

1 thank all of you for taking time to come out tonight and
2 participate at this meeting. I know that many of you were
3 here last night for the comments on the Draft
4 Environmental Impact Statement for the Wild Horse Wind
5 Power Project. This project tonight will be focusing on
6 the Draft Supplemental EIS, and I want to say at least
7 three or four times before we get to your comments we are
8 going to have a very narrow focus to the off-site
9 alternatives tonight, not general comments on the project
10 itself.

11 Before we proceed any further, I want to ask
12 members of the Council to once again introduce themselves.
13 We'll start with the Chairman.

14 MR. LUCE: My name is Jim Luce. I'm Chair
15 of the Energy Siting Council.

16 MR. FRYHLING: I'm Richard Fryhling, and I
17 represent the Department of Community, Trade and Economic
18 Development.

19 MS. JOHNSON: Patti Johnson, representing
20 Kittitas County.

21 MS. TOWNE: Chris Towne, representing the
22 Washington State Department of Fish and Wildlife.

23 MR. IFIE: Tony Ifie, representing the
24 Department of Natural Resources.

25 MS. ADELSMAN: Hedia Adelsman, Department of

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1 Ecology.

2 MR. SWEENEY: And I'm Tim Sweeney. I'm with
3 the Utilities and Transportation Commission.

4 JUDGE TOREM: Also present tonight are EFSEC
5 staff members Allen Fiksdal and Irina Makarow who is at
6 the back of the room, and we also have our co-counsel for
7 the Energy Facility Site Evaluation Council. That is Ann
8 Essko. She's an Assistant Attorney General.

9 I want to take a few minutes to give you
10 some background about the project, this one again being
11 the Kittitas Valley or KV Wind Power Project, and the
12 process for tonight's meeting.

13 In January of 2003, Sagebrush Power
14 Partners, LLC, requested to build an approximately
15 180-megawatt wind turbine generation facility that's
16 approximately 12 miles northwest of the City of
17 Ellensburg. These winds turbines would be located on
18 either side of U.S. Highway 97, and the project would also
19 include various access roads and electrical
20 interconnection facilities, as well as an operations and
21 maintenance building located near the corner on United
22 States Highway 97 and Bettas Road. The project proposes
23 to interconnect with the existing Puget Sound Energy line
24 for Rocky Reach White River. This is a 230-kilovolt
25 transmission line.

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1 EFSEC, this body in front of you tonight, is
2 responsible for siting and licensing the construction and
3 operation of major energy facilities in Washington State.
4 This project is an alternative energy facility as defined
5 by Revised Code of Washington Title 80, Chapter 50.
6 Zilkha Renewable Energy chose to receive its site
7 certification from EFSEC for this Kittitas Valley Wind
8 Power Project pursuant to RCW 80.50. Under Washington
9 State Environmental Policy Act or SEPA, EFSEC is the lead
10 agency for major energy facilities, including projects of
11 this nature. EFSEC issued a Draft Environmental Impact
12 Statement for public comment on December 12, 2003. That
13 Drafts EIS had a public comment meeting here in Ellensburg
14 at the fairgrounds early in 2004. Now we have a Draft
15 Supplemental EIS which presents an analysis on off-site
16 alternatives.

17 Tonight the purpose of the comment meeting
18 is for the Council to receive your oral comments on any
19 specific issues that have been addressed on again this
20 document, the Draft Supplemental EIS. These comments are
21 then going to be used by EFSEC's independent consultant,
22 Shapiro & Associates, to prepare a Final Environmental
23 Impact Statement, and the Council will consider the Final
24 Environmental Impact Statement in making its
25 recommendations to the Governor of Washington on whether

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1 to approve or to deny this project.

2 Your comments don't have to come in
3 verbally. Tonight they can also be submitted by mail or
4 by electronic mail, and to be considered your comments
5 need to be received in EFSEC's office in Olympia by
6 Monday, September 13, 2004. If you do have a written
7 comment with you tonight, you can hand that to Ms. Irina
8 Makarow, our EFSEC staff person in the back of the room.
9 She is again seated at the sign-up table. She can also
10 give us EFSEC's mailing address if you care to put things
11 in the mail tonight.

