated in the original application that under Oregon Revised Statute (ORS) 215.275, the substation and transmission line are utility facilities necessary for public service and must be sited on EFU land in order to provide service.

Under new legislation (House Bill 2704, 2013 Session), the related or associated transmission line, because it connects the commercial energy generating source to its interconnection point with the Northwest Power Grid, meets the definition of an “associated transmission line necessary for public service” rather than a “utility facility necessary for public service.” The transmission line is therefore subject to the provisions of ORS 215.274, *Associated transmission lines necessary for public service*.

## Summary of Additional Analysis (ORS 215.274)

In the original site certificate application (and previous two amendments), Golden Hills requested and received EFSC approval to build and construct two transmission lines to connect the Facility to the Bonneville Power Administration (BPA) grid, and two substations associated with each transmission line. One of these transmission lines was to be a 500-kilovolt (kV) transmission line and a substation to connect the Facility to an existing BPA substation north of the site boundary. The current amendment request eliminates the need for the 500-kV transmission line and associated substation. The previously approved 230-kV transmission line would, instead, be extended to a more central location in the site boundary, and connect with a single substation serving the entire Facility.

EFSC previously approved the approximately 11 miles of 500-kV transmission line to the John Day substation, and 0.7 mile of 230-kV transmission line to the Klondike substation, for a total of approximately 11.7 miles of to-be-constructed transmission line route. As modified, the Certificate Holder proposes approximately 5 miles of to-be-constructed 230-kV line and approximately 3 miles of

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<sup>1</sup> The project consists of a permitted wind energy generation facility in Sherman County, Oregon, with electrical generating capacity of up to 400 megawatts (MW). On May 15, 2009, the Energy Facility Siting Council (EFSC) issued a site certificate for construction and operation of the project. In 2012 and 2015, respectively, EFSC approved amendments to the site certificate to extend the construction start and completion deadlines.



transmission line on the already fully constructed Hay Canyon transmission line for 8 total miles of transmission line. The proposed modification reduces the amount of new transmission line infrastructure by more than half of that which is previously approved by EFSC.

## Additional Analysis

This section presents an analysis of ORS 215.274, *Associated Transmission Lines Necessary for Public Service*, demonstrating that the transmission components of the Facility meet the applicable statutory criteria. The attached figure titled Transmission Line Siting shows how the Facility 230-kV transmission line was sited section by section to (1) minimize EFU impacts by following tax lot lines; (2) minimize transmission line corridor extents by connecting to the existing Hay Canyon transmission corridor via a direct route that considers topographic constraints; (3) co-locate with the Hay Canyon transmission line adjacent to Sanborn Road; and (4) parallel an existing adjacent transmission line utility corridor north of the Klondike substation.

*(1) As used in this section, associated transmission line has the meaning given that term in ORS 469.300 (Definitions).*

**ORS 469.300 (3).** *Associated transmission lines means new transmission lines constructed to connect an energy facility to the first point of junction of such transmission line or lines with either a power distribution system or an interconnected primary transmission system or both or to the Northwest Power Grid.*

**Finding:** The Facility 230-kV transmission line meets the definition of an associated transmission line in ORS 469.300 (3) because it will connect the energy generated from the Facility to the Northwest Power Grid located at the BPA interconnection point just north of the Klondike Schoolhouse, for a transmission line route that is 8 miles in length.

*(2) An associated transmission line is necessary for public service if an applicant for approval under ORS 215.213 (uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (1)(c)(B) or 215.283 (uses permitted in exclusive farm use zones in nonmarginal lands counties) (1)(c)(B) demonstrates to the governing body of a county or its designee that the associated transmission line meets:*

- (a) At least one of the requirements listed in subsection (3) of this section; or*
- (b) The requirements described in subsection (4) of this section*

**Finding:** The entire route of the Facility 230-kV transmission line does not meet any of the requirements of subsection (3). However, it does meet the requirements of subsection (4) as outlined in that section below.

*(3) The governing body of a county or its designee shall approve an application under this section if an applicant demonstrates that the entire route of the associated transmission line meets at least one of the following requirements:*

- (a) The associated transmission line is not located on high-value farmland, as defined in ORS 195.300 (Definitions for ORS 195.300 to 195.336), or on arable land;*

**Finding:** Most of the Facility 230-kV transmission line route is located on high-value and arable land. Therefore, it does not meet this requirement.

