**Montano,Andrew M - KEC-4**

**From:** Nathan Baker [Nathan@gorgefriends.org]
**Sent:** Friday, April 24, 2009 1:01 PM
**To:** Montano,Andrew M - KEC-4
**Subject:** RE: Whistling Ridge Wind Interconnection Project

Dear Mr. Montaño:

Thank you for the clarification. We hope BPA can make it to the Underwood meeting.

Nathan

-----Original Message-----
From: Montano,Andrew M - KEC-4 [mailto:ammontano@bpa.gov]
Sent: Friday, April 24, 2009 12:55 PM
To: Nathan Baker
Subject: RE: Whistling Ridge Wind Interconnection Project

Mr. Baker

Thanks for the information, but the meeting being held on the 7th is being sponsored only by WA EFSEC, not BPA. We may be in attendance, but that is an EFSEC only meeting.

Thanks for your interest in this process.

Andrew M. Montaño
Contract Environmental Protection Specialist
Bonneville Power Administration
905 NE 11th Avenue
Portland, OR 97232-4169
ammontano@bpa.gov
(503) 230-4145
P Please consider the environment before printing this e-mail

-----Original Message-----
From: Nathan Baker [mailto:Nathan@gorgefriends.org]
Sent: Friday, April 24, 2009 11:59 AM
To: Montano,Andrew M - KEC-4
Subject: Whistling Ridge Wind Interconnection Project

Dear Mr. Montaño:

BPA should update the web site at
http://www.efw.bpa.gov/environmental_services/Document_Library/Whistling_Ridge/
with the revised meeting schedule (attached).

In other words, the Underwood scoping meeting should be listed.

Thank you.

Nathan Baker, Staff Attorney
Friends of the Columbia Gorge
nathan@gorgefriends.org
522 SW 5th Ave., Suite 720
Portland, Oregon 97204-2100
(503) 241-3762 x101
Fax: (503) 241-3873

BPA Comment
#18

## Montano,Andrew M - KEC-4

**From:** Nathan Baker [Nathan@gorgefriends.org]
**Sent:** Friday, April 24, 2009 11:59 AM
**To:** Montano,Andrew M - KEC-4
**Subject:** Whistling Ridge Wind Interconnection Project

**Attachments:** WRE Scoping notice Revised 4 21 09 final.pdf

WRE Scoping notice Revised 4 ...

Dear Mr. Montaño:

BPA should update the web site at
http://www.efw.bpa.gov/environmental_services/Document_Library/Whistling_Ridge/
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Nathan Baker, Staff Attorney
Friends of the Columbia Gorge
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Portland, Oregon 97204-2100
(503) 241-3762 x101
Fax: (503) 241-3873

STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

*PO Box 43172 • Olympia, Washington 98504-3172*

**April 21, 2009**

**Whistling Ridge Energy Project - Application No. 2009-01**

**DETERMINATION OF SIGNIFICANCE**
**SCOPING NOTICE**

***REVISED*** **NOTICE OF INITIAL PUBLIC MEETING**
**and**
***REVISED*** **NOTICE OF PUBLIC SCOPING MEETING**

| | |
|---|---|
| MAY 6, 2009, 6:30 PM | Rock Creek Center<br>Skamania County Fairgrounds<br>710 SW Rock Creek Drive<br>Stevenson, WA 98648 |
| MAY 7, 2009, 2:30 PM | Underwood Community Center<br>951 Schoolhouse Road<br>Underwood, WA 98648 |

***REVISED*** **NOTICE OF LAND USE CONSISTENCY HEARING**

| | |
|---|---|
| MAY 7, 2009, 6:30 PM | Underwood Community Center<br>951 Schoolhouse Road<br>Underwood, WA 98648 |

**Description of Proposal:** Whistling Ridge Energy Project, Application No. 2009-01. Whistling Ridge Energy LLC (Applicant) is proposing to construct and operate the Whistling Ridge Energy Project (Project). The proposed Project will consist of up to fifty 1.2- to 2.5-megawatt (MW) wind turbines with a maximum generating capacity of 75 MW. Each turbine would be up to 426 feet tall, measured from the ground to the vertical turbine blade tip. The proposed Project will group turbines in "strings" located on the forested ridges of Saddleback Mountain in eastern Skamania County.

