

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

RECEIVED

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

Port of Skamania County Petition to
Intervene

A. INTRODUCTION OF PETITIONER

The Port of Skamania County (Port) respectfully submits this petition to intervene in support of Whistling Ridge Energy, L.L.C. pursuant to the authority of RCW 34.05.443, WAC 463-30-091, and the June 24, 2009 Notice of Opportunity and Closing Date to File Petitions for Intervention issued by the Energy Facility Site Evaluation Council.

Approval of the Whistling Ridge Wind Energy Project will play a critical role in the continued funding of the Port of Skamania County. As a unique creature of statute, only the Port has authority to speak for its interest in the outcome of this Project application, an interest not represented by the parties hereto and one which would be impaired if intervention is not granted in this matter.

For reasons further discussed below, it is respectfully requested that this petition be granted and the Port's participation be allowed to the fullest extent that Project approval,

1 including proposed conditions placed thereon that reduce its size or operations, will affect the
2 Whistling Ridge Energy Project's value and viability, which in turn will impact the Port.

3 **Petitioner's Information:**

4 Port of Skamania County
5 John McSherry, Manager
6 PO Box 1099
7 Stevenson, WA 98648
8 509.427.5484/phone
9 509.427.7984/fax

10 **B. PORT OF SKAMANIA COUNTY'S INTEREST IN WHISTLING RIDGE ENERGY**

11 Ports are authorized by Washington law and exist with a goal of becoming self-
12 supporting vehicles that promote economic development. Ports accomplish this in a variety of
13 ways. First, Ports receive a percentage of all the sales tax that comes into the county. See RCW
14 82.14.370. Presently, the Port receives slightly over \$200,000 per year in these sales tax
15 revenues. The sales tax revenues associated with the Whistling Ridge project in Skamania
16 County will directly benefit the Port.

17 This sales tax revenue is used by the Port as matching funds for grants and loans
18 obtained by the Port to develop facilities that are leased to businesses. The affordable lease
19 rates, when coupled with reasonable utility and other tax benefits provided to tenants, enables
20 the Port to attract business to the area. The lease amounts received by the Port at the present
21 time are approximately \$600,000 per year, another source of matching funds for grants and
22 loans to further develop business infrastructure.

23 The Port's ability to borrow money is limited by its bonding capacity. This amount is a
24 function of the assessed valuation of the property within the Port's district boundaries. Major
25 projects outside the district boundaries that are of an area-wide impact have the effect of not
26 only lifting up assessed valuations in the immediate project vicinity, but across the county. Jobs
are created, housing prices rise, and values go up. As the Whistling Ridge project builds out and
operates, its contributions to the economic health of Skamania County will drive up area-wide

1 valuations, including the assessed valuation within the Port's boundaries. With increased
2 valuation, the Port's bonding capacity also increases, making it possible for the Port to
3 undertake further infrastructure investment, which generates more lease money it can plow
4 back into itself to perpetuate economic development and its own self-sufficiency.

5 The Port's infrastructure and development opportunities would be greatly supported by
6 the development of the Whistling Ridge project through sales tax and valuation increases. That
7 contribution to the Port's viability, and the Port's contribution to the county's economic health,
8 would build upon itself over time. The Port's reliance upon such private industry investment as
9 that of the Whistling Ridge project in order to promote business development should not be
10 underestimated.

11 By way of example, one of the Port's new tenants is an aerospace manufacturer that
12 generates components for Unmanned Aerial Vehicles ("drones"). This Boeing subsidiary
13 anticipates creating 100 skilled jobs, a majority of which pay a substantial wage of over \$80,000
14 per year. This is considerably in excess of the average annual wage for Skamania County, which
15 is under \$30,000 per year. When the governmental sector jobs are removed from the existing
16 annual wage calculation, that annual average county wage falls even further, to a point where
17 service industry annual average wages can dip below \$20,000 per year. These Port-housed jobs
18 are critical contributors to the county's economic welfare, which both directly and indirectly
19 enables the Port to attract more such jobs and investment.

