

WILD HORSE WIND POWER PROJECT

BEFORE THE STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

In the matter of:)
)
WILD HORSE WIND POWER PROJECT)
) Public Hearing
SITE CERTIFICATION AGREEMENT)
AMENDMENT REQUEST) Pages 1 - 41
_____)

A Public Hearing in the above matter was held in the presence of a court reporter on August 6, 2008, at 7:00 p.m., at 400 East University Way, in Ellensburg, Washington before Energy Facility Site Evaluation Councilmembers.

* * * * *

CHAIR LUCE: Good evening. My name is Jim Luce. I'm the Chair of the Washington State Energy Facility Siting Council. I want to welcome you here tonight. You all picked up a green sheet to tell you what we're going to do here tonight. If you haven't, they're available in the back. The purpose of tonight's meeting is a public meeting to hear from the public, public comments on the request of amendment to the Wild Horse Wind Power Project Site Certificate Agreement.

Tonight's meeting is being recorded by a court reporter, and as I said, my name is Jim Luce, and the process will be that Puget Sound Energy will make a presentation briefly with respect to their proposal. Mr. Fiksdal, our Energy Siting Manager to my right, will explain in more detail the process, we will then receive

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1 public comment, and adjourn.

2 I would ask at this time that Councilmembers
3 introduce themselves and we'll begin from the left with
4 Hedia.

5 MS. ADELSMAN: Hedia Adelsman representing
6 the Department of Ecology.

7 MR. FRYHLING: Dick Fryhling. I represent
8 the Department of Community Trade and Economic
9 Development.

10 CHAIR LUCE: I'm Jim Luce.

11 MR. TAYER: I'm Jeff Tayer. I'm with the
12 Washington Department of Fish and Wildlife.

13 MR. FIKSDAL: Allen Fiksdal, EFSEC staff.

14 MR. LA SPINA: Jim La Spina, EFSEC staff.

15 CHAIR LUCE: And in the back?

16 MS. TALBURT: Tammy Talburt, EFSEC Staff.

17 CHAIR LUCE: Tammy is indispensable. So if
18 you need any help with anything, documents or otherwise,
19 see Tammy. The rest of us up here we're just face. Okay?
20 The work gets done back there.

21 All right. Scott, you have a presentation
22 to make.

23 MR. WILLIAMS: A brief one, yes. Thank you,
24 Chairman Luce, Councilmembers. My name is Scott Williams
25 with Puget Sound Energy. Thanks for making the trip

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1 tonight, and I just want to take a few minutes and brief
2 the folks here as well as the Council about our request
3 and a little bit about who we are.

4 So, again, Scott Williams with Puget Sound
5 Energy. First, I'm just going to tell you a little bit
6 about the company. PSE is the largest private utility in
7 the state of Washington. We have over a million electric
8 customers. I think about 16,000 roughly right here in
9 Kittitas County. Part of our mission, a big part of our
10 mission is to provide reliable low cost power for our
11 customers. We also take very seriously the will of the
12 voters as expressed in I-937 and are working diligently to
13 meet those requirements in an environmentally responsible
14 manner.

15 A little bit about the Wild Horse Project.
16 The existing Wild Horse Project went on line in December
17 of 2006, and so it's well into its second year of
18 operation, and it's proven to be a very high quality wind
19 site as the Council hears every month from Jennifer Diaz.

20 The project enjoys excellent support from
21 the community and provides positive impacts, economic
22 impacts, and we believe that the project is complying with
23 the conditions of the SCA, including formation of a
24 Technical Advisory Committee that includes membership from
25 the Department of Fish and Wildlife, the State Department

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1 of Fish and Wildlife, U.S. Fish and Wildlife, Department
2 of Natural Resources, the local chapter of the Audubon
3 Society, Kittitas County, the Farm Bureau, Friends of
4 Wildlife and Wind Power, Field and Stream Club, and the
5 Economic Development Group of Kittitas County. We feel
6 this has been a great process and is doing what it's
7 suppose to do which is to adapt to changes in the field
8 and respond to them.

9 PSE has also funded and participated rather
10 actively in the Coordinated Resource Management Plan for
11 about the past two years that's intended to provide for
12 sustainable grazing practice not only on the wind farm
13 site but in a much larger area, about 60,000 acres.

14 We've helped to manage wildlife and hunting
15 and recreation and an access to and through or site with
16 DFW and DNR and the TAC and Big Game Management Round
17 Table, and lots of other folks in the community.

18 We're also very pleased that many of the
19 intervenors in the original application are still very
20 active in all these groups, the TAC and the CRM, and we
21 very much appreciate that and welcome that.

22 We are working with DFW, PSE is, to finalize
23 the conservation easement on the lands that we own, and as
24 stated in the application we will do that prior to the
25 approval of the amendment for this expansion. We also

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1 constructed a renewable energy center up on the site which
2 is visited by thousands of people since it opened in April
3 and we're very pleased about that.

4 A little bit about the expansion. Some of
5 the maps in the back depict the proposal, but in short,
6 it's 26 new turbines on 1,280 contiguous acres just north
7 of the existing project site. This land is now owned in
8 fee by Puget Sound Energy. The number of turbine total
9 output will be within what was allowed in the existing SCA
10 but will result in an amendment to the boundary of the
11 project and additional disturbance, approximately 59 acres
12 of temporary and 29 acres of permanent disturbance. All
13 of the requirements of the existing SCA will, of course,
14 apply to the expansion.

