

## **APPENDIX T: NOTICE OF INTENT FOR NPDES PERMIT**

# HORSE HEAVEN WIND FARM

## NPDES NOI APPLICATION INFORMATION

### 1 INTRODUCTION

The following sections represent the individual tabs present in the Washington State Department of Ecology's (Ecology) Water Quality Web Portal: Permit Coverage – Notice of Intent application page ([WQWebPortal - Home \(wa.gov\)](http://WQWebPortal - Home (wa.gov))).

### 2 CONTACT INFORMATION

The following information will be used to complete the Contact Information tab:

| Item         |                   | Information                                                                                                                                     |
|--------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Permittee    | Honorific         | Mr.                                                                                                                                             |
|              | First name        | Michael                                                                                                                                         |
|              | Last name         | Rucker<br>(note that Michael Rucker is the Manager of the Horse Heaven Wind Farm, LLC entity, and has sole signatory authority for the Project) |
|              | Organization name | Horse Heaven Wind Farm, LLC                                                                                                                     |
|              | Title             | Manager                                                                                                                                         |
|              | Mailing address   | 5775 Flatiron Parkway, Suite 120, Boulder, CO 80301                                                                                             |
|              | Email address     | michael@scoutcleanenergy.com                                                                                                                    |
|              | Primary phone     | 303-284-7566                                                                                                                                    |
|              | Secondary phone   | N/A                                                                                                                                             |
|              | Fax number        | N/A                                                                                                                                             |
|              | UBI number        | N/A                                                                                                                                             |
| Site contact | Honorific         | Mr.                                                                                                                                             |
|              | First name        | Dave                                                                                                                                            |
|              | Last name         | Kobus                                                                                                                                           |
|              | Organization name | Horse Heaven Wind Farm, LLC                                                                                                                     |
|              | Title             | Designated Agent                                                                                                                                |
|              | Mailing address   | 5775 Flatiron Parkway, Suite 120, Boulder, CO 80301                                                                                             |
|              | Email address     | Dave@scoutcleanenergy.com                                                                                                                       |
|              | Primary phone     | 509-947-3258                                                                                                                                    |
|              | Secondary phone   | N/A                                                                                                                                             |
|              | Fax number        | N/A                                                                                                                                             |
|              | UBI number        | N/A                                                                                                                                             |

| Item       |                   | Information       |
|------------|-------------------|-------------------|
| Site owner | Honorific         | same as permittee |
|            | First name        | same as permittee |
|            | Last name         | same as permittee |
|            | Organization name | same as permittee |
|            | Title             | same as permittee |
|            | Mailing address   | same as permittee |
|            | Email address     | same as permittee |
|            | Primary phone     | same as permittee |
|            | Secondary phone   | same as permittee |
|            | Fax number        | same as permittee |
|            | UBI number        | same as permittee |

### 3 FACILITY/SITE

The following information will be used to complete the Facility/Site tab. As there is no set address for the facility, the Location Description box is used to describe where the site is located respective to the nearest city.

| Item                                                                                                   | Information                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ownership type for the entity that owns the facility/site (select Mixed Ownership, Public, or Private) | The project will be privately owned.                                                                                                                                                                      |
| Facility/site name                                                                                     | Horse Heaven Wind Farm                                                                                                                                                                                    |
| Street address                                                                                         | The site does not have a street address.                                                                                                                                                                  |
| Location description                                                                                   | Unincorporated Benton County. At its closest point, the Project is located approximately 4 miles south/southwest of the city of Kennewick and the larger Tri-Cities urban area, along the Columbia River. |

Using the interactive map, the site location is selected:

#### Find my facility/site on a map

Please use the pop up map to complete the latitude, longitude and county information below. Use the pencil tool on the map to locate your facility at the front door or site entrance. *(The map may take a second to pop up.)*

Select facility/site from map

**Latitude:** 46.121234

**Longitude:** -119.326949

**County:** Benton

## 4 SITE/PROJECT INFO

The following information will be used to complete the Site/Project Info tab:

| Item                                                                                                                          | Information                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type of construction activity (select all that apply: Highway or Road, Residential, Commercial, Industrial, Utilities, Other) | Utilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Project size (acres)                                                                                                          | The Project's Lease Boundary (i.e., the extent of parcels in which the Applicant has executed a lease to construct wind turbine generators, the solar array, and associated facilities) encompasses approximately 72,428 acres.                                                                                                                                                                                                                                          |
| Soil disturbance (acres)                                                                                                      | <p>The Project's total disturbance footprint (i.e., areas where direct disturbances would occur based on the current indicative design layout) includes 2,938 acres of temporary disturbance, and 6,898 acres of permanent disturbance acres, for a combined total estimated soil disturbance of 9,836 acres.</p> <p>This value represents the upper limit of the anticipated impacts, and will be refined and updated as the Project's design is further developed.</p> |
| Est. project start date                                                                                                       | <p>1/13/2023</p> <p>This date represents the current estimate for when Project construction would occur based on information available to-date; however, the actual date of implementation may be change depending on when authorizations and permits are acquired.</p>                                                                                                                                                                                                  |
| Est. project end date                                                                                                         | <p>11/30/2024</p> <p>This date represents the current estimate for when Project construction would occur based on information available to-date; however, the actual date of implementation may be change depending on when authorizations and permits are acquired.</p>                                                                                                                                                                                                 |
| Will 1,000 cubic yards or more of poured concrete or recycled concrete be used over the life of the project?                  | <p>Yes. A typical solar/wind project of this size will use approximately 500,000 cubic yards of concrete for facility foundations.</p> <p>This value represents the upper limit of the anticipated impacts, and will be refined and updated as the Project's design is further developed.</p>                                                                                                                                                                            |