The proposed Project also includes a substation and associated transmission intertie lines to the Bonneville Power Administration's (BPA's) nearby Midway 230 kV transmission line. The proposed electrical interconnection to BPA would provide access to the regional transmission grid for sales to the wholesale electric market. The development of the proposed interconnection requires a federal action, limited exclusively to the interconnection with the BPA grid.

The Applicant also proposes construction of an operations and maintenance facility, underground collector lines and systems, and additional ancillary facilities. In addition, the Applicant plans to construct 2.4 miles of new roads and upgrade 7.2 miles of existing roads. The total temporary and permanent impacted area to be developed will be approximately 114.3 acres.

**Proponent:** Whistling Ridge Energy LLC, PO Box 266, Bingen, WA, 98605.

**Location of Proposal**: The proposed Project will be constructed in south-central Washington on a 1,152 acre site located approximately 7 miles northwest of the City of White Salmon in Skamania County, Washington. The proposed Project will be located on commercial forestland owned by S.D.S. Co., LLC and Broughton Lumber Company in an unincorporated area of Skamania County. Approximately 2.1 miles of the proposed road upgrade will be within the Columbia Gorge National Scenic Area.

**Lead Agency:** Washington State Energy Facility Site Evaluation Council.

**EIS Required**: The lead agency has determined that this proposal is likely to have a significant adverse impact on the environment. An Environmental Impact Statement (EIS) is required under RCW 43.21C.030(2)(c) and will be prepared. Because of the interconnection with the BPA transmission system a review under the federal National Environmental Policy Act (NEPA) is also required. EFSEC and BPA have agreed to conduct cooperative SEPA/NEPA review and will jointly issue the EIS.

An Application for Site Certification has been submitted by the proponent and is available for review at the EFSEC office. Copies have also been provided to the Washington State Library, Skamania County, and to local libraries. The Application and other materials indicating likely environmental impacts are also available at EFSEC's web site at www.efsec.wa.gov.

The lead agency has identified the following areas that will likely be discussed in the EIS: Earth; Plants and Animals/Fisheries; Water Resources; Hazardous Materials; Energy Use/Conservation; Population and Housing; Socioeconomic Conditions; Cultural Resources; Aesthetics/Design; Parks and Recreation; Transportation; Air Quality; Water Quality, Noise; Public Services; and Utilities.

**Scoping and Scoping Meeting**: The proposed Project triggers environmental review and public notice requirements of both the State Environmental Policy Act and the National Environmental Policy Act. EFSEC and BPA intend to conduct a joint SEPA/NEPA Scoping meeting at the time and location detailed below.

Agencies, affected Tribes, and members of the public are invited to comment on the scope of the EIS. Interested persons or organizations may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required.

Written comments should be mailed to the Responsible Official:

Allen J. Fiksdal, EFSEC Manager
Energy Facility Site Evaluation Council
P.O. Box 43172
905 Plum Street SE
Olympia, WA 98504-3172

Via facsimile to (360) 956-2158
Via e-mail to efsec@cted.wa.gov.

***Revised:*** **All scoping comments must be received in the EFSEC office no later than 5 pm on May 18, 2009. Written comments may also be submitted at the May 6th and May 7th meetings.**

***Revised*** **Notice of Initial Public and Public Scoping Meeting – May 6, 2009, 6:30 PM (Stevenson, WA) and May 7, 2009, 2:30 PM (Underwood, WA):** As required by RCW 80.50.090(1) and WAC 463-25-025 EFSEC will hold a Public Informational Meeting where the applicant will make a presentation regarding the proposed Whistling Ridge Energy Project, EFSEC will review its certification process, and the Counsel for the Environment will be introduced and will explain his statutory duties. The public will be afforded an opportunity to present oral or written comments regarding the project.