12 In addition to this particular SEPA process
13 tonight, EFSEC will be holding formal adjudicative
14 hearings on the Kittitas Valley Wind Power Project
15 proposal in late September and early October of this year.
16 You may recall that those hearings were originally
17 scheduled to start last week and continue and run through
18 this week. Those were postponed at the request of the
19 Applicant in order to be able to hear your comments
20 tonight on this Draft Supplemental EIS. So, again, we
21 will be back in Ellensburg beginning September 27 for the
22 adjudicative proceedings. It appears that Tuesday,
23 October 5, will be the public comment period for the
24 adjudication. Formal notice will be given shortly, but if
25 you have questions about when that is contact EFSEC in

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1 Olympia and make sure you're on the mailing list.

2 As part of the formal adjudicative
3 proceedings again you will have a chance to comment on the
4 overall project. Tonight it's very limited to the Draft
5 Supplemental EIS. Your comments tonight or later in
6 October will be added to the official adjudicative record
7 and, again, if you need to get on the mailing list, talk
8 to either of the EFSEC staff persons that are here
9 tonight.

10 The Council is required by state law to make
11 a recommendation to the Governor whether he or she should
12 approve or deny this project. In making its
13 recommendation the Council will be considering all of the
14 evidence submitted into the record by all the parties and
15 by the public through this SEPA process, as well as
16 through the adjudicative hearing. Because this project is
17 subject to rules pertaining to adjudicative proceedings,
18 because these rules have similar requirements that might
19 affect jurors in a criminal or a civil trial, it is not
20 appropriate for you to ask individual Councilmembers to
21 speak or to speak to them about the project. When you're
22 a public witness it's okay to do that because we're on the
23 record, and we're in front of anyone that wants to be
24 here. But there are no private discussions allowed with
25 Councilmembers.

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1 If you have any questions about EFSEC's
2 review process for this project, you can talk with members
3 of EFSEC staff or you can approach me, and on procedural
4 issues I can give you some answers.

5 You can also talk to John Lane. He's an
6 Assistant Attorney General with the title in this
7 proceeding of Counsel for the Environment. Mr. Lane is
8 here tonight, and I'll ask him to identify himself, and he
9 is. He is appointed by law to represent the public and
10 its interest in protecting the quality of the environment.
11 So he is participating on behalf of the public in the
12 adjudicative proceedings.

13 Tonight's comments are again going to become
14 part of the Council's SEPA process, and they are on the
15 record. You can see we have a court reporter taking down
16 my speech here tonight as a script, and you will also have
17 your comments taken down and become part of the transcript
18 of tonight's meeting. So I'm asking everyone to be
19 respectful and silent when a witness is speaking, so that
20 the Council can hear that member of the public, and that
21 the court reporter can accurately transcribe their
22 comments.

23 When you come up, please speak clearly, so
24 the court reporter can transcribe your testimony
25 accurately. For folks that need to come and go during the

1 meeting, please do so as quietly as you can.

2 I have a sign-up sheet of four people total,
3 actually five people total.

4 Ms. Makarow, is there an additional sign-up
5 sheet?

6 There is, and that will be brought up. If
7 you haven't yet signed up, and you wish to speak, the I
8 will ask at the end of all the public comments for anyone
9 else that wants to add their comments.

10 Again, the purpose of tonight's meeting is
11 to receive comments on just the Draft Supplemental EIS, so
12 please be as specific as possible regarding which section
13 of the Draft Supplemental EIS you want to address. If you
14 start to drift away and make general comments on the
15 project, I will do my best to rein you in. They've
16 equipped me with this wooden gavel, and trust me I do know
17 how to use it. So I will interrupt you if you drift onto
18 other subjects that are not appropriate for tonight's
19 public comment meeting, and I would like you to submit
20 those comments as necessary during the adjudication itself
21 when it's a much wider subject matter for comments.