| Item                                                                         | Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Are you aware of contaminated soils present on the site?                     | <p>No</p> <p>Three Phase I Environmental Site Assessments (ESAs) were performed for the Project in January 2020, March 2020, and August 2020 (Tetra Tech 2020a, 2020b, 2020c); collectively these ESAs cover the Project Lease Boundary. The ESA conducted in January 2020 identified no recognized environmental conditions (RECs) or controlled recognized environmental conditions (CRECs); it did identify 23 orphan sites which are facilities with incomplete or insufficient address information within the vicinity of the Project Lease Boundary. Of these 23 orphan sites, 6 were determined to be located within the Project Lease Boundary and are considered to be historical recognized environmental conditions (HRECs). Of the six sites, two occurred along I-82, which is not within the Project Lease Boundary (but were within the database search area, considered the Subject Property in an ESA), and both were cleaned up; three were cleaned up to the satisfaction of the applicable agencies, with one representing <i>de minimis</i> conditions; and the fourth was identified on the landowner questionnaire as two private garbage pits with no awareness of hazardous materials (the ESA suggests avoiding this area). The ESA conducted in March 2020 identified three HREC sites, all of which have been cleaned up to the satisfaction of the applicable agencies. The ESA conducted in August 2020 identified no RECs, CRECs, or HRECs. All known or potential sites would be avoided, taking into consideration the individual characteristics of each site, including remediation actions performed and the age of the contamination or spill.</p> |
| Are you aware of groundwater contamination located within the site boundary? | <p>No.</p> <p>See response above regarding contaminated soils.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Other permits issued by Water Quality                                        | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

## 5 DISCHARGE LOCATION

Impacts to waters of the State may be avoided by spanning (e.g., with the transmission line) or otherwise micro-siting away from the streams. If these impacts cannot be avoided, indirect impacts to water quality can be minimized by working within the Ordinary High Water Level (OHWL) during the dry season when no rain is predicted. Given the moderate permeability and depth of the soils on site, surface water is anticipated to infiltrate into the ground. No stormwater discharges to waterbodies are anticipated, with all stormwater expected to infiltrate into the ground locally.

Infiltrated water would ultimately drain into the Yakima River and Columbia River on both the northeast and southwest sides of Horse Heaven Hills. No dewatering during construction is anticipated, but if dewatering is proposed during construction, dewatering plans and discharge locations will be included in the site Stormwater Pollution Prevention Plan (SWPPP).

## 6 NOTICE OF INTENT (NOI) INFORMATION

Read and agree to the statements concerning the SWPPP and Best Management Practices (BMPs).

### **Stormwater Pollution Prevention Plan (SWPPP)**

You must develop a SWPPP prior to starting construction. Do **not** submit your SWPPP with your application. The exception is that Ecology may request a copy of all or part of your SWPPP if you answered yes to the questions under the Site Conditions heading on the Site/Project Info tab.

☒ I have read and agree to the information above

### **Best Management Practices (BMPs)**

You must use the BMPs listed in the Stormwater Management Manual for Western Washington or the Stormwater Management Manual for Eastern Washington or other manuals approved by Ecology. Alternatively, you may use demonstrably equivalent BMPs on the basis of permit condition S9.C.4. If you intend to use a BMP at your site that is not included in these manuals, but that you believe meets the definition of a demonstrably equivalent BMP, you must notify the appropriate regional office. (See Definitions in the Construction Stormwater General Permit).

*Note that if you receive permit coverage without indicating the preference for a demonstrably equivalent BMP and later decide to use one, you must provide Ecology with notice of the selection of an equivalent BMP no less than 60 days before the intended use of the equivalent BMP.*

<http://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>

☒ I have read and agree to the information above

## 7 DISCHARGE MONITORING REPORTS (DMR)

Read and agree to the statement concerning the submittal of monitoring data to Ecology's WQWebDMR program.

### **Discharge Monitoring Reports (DMRs)**

**Permittees must submit monitoring data using Ecology's WQWebDMR program.**

To sign up for WQWebDMR, or to register a new site, go to <http://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance#dmr>. If you are unable to submit your DMRs electronically, you may contact Ecology to request a waiver. Ecology will generally only grant waiver requests to those permittees without internet access. Only a permittee or representative, designated in writing, may request access to or a waiver from WQWebDMR. If you have questions on this process, contact Ecology's WQWebDMR staff at [WQWebPortal@ecy.wa.gov](mailto:WQWebPortal@ecy.wa.gov) or 1-800-633-6193, Option 3 (toll free).

☒ I have read and agree to the information above

## 8 STATE ENVIRONMENTAL POLICY ACT (SEPA)

The following information will be used to complete the SEPA tab:

| Item                                                                | Information              |
|---------------------------------------------------------------------|--------------------------|
| Who is the SEPA lead agency on your site?                           | EFSEC and Benton County. |
| Has the SEPA lead agency issued a final decision on your checklist? | No                       |

## 9 PUBLIC NOTICE

A public notice must be published at least once a week for two consecutive weeks with seven days between publications, in at least a single newspaper of general circulation in the county in which the construction is to take place. Ecology cannot grant permit coverage sooner than the end of the 30-day public comment period, which begins on the date of the second public notice.

The following information will be used to complete the Public Notice tab:

| Item                                                                                                                     | Information                       |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Public notice document type (i.e., use of the Ecology system-generated notice, or upload of an individual public notice) | Ecology's system-generated notice |
| Newspaper where public notice will be published                                                                          | Tri-City Herald                   |
| Date of first notice                                                                                                     | To Be Determined                  |
| Date of second notice                                                                                                    | To Be Determined                  |

## 10 SITE MAP

Figure 1 provides an overview of the Project location and landscape. Figure 2 provides the Project features and topography. Figure 3 provides the waters of the state within the Project Lease Boundary based on review of the National Hydrography Dataset (USGS 2017) and Benton County Critical Area Ordinance – Fish and Wildlife Habitat Conservation Areas Map (Benton County 2018). However, these databases typically overestimate the extent of waterbodies. There are no perennial streams identified within the Project Lease Boundary (USGS 2017). Wetland delineations of the Project were completed in February, August, October, and November of 2020 to verify the extent of wetlands in the area; no wetlands were noted within the Project study area and two intermittent streams and 31 ephemeral stream channels were mapped (see Appendix I, and also Section 3.5, of the Application for Site Certification) that are considered waters of the state.

