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JUL 16 2009

**ENERGY FACILITY SITE
EVALUATION COUNCIL**

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of
Application No. 2009-01

WHISTLING RIDGE ENERGY, L.L.C.

WHISTLING RIDGE ENERGY PROJECT

Application No. 2009-01

Klickitat County Public Economic
Development Authority Petition for
Intervention

I. INTRODUCTION

The Klickitat County Public Economic Development Authority ("KCPEDA") respectfully submits its Petition for Intervention under the authority of RCW 34.05.443, 80.50.090 and WAC 463-30-091, and in accordance with the Notice of Opportunity and Closing Date to File Petitions for Intervention issued by the Washington Energy Facility Site Evaluation Council.

The KCPEDA promotes economic development in Klickitat County and supports the development of wind energy facilities as a means of stimulating such development. Wind energy development is an integral part of Klickitat County's tax revenues, job base and economy. KCPEDA has an interest in the outcome of this Project Application insofar as Klickitat County will provide and house many of the workers on the Project and otherwise contribute its resources thereto, and will experience many of the

1 impacts of the Project, but is not going to be a recipient of any property tax revenues
2 generated from this neighbor county project or otherwise have a seat at the Siting
3 Council table when Project decisions are made.

4
5 Moreover, KCPEDA has a very significant interest in the interpretation to how far the
6 Columbia River Gorge National Scenic Area (NSA) boundaries and their legal effects can
7 extend, if at all. Portions of the NSA lie within this county and an interpretation of the
8 applicability of the NSA legislation beyond NSA boundaries would significantly affect
9 future wind energy siting in this county.

10
11 KCPEDA's interests in the Whistling Ridge project are not represented by the parties to
12 this matter, and its ability to protect such interests would be impaired if intervention is
13 not granted.

14
15 Petitioner's Information:

16 Klickitat County Public Economic Development Authority
17 Michael Canon, Executive Director
18 MS-CH-26
19 127 West Court
20 Goldendale, WA 98620
21 Phone: (509) 773-7060
22 Fax: (509) 773-4521

23
24 **II. PETITIONER'S INTEREST IN THESE PROCEEDINGS**

25 The KCPEDA is a body comprised of elected representatives of Klickitat County, various
26 municipalities, the Port, and various business representatives. Its board meets
regularly to discuss, develop, implement and promote economic and business policies

1 and actions. Klickitat County has been a state leader in recognizing the potential of
2 wind as a renewable energy resource and the role its development could play in rural
3 counties. As Klickitat County is home to several operating commercial wind energy
4 facilities already, with several others in various stages of development, the KCPEDA has
5 developed a significant body of experience in identifying, understanding and
6 addressing the various benefits and impacts a project such as Whistling Ridge can
7 have. Given much of the confusion, fear and misinformation that can swirl around the
8 unknown, such as the first-time development of commercial scale wind energy
9 generation facilities in Skamania County, KCPEDA has unique first-hand insights based
10 on its experience that can serve to clarify and assist in understanding and reviewing
11 the Project and proposed conditions for its development.

12
13 In addition, KCPEDA also has an interest in ensuring that its own economic and impact
14 interests related to the Project are addressed, notwithstanding the fact that the Project
15 will be sited in a neighboring county. KCPEDA understands the pressures, impacts,
16 opportunities and consequences of development of a large-scale energy facility. It has
17 first-hand experience in helping developers formulate mitigation that assures a county
18 that it is left in a viable position relative to its infrastructure both during and following
19 construction, and intimately understands the housing, transportation and other needs
20 of the small cadre of construction workers that will converge in the area in order to
21 develop the Project.

22
23 KCPEDA also needs a voice on the question of how far the effects of the Columbia River
24 Gorge National Scenic Area (NSA) legislation should extend, if at all. Portions of the
25 NSA lie within Klickitat County, and there is significant wind development in Klickitat
26 County that can be seen from inside the NSA's boundaries. The investment made by
energy companies to develop and operate electrical generation facilities here is one of

1 the cornerstones of our economic viability, both now and in the future. If EFSEC is
2 going to address the effects of NSA legislation, its decision will have major and
3 potentially devastating impacts on Klickitat County.

4
5 Specifically stated, KCPEDA is concerned about and wishes to obtain intervention
6 regarding the following issues:

7 1. The benefits and impacts, as well as associated mitigation
8 measures, that development of this Project will have on KCPEDA's membership and
9 constituency; and

10 2. Whether or not the Columbia River Gorge National Scenic Area's
11 legislation and effects should extend beyond the NSA boundary.

12

13 **III. LEGAL ANALYSIS**

14

15 EFSEC's regulations, at WAC 463-30-091, allow that "[o]n timely application in writing
16 to the council, intervention shall be allowed to any person upon whom a statute
17 confers a right to intervene and, in the discretion of the council, to any person having
18 an interest in the subject matter and whose ability to protect such interest may be
19 otherwise impaired or impeded."