22 The commenters will be in the following
23 order: First, Lee Bates, then Jeff Howard, and Andrew
24 Young, then Clay White, Ed Garrett, then Geoff Saunders.
25 So I will ask that you keep your comments to your four or

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1 five minutes. We won't be particularly strict on time
2 because there are only half a dozen signed up. If we are
3 running too much over the four minutes though, I will cut
4 you off and we will move to the next person.

5 The first commenter is going to be Lee
6 Bates, and if you come up and state your name and address
7 for the record and then your comment.

8 COMMENTS BY LEE BATES

9 I'm Lee Bates. I live at 1509 Brick Road,
10 Ellensburg, and I represent myself. I am against the
11 project. I read the SDEIS, and I didn't like any of the
12 alternative sites compared to the first site. And the
13 reasons are the visual impact of the turbines, the
14 410-foot high turbines in Section 3.9.2 are too high. It
15 will impact the scenic view.

16 The impact on the historical culture is
17 another reason. The SDEIS stated no direct impacts to any
18 known cultural resources would occur during normal
19 operation and maintenance of the project on Page 3-50, and
20 my research shows the Supplemental EIS needs to be done
21 per Section 106, Regulations of the National Historic
22 Preservation Act. And I felt that since the Yakama Tribe
23 has not responded that this SDEIS should not proceed
24 without response from the Yakama Nation, since the SDEIS
25 states the impacts on historical and tribal resources is

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1 unresolved on Page 1-9.

2 JUDGE TOREM: Thank you, sir.

3 Jeff Howard.

4 COMMENTS BY JEFF HOWARD

5 My name is the Jeff Howard. I own a home at
6 21 Fawn Road in Cle Elum, and I'm here representing
7 myself. My specific objections to this particular
8 statement are the siting of the present projects proposed
9 place in this valley, and I would have to say only that if
10 for some reason this big, industrial, expensive, ugly,
11 noisy mistake has to go in Kittitas County, that I would
12 request it be placed in the Whiskey Dick Mountain Area and
13 not in our beautiful western Valley. If can affect our
14 property values, our way of life, business in this
15 community adversely for a generation, for decades I would
16 say. And once these monstrosities are in place, we're
17 going to be stuck with them for 30 years, and we will not
18 be able to turn back the clock. Thank you very much.

19 JUDGE TOREM: Thank you, Mr. Howard.

20 Mr. Young, it appears you've withdrawn your
21 request to comment, so next will be Clay White.

22 MR. WHITE: I'm going to cancel on you for
23 the second night in a row.

24 JUDGE TOREM: All right. Mr. Ed Garrett.

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1 COMMENTS BY ED GARRETT

2 My name is Ed Garrett. I reside at 19205
3 67th Avenue S.E., Snohomish. That's G-a-r-r-e-t-t. I'm
4 submitting written comments that have all the page numbers
5 and annotations or things in the document. I just want to
6 go over a little bit on my conclusions.

7 First, I would like to applaud the EFSEC
8 staff in the preparation of the supplemental. It's indeed
9 difficult to review alternative locations with little
10 documented information, especially in relation to siting
11 of a large wind farm. Land use compatibility, parcel
12 size, topography, and wind resources all factor into the
13 decision. Chris Taylor, project manager for the Kittitas
14 Valley Wind Power Project, has stated early on that
15 willing landowners who support the overall project are
16 vital to make the project a success. I would also add
17 that deeper getting the support of neighboring landowners
18 would also factor into that.

19 Saying that, as far as the criteria for
20 evaluating alternative sites none of that was really ever
21 brought out in this document other than what we heard last
22 night, and there was about three people that had comments
23 in support of the Whiskey Dick Project and I believe three
24 that didn't. So as far as a study being done to see who
25 really supports it in the public is vital for siting one

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1 of these.

