

**APPLICATION FOR DETERMINATION  
PURSUANT TO  
SECTION 15.2-2232 OF THE CODE OF VIRGINIA**

**APPLICANT:** Highland New Wind Development, LLC  
c/o Henry T. McBride, Jr.  
1583 Ridgedale Road  
Harrisonburg, VA 22801  
(540) 434-3669

**APPLICANT'S  
ATTORNEY:** John W. Flora, Esq.  
Lisa Anne Hawkins, Esq.  
Keeler Obenshain PC  
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(540) 437-3100  
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**PROJECT SITE:** The project is situate on a portion of Highland County Tax Map 12, parcels 3 and 5, which portion is under lease from the owners by the applicant. Of the almost 4,000-acre tracts, only a small portion of approximately 217 acres will be dedicated to the project, being principally Tamarack Ridge and Red Oak Knob, both of which have been cleared for many years and are currently fenced for pasture use.

The project site is already disturbed by State Highway 250 and one of the two high-voltage transmission lines in Highland County, has among the best wind yet discovered in the eastern United States, and is situate in a sparsely populated area across the main ridgeline and out of the viewshed of Monterey and the vast majority of the County's residents. The project site is situate close to the West Virginia line, where continued wind energy development has the potential to create viewshed impacts on Highland County similar to those of the proposed project, but without the economic benefits to Highland County which the proposed project will produce.

The physical location of the site is shown on the attached topographic maps.

**PROPERTY OWNER  
OF RECORD:**

Red Oak Ranch, L.L.C., as to Red Oak Knob (Tax Map 12, parcel 5)

Tamarack of Highland, L.L.C., as to Tamarack Ridge (Tax Map 12, parcel 3)

**ZONING:**

The project site is currently zoned A-2, with the conditional use permit issued by the Board of Supervisors of Highland County, Virginia, on July 21, 2005 (the "Conditional Use Permit") (which conditional use permit is subject to pending litigation to which Highland County is a party).

**PROPOSED USE:**

Electric generation substations pursuant to 603.03-8 of the ordinances of Highland County, Virginia, in accordance with the terms of the Conditional Use Permit, which terms and conditions are incorporated into this Application by this reference. Specifically, the conditions imposed on the project by the Conditional Use Permit include, among other things, restrictions pertaining to the number of turbines, turbine height, setbacks, lighting of turbines, color of turbines and buildings, vegetative screening, fencing, signage, access, operational standards, erosion and sediment control, federal and state approvals, and decommissioning and related bonding. The Conditional Use Permit also creates a site plan review requirement to ensure that its conditions are met.

More specifically, the project is a wind energy power generating facility on Red Oak Knob and Tamarack Ridge in Highland County, Virginia near the West Virginia border, just northeast of State Route 250 on Allegheny Mountain. The facility will be approximately 39 megawatts (MW) in nominal rated capacity. The project will consist of up to 22 turbines mounted on free-standing tubular towers. Turbines may not exceed 400 feet in height.

The project will be interconnected to an existing Allegheny Power Company 69 kilovolt (kV) electric transmission line that bisects the project site. The interconnection facility will consist of a new substation, with step up transformers and other equipment. In accordance with the Conditional Use Permit, any new transmission connecting the existing high-powered transmission line to the project will be installed underground.

The project will impose negligible requirements on the existing Highland County infrastructure while providing significant benefits to the area in increased local tax revenues.

A map of the proposed project site with preliminary turbine locations and the surrounding area is attached.

**PROJECT  
INFORMATION:**

Final selection of the equipment to be used is underway, but it is currently anticipated that the towers will be 262 feet (80 meters). The commitment to Highland County was to limit the height to 400 feet, which means that if the tower is 262 feet, the turbine rotor diameter will be approximately 269 feet (82 meters).

The wind turbines to be used will most likely be of the 2.00 MW size, to be selected based on design, price, reliability, reputation, efficiency and availability. In order to achieve maximum power output, the rotor shall utilize blade pitch regulation that allows the turbines to achieve the highest level of aerodynamic efficiency and increased turbine life. Additional features will likely include noise insulation of the drive train, sound-reduced gearbox, noise-reduced nacelle, and reduced blade tip speed.

**APPLICANT'S STATEMENT OF RELEVANT  
COMPREHENSIVE PLAN CONSIDERATIONS:**

The determination required under Virginia Code Section 15.2-2232 is whether the "general location or approximate location, character, and extent" of the proposed "public utility facility" is "substantially in accord with the adopted comprehensive plan or part thereof." Substantial information concerning the project, its impacts, and its compatibility with and furtherance of the goals of the Comprehensive Plan of Highland County, Virginia was submitted and presented to Highland County as part of the application and public hearing process that resulted in the Board of Supervisors' approval of the Conditional Use Permit for the project, in which the Board made the following express findings:

Board of Supervisors' Express Findings  
As part of the Resolution Approving the Conditional Use Permit

**Section 1** of the Supervisors' resolution of approval, paragraphs a through p, was quoted here in its entirety but is omitted to conserve space. For the complete text please see:  
<http://johnrsweet.com/Personal/Wind/PDF/Recorder20050722-approval.pdf>

According to these express findings of the Board of Supervisors, the general location, character and extent of the proposed facility are substantially in accord with the Comprehensive Plan of Highland County, Virginia.