As the Project design is developed and refined, additional site map information will be provided, including cut and fill slopes, stormwater flow before and after site grading, locations of BMPs identified in the SWPPP, and locations of material sources, stockpiles, waste storage, borrow areas, and vehicle/equipment storage areas.

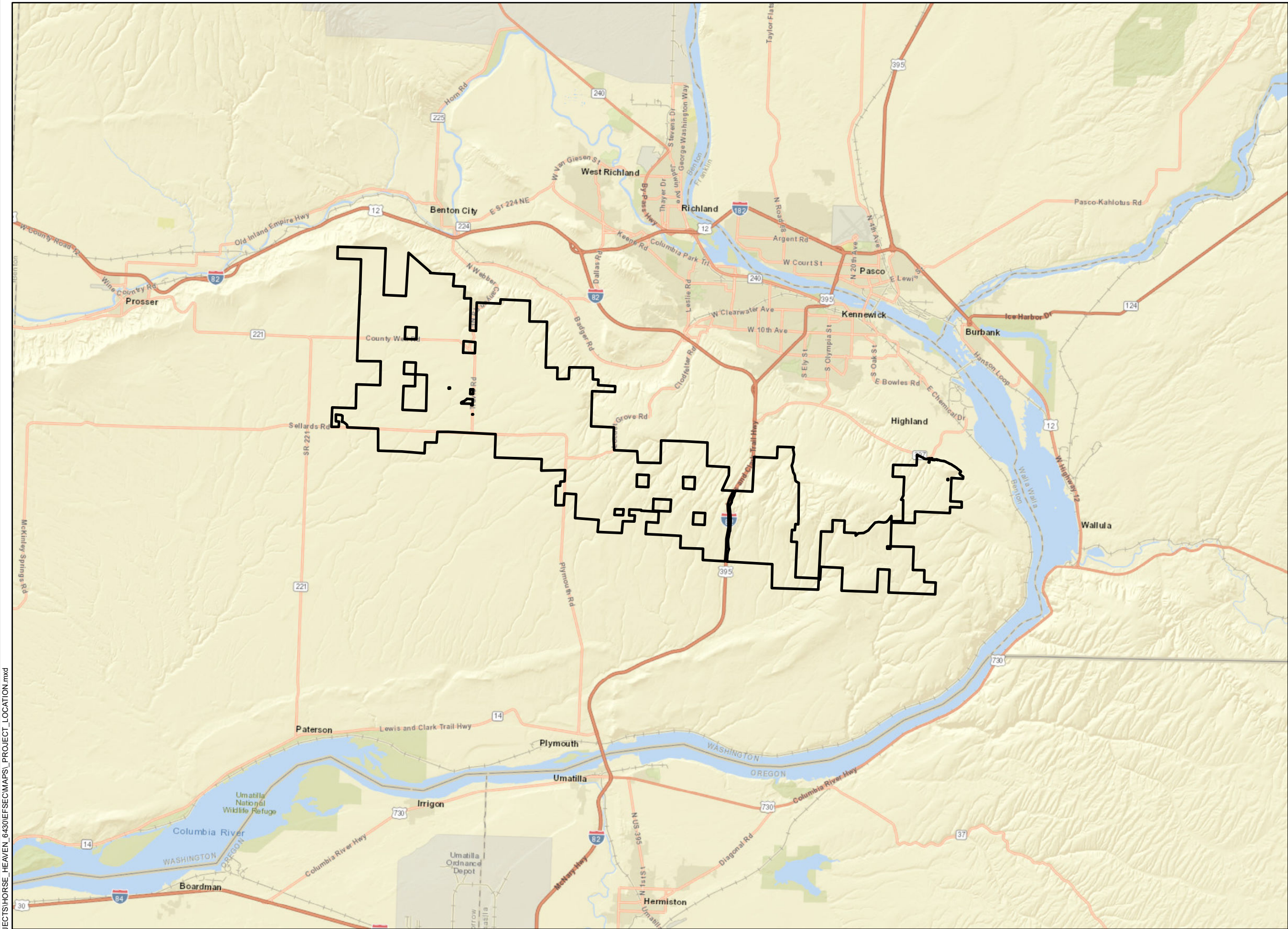
## 11 REFERENCES

- Benton County. 2018. Benton County Planning Department Staff Report to the Benton County Planning Commission, OA 2017-004 PC Staff Report. March 13, 2018.
- Tetra Tech. 2020a. Final Phase I Environmental Site Assessment Horse Heaven Wind Farm Project Benton County, Washington. January 2020.
- Tetra Tech. 2020b. Final Phase I Environmental Site Assessment Horse Heaven Wind Farm Project Benton County, Washington. March 2020.
- Tetra Tech. 2020c. Final Phase I Environmental Site Assessment Horse Heaven Wind Farm Project Benton County, Washington. August 2020.
- USGS (U.S. Geological Survey). 2017. National Geospatial Program, 20170317, USGS National Hydrography Dataset (NHD). Available online at:  
[ftp://rockyftp.cr.usgs.gov/vdelivery/Datasets/Staged/Hydrography/NHD/State/HighResolution/GDB/NHD\\_H\\_Washington\\_GDB.zip](ftp://rockyftp.cr.usgs.gov/vdelivery/Datasets/Staged/Hydrography/NHD/State/HighResolution/GDB/NHD_H_Washington_GDB.zip)