2 For that reason Springwood Ranch was pretty
3 much knocked out of the running because they weren't
4 informed of doing wind power at all anyway, and there was
5 problems with the Nature Conservancy. Swauk Valley Ranch
6 was too small and not economically viable, so that was
7 ruled out. The other potential sites were eliminated for
8 environmental concerns. Mostly concerns over the fish,
9 wetlands, and wildlife and large game. When all is said
10 and done, there's only one alternative to the Kittitas
11 Valley Wind Power Project, and that is out by Whiskey Dick
12 Mountain.

13 EnXco staked out a possible area by Reecer
14 Creek really Green Canyon where Chris Taylor said Zilkha
15 found that site unsuitable for a wind farm. When Zilkha
16 Renewable Energy filed their first Kittitas Valley
17 application with the County, Chris Taylor said it was the
18 only place in the County. Many of us residents did not
19 accept that and told him to look further east towards Rye
20 Grass. He still insisted Highway 97 was the only viable
21 location.

22 Then on January 13, 2003, Sagebrush Power
23 Partners filed their application with EFSEC for the
24 Kittitas Valley Project. Interestingly, EnXco, a French
25 developer, filed with Kittitas County shortly thereafter

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1 on January 28, 2003 for their Desert Claim Project, again,
2 on the site that Chris Taylor said was not developable.
3 That could have been an alternative side, but now it's
4 being occupied by another company with wind rights. That
5 knocks that one out.

6 Then while proceeding through the Kittitas
7 Valley Wind Power Project, and at Chris Taylor's assertion
8 it was still the only viable spot. On March 9, 2004,
9 Zilkha filed an application with EFSEC now for the Wild
10 Horse Wind Power Project right in the area where most of
11 the residents were telling him to look in the first place;
12 however, with every other site ruled out in this
13 particular document there now appears to be no alternative
14 site for the Kittitas Valley Project, but that does not
15 mean that the Kittitas Valley Project is a good site, or
16 proper, or even that it needs to be built at all.

17 Chris Taylor and Zilkha Renewable Energy
18 should not be allowed to have it both ways. The Wild
19 Horse Wind Project meets the criteria as an alternative
20 site when they filed their application for Kittitas Valley
21 in 2003. Whiskey Dick Mountain could be a properly placed
22 commercial wind farm, one large parcel of land, local
23 support, no one living around for miles, no scenic view
24 shed other than the Rye Grass landfill. They had over a
25 year to address the issue with alternative sites and chose

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1 not to. Instead they filed another application for a
2 second commercial wind farm on the only other alternative
3 site. Thank you.

4 JUDGE TOREM: Thank you, Mr. Garrett. You
5 made the four minutes. Our last person signed up for
6 tonight is Geoff Saunders, and I understand we may have
7 some additional people that have signed up just now.

8 Mr. Saunders.

9 COMMENTS BY GEOFF SAUNDERS

10 Geoff Saunders. I live at 8241 Elk Springs
11 Road in Ellensburg. I understand from EFSEC that the only
12 alternative location that you're considering are within
13 Kittitas County and this makes no sense. If Zilkha had
14 applied to the County for this permit, then, of course,
15 alternative locations within and only alternative
16 locations in the County should be considered. But Zilkha
17 didn't do that. Zilkha instead applied to the state and
18 has worked very hard as we know over the last 18 months
19 to make sure that the County has virtually no role
20 whatsoever in siting this project. To my mind Zilkha
21 can't have it both ways. If Zilkha insists on a state
22 process, then ultimate locations anywhere in the state
23 must be considered, and wind maps suggest there are many,
24 many places in Washington State where wind farms are
25 viable.

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1 I would like to ask too what exactly is an
2 alternative location? How does EFSEC define an
3 alternative location? Obviously there's only one location
4 that's going to create the most profit from this
5 developer, and Zilkha is very clear that the Kittitas
6 Valley Wind Project is that location. That's where Zilkha
7 tells us that they can shoehorn in the largest number of
8 turbines, and that site also has the lowest cost for
9 Zilkha in connecting to the power grid. That's why they
10 want the site so badly obviously. So what are the
11 criteria for alternative locations? Obviously other
12 locations aren't going to be as profitable as this
13 location. If that's the criterion of profitability, then
14 why even have a supplemental impact statement? Because we
15 know the answer. That's the most profitable location.
16 Zilkha tells us so, and presumably they're expert on that.

