



DEPARTMENT OF THE NAVY

NAVAL AIR STATION WHIDBEY ISLAND
OAK HARBOR, WASHINGTON 98278-5000

11010
Ser N00/0636
May 17, 2012

Ms. Susan Ackerman
Mr. John Savage
Mr. Stephen Bloom
Oregon Public Utility Commission
550 Capital Street NE #215
P.O. Box 2148
Salem, OR 97308

Dear Commissioners:

SUBJECT: LOWER RIDGE WINDFARM LLC AND HIGH PLATEAU WINDFARM LLC
REQUEST FOR WAIVER OF THE FIVE-MILE RADIUS REQUIREMENT

This letter is to verify that the request by Oregon Windfarms LLC (the "Company") to waive the 5-mile project separation requirement for a Qualifying Facility under Oregon's PURPA provisions is pursuant to preserving the Navy's tactical training mission within the Northwest Training Range Complex. Your approval of this request would facilitate the company's relocation of the Lower Ridge Windfarm project from its previously approved location southwesterly to within approximately 3.5 miles separation from the High Plateau Windfarm project.

The Company has initiated this relocation in response to safety concerns expressed by the Navy to reduce airspace conflicts between the Lower Ridge wind turbines and low-level military aircraft training within restricted airspace R-5701. This airspace is the only restricted area in the Western U.S. in which EA-6B Prowler and EA-18G Growler fighter jets based at Naval Air Station (NAS) Whidbey Island can complete Low Level Tactical Training and Surface-to-Air Counter Tactics maneuvers. These maneuvers are conducted at high-speed and at very low altitudes, to within 200 feet above ground level. For this reason, obstruction free, flat terrain, like that provided in this portion of eastern Morrow County, is critical for conducting this essential training mission.

The Lower Ridge project presents a pressing and unique situation with respect to safety concerns for our military flight training. For many years NAS Whidbey Island encroachment management plan for Restricted Area 5701 (R-5701) relied heavily on the Federal Aviation Administration (FAA) issuance of a

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Notice of Presumed Hazard as a result of aeronautical studies associated with the Obstacle Evaluation/Airport Airspace Analysis (OE/AAA) process. Up until early 2009 issuance of an FAA Notice of Presumed Hazard adequately deterred developers from pursuing development within R-5701. Starting in 2009, the FAA determined that issuance of a Notice of Presumed Hazard for proposed construction within a restricted area was not appropriate and started issuing a Determination of No Hazard for proposed construction within R-5701. In September of 2010 the FAA issued a Determination of No Hazard for five wind turbines associated with Lower Ridge Wind Farm, which reside squarely within R-5701. Unfortunately local permitting agencies, such as Morrow County, also relied heavily on determinations from the FAA in applying appropriate standards to the wind farm land use permits and without an FAA Notice of Presumed Hazard the county approved the development permit.

In addition, while Section 358 of the National Defense Authorization Act for Fiscal Year 2011 states that the Secretary of Defense may determine that a project filed with FAA poses an unacceptable risk to the security of the United States and requires the Secretary to report that determination to the congressional defense committees, Congressional action would be required to effectuate that determination as there are no automatic remedies built into the statute.

It is for these reasons that we consider the relocation to be a last resort measure to preserve our military airspace, and that we seek the Commissioners' assistance in facilitating that relocation by approving the waiver request before you.

As evident from the attached map, both the original and the revised location of the Lower Ridge Windfarm project lie within the boundaries of R-5701. We must emphasize that the Navy is concerned that the placement of wind turbines at EITHER location within R-5701 may have negative national security implications. However, as we have no better options at this time in addressing the Company's request to relocate the project, the Navy chooses, under protest, the southern location as it presents less of a flight safety hazard and reduces the potential constraints to low-level aircraft maneuvering.

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We recognize the Company's time constraints in completing the project, and we very much appreciate their cooperation and consideration in revising project plans to reduce impacts to the Navy's flight training capabilities.