## **FIGURES**

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Horse Heaven  
Wind Project



Figure 1  
Project Location  
BENTON COUNTY, WA

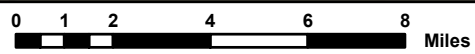
Project Lease Boundary



Reference Map



1:250,000 WGS 1984 UTM Zone 11N



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Wind Project

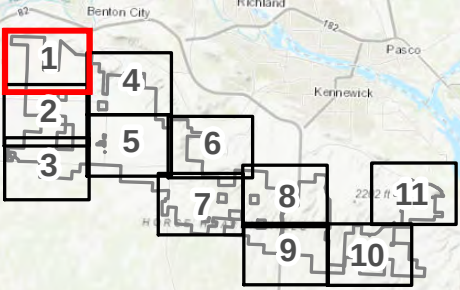


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 1 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- Solar Array
- Solar Array Fencing
- Solar Array Road
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_Alt
- RoadCL
- RoadCL\_Alt



Reference Map



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Horse Heaven  
Wind Project



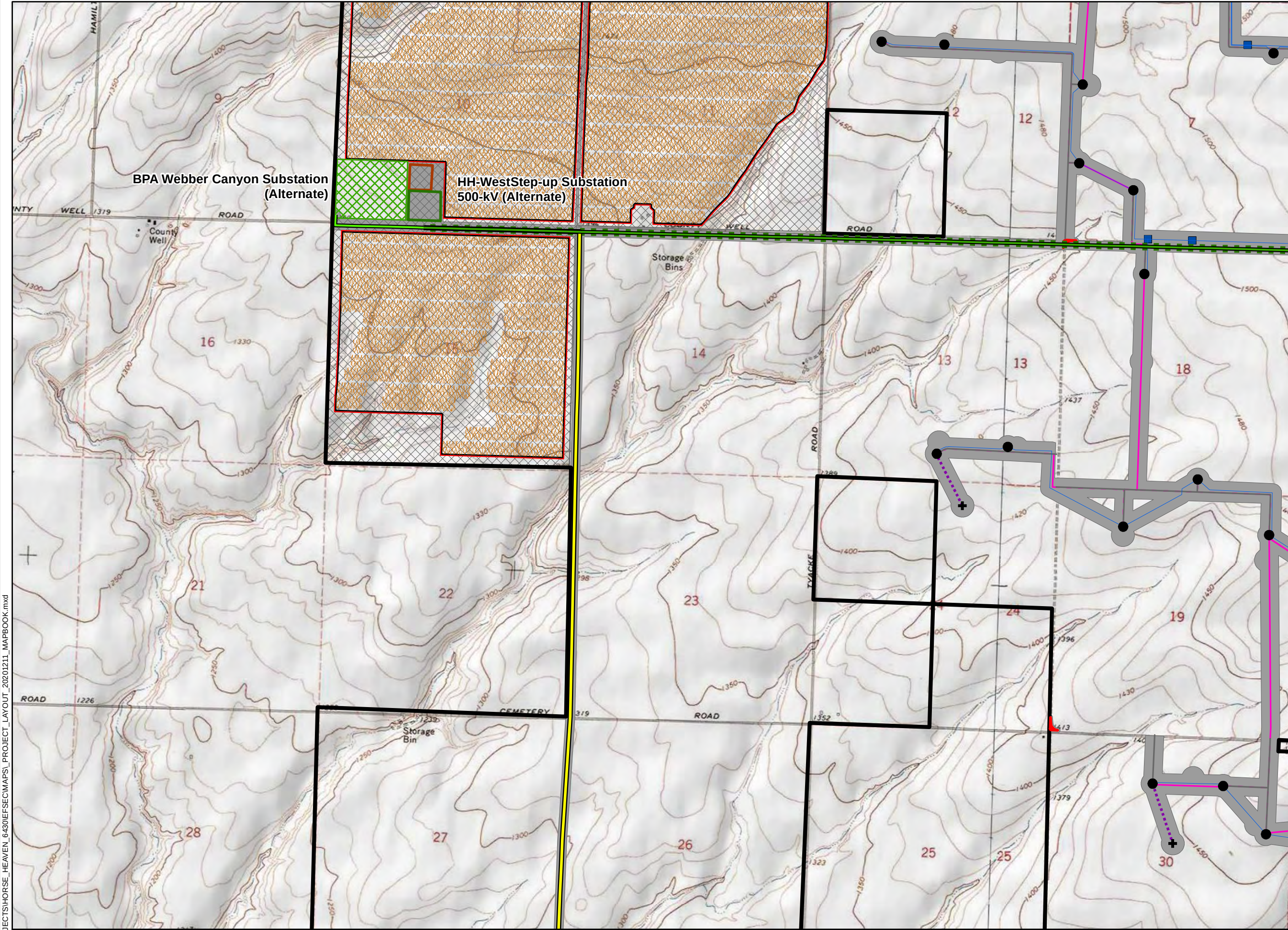
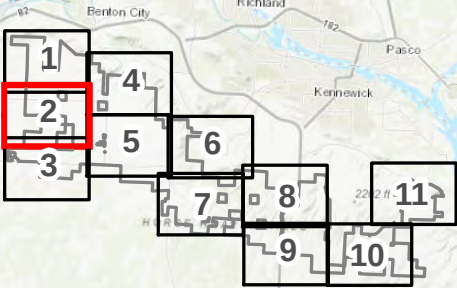
Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 2 of 11

BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- Solar Intertie 230-kV Transmission Line
- County Well Road 230-kV Transmission Line (Primary)
- County Well Road 500-kV Transmission Line Step-up (Primary)
- Battery Storage
- Intersection Improvement Area
- Project Substation (Alternate)
- Solar Array
- Solar Array Fencing
- Solar Array Road
- BPA Substation (Alternate)
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- RoadCL