15 Power from the new turbines will flow to the
16 existing project substation which will be expanded and
17 will flow out onto the grid on the existing transmission
18 line without any alteration.

19 We have also in the application proposed
20 some additional mitigation measures in addition to the
21 requirements in the existing SCA to apply lessons that we
22 learned, that we all learned I think during construction
23 of the Wild Horse Project and which will minimize the
24 impacts of construction which we're trying very hard to
25 do.

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1 We've also asked for an amendment to the
2 requirements of the existing SCA that relate to fencing of
3 the springs and of the mitigation parcel which is Section
4 27. We're asking for this change really at the request of
5 the CRM group to allow for some flexibility in how these
6 measures are implemented and really I think to reflect the
7 collective wisdom of the group. And I think when the
8 original SCA was approved not a lot was known about how
9 grazing was going to be managed and now we know a lot more
10 about that to the extent that this group goes forward.
11 There are different ideas about the best way to achieve
12 the intent of the mitigation measures. We certainly
13 aren't asking or I should say we're very willing to
14 implement comparable mitigation measures in lieu of what's
15 in the SCA, just asking for the flexibility so the group
16 can decide what's the best thing to do.

17 In short, we believe that this proposed
18 expansion will produce low risk and low cost power for our
19 customers compared to other things that we can do, and
20 that's a big part of what we're about. I'm certainly
21 happy to try and answer any questions the Council has, but
22 that's all I have.

23 CHAIR LUCE: Thank you.

24 Mr. Fiksdal, I believe you are going to
25 explain to everyone who is here the provisions of Chapter

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1 463-66 Washington Administrative Code that pertain to the
2 amending of site certificate agreements, and so I'd
3 appreciate you doing so at this point in time.

4 MR. FIKSDAL: Thank you, Mr. Chairman.

5 Correct, under the Washington Administrative Code Chapter
6 463-66 entitled Amending, Transferring, and Terminating a
7 Site Certification Agreement lays out the procedures and
8 the process for the Council to review a request for
9 amendment to the site certification agreement among other
10 things. There's, oh, probably four or five different
11 sections of that chapter that deal with this amendment,
12 and I'm going to paraphrase quite a bit of what it says.
13 If you want to read it in its entirety, I highly encourage
14 you to do that. You can go to almost any website and type
15 in search engine and get that or go to our website at
16 www.efsec and you can get a link to our laws and rules as
17 with the application for the amendment and many other
18 things that the Council does.

19 The Council upon receiving an amendment or a
20 request for amendment to a site certification agreement
21 can if it wishes for further understanding hire a
22 consultant to review any of the information that it
23 receives. If it deems necessary that it's such a nature
24 that either staff or the Council can't or feel it's
25 appropriate, they can go out for an outside third-party

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1 consultant to help them review the application.

2 Also, the Council is required to hold at
3 least one public meeting and thus we are here. Not that
4 we have to but it's always nice to come to Ellensburg to
5 the dry side of the mountains and enjoy your country over
6 here. The Council can hold other meetings if they feel it
7 is appropriate.

8 Under the amendment review under WAC
9 463-66-040 the Council in their consideration shall look
10 at whether the proposed amendment is consistent with the
11 intention of the original site certification agreement,
12 applicable laws and rules, the public health and safety
13 and welfare, and whether the provisions of our chapter on
14 site restoration preservation continue to be part of the
15 project in its site restoration.

16 If you don't know, the Council not only goes
17 through a siting process, it also regulates the facility
18 for the life of the facility through site restoration.
19 There's a requirement in our rules that the project submit
20 site restoration plans and at the end of the project will
21 restore the site or restore the site to a condition that
22 the Council approves.

23 Not only do they have to consider the intent
24 of the original SCA and all the laws and rules and public
25 health and safety, there's some other specific ones in

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1 environmental conditions.

2 Another process that the Council has to go
3 through is the State Environmental Policy Act Review or
4 SEPA. The applicant filed a SEPA checklist with the
5 Council. We will be looking through that checklist plus
6 any additional information we deem necessary, and the
7 Council will issue either a determination of
8 nonsignificance, a mitigated determination of
9 nonsignificance, or a determination of significance.

10 If there is a determination of significance,
11 that would require an amendment to the existing
12 environmental impact statement. The Council hasn't issued
13 that yet. I think they will be doing that soon. I am the
14 lead SEPA official for the Council. I will be offering my
15 recommendation before too long to the Council on my
16 determination.

17 The Council has to also look at are there
18 other reasonable alternative means by which the purpose of
19 the proposal might be achieved and the availability of
20 funding to implement the proposal. Under the Council
21 Determinations WAC 463-66-060 based on all the information
22 that they have received through the application, through
23 any additional studies, all the public comments that they
24 receive both orally and written the Council may accept the
25 amendment, reject the amendment, or reject the amendment

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1 and state conditions or terms under which the amendment
2 might be reconsidered.

3 The Council if they're going to approve the
4 application or the request for amendment can approve it if
5 it does not substantially alter any substance of any
6 provision of the SCA or which is determined not to have
7 significant detrimental effect upon the environment. And
8 if this is the case the Council itself can approve the
9 amendment. However, if the amendment substantially alters
10 the substance of any provision of the SCA or which is
11 determined to have a significant detrimental effect upon
12 the environment, the Governor of the State of Washington
13 has to approve the amendment. So it's up to the Council
14 to determine what conditions apply and whether it's
15 approved by the Council or would be recommended up to the
16 Governor for the Governor to approve.