- (b) The associated transmission line is co-located with an existing transmission line;*

**Finding:** The Facility 230-kV transmission line will be co-located with the Hay Canyon transmission line for only 3 miles of its 8-mile route, not the entire route. Therefore, it does not meet this requirement.

*(c) The associated transmission line parallels an existing transmission line corridor with the minimum separation necessary for safety; or*

**Finding:** The Facility 230-kV transmission line only parallels a short section of existing transmission line corridor near the interconnection point with the BPA grid just north of the Klondike substation, not the entire route. Therefore, it does not meet this requirement.

*(d) The associated transmission line is located within an existing right-of-way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground.*

**Finding:** The Facility 230-kV transmission line route consists of sections that are new transmission line corridor, sections that are co-located, and sections that are located parallel and adjacent to an existing transmission line right-of-way (see attached figure). The Facility 230-kV transmission line route does not include sections of new transmission line infrastructure within an existing linear right-of-way. Where the Facility 230-kV transmission line route is co-located, it is adjacent to but outside of the linear right-of-way of Sanborn Road to allow for future road widening. Therefore, the Facility 230-kV transmission line route does not meet this requirement.

*(4)(a) Except as provided in subsection (3) of this section, the governing body of a county or its designee shall approve an application under this section if, after an evaluation of reasonable alternatives, the applicant demonstrates that the entire route of the associated transmission line meets, subject to paragraphs (b) and (c) of this subsection, two or more of the following factors:*

*(A) Technical and engineering feasibility;*

**Finding:** It is not feasible or technically possible to interconnect with the electrical grid system without transmission lines that transmit power from the wind farm, which is located on EFU land, and interconnect to the BPA transmission system (also on EFU land) for the purpose of distributing power via the electrical grid system. The Certificate Holder, after further technical and engineering study, eliminated the previously approved 11-mile 500-kV transmission line from the project design, thereby reducing the need for a new transmission line corridor by more than half. However, the proposed 8-mile route (3 miles of which are co-located) is necessary to deliver the power generated from the wind farm to the electrical grid system. Therefore, the Facility 230-kV transmission line meets this criterion.

*(B) The associated transmission line is locationally dependent because the associated transmission line must cross high-value farmland, as defined in ORS 195.300 (Definitions for ORS 195.300 to 195.336), or arable land to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;*

**Finding:** The Facility 230-kV transmission line is locationally dependent because it must be near the wind farm, which is sited on EFU land and from which the power would be generated. It also must be located near the point of interconnection with the BPA system near the Klondike substation, also on EFU land, so that the power can be conveyed to the electrical grid system. There are no urban or resource lands available to locate the transmission line where it could serve its purpose of conveying energy from the wind farm (on EFU land) to the electrical grid system. In addition, the Facility 230-kV line was sited so that it could have a reasonably direct route to the BPA grid system interconnection point near the Klondike substation while also co-locating with the existing Hay Canyon transmission line thereby minimizing impacts.

*(C) Lack of an available existing right-of-way for a linear facility, such as a transmission line, road or railroad, that is located above the surface of the ground;*

**Finding:** The project utilized existing right-of-way to the maximum extent practicable by co-locating on the existing Hay Canyon transmission line. Because the Facility is in an EFU-zoned area with large lots resulting from topographical constraints, the area near the Facility substation lacks well-defined linear infrastructure such as roads that would provide a reasonably direct route for the Facility 230-kV

transmission line to connect with the electrical grid system without substantially lengthening the route. Therefore, a section of new transmission line corridor is necessary to connect to the existing Hay Canyon transmission line.

*(D) Public health and safety; or*

**Finding:** The Certificate Holder is minimizing health and safety risks from exposure to magnetic fields or shock by limiting the length of transmission line for the project; reducing the new transmission line corridor from 11 to 5 miles; consolidating the area necessary for energy transmission use by co-locating a portion of the transmission line; and locating the transmission line away from populated areas.

*(E) Other requirements of state or federal agencies*

**Finding:** As documented through the site certificate process and subsequent amendment processes, the project complies with other requirements of state and federal agencies.