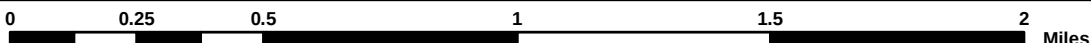
Reference Map



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Wind Project

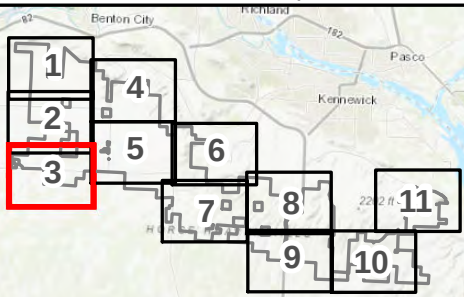


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 3 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- Sellards Road 230-kV Transmission Line (Primary)
- Sellards Road 500-kV Transmission Line Step-up (Primary)
- Sellards Road 230-kV Transmission Line (Alternate)
- Solar Intertie 230-kV Transmission Line
- Battery Storage
- Project Substation (Alternate)
- Solar Array
- Solar Array Fencing
- Solar Array Road
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- RoadCL



Reference Map



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Horse Heaven  
Wind Project



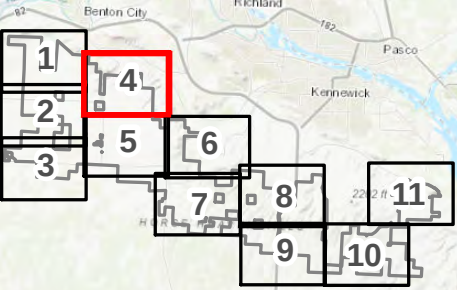
Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 4 of 11

BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Option 1 Turbine Layout
- Sellards Road 230-kV Transmission Line (Alternate)
- County Well Road 230-kV Transmission Line (Primary)
- Intersection Improvement Area
- Project Substation (Alternate)
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



Reference Map



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Horse Heaven  
Wind Project

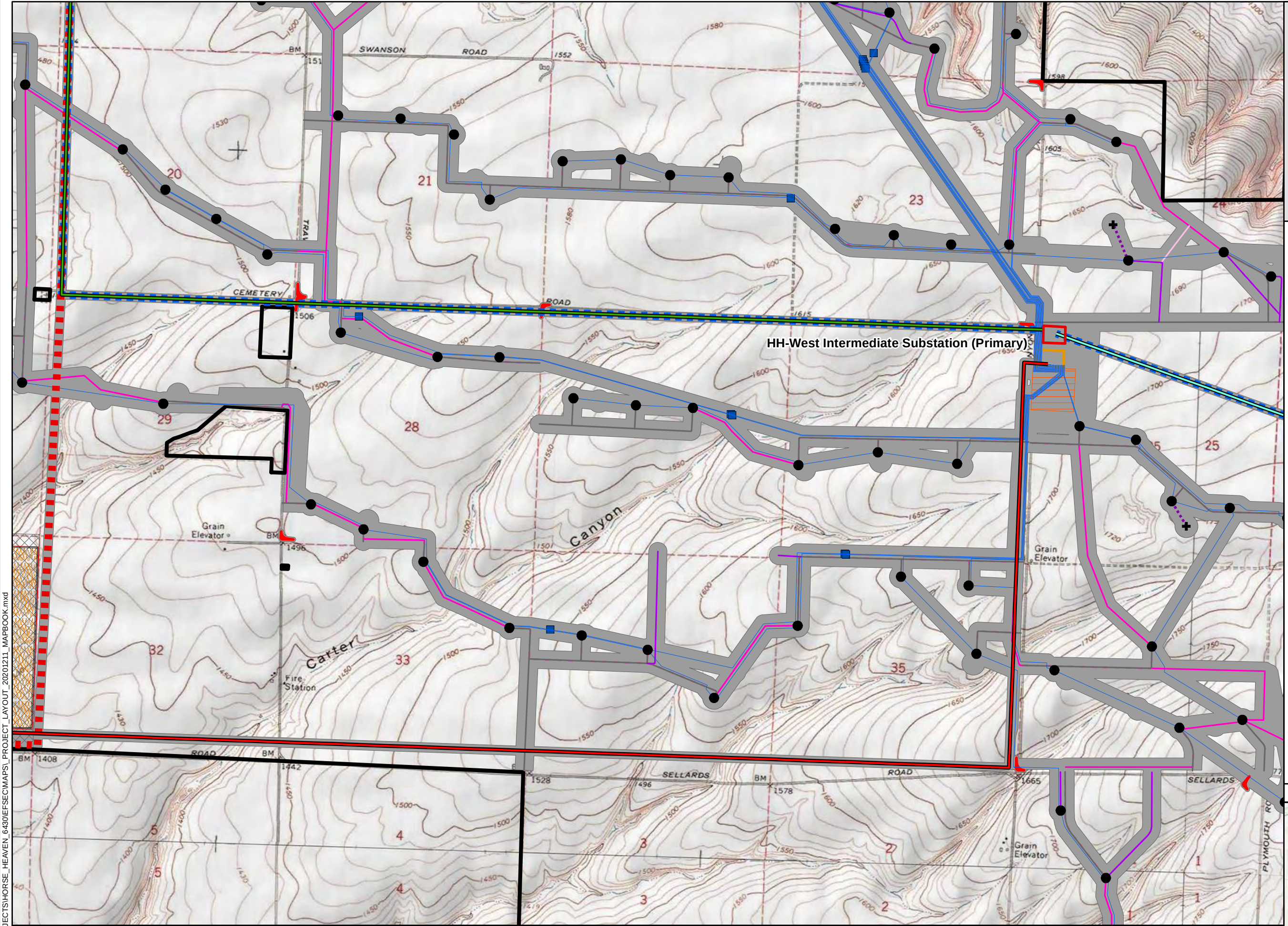
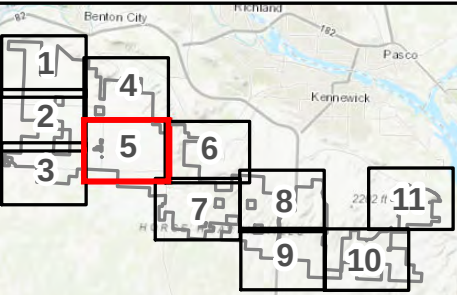