20

21 As the Klickitat County-based authority charged with economic development, and
22 given its deep experience with siting, construction and operation of several large,
23 commercial-scale wind farms, KCPEDA has a direct and significant interest in the
24 adjudicative proceedings related to the Whistling Ridge Energy Project. Many of the
25 mitigation measures imposed on the Project will affect Klickitat County. Many of the
26 workers on the project will temporarily or already permanently reside in Klickitat

1 County. KCPEDA's constituency also includes many supply-chain providers of services
2 and supplies necessary to the construction and operation of wind energy projects.

3
4 Ours is an economy that has evolved to include wind energy as a major component.
5 County-wide policy decisions have been made based on the continued viability of the
6 county's Energy Overlay Zone, and considerable human and financial resources have
7 been invested by our constituent groups, including both the public and private sectors,
8 in support of the continued development of energy generation facilities in Klickitat
9 County. Decisions related to the Whistling Ridge project will inform both the Applicant
10 and KCPEDA of what resources may and may not be utilized in development of the
11 Project.

12
13 Finally, the consequences of a decision on the reach of the NSA legislation have a
14 direct and critical bearing on the KCPEDA. We understand that the issue of whether
15 visual buffers should be applied to areas that can be seen from the NSA has already
16 been raised. How far those buffers would extend, and the breadth of development that
17 such buffers could be used to prohibit wind and other development, is unclear.
18 However, it is a certainty that wind development in Klickitat County can be seen from
19 within the NSA. Any decision regarding the effect and reach of the NSA legislation will
20 be of major significance to KCPEDA representatives' economic policies, finances, land
21 use interests, work force and social fabric.

22
23 KCPEDA's participation will afford all parties the opportunity to learn from others'
24 first-hand experiences on a multitude of wind energy facility issues. At the same time,
25 KCPEDA will be directly impacted by myriad decisions made regarding Project size,
26 siting, conditions and operations. However, as the Project is located in Skamania

1 County (despite its proximity and relationship to Klickitat County) and many of the
2 revenues and benefits will flow to Skamania County. We recognize that this presents a
3 tremendous and much-needed opportunity for our neighbor to the west, yet ask the
4 Council allow our intervention in recognition of the fact that many of the Project's
5 impacts and effects will be felt here. Last, the consequence of any decision on the NSA
6 legislation could have a direct and significant effect on the future of Klickitat County
7 and KCPEDA. KCPEDA's position regarding the effects of the NSA is not represented by
8 the parties to this action, and given the energy development policies upon which the
9 economy of Klickitat County is already founded, KCPEDA's participation on the issue of
10 NSA applicability is of vital interest to us. KCPEDA's participation in this matter, if
11 intervention is granted, will not unduly delay or impede these proceedings, and
12 KCPEDA will abide by the Council's rules and regulations as requested.

13

14 IV. CONCLUSION

15

16 By this Petition, KCPEDA respectfully requests that the Washington Energy Facility Site
17 Evaluation Council consider and grant this Petition for Intervention, and allow
18 KCPEDA's full participation in all issues that affect the siting, size, and conditioning of
19 this Project as they may affect the Klickitat County Public Economic Development
20 Authority and its membership.

21

22 DATED this 16th day of July, 2009.

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KLICKITAT COUNTY PUBLIC ECONOMIC
DEVELOPMENT AUTHORITY



By: Michael Canon

Its: Executive Director

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VERIFICATION

COMES NOW Michael Canon, and states and declares as follows:

I am the Executive Director of the Klickitat County Public Economic Development Authority, which is the party seeking intervention through this Petition for Intervention. I have personal knowledge of the facts in this declaration and am competent to testify to those facts.

I have read the foregoing Petition for Intervention. I verify that the factual allegations in the Petition for Intervention are true, and request that the Petition for Intervention be granted.

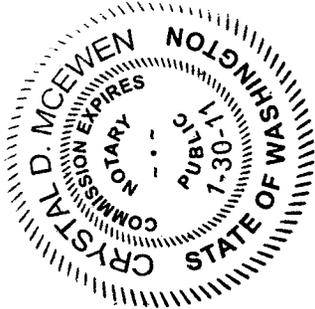
I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

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EXECUTED at Goldendale, Washington, this 16 day of July, 2009.

Michael Canon
Michael Canon

SUBSCRIBED AND SWORN to before me this 16th day of July, 2009.



Crystal D. McEwen
(Signature of Notary)

Crystal D. McEwen
(Legally Print Name of Notary)

Notary public in and for the State of Washington,
Residing at Goldendale
My appointment expires 1/30/11