BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of Application No. 2009-01

WHISTLING RIDGE ENERGY LLC,

WHISTLING RIDGE ENERGY
PROJECT

COUNSEL FOR THE
ENVIRONMENT’S RESPONSE IN
SUPPORT OF YAKAMA NATION
CULTURAL RESOURCES
PROGRAM’S PETITION TO
INTERVENE

Counsel for the Environment (CFE) submits the following response in support of the Petition for Intervention submitted by the Yakama Nation Cultural Resources Program (Yakama Nation).

CFE supports Yakama Nation’s Petition to Intervene and has no objections to having the Yakama Nation appear as a party and fully participate in these proceedings. Yakama Nation’s interests and expertise in the area of cultural resources are not otherwise represented by any other intervening parties and will be of assistance in EFSEC’s review of the Site Certification Application. The proceedings are still in their formative stage and, as a consequence, Yakama Nation’s participation should not prejudice the interests of existing parties or the public nor unduly delay the proceedings.

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For all of these reasons, CFE respectfully requests that the Council exercise its
discretion pursuant to WAC 463-30-091 and grant Yakama Nation’s Petition to Intervene.

Dated this 3rd day of September, 2009.

ROBERT M. MCKENNA
Attorney General

[Signature]

H. BRUCE MARVIN, WSBA No. 25152
Assistant Attorney General
Counsel for the Environment
BEFORE THE STATE OF WASHINGTON
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DECLARATION OF SERVICE

I, Candace Vervair, declare under penalty of perjury under the laws of the state of Washington that on September 3, 2009, I served a true and correct copy of the Counsel for Environment’s Response in Support of Yakama Nation Cultural Resources Program’s Petition to Intervene by placing same in the U.S. Mail or Campus Mail to each person designated on the office service list in this proceeding.

DATED this 3rd day of September 2009, at Olympia, Washington.

Candace Vervair
CANDACE VERVAIR
Legal Assistant
WHISTLING RIDGE SERVICE LIST

Allen J. Fiksdal
Energy Facility Site Evaluation Council
905 Plum St. SE, 3rd Floor
P.O. Box 43172
Olympia, WA 98504-3172
Allen.fiksdal@commerce.wa.gov
EFSEC@commerce.wa.gov

Kyle Crews, AAG
Office of the Attorney General
P.O. Box 40108
Olympia, WA 98504-0108
KyleC@atg.wa.gov

Jason Spadaro
Whistling Ridge Energy LLC
P.O. Box 266
Bingen, WA 98605
msdsjss@gorge.net

Tim McMahan
Stoel Rives LLP
805 Broadway St., Ste 725
Vancouver, WA 98660
thmcmahan@stoel.com

Darrel Peeples, Attorney
325 Washington St. NE #440
Olympia, WA 98506
dpeeples@ix.netcom.com

Dept. of Commerce
Tony Usibelli, Director
Energy Division
P.O. Box 43173
Olympia, WA 98504-3173
Tony.Usibelli@commerce.wa.gov

Alice Blado, Senior Counsel AAG
Office of the Attorney General
P.O. Box 40109
Olympia, WA 98504-0109
aliceb@atg.wa.gov

Friends of the Columbia Gorge, Inc.
Nathan Baker, Staff Attorney
522 SW 5th Ave., Ste 720
Portland, OR 97204-2100
nathan@gorgefriends.org
Gary K. Kahn
Reeves, Kahn & Hennessy, Attys at Law
P.O. Box 86100
Portland, OR 97286-0100
gkahn@rke-law.com

C. Robert Wallis
Administrative Law Judge
P.O. Box 43172
Olympia, WA 98504-3172
Robert.wallis@commerce.wa.gov

Save our Scenic Area
P.O. Box 41
Underwood, WA 98651
scaassn@gorge.com
Represented by:
J. Richard Aramburu
720 Third Ave., Ste 2112
Seattle, WA 98104-1860
rick@aramburu-eustis.com

Skamania Co. Public Utility Dist. No. 1
Robert Wittenberg, Jr.
1492 Wind River Highway
Carson, WA 98610
bwittenberg@skamaniapud.com

Skamania County Economic Development Council
Peggy Bryan
167 NW 2nd
P.O. Box 436
Stevenson, WA 98648
pbryan@skamania-edc.org
Skamania County Agri-Tourism Assn.
P.O. Box 100
Underwood, WA 98651
info@scaassn.org
Represented by:
Isa Anne Taylor
7751 Baseline Drive
Mt. Hood, OR 97041
isaa@scaannetaylor.com

Klickitat County Public Economic Development Authority
Michael Canon, Executive Director
MS-CH-26
127 West Court
Goldendale, WA 98620
mikec@co.klickitat.wa.us

Association of Washington Business
Christian M. McCabe, Counsel
P.O. Box 658
1414 Cherry St. SE
Olympia, WA 98501
chrism@awb.org

Klickitat and Cascades Tribes of the Yakama Nation
c/o Wilbur Slockish, Jr.
P.O. Box 84
Wishram, WA 98673

Seattle Audubon Society
Shawn Cantrell
8050 35th Ave. NE
Seattle, WA 98115
Shawnc@seattleaudubon.org

Johnson Meninick
Yakama Nation Cultural Resources Program
Mgr., Confederated Tribes and Bands of
Yakama Nation
P.O. Box 51
Toppenish, WA 98948

Columbia River Gorge Commission
Jill Arens, Executive Director
P.O. Box 730
White Salmon, WA 98672
aren@gorgecommission.org

Port of Skamania County
John McSherry, Manager
P.O. Box 1099
Stevenson, WA 98648
john@portofskamania.org

City of White Salmon
David Poucher, Mayor
P.O. Box 2139
White Salmon, WA 98672
mayor@ci.white-salmon.wa.us