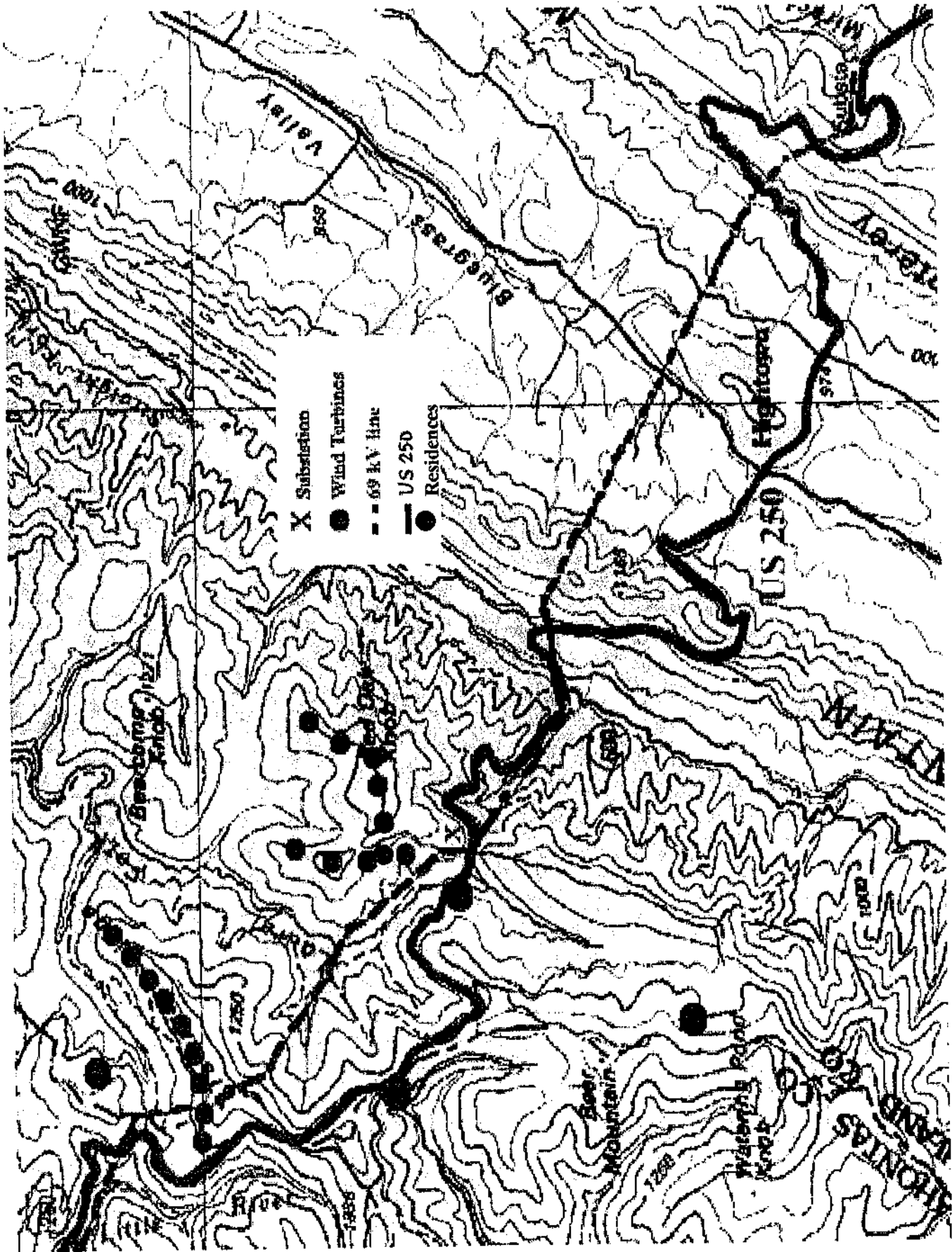
February 16, 2006

Highland New Wind Development, LLC

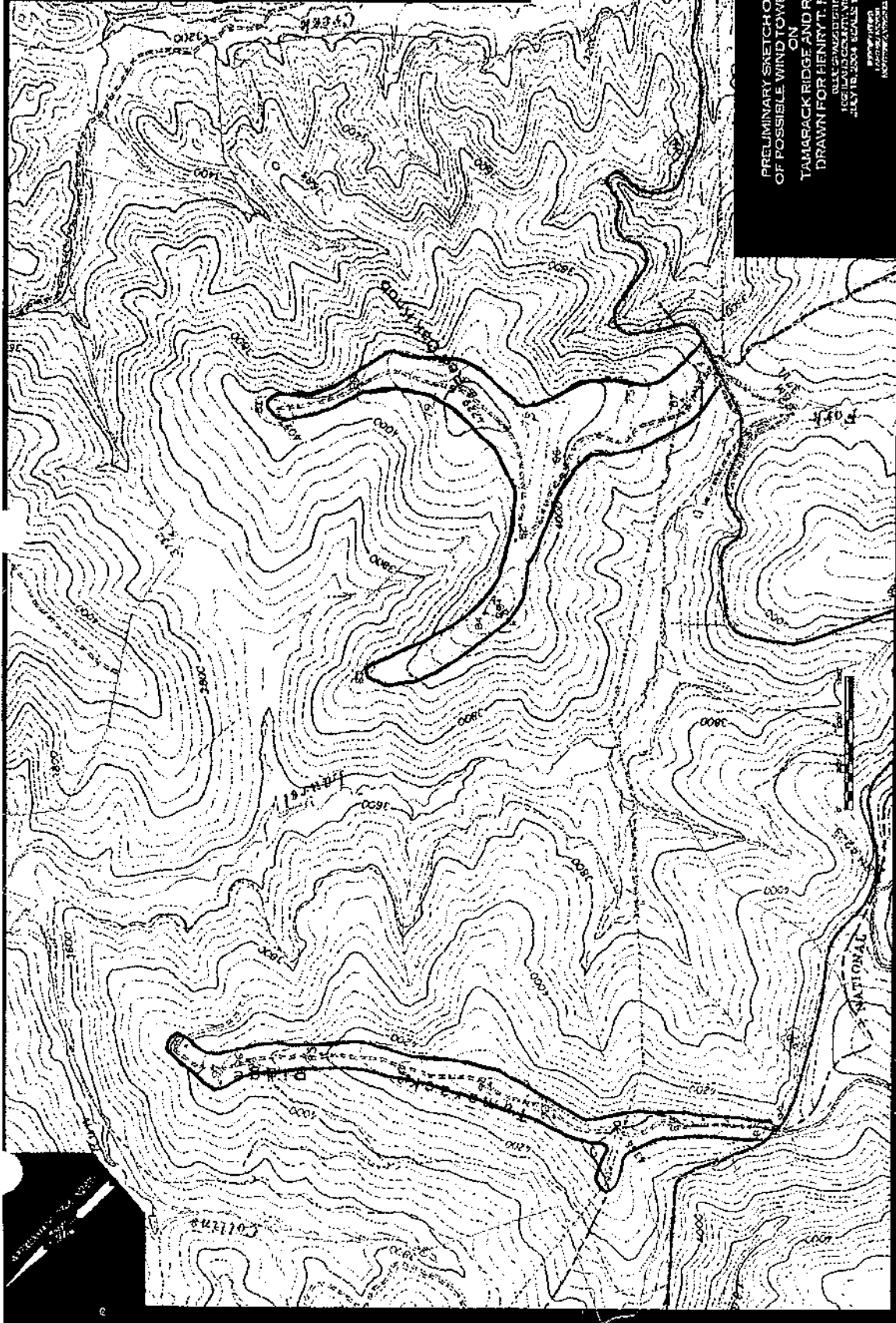
By its counsel, Keeler Obenshain PC,  
As authorized agent

By:

  
Lisa Anne Hawkins, Esq.



1. THE DATE OF THE SURVEY IS 1952.  
 2. THE SCALE IS 1:50,000.  
 3. THE UNIT OF MEASUREMENT IS METERS.  
 4. THE ELEVATION OF MEAN SEA LEVEL IS 0 METERS.  
 5. THE ELEVATION OF THE BENCHMARK IS 100 METERS.  
 6. THE ELEVATION OF THE HIGHEST POINT IS 1200 METERS.  
 7. THE ELEVATION OF THE LOWEST POINT IS 200 METERS.  
 8. THE ELEVATION OF THE POINT OF INTEREST IS 1000 METERS.  
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PRELIMINARY SKETCH OF ENVELOPES  
 OF POSSIBLE WIND TOWER LOCATIONS  
 ON  
 TAMARACK RIDGE AND RED OAK KNOB  
 DRAWN FOR HENRY T. MCBRIDE, JR.  
 U.S. GEOLOGICAL SURVEY  
 1000 LULLWATER AVENUE  
 WASHINGTON, D.C. 20540  
 SCALE 1"=500'

U.S. GEOLOGICAL SURVEY  
 WASHINGTON, D.C.