17 Those are the conditions of that chapter,
18 Mr. Chairman and Councilmembers, that apply for a site
19 certification agreement amendment.

20 CHAIR LUCE: That's correct, Mr. Fiksdal,
21 and I'd just note for the record that, Mr. Fiksdal, the
22 SEPA determination will be based in part on what we hear
23 here tonight.

24 So we would hope that any comments you had
25 that would affect that determination would be offered here

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1 and I believe there is a time frame.

2 Mr. La Spina, is there a time frame within
3 which public comments are stopped by?

4 MR. LA SPINA: Yes. Public comment will be
5 accepted up until Friday, August 8, at 5:00 p.m., and your
6 written comments can be postmarked that late also.

7 CHAIR LUCE: Are comments accepted by e-mail
8 as well?

9 MR. LA SPINA: Yes, yes.

10 CHAIR LUCE: So thank you very much.

11 We will now move to the public comment
12 portion of tonight's meeting. I have seven people who
13 have signed up to speak.

14 Tammy, do you have others in the back?

15 MS. TALBURT: Another one.

16 CHAIR LUCE: Another one.

17 The first speaker tonight will be Helen
18 Wise. Helen, welcome. We can probably get the mic to you
19 if you want to just--

20 MS. WISE: This is all right?

21 CHAIR LUCE: Yes.

22 COMMENTS BY HELEN WISE

23 I am Helen Wise, 1106 East Third,
24 Ellensburg. I've been here a long time. I have followed
25 the process of permitting wind farms from June 2002. As

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1 an environmentalist by nature I've been very concerned.
2 I've studied all the things, the papers and SEPA's and all
3 that. I am impressed. And I have been a very strong
4 supporter of wind power, alternative power, and could go
5 on and on about that but I won't.

6 What I want to say is that here we have Wild
7 Horse. Have you been there? Of course, you have. Have
8 you been impressed? My God, to see it and it's working,
9 and those people, that Puget Sound Energy Company has been
10 carrying through with what you've said should be done.
11 I'm proud of what I see up there. I'm proud of the fact
12 that finally we are harvesting one of our great resources
13 of this county, the wind.

14 I urge you to approve the expansion of this
15 site and the construction of the requested 26 more
16 turbines. Please support this amendment.

17 CHAIR LUCE: Thank you very much, Helen.
18 Appreciate your comments.

19 The next commenter we have is Milt Johnson
20 from the Department of Natural Resources. Milt.

21 COMMENTS BY MILT JOHNSON

22 Good evening. Again, I'm Milt Johnson with
23 the Department of Natural Resources. The Department of
24 Natural Resources would like to provide comments on the
25 Puget Sound Energy request to amend the Wild Horse Wind

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1 Power Project Site Certification Agreement.

2 DNR leases state lands for both wind power
3 and grazing within this area, and our comments are based
4 upon our perspective as a land manager. Specifically DNR
5 urges EFSEC to amend the existing site certification
6 agreement, to waive the requirement for permanent fencing
7 at springs and mitigation parcel. The water developments
8 do need to be protected; however, the landowners should be
9 encouraged to develop site-specific plans to protect the
10 water developments in order to protect the resource while
11 providing benefits to wildlife and livestock. This may or
12 may not include fencing but should be based upon a
13 site-specific plan developed by the landowners.

14 PSE is an active member of the Wild Horse
15 Coordinated Resource Management Planning Group. The CRM
16 group is implementing a new grazing plan for the area
17 designed to maintain and improve wildlife habitat and
18 resource conditions. The CRM also monitors these
19 conditions prior to and following each grazing season.
20 This plan for livestock grazing is significantly different
21 than the grazing plan in place at the time the SCA was
22 written. Participation in the CRM process provides
23 superior habitat mitigation across the larger landscape
24 without the need for permanent fencing of the mitigation
25 parcel. Thank you for your consideration.

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1 CHAIR LUCE: Thank you, Mr. Johnson.
2 Appreciate that and we'll take that letter and put that
3 into the record. We have another spokesman here from DNR
4 Brent Billingsley.

5 COMMENTS BY BRENT BILLINGSLEY

6 Thank you. My name is Brent Billingsley.
7 I'm the Department of Natural Resources Representative on
8 the TAC, and I'd also like to urge the Council to approve
9 the proposed amendment to the site certification
10 agreement.

11 As DNR's member on the TAC I'd also like to
12 make several comments regarding the performance of the TAC
13 and our ability to work with the certificate holder, Puget
14 Sound Energy. First of all, I believe the TAC is
15 functioning well. We are kept well informed by PSE staff,
16 and it's been a productive process.

17 Secondly, the TAC has reviewed and
18 unanimously recommended for approval the following plans:
19 the post-construction management and grazing plan, the
20 hunting plan, the post-construction avian monitoring plan,
21 and we're in the process of reviewing the implementation
22 of the post-construction restoration plan.

23 The TAC has and continues to successfully
24 address wildlife habitat issues. For example, we
25 encouraged PSE to aggressively control the Cheatgrass in

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1 their native restoration seeding and they stepped up to do
2 that. Another example is the time and resource they have
3 contributed to the CRM process on a much larger area than
4 just the power project area itself. Through this process
5 we have worked on wildlife habitats on like a 60,000 acre
6 area, and finally the TAC has been able to reach consensus
7 on each of these recommendations that we've made to EFSEC
8 which is I think an accomplishment with a fairly diverse
9 group.