20 As can be seen, the Port is directly dependent on projects such as Whistling Ridge Wind
21 Energy succeeding in order to jump start the long road to economic self-sufficiency. The
22 contributions that the Whistling Ridge Wind Energy Project will make to the Port will improve
23 the Port's ability to continue and expand development of infrastructure that is currently
24 underway.

25 Conversely, the limitations placed on the Project will reduce the benefits to be derived
26 by the Port. Reduced project size means reduced valuation, and fewer jobs, which generates

1 few revenues for the Port, and in such a fashion, slows the entire county's ability to climb out of
2 a decades-long economic downturn. The Port is concerned with the limitations and reductions
3 being urged upon the Council, as every reduction has the potential to negatively multiply across
4 the county, just as added revenue from a robust Project has a similar positive multiplier effect.

5 **C. LEGAL ARGUMENT**

6 Intervention may be sought by written request to EFSEC. Intervention "shall be allowed
7 to any person upon whom a statute confers a right to intervene and, in the discretion of the
8 council, to any person having an interest in the subject matter and whose ability to protect such
9 interest may be otherwise impaired or impeded. WAC 463-30-091.

10 As described above, the Port of Skamania County has both a direct (sales tax revenue)
11 and indirect (assessed valuation base) interest in the approval of the Whistling Ridge Energy
12 Project. The Port looks to projects such as Whistling Ridge as contributors to the Port's ability to
13 move further down the long road to economic self-sufficiency.

14 As a Port, our position in this matter is unique. We rely on projects such as the Whistling
15 Ridge project to generate revenues so we can develop infrastructure. That infrastructure
16 enhances the tax base and generates sales tax that the Port reinvests into itself, in effort to
17 develop a self-perpetuating cycle of sufficiency for all. Project conditions and constraints
18 pressed upon the Council that serve to reduce the robust nature of the Project will have both a
19 direct and indirect impact on the Port, and the Port's ability to protect this interest would be
20 impaired if intervention were not granted.

21 The Port is cognizant of the effect that is participation could have in these proceedings,
22 and will ensure that its participation in these proceeds will neither unduly delay proceedings
23 nor will it impair the rights of the existing parties.

24 **CONCLUSION**

25 Based on the foregoing, the Port of Skamania County respectfully requests that its
26 Petition to Intervene in this matter be granted by the Energy Facility Site Evaluation Council so

1 that the Port may participate in the adjudicative process and protect its interest and that of its
2 constituency.

3 DATED THIS 16th day of July, 2009.

4 PORT OF SKAMANIA COUNTY

5 
6 _____
7 Tony Bolstad, President

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 **VERIFICATION**

2 Tony Bolstad states and declares as follows:

3 I am the President of the Port of Skamania County, which seeks to intervene in this
4 matter. I have personal knowledge of the facts in this declaration and am competent to testify
5 to those facts.

6 I have read the foregoing Petition to Intervene. I verify that the factual allegations in the
7 Petition to Intervene are true, and request that the Petition to Intervene be granted.

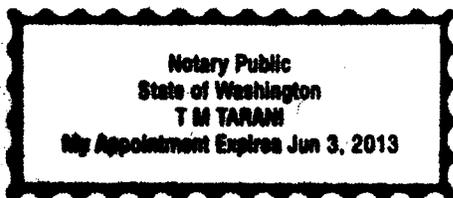
8 I declare under penalty of perjury under the laws of the State of Washington that the
9 foregoing is true and correct.

10 EXECUTED at Stevenson, Skamania County, Washington this 16th day of July, 2009.

11 Tony Bolstad
12 Tony Bolstad
13

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

15
16 [Signature]
17 (Signature of Notary)



18 T. M. Tarani
19 (Legally Print Name of Notary)

20 Notary public in and for the State of Washington,
21 Residing at Cascade Locks, OR
22 My appointment expires June 3, 2013
23
24
25
26