**Figure 2**  
**Facility Infrastructure**  
**for Turbine Layout Option 1**  
Map 5 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- Sellards Road 230-kV Transmission Line (Primary)
- Sellards Road 230-kV Transmission Line (Alternate)
- County Well Road 230-kV Transmission Line (Primary)
- 230-kV Intertie Transmission Line (Primary)
- O & M Facility
- Intersection Improvement Area
- Laydown Yard
- Project Substation (Primary)
- Solar Array
- Solar Array Fencing
- Solar Array Road
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_Alt
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



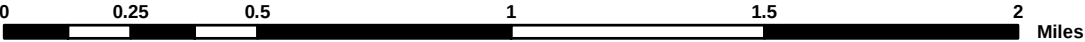
Reference Map



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Horse Heaven  
Wind Project

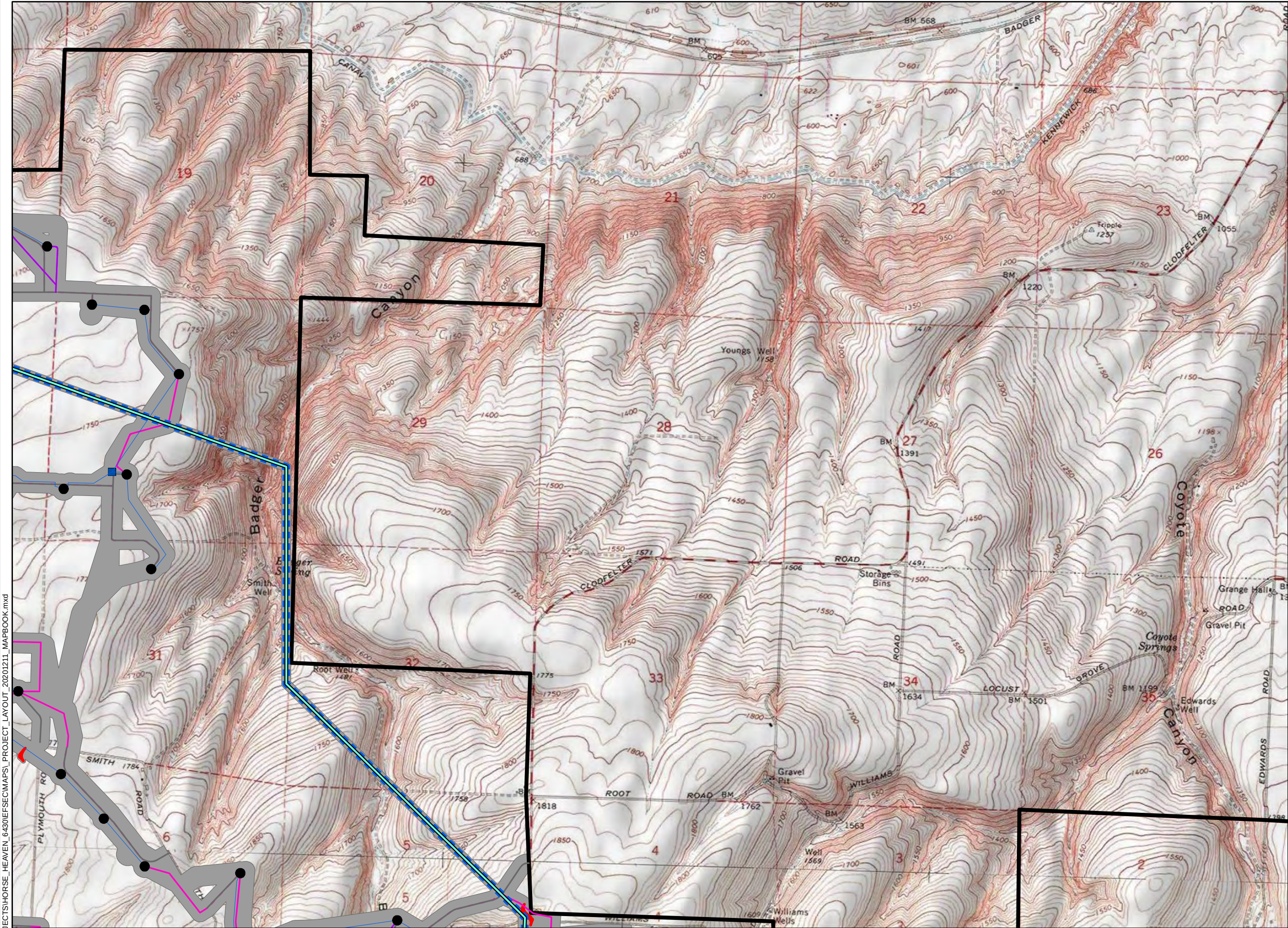
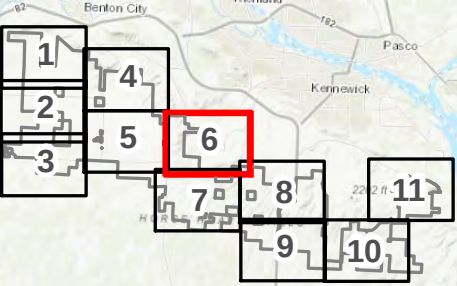


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 6 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Option 1 Turbine Layout
- 230-kV Intertie Transmission Line (Primary)
- Intersection Improvement Area
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



Reference Map



Horse Heaven  
Wind Project

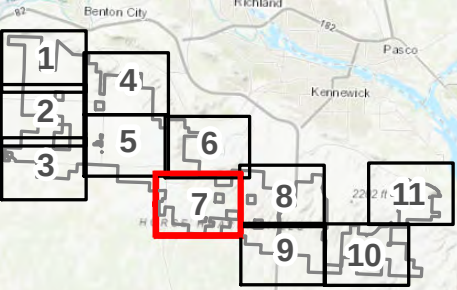


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 7 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- 230-kV Intertie Transmission Line (Primary)
- Intersection Improvement Area
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