10 So based on PSE's performance in complying
11 with the conditions of the permit and their commitment to
12 improving habitat and their active participation in the
13 CRM we would like to urge EFSEC to approve their request.

14 CHAIR LUCE: Thank you. Appreciate your
15 comments. Do you have something in writing that you're
16 going to hand that we can include in the record? If you
17 do, that would be helpful. If you don't, that's all right
18 to.

19 The next commenter we have is Marc Eylar.
20 Marc it sounds like Kittitas County Noxious Weed.
21 Welcome, Marc. Just state your name, spell it, and your
22 address for the record.

23 COMMENTS BY MARC EYLAR

24 Good evening. My name is Marc Eylar,
25 M-a-r-c E-y-l-a-r. I'm the assistant coordinator for the

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1 Kittitas County Noxious Weed Control Board and a member of
2 the CRM involving the Wild Horse Wind Power Project.

3 I've currently worked in the Wild Horse Wind
4 Power Site for last eight years and also with the previous
5 landowner in the area for proposed expansion for noxious
6 weed management, and I just would like to take this time
7 and the Noxious Weed Control Board would like to take this
8 time to acknowledge the fact that the implementation of
9 PSE's noxious weed management plan in that area has been a
10 very successful one in our opinion. They have been very
11 devoted and committed to noxious weed management, and I
12 also think they kind of took it a step further. Brent
13 mentioned it. The cheatgrass control that's something
14 that very few landowners of that size will endeavor. It's
15 a tough commitment and it's actually been a pretty
16 successful one.

17 Based on the surveys that we've done this
18 year it looks like they have pretty successful control,
19 but we also, the Noxious Weed Control Board would also
20 like to stress the fact that the implementation of this
21 noxious weed control plan that they have be even more
22 strongly in place for the expansion areas because this is
23 a little more of a weedier area. There's a lot more
24 invasive species presently located at that site. It was
25 an area that burned a few years ago and because of this

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1 there's a little bit more stress; and we strongly urge
2 that the implementation of a noxious weed management plan
3 in that area be a little more aggressive to control some
4 of the musk thistle and cheatgrass in that area.

5 We also would like to stress that the
6 continuation of this implementation continue for the long
7 term in the future. Noxious weed management isn't
8 something that can happen in just two years and you can
9 walk away from it. Even if it looks good, you always get
10 more disturbance and you get reseeding from vehicles. So
11 that is something that we strongly encourage that the
12 commitment be there for as long as the project lasts and
13 as long as PSE is a landowner.

14 CHAIR LUCE: Thank you. Do you have any
15 specific recommendations that you're going provide to the
16 Council in terms of the plan which you just told us?

17 MR. EYLAR: I would just stress that PSE
18 staff Jennifer just meet with us and she has done that.

19 CHAIR LUCE: Appreciate that. Thank you
20 very much.

21 Mr. Robert Kruse, Friends of Wildlife and
22 Wind Power. Good Evening, Mr. Kruse.

23 MR. KRUSE: Good evening, Chairman.

24 CHAIR LUCE: Name, address, spelling, all
25 the usual.

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1 COMMENTS BY ROBERT KRUSE

2 Robert Kruse, 8885 42nd Avenue S.W.,
3 Seattle, 98136. I'm Chairman of the group known as
4 Friends of Wildlife and Wind Power, and I'm a member of
5 the TAC committee and the CRM and also the Washington
6 State Department of Fish and Wildlife Wind Power
7 Guidelines Renewal Committee.

8 I'm here tonight representing our group
9 Friends of Wildlife and Wind Power but also am
10 collaborating in communication with the Council this
11 evening along with the Kittitas Audubon group and the
12 Kittitas Field and Stream Club. We have assembled a
13 communication letter here to the Council, and we'd like to
14 present that to you.

15 CHAIR LUCE: Thank you. That would be
16 helpful if you want to read the letter into the record or
17 if you just want to submit it for the record.

18 MR. KRUSE: No, I'm sorry. It's too lengthy
19 for that, but I would like to touch on the high points.

20 CHAIR LUCE: We will pay very careful
21 attention to it.

22 MR. KRUSE: Okay. Thank you.

23 We endorse and support the expansion project
24 conditionally. Under the current circumstances we do not
25 endorse the approval of the project, and I'd like to touch

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1 on the reasons why and some of the elements of hope for
2 our ultimate approval for the project because we do think
3 that ultimately that will come to pass.

4 Our concerns fall into three categories.
5 First, mitigation for the original project, the original
6 Wild Horse Wind Power Project that have not been met yet.
7 The second category is the mitigation for the new project,
8 and the third category is concerns that have developed
9 over witnessing the operation of the existing Wild Horse
10 project so far.

11 In the first category of mitigation not yet
12 satisfied the principal item is a conservation easement
13 for the lands of the project area its present
14 configuration. The SCA and the EFSEC Council promised the
15 public via the SCA and through other communication
16 elements that a viable conservation easement would be
17 placed on the lands of the project and that has not
18 happened yet. We congratulate the Department of Fish and
19 Wildlife on their efforts in the endeavor thus far, but
20 we're still not there. There is work ongoing with the
21 conservation easement presently. We are yet hopeful that
22 ultimately an easement that embraces the meaning of the
23 intention of the agreement between the public and the
24 EFSEC Council and the developer will ultimately be
25 reached, but right now we fall short of that.