Sincerely,



G. J. JOHNSTON
Captain, U.S. Navy
Range Complex Commander
Northwest Training Range Complex

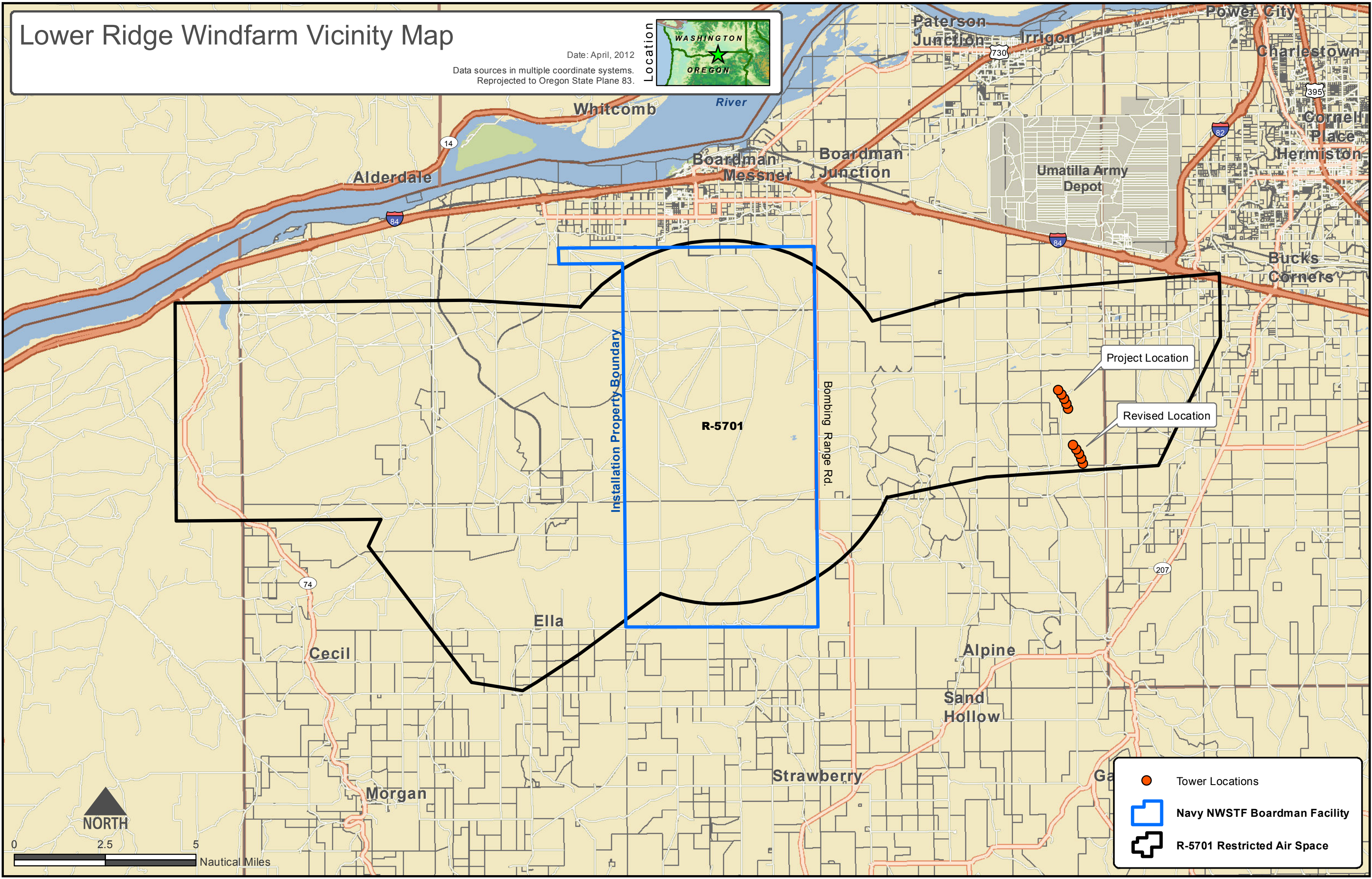
Enclosure: Lower Ridge Windfarm Vicinity Map

Copy to:
Oregon Windfarms LLC
Commander, Navy Region Northwest
COMPACFLT
DASN(EI&E)
OPNAV N45

Lower Ridge Windfarm Vicinity Map

Date: April, 2012

Data sources in multiple coordinate systems.
Reprojected to Oregon State Plane 83.



Installation Property Boundary

Bombing Range Rd.

R-5701

Project Location

Revised Location

-  Tower Locations
-  Navy NWSTF Boardman Facility
-  R-5701 Restricted Air Space