In concert with the Public Informational Meeting the public will be invited to provide written and/or oral suggestions and comments regarding the scope and/or issues to be addressed in the environmental impact statement to be prepared under the State Environmental Policy Act and the National Environmental Policy Act. The issues identified in the scoping process will be taken into account during the preparation of the environmental impact statement for this project.

***Revised*** **Notice of Land Use Consistency Hearing – May 7, 2009, 6:30 PM:** A public Land Use hearing will be held under RCW 80.50.090(2) and WAC 463-26-050 to determine if the project is consistent with county, city and regional land use plans and zoning ordinances. The public will be afforded an opportunity to present testimony relative to the project's consistency and compliance with land use plans and zoning ordinances.

**Open House:** Prior to the May 6, 2006 meeting listed above EFSEC and BPA will hold an Open House from 6:00 – 6:30 PM, for informal public discussions with the applicant, EFSEC and BPA.

Responsible Official
Energy Facility Site Evaluation Council

_____ Date: _____

Allen J. Fiksdal, EFSEC Manager
EFSEC, P.O. Box 43172, Olympia, WA, 98504-3172
(360) 956-2121

BPA Comment #19

**Montano,Andrew M - KEC-4**

**From:** Herb Dye [herb@underwoodinc.com]
**Sent:** Friday, April 24, 2009 10:01 AM
**To:** Montano,Andrew M - KEC-4
**Subject:** Whistling Ridge Project

HI,
Thanks for your communication. I do have a problem with such short notification of the meeting in Underwood. I have plans, made 6 months ago, to be out of the country the first week in May. There was little pre-notification and it seems that there is a lot of pressure to rush the project through which seems to have the sponsor of the project's backing. This is an important issue and should be viewed from all sides. The grid should have wind power but there are thousands of square acres located just a few miles to the East which are not supporting forest and watershed. They also do not have a community right in their shadow.

Thanks for your attention,

Herb Dye, R.N., CRA
Underwood Research, Inc.
Office 509-493-4589
Cell 509-637-0265
Fax 509-493-4561
herb@underwoodinc.com

BPA Comment #20

**Montano,Andrew M - KEC-4**

**From:** Ruth Dye at URI [ruth@underwoodinc.com]
**Sent:** Friday, April 24, 2009 6:25 AM
**To:** Montano,Andrew M - KEC-4
**Subject:** Fwd: [Underwood_Community] Fw: Whistling Ridge Wind Project

Hello Andrew,
Please add our names to the list of people concerned about the above listed project.
Thank you,
Ruth Dye and Herb Dye
ruthd@gorge.net
herbd@gorge.net

Begin forwarded message:

ammontano@bpa.gov

*Ruth Dye, BSRN*
*Underwood Research, Inc.*
*P.O. Box 250*
*Underwood, WA 98651*
*ruth@underwoodinc.com*

BPA Comment #21

## Montano,Andrew M - KEC-4

**From:** Rick Aramburu [rick@aramburu-eustis.com]
**Sent:** Wednesday, April 22, 2009 5:03 PM
**To:** Montano,Andrew M - KEC-4; allenf@cted.wa.gov
**Subject:** Fw: LETTER RE WHISTLING RIDGE

**Attachments:** J_Richard_Aramburu_20090422_175841_001.pdf

J_Richard_Aramburu_20090422_17...

```
----- Original Message -----
From: "J. Richard Aramburu" <rick@aramburu-eustis.com>
To: <rick@aramburu-eustis.com>
Sent: Wednesday, April 22, 2009 5:58 PM
Subject: LETTER RE WHISTLING RIDGE


>
> DEVICE NAME: Sharp copier
> DEVICE MODEL: SHARP AR-M455N
> LOCATION:
>
> FILE FORMAT: PDF MMR(G4)
> RESOLUTION: 300dpi x 300dpi
>
> Attached file is scanned image in PDF format.
> This file can be read by Adobe Acrobat Reader.
> The reader can be downloaded from the following URL:
>
> http://www.adobe.com/
>
>
```