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1 The easement being circulated presently
2 allows for expansion of the Wild Horse Wind Power Project
3 far beyond wind energy development. Wind energy
4 development was suppose to be what the project was all
5 about initially, and now it appears that there is an
6 interest in wanting to predispose future industrial
7 expansion of the project area far beyond wind energy
8 development and we're concerned about that. We don't feel
9 that that element of the conservation easement at this
10 time is what we bargained for initially, and we'd like to
11 have that problem corrected.

12 We do, however, appreciate that Puget Sound
13 Energy has presented by this amendment that's before you
14 now the recognition that a conservation easement needs to
15 be in place before approval of this project is given and
16 we appreciate that.

17 The second important mitigation item was
18 fencing of the mitigation parcel and the springs. We have
19 heard comments from the others so far this evening. We
20 appreciate them. We do recognize that the science and the
21 data and the information related to the concepts for
22 fencing the mitigation parcel and the springs was
23 different at the time of original approval of the project
24 than it is now. There's better ideas out there and
25 fencing apparently does not fall into that category. So

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1 based on good information we recently received from the
2 Department of Fish and Wildlife our views have changed.
3 We don't sanction the use of fencing necessarily, but,
4 however, the mitigation parcel was presented to the public
5 as a very significant mitigation item under the original
6 SCA. The mitigation parcel also, however, is part of the
7 project. There's 12 turbines on the one square mile
8 landscape. If the parcel is not fenced and it is
9 presently part of the project and it doesn't become the
10 sanctuary for ground nesting birds and for prevention of
11 hazards as a result of that migration, then actually it is
12 no longer a mitigation parcel. It has become something
13 different. And so part of our proposed mitigation
14 remedies is to identify ideas for a new or different
15 mitigation parcel that satisfies the intent of the
16 benefits for wildlife under the original project proposal.

17 In the case of the springs we agree that
18 individual designs go for each individual spring
19 circumstance is necessary that likely does not include
20 fencing, and also we appreciate Puget Sound Energy's
21 apparent willingness to provide mitigative benefits in a
22 form different than the fencing that was originally
23 intended that could take the form of native plant material
24 restoration and vegetation restoration in lieu of the
25 fencing, and ideas along those lines are something we

1 would promote and we would hope for in order to provide
2 the mitigative benefit that was originally intended under
3 the SCA.

4 Our schedule proposed expansion mitigation
5 principally it includes the restoration of the springs
6 themselves and the water development capability for the
7 springs. We feel that the acknowledgment in the original
8 SCA of the importance of the springs in the overall
9 project development and the health of the project and the
10 landscapes that were suppose to be cared for fell far
11 short of recognition of the value of the water resource
12 contained in the existing Wild Horse area, and we feel
13 that an element of mitigation for the impacts that are
14 going to be felt as a result of the project expansion that
15 Puget Sound Energy should undertake the responsibility for
16 restoring the springs in the existing project area, as
17 well as the two springs that are in the expansion area,
18 the Basalt spring and Spike Spring; and those water
19 resources need to be preserved in a way that they will be
20 available long term for wildlife and for the grazing
21 program should it continue to go ahead.

22 Landscape restoration we now have the benefit
23 of two years of restoration efforts. We applaud Puget
24 Sound Energy's efforts in restoration. They've really
25 tried to go the extra mile to restore this landscape under

1 the intention of the original intentions. Regrettably
2 after two years the restoration effort is not what
3 everyone would have hoped, but it was recognized going in
4 that restoration of shrub steppe habitat is a very
5 difficult prospect. I think we need to learn from the
6 restoration effort thus far, but more importantly we need
7 to recognize that the SCA does not require Puget Sound
8 Energy to carry the restoration effort beyond three years.
9 And clearly if restoration of the areas, particularly the
10 areas that were suppose to be temporary impact areas, does
11 not go beyond three years, those areas will not be
12 restored. It's clearly that that's the case.

13 So as perhaps a mitigation element we believe
14 that continued ongoing restoration efforts in the original
15 project area to restore the landscape at least to some
16 median level of shrub steppe restoration should be
17 requested by the Council of Puget Sound Energy and for
18 restoration effort to carry forward. What has been
19 learned in the restoration effort of the original project
20 should be translated into the expansion area and a
21 different specification for the expansion area should
22 become part of the approval process. The restoration
23 effort for the original area it was not a
24 performance-based specification. There was no target for
25 what we were trying to achieve. There needs to be a

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1 target for the expansion area. There's enough known about
2 what to do to make it right and that needs to be part of
3 the approval of the new project.

4 Other environmental impacts and concerns that
5 we have based on the experience of the project thus far,
6 turbine placement. In the original project we expressed
7 concern about the close proximity of turbine placement to
8 water. Regrettably our concerns weren't acknowledged and
9 acted upon under the original project proposal. We'd like
10 to have them revisited in the new project proposal
11 recognizing the turbines have been designed close to water
12 forces and we'd like to have the expert commentary on what
13 that means to us at this point.

14 For this project, but apparently for all
15 projects nationwide there isn't a lot of science on what
16 the impact of turbine placement close to water resources
17 for wildlife is. Whatever the information is that's
18 available it needs to be studied carefully and we don't
19 think it was studied carefully enough in the original
20 project. We'd like to have that addressed now.

