

BENTON COUNTY PLANNING/BUILDING DEPARTMENT

Terry A. Marden, Director

PLANNING
Planning Annex
P.O. Box 910, 1002 Dudley Avenue
Prosser WA 99350
Prosser Office: (509) 786-5612
From Tri-Cities: (509) 736-3086
Fax: (509) 786-5629

BUILDING
Kennewick Annex
5600 W. Canal Place, Suite C 105A
Kennewick WA 99336
Tri-Cities Office: (509) 735-3500
From Prosser: (509) 786-5622
Fax Number: (509) 736-2732

**BENTON COUNTY BOARD OF ADJUSTMENT
CONDITIONAL USE CUP 01-12**

The following Conditional Use/Special Use Permit is granted, in accordance with the provisions of Benton County Code, Chapter 11.52, and according to the motion passed by the Benton County Board of Adjustment on Thursday, June 7, 2001.

NAME: Energy Northwest P O Box 968, Richland, WA 99352

LOCATION: The wind turbines will be located in the North Half of Section 12 in Township 7 North, Range 29 East, W.M. and in Sections 6, 7, 8, 9, 17, 18 and 19 of Township 7 North, Range 30 East, W.M.

CONDITIONAL USE: Construct and operate a wind turbine farm project. The project will consist of up to 76 wind turbines with a combined capacity of up to 50 megawatts. The wind turbines will be located on a freestanding tubular steel tower that could be as tall as 265 feet. Three rotor blades will drive the wind turbines, with blade lengths of up to 100 feet. The overall height of the tower and blade could be up to 315 feet. The height of the wind turbines and the number of wind turbine towers will depend on the size of the wind turbines that will be used.

CONDITIONS:

1. That Conditional Use Permit request - CUP 01-12, be to construct and operate a wind turbine farm project. The project will consist of 19 to 76 wind turbines with a combined capacity of between 50 + or minus megawatts. The wind turbines will be located on freestanding tubular steel towers that could be from 160 feet to 265 feet tall. Three rotor blades will drive the wind turbines with blade lengths from 75 to 100 feet. The project will include the construction of access roads and an Operation and Maintenance Building. The wind turbine farm will be located in Section 12 of Township 7 North, Range 29 East; W.M. and in Sections 6, 7, 8, 9, 17, 18 and 19 of Township 7 North, Range 30 East, W.M.
2. That the applicant obtain the appropriate building permits for the construction of the proposed wind turbine towers and for the Operation & Maintenance Building from the Benton County Building Department.
3. The applicant obtain the required permits and/or approvals from the Federal Aviation Administration for the proposed wind turbine towers. The applicant shall submit written verification to the Benton County Planning Department that the required permits and/or approvals from the Federal Aviation Administration have been obtained.
4. That the applicant develop and implement a fire emergency plan for the site during the construction phase, that will include the storage of on-site water for fire suppression. The plan shall be submitted to the Benton County Fire Marshal and Benton County Fire Protection District No. 1 for review and approval. The applicant must submit written verification to the Benton County Planning Department that the fire emergency plan has been reviewed and approved by the Benton County Fire Marshall and Benton County Fire Protection District No. 1.
5. The applicant obtain the required permits and/or approvals from the Benton Clean Air Authority for the proposed project. The applicant shall submit written verification to the Benton County

Planning Department that the required permits and/or approvals from the Benton Clean Air Authority have been obtained.

6. That the applicant provide a report and map(s) covering field verified locations of all proposed wind towers and all potentially impacted microwave beam paths associated with Jump Off Joe Butte Communication Site, prior to beginning construction on the site. The report and map(s) shall be submitted to the Washington State Department of Natural Resources for review and approval. A copy of the report and map(s) along with written verification that the DNR has reviewed and approved the siting of the towers shall be submitted to the Benton County Planning Department. That the applicant shall place the wind turbine towers such that the spacing between towers where the microwave signal passes through is wide enough to provide necessary clearance or rotate the turbine strings so that the wind turbines are no longer in the path.
7. That the improvements to Upper Blair Road be coordinated with the Benton County Department of Public Works and meet their requirements for such improvements.
8. That the mitigation measures contained in the attached Mitigated Determination of Non-Significance issued on May 22, 2001 for file number EA 01-24 are hereby included as conditions of approval for Conditional Use Permit - CUP 01-12.
9. All structures, including wind turbine towers must meet the setback requirements for the GMA Agricultural District.
10. That if the use of any wind turbine or the wind turbine farm is abandoned for a period of two years the owner of such facility shall remove the wind turbines within six (6) months of written notification by the Planning Department.

The Planning Director shall issue the Conditional Use Permit upon satisfactory completion of conditions 2 through 7 above. The conditions of approval shall be satisfied and the Conditional Use Permit issued within one (1) year of the date of conditional approval by the Board of Adjustment or the approval shall become null and void. The applicant cannot operate this facility until the Planning Director issues the Conditional Use Permit.

This Conditional Use Permit is issued this

11th day of June 2002



BENTON COUNTY PLANNING DEPARTMENT
For: BENTON COUNTY BOARD OF ADJUSTMENT

Instructions: Benton County Building Office