

I hereby certify that I have this day served the following document upon all parties of record in this proceeding, by authorized method of service pursuant to WAC 463-30-120-(3). Dated at Mt. Hood, Oregon this 10<sup>th</sup> day of July, 2009.

**BEFORE THE STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL**

In the Matter of:  
EFSEC Application No. 2009-01  
  
Whistling Ridge Energy, LLC  
  
Whistling Ridge Energy Project

**PETITION FOR INTERVENTION  
by  
SKAMANIA COUNTY  
AGRI-TOURISM ASSOCIATION**

Pursuant to RCW 34.05.443, RCW 80.50.090, and WAC 463-30-091, the Skamania County Agri-Tourism Association ("SCAA") requests intervenor status in the proceeding identified above.

**I.**

**PETITIONERS**

**1.1 IDENTIFICATION OF PETITIONER.**

SCAA is a Washington non-profit corporation dedicated to the promotion and improvement of sustainable agri-tourism in Skamania County. Such agri-tourism will be significantly injured by the adverse aesthetic impact of the location of the seven southernmost "A-Towers" as currently proposed by this project. SCAA's name, mailing and email addresses are:

Skamania County Agri-Tourism Association  
PO Box 100  
Underwood, WA 98651  
info@scaassn.org

## **1.2 MEMBERS OF SCAA.**

Members of SCAA are farms, wineries and agricultural businesses located near applicant's proposed seven southernmost "A Towers." The members are:

Acadia Vineyards	75 acre vineyard & orchard
Crooked Acres Vineyard	20 acre vineyard
The Davis Family Farm	50 acre farm & orchard
Energeia Vineyards	64 acre vineyard
Gorge Crest Vineyards & Winery	41 acre vineyard, winery & commercial event site
Gorge Estate Vineyards	95 acre vineyard & winery
Lamonti Vineyards	32 acre vineyard
Pearblossom Vineyards	18 acre vineyard & orchard
Sanctuary Herb Farm	18 acre herb farm and vineyard
Soluna Vineyards	34 acre vineyard
Underwood Gardens	6 acre lavender farm
Wine Spring	40 acre vineyard

## **II.**

### **PETITIONER'S ATTORNEY**

Petitioner is represented in these proceedings by:

Isa Anne Taylor, WSBA # 37977  
7751 Baseline Drive  
Mt. Hood, OR 97041  
541-905-1950  
isa@isaannetaylor.com

## **III.**

### **SCAA's INTEREST IN THIS PROCEEDING**

#### **3.1 SCAA's PARTICIPATION IN RELATED PROCEEDINGS.**

SCAA submitted written and oral testimony to the EIS Scoping and Land Use Consistency Hearings on May 6 and 7, 2009. The testimony addressed the same interest issues described below in section 3.2.

### **3.2 SCAA's UNIQUE INTEREST IN THIS PROCEEDING.**

SCAA seeks intervention to argue a unique and narrow position: the Council should re-site the seven southernmost "A Towers." SCAA members own and operate tourism-dependant agricultural businesses. Agri-tourism is a growing and potentially significant component of Skamania County's economy, the potential of which has only barely been tapped. Economic studies show that agri-tourists seek bucolic landscapes undisturbed by industrial uses such as 40-story wind turbines. Existing zoning (Residential 10 and Resource Production) is intended to protect uses like those of SCAA, and prohibit uses like the A Towers. SCAA members' nascent agri-tourism businesses will be "nipped in the bud" if the A Towers are constructed in the proposed location.

SCAA's unique interest will not be adequately represented or protected by the existing parties to this proceeding because no other parties specifically advocate solely for re-siting of the seven southernmost "A Towers." SCAA does not oppose any other aspects of the proposal. SCAA will support the entire proposal if the seven southernmost A Towers are relocated to the north such that their visual impact does not adversely alter the rural landscape upon which SCAA's businesses depend. SCAA's ability to protect its interest in this proceeding will be impaired or impeded without intervention.

### **3.3 SCAA's PROPOSED CONTRIBUTION TO THIS PROCEEDING.**

SCAA will assist the Council in understanding why the seven southernmost "A Towers" in their proposed location are inconsistent with the county land use policy and regulations, and why simply moving them prevents these violations. SCAA will present arguments under state and local regulations, including the following:

- 1) WAC 463-60-362(1): applicable land use regulations, including:
  - a. Impacts to existing land uses, including agriculture, agri-tourism, and the economics of agri-tourism in the region;
  - b. Compliance with Skamania County comprehensive plan and its policies;
  - c. Compliance with Skamania County Code, Title 21 Zoning, in particular the Residential 10 and Resource Production zones underlying the proposed location of the "A Towers;" and
  - d. Compliance with the Conditional Use criteria of Skamania County Code 21.40.030(G) and SCC 21.56.030(C).
- 2) WAC 463-60-362(3): aesthetic impacts, particularly as they effect the economics of agri-tourism.
- 3) WAC 463-60-362(4): recreation impacts, including agri-tourism.

- 4) WAC 463-60-362(6): agricultural operations, including the economics of agri-tourism.

IV.

**NATURE OF PARTICIPATION REQUESTED**

**4.1 SCAA REQUESTS FULL PARTICIPATION.**

SCAA requests to be heard in these proceedings and to be afforded the right to participate in the same to the full extent authorized by Council rules. SCAA's request includes, but is not limited to, the right to have notice of and appear at any and all hearings or proceedings, to produce evidence and cross-examine witnesses, to be heard through counsel by written and oral argument, to be served as a party with copies of all pleadings and other materials filed with the Council, and to participate in any other way as may be appropriate.

**4.2 NO PREJUDICE OR DISRUPTION FROM SCAA'S PARTICIPATION.**

SCAA's participation in these proceedings will not prejudice any party to these proceedings. SCAA's participation will not unduly delay these proceedings nor disrupt the Council's ability to conduct these proceedings in an orderly fashion.

V.

**VERIFICATION**

Pursuant to WAC 463-30-091, the undersigned representative of SCAA has read the foregoing Petition for Review and verifies the contents of the same.

DATED this 10<sup>th</sup> day of July, 2009.

By: isa taylor

Isa Anne Taylor, WSBA # 37977  
Attorney for Petitioner

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed at Mt. Hood, Oregon on this 10<sup>th</sup> day of July, 2009.

isa taylor

VERIFICATION

STATE OF Washington )  
 )  
County of Klickitat )

John Crumpacker, being first duly sworn on oath, deposes and says:

I am agent of the Petitioner identified above and am authorized to make this Verification on Petitioner's behalf. I have reviewed the foregoing Petition for Intervention, know the contents thereof, and believe the same to be true.



John Crumpacker, Agent for SCAA

SUBSCRIBED AND SWORN TO before me this 6 day of July, 2009.



  
Print Name: Heidi Bond

NOTARY PUBLIC in and for the State of

WA, residing at Witelson

My appointment expires: 102509