17 Profitability, however, is a business
18 criteria. It should not be a siting criteria. It
19 shouldn't be the way that the alternative location is
20 judged, and from reading this document that seems to be
21 the way that they are being judged. We are being told
22 that, well, we can't put enough turbines there to get the
23 output we want or it would be too costly to run our power
24 lines.

25 If profitability is not the way you look at

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1 these sites, then most of the alternative locations in
2 this document I would suggest are viable. Two and a half
3 years ago when Zilkha came to the County and announced its
4 Kittitas Project on Highway 97 before EFSEC was involved,
5 Zilkha was asked by a lot of people why this location, and
6 Zilkha replied publicly that that location was the only
7 possible location in Kittitas County for a wind farm.
8 Nothing else they told us was viable. Well, obviously
9 that wasn't true, and we know that because, first of all,
10 EnXco followed Zilkha and found that lower Saddle Mountain
11 in fact was a viable location. And then Zilkha
12 contradicted themselves and found another location,
13 Whiskey Dick, and said, well, that's viable as well.
14 Obviously these companies will tell us that the only
15 viable locations are the locations that they want. They
16 will tell us exactly what will support their application.

17 My concern is that this document is based
18 entirely as I understand it, although prepared by EFSEC,
19 is based entirely on input from the wind farm companies.
20 So in what sense is this an objective document? For a
21 reasonable document like this to evaluate alternative
22 locations shouldn't EFSEC be hiring an independent
23 contractor, someone who doesn't work for the wind farm
24 companies and have them tell us where wind farms are
25 viable? We know what Zilkha wants. We know what EnXco

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1 wants.

2 I see things in this document such as
3 construction and operation of the Kittitas Valley Wind
4 Power Project is not expected to negatively effect
5 long-term property values in the vicinity of the project.
6 Well, as you know there's a ton of testimony to EFSEC
7 already, and there's lots of public opinion by realtors in
8 this valley that it will dramatically affect property
9 values. So, again, this is a document that as far as I
10 can tell is being prepared based entirely on statements
11 from the Applicant and is in no sense an objective
12 document.

13 There is an alternative location as people
14 have pointed out to the Kittitas Valley Wind Power
15 Project, and it's one that Zilkha can't deny is viable
16 because Zilkha has already applied for a permit there, and
17 that's, of course, Whiskey Dick. Unlike the Highway 97
18 project, which is a patchwork quilt of properties as you
19 know with many landowners sandwiched in between rows of
20 turbines spread over a very large area, the Whiskey Dick
21 project is one single parcel, one continuous piece of
22 acreage, and there are to my knowledge nobody, no
23 residents out there opposing the project. There are many
24 other reasons why that location is far preferable to the
25 Highway 97 project. Everyone is very, very concerned

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1 about fire danger at the moment, and there's a great deal
2 of evidence that wind farms do present an increased fire
3 danger, and fire danger at Whiskey Dick would be less.
4 From what I understand too the environmental impacts would
5 be significantly less out there.

6 Then, in fact, I think I already said that
7 there are no view-shed issues out there. To my knowledge
8 there are no local landowners fighting that project. So
9 if EFSEC is determined to put a wind farm in Kittitas
10 County, then I believe Whiskey Dick is the perfect
11 location. Thank you.