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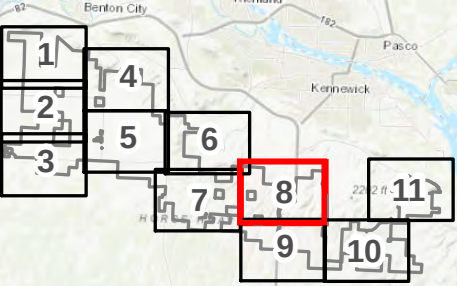


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 8 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- 230-kV Intertie Transmission Line (Primary)
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_Alt
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



Reference Map



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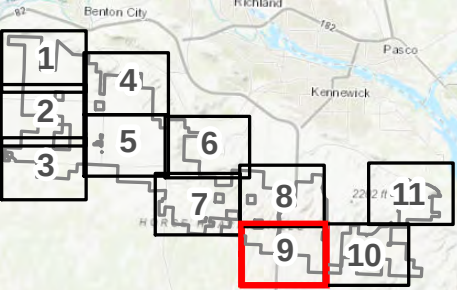


**Figure 2**  
**Facility Infrastructure**  
**for Turbine Layout Option 1**  
Map 9 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- 230-kV Intertie Transmission Line (Primary)
- 230-kV Alternate Intertie Transmission Line
- O & M Facility
- Battery Storage
- Intersection Improvement Area
- Laydown Yard
- Project Substation (Primary)
- Solar Array
- Solar Array Fencing
- Solar Array Road
- BPA Substation (Primary)
- Junction Box
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- RoadCL



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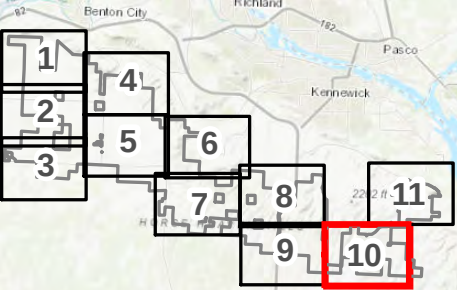


Figure 2  
Facility Infrastructure  
for Turbine Layout Option 1  
Map 10 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Solar Siting Area
- Option 1 Turbine Layout
- Met Tower
- Met Tower Access Road
- Intersection Improvement Area
- Junction Box
- Collection Line
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- CraneCL\_OnRoad\_Alt
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- RoadCL\_Alt



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Horse Heaven  
Wind Project

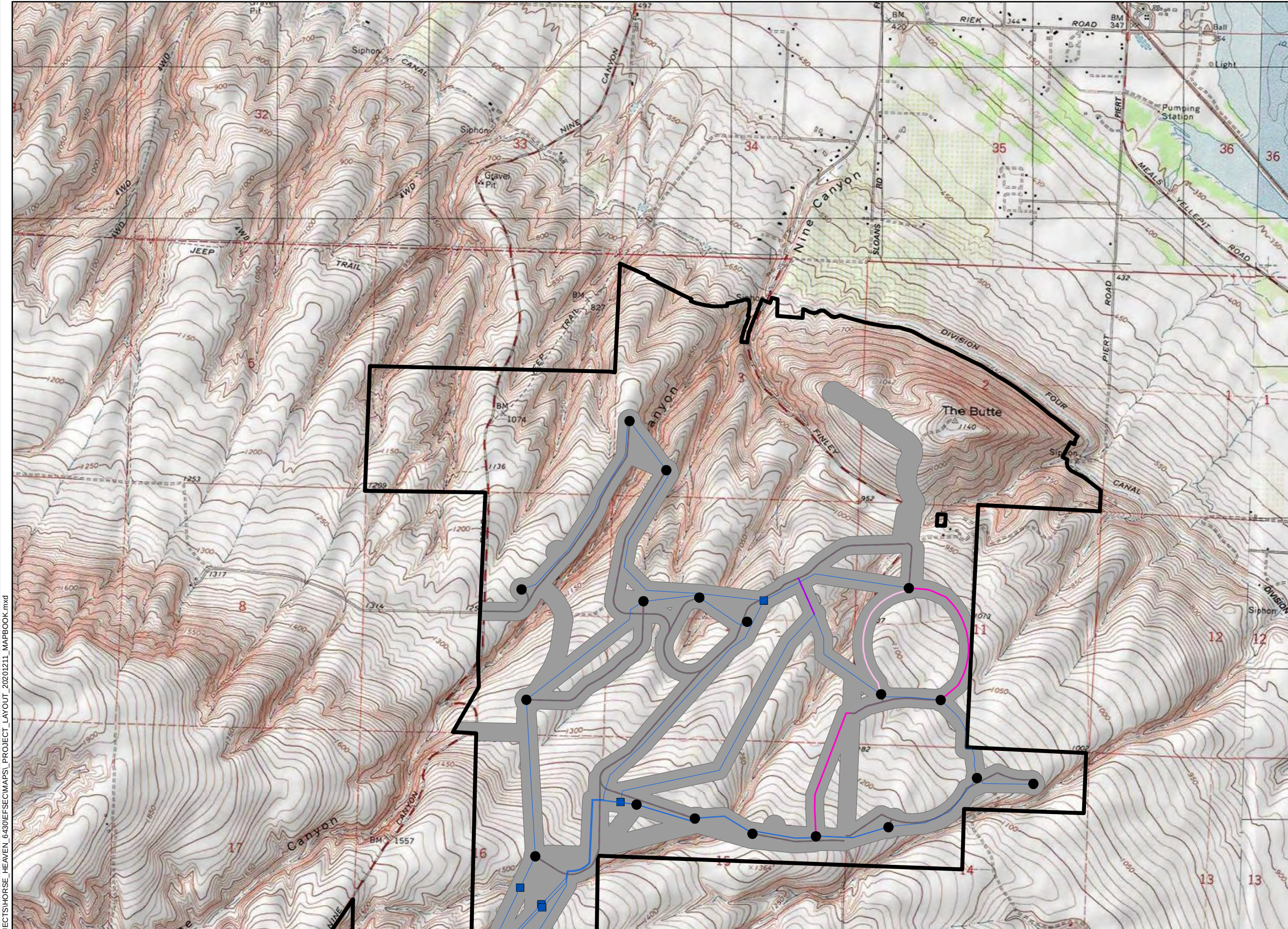
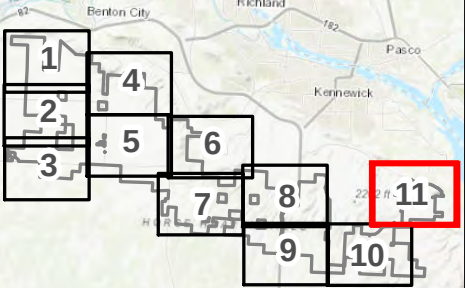