21 There is a small element of information
22 available for the Wild Horse project now, and they've had
23 one year of avian monitoring for the Wild Horse project.
24 The second year is required by the SCA, but when that will
25 begin has not yet been decided by the TAC committee. The

1 first year's information indicates that there might be a
2 difference in avian mortality in turbines or with turbines
3 closer to water than further away. There's a small
4 increase in avian mortality at Reynolds Spring and Thorn
5 Spring turbines. The sampling is very small. It's much
6 too small to lend any scientific weight to, but there is
7 an indication that there are more birds being killed at
8 turbines closer to water, and we'd like to have that
9 recognized and taken into consideration in the expansion
10 proposal.

11 There is new science or at least commentary
12 involving concern about the relationship of bat mortality
13 and turbine blades. It's been written in scientific forum
14 reports that there may be an attraction of bats to turbine
15 blades, and at the minimum we would like to have all that
16 is known presented in a supplemental EIS for the expansion
17 area so that if nothing else the public knows what is
18 known by the scientific community right now about that
19 particular problem.

20 The layout for the new project includes
21 overhead wires. In the original project the use of
22 overhead wires was shunned and it was discussed rather
23 heavily in the application for site certification, the
24 certification agreement, the draft and final environmental
25 impact statement. There are good reasons not to have

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1 overhead wires, and there's overhead wires designed into
2 the project now. We understand that it may be because of
3 leasehold or access or right-of-way problems might exist
4 in property ownership between the Department of Fish and
5 Wildlife and Puget Sound Energy. We would like to try to
6 promote a resolution of that so that feeder lines from the
7 turbines could be placed underground as opposed to
8 overhead. The overhead lines are right across the end of
9 the Skookumchuck Canyon, and I for one would appreciate
10 not walking up Skookumchuck Canyon to the end and
11 witnessing overhead lines across the end when it's not
12 necessary, and I don't think it is. We hope the property
13 ownership elements could be taken care of, if that's what
14 the problem was that precipitated that design element.

15 I think that the greatest problem so far with
16 the existing project, and this may be perhaps more of a
17 personal feeling on my part than widely held in the
18 community, although I do think it is widely held in the
19 community, and that is the width of the roads that were
20 constructed for the original project. We feel that the
21 width of the roads and the amount of destruction that the
22 landscape was subjected to as a result of the width of the
23 roads is actually shameful, and we think we may understand
24 some of the reasons why the roads had to be so wide.
25 Maybe it was because the passage of two large pieces of

1 equipment at the same time in order to save time on the
2 project to haul turbines or bring cranes out. Time saving
3 mechanisms may have been a big part of why the roads are
4 so wide. If so, on the new project we'd like to slow the
5 construction of the project down so we don't have to have
6 roads that are just as wide as Interstate 90 through a
7 shrub steppe landscape. So it's actually rather pathetic.
8 We'd like to have what caused that problem in the first
9 place addressed in a supplemental EIS in some form.

10 To conclude, a supplemental environmental
11 review of the importance appropriate to the expansion
12 project should be undertaken. A supplemental EIS or some
13 method of review of the project given the gravity of the
14 impacts that are going to be undertaken there would be
15 appropriate, but it would also greatly facilitate the
16 basis to have the necessary discussions for mitigation and
17 ultimately the final design for the project. We
18 appreciate the Council's consideration in all of these
19 matters. Thank you.

20 CHAIR LUCE: Thank you so much, Mr. Kruse.
21 We appreciate your comments.

22 It's public comment. You want to engage in
23 some dialogue now?

24 MR. TAYER: No, I just want to ask a
25 question.

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1 Robert, I wanted to clarify. I thought I
2 heard you say at the beginning of your comments that this
3 was a consensus statement with your group, Kittitas
4 Audubon, and Kittitas Field and Stream.

5 MR. KRUSE: That's correct.

6 MR. TAYER: Did I hear that correctly?

7 MR. KRUSE: Yes, you did.

8 In addition to the letter that I have
9 submitted to you a supplemental commentary from our
10 Counsel David Bricklin is attached.

11 CHAIR LUCE: Thank you. We appreciate your
12 comments, Mr. Kruse.

13 Mr. Piercy, I seem to remember that name.
14 Mr. Piercy, good evening. Would you state your name and
15 spell it and give your address for the record, please.

16 COMMENTS BY DARRYL PIERCY

17 Thank you, Mr. Chairman, Members of the
18 Board. For the record, Darryl Piercy. I'm Director of
19 Community Development Services for Kittitas County. My
20 address is 411 North Ruby Street, Ellensburg, 98926.

21 I'd like to preface my remarks to the
22 Council this evening by complimenting Puget Sound Energy
23 on the achievement that they've undertaken at Wild Horse
24 Energy Facility. They have been a wonderful working
25 partner with Kittitas County. They have demonstrated that

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1 they do what they say, and in our relationship in working
2 with Puget Sound Energy at the Wild Horse site it's been
3 one of mutual cooperation and respect and we do appreciate
4 the attitude and the process that they've brought to the
5 development of the Wild Horse site. And we recognize that
6 that is a facility that should appear and show as an
7 example of how public and private facilities can work
8 together to create something that truly has benefit to the
9 community. So we would like to express our thanks and our
10 appreciation to Puget Sound Energy for their efforts and
11 their cooperation with Kittitas County.

12 The EFSEC Board may recall you found that
13 the Wild Horse Wind Power Project was consistent with
14 local land use requirements of Kittitas County, and in
15 fact as part of that process in developing consistency
16 with the rules and regulations of Kittitas County, Puget
17 Sound Energy entered into a development agreement among
18 other things with Kittitas County to be consistent with
19 the requirements found both in our comprehensive plan and
20 within our development code.