12 JUDGE TOREM: Thank you, Mr. Saunders.
13 James Carmody.

14 COMMENTS BY JAMES CARMODY

15 Thank you. My name is James Carmody. I
16 have been involved in this process from the outset. I've
17 represented Residents Opposed to Kittitas Turbines. One
18 of the difficult things in making comments tonight is that
19 we haven't been allowed an opportunity to have a full
20 comment period. Written comments are allowed within 30
21 days, but to request and ask the public to provide you
22 with comments at this point in time with a shortened
23 opportunity to respond to the Supplemental EIS is both
24 unfair and I think violative of the process. And I say
25 that because the other determination that you made in this

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1 case is that you're not going to issue an FEIS or allow
2 the publication of comments prior to the adjudicative
3 proceedings. So the public is not in a position at any
4 point in time before you in the context of your
5 recommendation to be able to provide meaningful input or
6 response to comments.

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7 I say that also in the context of
8 independent review and independent preparation of an EIS.
9 This document has not been independently prepared or
10 reviewed in our judgment, and it's also lacking in quite a
11 range of considerations as it relates to alternatives.

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12 In particular, I want to begin by focusing
13 on the purpose and the need for the project, and that
14 project purpose is defined on Section 1.2. It says as
15 follows: It's stated in the KVVPP Draft EIS the purpose
16 of the KVVPP is to construct and operate a new electrical
17 generation resource using wind energy that will meet a
18 portion of the projected growing regional needs for
19 electricity produced from nonrenewable and renewable
20 sources. So the purpose of this project is to meet
21 regional needs, and I would suggest to you regional needs
22 are beyond state needs. It is not designed to meet the
23 needs of Kittitas County but a regional basis.

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24 Secondly, in the context of EFSEC your
25 siting authority is within a state-wide basis, so that

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1 when you're considering alternatives and meeting
2 satisfying the purpose of the project you'd have to look
3 within the scope of available alternatives to meet that
4 purpose. So the question on alternative site analysis is
5 what alternatives are available to meet this regional
6 power need or purported regional power need. This
7 document eliminates everything other than Kittitas County,
8 and then within Kittitas County effectively eliminates all
9 other options even though there are two pending projects
10 also here to meet or address those regional needs with no
11 realistic comparative reference in that regard.

12 The next comment I have at this point speaks
13 in terms of description of the no-action alternative, so
14 one of the EIS considerations is consideration of what
15 happens if there's no action taken on this. It's not
16 sited. In a specific comment within the SEIS upon which
17 the no-action alternative is built is the following
18 comment: It says, however, if the proposed project is not
19 constructed, it is likely that the region's need for power
20 would be addressed by development of gas-fired combustion
21 turbines.

22 JUDGE TOREM: Mr. Carmody, which page is
23 that?

24 MR. CARMODY: It's on Page 2.6 going onto
25 2.7.

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1 JUDGE TOREM: Thank you.

2 MR. CARMODY: Anybody who's been engaged or
3 involved in alternative energy resources within the State
4 of Washington understands that is not the alternative to
5 no action in this case. There are three approved but not
6 developed wind farm projects producing a greater
7 electrical output in Kootenai County than presently
8 proposed on this project. Each of those alternatives are
9 available for production of the regional power
10 contemplated by this project. There are two other
11 projects in this community that will take place or move
12 forward in lieu of this particular project to meet
13 regional needs.

14 Benton County has been an active location
15 and source of wind farm applications and approvals, Walla
16 Walla County. Columbia County is a prime wind source that
17 is available. Those are the options to no-action
18 alternatives here in order to meet the stated purpose.
19 That purpose, those alternatives are not addressed in any
20 respect in this, and you as a state-based decision making
21 body need to consider and look at those alternatives not
22 the limited scope that has been provided here.

23 WAC 197-11-440(5), which are a portion of
24 the SEPA regulations that have been adopted by EFSEC
25 specifically, provide outline and guidance on alternatives

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1 to the proposed action. Reasonable alternatives should
2 include actions that could feasibly attain or approximate
3 a proposal's objectives, that is regional power
4 projection, but at a lower environmental cost and
5 decreased level of environmental degradation. And it goes
6 on to say reasonable alternatives may be those over which
7 an agency with jurisdiction, EFSEC, has authority to
8 control impacts either directly or indirectly through the
9 requirement of mitigation measures.