ARAMBURU & EUSTIS LLP
ATTORNEYS AT LAW
720 THIRD AVENUE, SUITE 2112
SEATTLE, WASHINGTON 98104
(206) 625-9515 • FAX (206) 682-1376

April 22, 2009

Andrew M. Montano
Environmental Project Manager
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208

Allen Fiksdal, Manager
Washington State Energy Facility
Site Evaluation Council
PO Box 43172
Olympia, WA 98504-3172

Re: Whistling Ridge Energy Project, Skamania/Klickitat Counties, Washington

Dear Messrs Montano and Fiksdal:

This office represents Save Our Scenic Area (SOSA) regarding the proposed Whistling Ridge Energy Project. SOSA is committed to the preservation and protection of scenic, residential and environmental values within the Columbia Gorge area. To date, SOSA has been an active participant in public processes related to wind turbine proposals in the Gorge, including in Skamania County.

SOSA was pleased to receive the scoping notice from EFSEC (dated April 6, 2009) that indicated that EFSEC and BPA "will jointly issue the EIS" for the proposed Whistling Ridge Energy (WRE) project. The EIS will be an important element in project review.

We have also reviewed a "Request for Proposals" issued by EFSEC for consulting work in review of the WRE proposal. This Request calls for responses by April 24, 2009.

In our review of this Request, we discovered that the scope of work for the consultant under SEPA is very narrow. At Section 2.3, the Request calls for the consultant to:

> d. Assist with the review of applicant prepared Draft Environmental Impact Statement (DEIS). Prepare report on the adequacy of the DEIS prior to agency issuance as required by SEPA and possibly NEPA.

(Emphasis supplied). This apparently means that the applicant will be the sole preparer of the draft EIS on his own project. Significantly, there is no review called for regarding the adequacy of the Final EIS.

We do note that EFSEC has adopted a regulation as to responsibility for "EIS Preparation" in WAC 463-47-090. This regulation sets forth three options for preparation of the draft and final environmental impact statement: a) preparation by EFSEC itself; b) an independent consultant prepares the EIS, under the supervision of the responsible official; or c) the council allows the applicant to prepare the draft and final EIS. It appears that EFSEC has chosen the latter course of action.

We believe that EFSEC and BPA should modify their submission to call for the preparation of the draft and final EIS by either the EFSEC or BPA or by hiring an independent consultant responsible to them. Our request is based on the following.

1) The EIS is a key document in the review process. The utmost care must be taken to assure that the EIS is objective, fair and unbiased. Preparation of these documents by an applicant, with obvious self interest, is inappropriate in these circumstances. Public confidence in the EFSEC/BPA review process is significantly diminished by allowing the applicant to control a significant part of the review process.

2) We find no provisions of federal law or regulation that permit turning over BPA's EIS responsibilities to an applicant for a federal permit. See CEQ Regulations 40 CFR Part 1502.

3) There is no basis found in the record as to why EFSEC decided that the applicant could prepare the draft and final EIS under SEPA instead of doing the document itself or through its own consultant. At a bare minimum, EFSEC should consider the views of the public in making this very important decision.

4) The process outlined in the Request for Proposal apparently leaves to the applicant the selection of the author of the draft and final environmental impact statements and there is no review until a draft of the draft EIS is submitted. This is plainly contrary to the duties of a responsible official under WAC 197-11-420(2) which states that:

> The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

5) There are no provisions for the consultant to review the final EIS at all. The preparer of the final EIS must respond to comments received on the draft EIS from agencies and the public. Leaving that important job entirely in the hands of the applicant is inappropriate in this difficult case and plainly contrary to law.

Based on the foregoing, SOSA requests that the current Request for Proposals be withdrawn and replaced by one which calls for EFSEC and BPA to prepare the draft and final environmental impact statement through a consultant hired by the agencies.

Sincerely yours,

ARAMBURU & EUSTIS LLP

J. Richard Aramburu

JRA/py
cc: SOSA
Nathan Baker