21 Since the time of approval for the Wild
22 Horse Facility we have had some modifications to our
23 development code which actually allows for an expedited
24 process for local review of wind power projects that are
25 located in the preidentified areas for siting. What I

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1 have passed out to the Council this evening is the
2 amendments to our code that shows where those
3 preidentified sites and locations are and the process for
4 review at the local level of those preidentified sites,
5 and you can find that in Kittitas County Code 17.61A.035.

6 The process of that we review now within
7 these preidentified sites, and I think it's important to
8 note that the proposed expansion area for the Wild Horse
9 Wind Farm is in one of these preidentified sites for wind
10 power projects so it would be subject to that code
11 citation that I just mentioned. Our local process
12 requires that Puget Sound Energy would enter into a
13 development agreement. In this case since one already
14 exists we would look for an amendment to that development
15 agreement, and with that amendment and the environmental
16 review that's being conducted by EFSEC that would lead
17 towards approval of the project if that in fact was the
18 case for Kittitas County and it met the requirements that
19 are outlined in our code.

20 We have been assured by a representative of
21 Puget Sound Energy that they intend to come to the county
22 and ask that the project and expansion be reviewed through
23 our local process to ensure consistency with Kittitas
24 County code and our comprehensive plan. We would ask the
25 EFSEC Board to make that a requirement of your approval

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1 that you seek local consistency with our code. We have an
2 applicant that appears to be very willing to do that, and
3 we believe that you have an obligation to ensure that it's
4 consistent with those local requirements. We ask that you
5 would do that.

6 We also would like to identify within the
7 SEPA documentation there is a lack of indication that a
8 local process is required into the SEPA documents and that
9 amendment to our development code would be one of those
10 requirements in terms of the permitting process for this
11 applicant. So we would like that to be noted within the
12 SEPA documentation that in fact that it is a local process
13 and an amendment to the existing development agreement
14 with Kittitas County that would be required for this
15 project to move forward.

16 But, again, we believe that Puget Sound
17 Energy has the ability and the direction to come into
18 compliance with the local requirements. You'll note
19 within our code that the local requirements are a much
20 expedited process from those in the past, particularly for
21 this site. There are few requirements that are asked of
22 the applicant in order to be in compliance with our code,
23 but we believe that those are very reasonable
24 expectations, and again I believe that that's also the
25 sense from the applicant in this case, and they appear to

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1 be very willing to work with Kittitas County.

2 So I thank you for the opportunity to speak
3 to the Council and would be happy to respond to any
4 questions if you so have them.

5 CHAIR LUCE: Thank you for coming here,
6 Mr. Piercy.

7 MS. ADELSMAN: I have a question.

8 CHAIR LUCE: Yes, Hedia.

9 MS. ADELSMAN: When you say expedited can
10 you give us a range of what time frame it would be?

11 MR. PIERCY: For example, we just recently
12 approved a siting of a wind energy facility directly south
13 and to the east of the Wild Horse site by a company named
14 Invenergy. That was a 60-plus turbine site. We received
15 the application for that in October. I believe our
16 approvals came sometime in March the following year so
17 within a six-month period, and keep in mind that that also
18 spanned the process of the holidays. So we believe that
19 that demonstrated a real ability within our code to look
20 at a project critically and to have it meet substantial
21 requirements under that review and yet be done in a very
22 expedited period of time.

23 CHAIR LUCE: Thank you, Mr. Piercy.

24 MR. PIERCY: Thank you.

25 CHAIR LUCE: The next commenter I have is

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1 Bill Essman, Kittitas County Field and Stream. Bill, you
2 want to come forward and tell us what's on your mind.

3 COMMENTS BY BILL ESSMAN

4 Mr. Chair, Councilmembers, my name is Bill
5 Essman, E-s-s-m-a-n. I'm president of the Kittitas County
6 Field and Stream Club. I'm also a member of the Wild
7 Horse TAC, and I'd like to say that I think our TAC is
8 very productive. We have a good group of folks, and we
9 seem to get things done without very much effort. I'd
10 also like to say that I wish that the process was a little
11 more adaptive, but I think time will go on. This is a
12 learning process for everything.

13 Our club would like to have a little bit more
14 than what's offered right now by PSE, but I think
15 eventually that will come, and I would like to without
16 going into a whole lot of detail just affirm that we have
17 joined with Robert Kruse's organization and the Kittitas
18 Audubon Society in drafting this letter that you have
19 before you. Thank you.

20 CHAIR LUCE: Thank you very much.

21 Catherine Clerf. Good evening, Ms. Clerf.

22 COMMENTS BY CATHERINE CLERF

23 Good evening. Catherine Clerf,
24 C-a-t-h-e-r-i-n-e, last name C-l-e-r-f. Address is 60
25 Moe, M-o-e, Road, Ellensburg, Washington 98926. Speaking

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1 on behalf of myself as a long time fourth generation
2 cattle ranching and farming member family of Kittitas
3 County.

4 Not too many citizens came forward, just
5 Helen. Everyone else spoke on behalf of an institution or
6 an organization so I guess I'll speak for the generation
7 of the baby boomer I represent and that of my daughter, a
8 generation behind me, and grandkids I hope to have
9 someday.