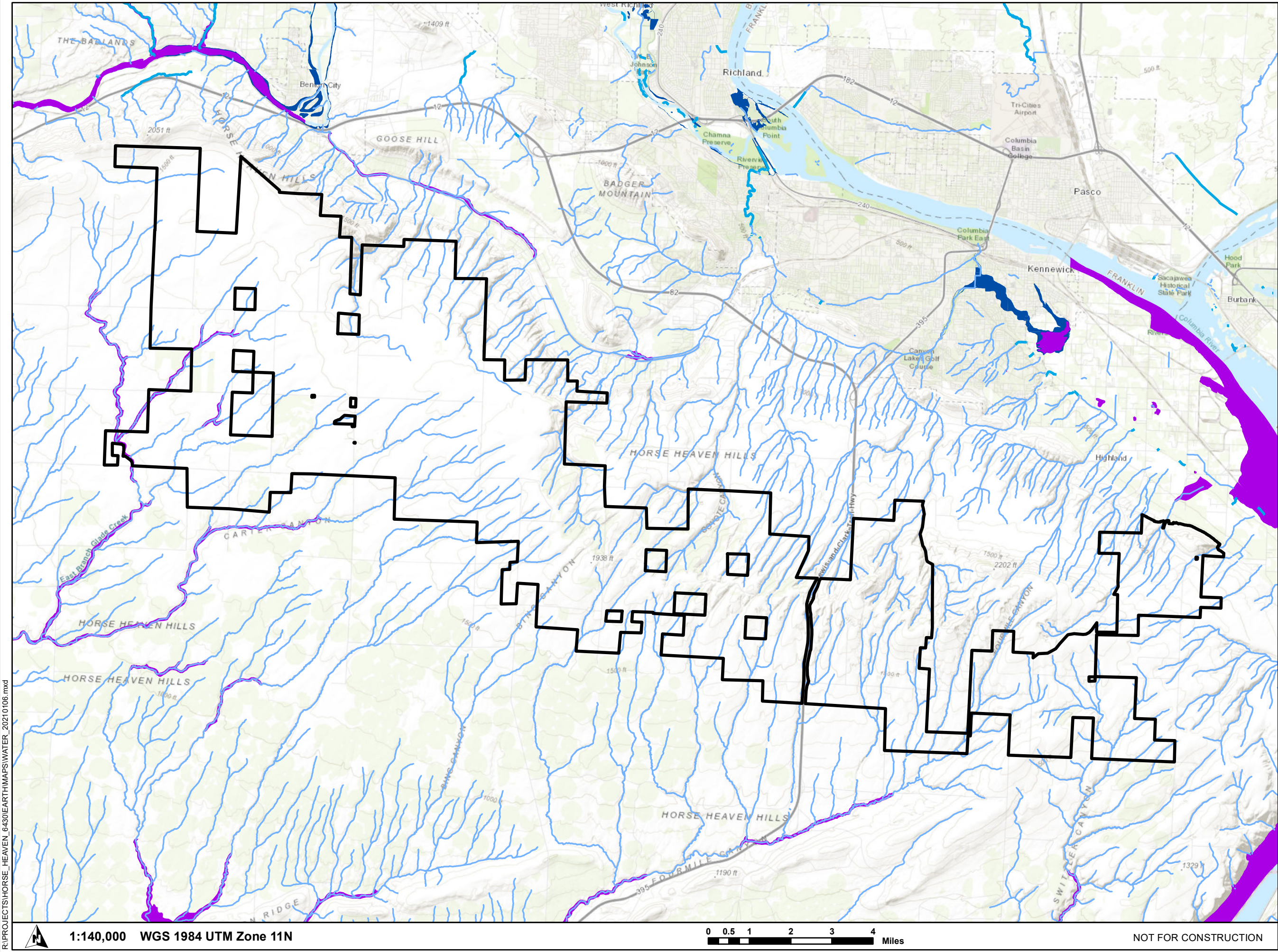
**Figure 2**  
**Facility Infrastructure**  
**for Turbine Layout Option 1**  
Map 11 of 11  
BENTON COUNTY, WA

- Project Lease Boundary
- Wind Energy Micrositing Corridor
- Option 1 Turbine Layout
- Junction Box
- Collection Line
- CraneCL
- CraneCL\_OnRoad
- CraneCL\_Alt
- CraneCL\_OnRoad\_Alt
- RoadCL
- RoadCL\_Alt



Reference Map





# Horse Heaven Wind Project



**Figure 3**  
**Water**

BENTON COUNTY, WA

- Project Lease Boundary
- Perennial Stream
- Intermittent Stream
- Ephemeral Stream
- 100 Year Flood Zone
- 500 Year Flood Zone

**Data Sources:**  
100yr and 500yr Flood Zone:  
Benton County GIS, Critical Aquifers  
Recharge Map Service,  
Streams:  
U.S. Geological Survey, National Geospatial  
Program, 20170317, USGS National  
Hydrography Dataset (NHD)

Background:  
ESRI Topographic Basemap



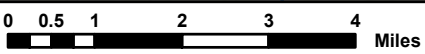
## Reference Map



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1:140,000 WGS 1984 UTM Zone 11N



NOT FOR CONSTRUCTION