*(4)(b) The applicant shall present findings to the governing body of the county or its designee on how the applicant will mitigate and minimize the impacts, if any, of the associated transmission line on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmland.*

**Finding:** The Certificate Holder has designed the 230-kV transmission feeder line to minimize, to the greatest degree practicable, impacts to EFU land. Construction of the 230-kV transmission line will not substantially add to the agricultural land impacts caused by the project wind turbines and access roads, which will occupy a much larger area of EFU land. The 230-kV transmission line pole structures will permanently impact less than an acre of land, thereby removing very little land from agricultural production. In addition, the transmission line is sited as to minimize dividing lots or disturbing agricultural practices. The amount of new transmission line corridor has been minimized to the greatest extent practicable by minimizing the amount of new transmission line corridor needed and co-locating transmission on existing transmission line infrastructure. Landowners and farm operators will be compensated for the loss of land for agricultural production. In addition, when construction is completed, lands temporarily affected by construction would be restored to their original condition. Therefore, because the 230-kV transmission line permanent impacts are minimal, especially considering the amount of EFU zoned land in Sherman County, and the transmission line has been sited in consideration of farming practices, it will not force a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmland.

*(4)(c) The governing body of a county or its designee may consider costs associated with any of the factors listed in paragraph (a) of this subsection, but consideration of cost may not be the only consideration in determining whether the associated transmission line is necessary for public service. [2013 c.242 §2]*

**Finding:** Land costs were not a significant consideration in determining the location of the transmission line segment. The majority of land in Sherman County is zoned EFU and no alternative location exists, regardless of cost, to locate the Facility 230-kV transmission line on non-EFU land. The location was dependent on providing a connection for the energy generated by the wind facility to the electrical energy grid interconnection point north of the Klondike substation while minimizing impacts to EFU lands by using existing utility rights-of-way.