10 It's about time America got up and realized
11 the fact that we have allowed all the infrastructure that
12 was built as far back as 120 years ago. People need to
13 realize that the original oil impregnated a line laid by
14 Westinghouse and Edison is still in the ground serving all
15 the major municipalities in the United States of America
16 120 years. This is advent of a paradigm shift that needs
17 to take place in our country as well as the world. For
18 all the people who harbor either resentment or concerns or
19 fears about what happens to large expensive hundreds if
20 not thousands of acres of land with regard to energy
21 production had just better be mindful that we fly in
22 airplanes now and thinking of it think about what the very
23 first people did and the same way with every other
24 technology that has come along. How many speakers has
25 said this was a learning process? It was.

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1 We are a shrub-steppe terrain in Eastern
2 Washington from our borders to our foreign country above
3 all the way down to the spine of the Cascades. More will
4 be in place. I am in the renewable energy business, but
5 I'm speaking here just for myself, and this is going to be
6 a global phenomenon. We're not going to be able to attack
7 any of our transportation problems which require energy.
8 If you're going to switch to hybrid electrical, you're
9 going to have to have energy production. We can no longer
10 bank or count on the hydroelectric system. We can't add
11 anymore. There are people who would like to reduce them
12 in fact.

13 You can create water in the desert believe
14 it or not chemically, but you do need cheap power. The
15 only way we're going to allow any offset of huge
16 population growth on the other side of the state is to
17 solve the water problems on this side of the state without
18 robbing the in-stream flows. And, of course, having to
19 work around the fact it doesn't snow at 125 percent snow
20 pack every year. We are totally at the whims of mother
21 nature.

22 Again, as a 54-year-old, I'm excited that my
23 state is going to be leading the charge of the 50 states
24 that need to address what needs to be done, and the bottom
25 line is we do not have a civilization nor do we have an

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1 economy, whether it's local county, state, or federal,
2 unless we have energy. Thank you.

3 CHAIR LUCE: Thank you very much.
4 Appreciate your comments.

5 The last commenter I have listed--it doesn't
6 mean it's the last commenter--is Steve--I'm going to
7 struggle with Verhey.

8 MR. VERHEY: I can do that for you.

9 CHAIR LUCE: Thanks, Steve.

10 COMMENTS BY STEVE VERHEY

11 My name is Steve Verhey. That's spelled
12 V-e-r-h-e-y, and my address is 1801 North B Street,
13 Ellensburg, 98926.

14 I'd like to start with a really practical
15 comment. I note here that the modification of the SCA
16 calls for alterations of the existing substation. I'm a
17 very strong supporter of alternative energy, but half the
18 time up at the Wild Horse site it's dark, and there's only
19 one thing that bothers me about looking at that site day
20 or night, and it's lighting on the substation. I like the
21 look of the turbines in the daytime. I think they're
22 magnificent. I like the cool, synchronized red strobes on
23 the turbines at night. I think that's very cool, but the
24 lighting at the substation bugs the heck out of me. The
25 hillside that used to be completely dark now has this

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1 substation. I understand that it's probably required by
2 code to light the substation. I'm hoping that it's not
3 necessary that the light be visible off site. If there is
4 something that could be done about that as part of this
5 expansion, that would be a wonderful thing. That was the
6 main thing that I wanted to say.

7 I also wanted to echo the comments of
8 Mr. Kruse. I think that he exhibited very well that it's
9 possible to be a strong supporter of alternative energy
10 but not be willing to throw the baby out with the bath
11 water. As we go to do this expansion of energy we need
12 to, of course, remember conservation, and we need to be
13 careful as we go along and not simply grasp at any form of
14 energy just because it's energy. We need to think about
15 what we're doing and do it as carefully as we possibly
16 can. Wild Horse has done an admirable job and it's time
17 to take it to the next level.

18 I was actually surprised to hear that some of
19 the requirements of the earlier permit hadn't been
20 completed and particularly the mitigation on the section
21 that Mr. Kruse is talking about. It would surprise me if
22 this expansion were approved without the initial project
23 being completed, but maybe I don't understand the process
24 very well.

25 Finally, to return to my original point, can

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1 we please do something about the lights on the substation.
2 Thank you.

3 CHAIR LUCE: Thank you. Appreciate your
4 comments.

5 Are there other commenters here this
6 evening? Are there other commenters here this evening?

7 MR. FIKSDAL: Mr. Chairman, I just want to
8 reiterate there are sheets up there for written comments
9 if you want to submit those tonight, and we again as Jim
10 La Spina mentioned we'll accept written comments until
11 5:00 p.m. Friday.

12 MR. LA SPINA: Or e-mail.

13 MR. FIKSDAL: Or e-mail and I think the
14 e-mail address is listed in the information sheet.

15 CHAIR LUCE: So public meeting requesting
16 amendment to the Wild Horse Wind Power Project Site
17 Certification Agreement No. 5 is hereby concluded.

18 MR. KRUSE: I just wanted to mention there
19 will be copies of our letter on the back table for anyone
20 who is interested.

21 CHAIR LUCE: Thank you, again.

22 Tammy is the person who makes things happen
23 around here so if you need help with any documents or
24 anything else or if you need to get a hold of EFSEC get a
25 hold of Tammy. Thank you. We stand adjourned.

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(Whereupon, the public hearing was adjourned
at 7:53 p.m.)

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A F F I D A V I T

I, Shaun Linse, CCR, Certified Court Reporter,
do hereby certify that the foregoing transcript
prepared under my direction is a true and accurate
record of the proceedings taken on August 6, 2008,
in Ellensburg, Washington.

Shaun Linse, CCR
CCR NO. 2029