10 You have state-wide authority. You have
11 state-wide siting authority. All of those options need to
12 be considered as a part of this, and I would suggest to
13 you that this element is particularly important because
14 you're being asked to take the extraordinary step of
15 preempting local review and local determinations. And if
16 you're going to take that step, and you're going to have
17 the adequate information and appropriate information to
18 make that determination, you need to make it with informed
19 information, data, study, and analysis of what that means
20 in terms of a no-action alternative and what alternatives
21 there are to this project in order of meeting regional
22 energy demands.

23 That has not been included in this SEIS. We
24 think it's appropriate, and we think that information
25 needs to be provided to you before we move further in this

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1 project review. The whole point with SEPA, and you've
2 already rejected this argument, but I'm going to make it
3 again, is that the purpose of SEPA is to provide the
4 decision making bodies and those involved in the decision
5 making process, which includes the Council, not just the
6 Governor, but you are making a recommendation based upon
7 an adjudicative process. In order for the public to
8 participate, in order for all aspects of this to be
9 considered and for you to make an appropriate decision
10 with the appropriate public input, that information has to
11 be provided to you prior to the hearing and made available
12 to the public prior to that hearing. In the absence of
13 that your recommendation is going to be based upon a lack
14 of full input and full procedural due process in this
15 matter.

16 We ask again for you to just get the
17 information initially, let the public have access to it,
18 and then make something meaningful out of the adjudicative
19 process. Those are my comments at this point. I'll
20 supplement them with written comments as well.

21 JUDGE TOREM: Thank you, Mr. Carmody. I
22 want to remind everyone that the Supplemental Draft EIS
23 came out earlier this month, about two weeks ago, but the
24 comment period does not end until September 13, 2004. So
25 there is still quite a bit of time left to submit written

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1 comments. Are there any other intended comments tonight
2 to be taken orally?

3 All right. Then our evening is essentially
4 concluded as for the public comments. Let me remind you
5 again though that if you want to submit written comments,
6 they can come in by regular U.S. Mail or by electronic
7 mail. They just have to be received in EFSEC's office in
8 Olympia by the close of business on September 13, 2004.

9 For those of you planning again to attend
10 the hearings themselves, the adjudication, that begins
11 later in September. It is not like a normal trial where
12 you'll hear people come in and be sworn to testify and
13 their direct examination testimony if you will as to what
14 they believe the facts are. They will have already done
15 that in writing, and most of those witnesses have already
16 posted their deposition like testimony on EFSEC's website.

17 So if you intend to come to any particular
18 date of the hearing, I encourage you to go to EFSEC's
19 website, review that testimony, and be prepared to come in
20 and hear cross-examination of those witnesses by the
21 attorneys representing the various parties. And for once
22 you will actually get to hear the Councilmembers ask
23 questions, not just sit here and listen but actually
24 engage the witnesses and the various issues before you.
25 So at that point I think you would get to see a

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1 development of the personalities to my left and right and
2 the interest they represent. Up to this point it's been a
3 lot of listening. It will be very soon that you get to
4 figure out who the people behind this table are at the
5 hearings themselves.

6 But prepare yourselves and go to the
7 website, look at the prefiled testimony for the witnesses.
8 There should be a schedule posted about a week before the
9 hearing. I anticipate you will see a daily schedule
10 either on the website or otherwise posted at the hearing
11 location, so you know which witnesses and which issues
12 will be approached on each individual day.

13 Hearings will begin September 27, and I look
14 forward to seeing you then. If you have comments on this
15 document, again September 13 is your deadline.

16 Thank you for coming tonight. We are
17 adjourned for the evening.

18 * * * * *

19 (Public Comment meeting adjourned at 6:38
20 p.m.)

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A F F I D A V I T

I, Shaun Linse, CCR, Certified Court Reporter,
do hereby certify that the foregoing transcript
prepared under my direction is a true and accurate
record of the proceedings taken on August 25, 2004,
in Ellensburg, Washington.

Shaun Linse, CCR
CCR NO. 2029