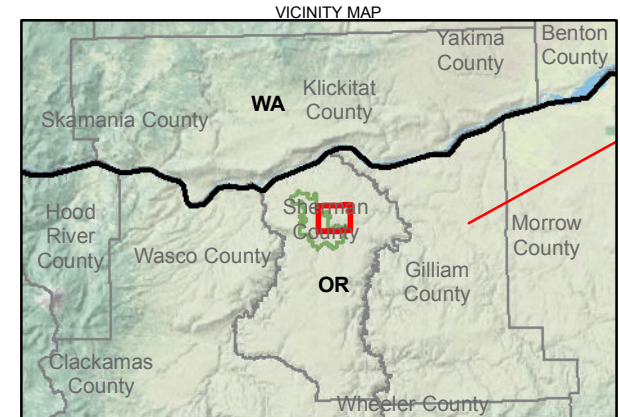
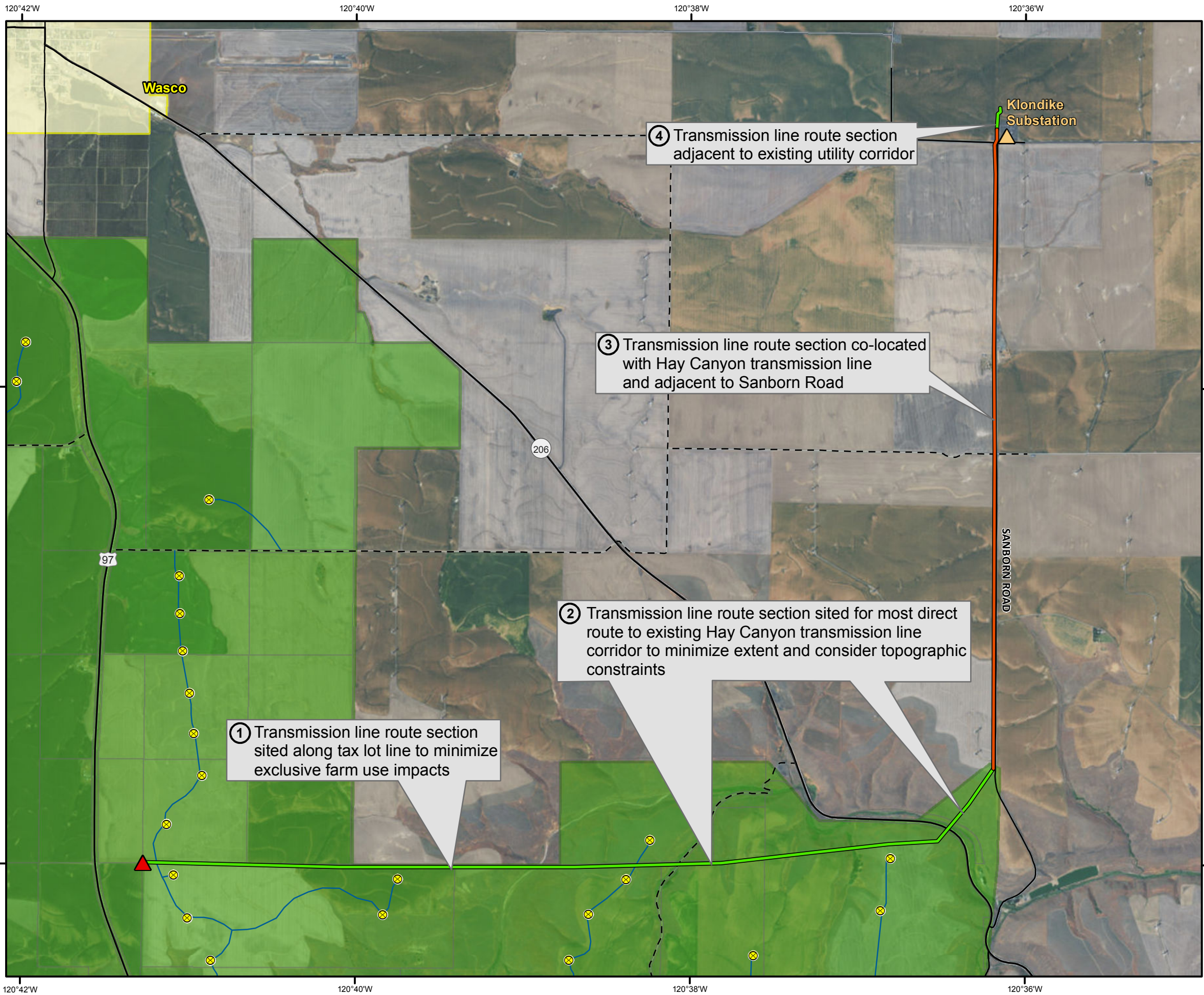
## Conclusion

The Facility 230-kV transmission line must be on EFU land in order to connect the wind farm with the electrical grid system, both of which are on and surrounded by EFU-zoned land. The Facility 230-kV transmission line was designed and sited to minimize impacts to EFU land. The Certificate Holder has greatly reduced the length of transmission line on EFU-zoned land by eliminating the 500-kV

transmission line previously approved. In addition, the Certificate Holder is co-locating a portion of the Facility 230-kV transmission line on existing transmission line infrastructure and right-of-way. Consequently, based on the analysis set forth above, the associated transmission line meets the standards required by ORS 215.274.

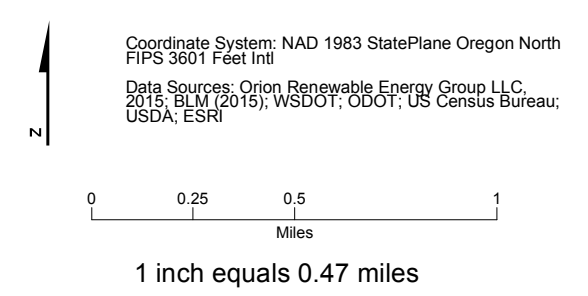


Attachment  
Transmission Line Siting Figure



- Facility Site Boundary
- Wind Turbine
- Land Parcel Boundary
- Proposed Substation
- Existing Substation
- Proposed 230-kV Transmission Line
- Existing Hay Canyon 230-kV Transmission Line
- Access Road
- Public Road (Paved)
- Public Road (Gravel)
- City Boundary
- County Boundary

**Note:** Numbered callouts coincide with "Additional Analysis" discussion in Second Supplement text.



**Transmission Line Siting Figure**  
 Second Supplement to Golden Hills Wind  
 Project Request for Amendment No. 3

