

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

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITIES SITE EVALUATION COUNCIL

In the Matter of)
Application No 2003-01) KITTITAS COUNTY
SAGEBRUSH POWER PARTNERS, L.L.C.) PREHEARING
KITTITAS VALLEY WIND) MOTIONS AND
POWER PROJECT) ARGUMENT
_____)

COMES NOW Intervener Kittitas County and moves as follows:

1. To stay proceedings to allow Kittitas County and other parties to prepare rebuttal testimony to “Applicants Prefiled Rebuttal Testimony Witness #22: Roger Wagoner” or in the alternative to strike the testimony of Roger Wagoner.
2. To stay proceedings to allow Kittitas County and other parties to prepare rebuttal testimony to the “Direct Rebuttal Testimony of Chris Taylor” or in the alternative to strike the “rebuttal” testimony of Chris Taylor.
3. To stay proceedings to allow Kittitas County and other parties to prepare rebuttal testimony to “RNP Prefiled Direct Testimony Witness #2 Ted Clausing”.
4. To strike from consideration as substantive evidence “Applicants Request for Preemption” dated February 7, 2004 or in the alternative to stay proceedings to allow Kittitas County and other parties to prepare response testimony related to such document.
5. To stay proceedings on the basis that EFSEC lacks SEPA authority and SEPA lead agency status.
6. To disqualify DNR Council member Ifie under the appearance of fairness doctrine.

- 1 7. To stay proceedings in order to allow Kittitas County and other parties the opportunity to
2 review and respond to the revised “offsite alternative analysis” that EFSEC indicated it
3 will be releasing next week and to release any and all preliminary or draft response to
4 comments in the possession of EFSEC.
5
6 8. To stay proceedings based upon the cumulative effect of the issues raised by the parties
7 that are for a stay of proceedings in this matter.
8
9 9. To disclose the date, time, location, attendees, and substance of any meetings by or
10 among Council members related to the KV Project that took place without notice to the
11 public.

12 These motions are based upon the memorandum set forth below, the attachments hereto, the files
13 and records of EFSEC, the motions of Lathrop and ROKT to stay proceedings, and the argument
14 of counsel.

15 *Roger Wagoner Testimony* - The testimony of Roger Wagoner is not “rebuttal” in nature. It is
16 testimony that should have been presented in the applicants’ initial testimony so that Kittitas
17 County has the opportunity to respond to it. Several months ago, Kittitas County raised its
18 concerns of possible “sandbagging” by the applicant based upon its prior experience in the
19 Olympic Pipeline application process. At that time Zilkha and its counsel assured the County and
20 the Council that no “sandbagging” by Zilkha would occur and that they would present their
21 entire case in their initial testimony. Zilkha has not complied with that assurance. This rebuttal
22 testimony was not even received by the County until late last week (July 29). Mr. Wagoner’s
23 testimony takes aim at various issues including the County process that have been enacted and its
24 interplay with the Regulatory Reform Act and issues regarding what the County characterized as
25

1 a “functional equivalent” to an FEIS. Those are not new issues that the applicant would be
2 unaware of until they received the response testimony from Kittitas County. The prefiled direct
3 testimony of Chris Taylor as it related to the preemption request consisted of little more than a
4 half dozen pages of generalized assertions and conclusory remarks with little specific substance.
5 Now in the guise of “rebuttal” Zilkha presents new testimony and argument for the first time
6 related to the Kittitas Count process which we have no opportunity to rebut under the EFSEC
7 process. Even if the County were allowed to prepare rebuttal to this new testimony, the County
8 should not be required to scramble around to respond to this new testimony with less than two
9 weeks to go until the adjudicative proceedings are currently scheduled to commence. Kittitas
10 County and other parties were supposed to be given six weeks to prepare its response to
11 Applicants testimony. This matter should be continued at least six weeks in order to allow
12 Kittitas County to respond. Although a motion to strike could be granted, the Counties preferred
13 remedy is to continue the hearing so that the County can prepare rebuttal testimony. The
14 Counsel will have already received this prefiled testimony and will no doubt review Mr.
15 Wagoner’s testimony in making its decision on this motion. Having read the testimony there is
16 no way to “un-ring the bell” even if the testimony is stricken. The County will need to respond
17 to this testimony and address its inaccuracies.
18

19
20
21 *Chris Taylor Rebuttal* - The same arguments apply to Mr. Taylor’s “rebuttal testimony as they
22 did for Mr. Wagoner’s testimony so will not be repeated in depth. In Mr. Taylor’s “rebuttal”
23 testimony he now for the first time presents more detailed positions, factual assertions and
24 argument in his 44 pages of “rebuttal” rather than the vague generalized testimony included in his
25 “direct” testimony. Now for the first time he is putting some “meat on the bone” to explained

1 their position more fully. This more detailed position that we are now seeing for the first time in
2 “rebuttal” is the type of detailed testimony that they are required to present in their initial direct
3 testimony. The vague nature of the direct testimony followed by more specific testimony for
4 rebuttal is the very type of “sandbagging” that the County raised concerns about and that we
5 were assured would not be tolerated. For example, Chris Taylor for the first time fleshes out
6 what the supposed role of Allan Walker would have been from their perspective and then also
7 includes what they (Zilkha) “determined” what Clay White was thinking. (an accusation I would
8 note that is total devoid of merit but which under the current EFSEC process Mr. White is not
9 even allowed to respond to) This “rebuttal” also now for the first time discusses conversations
10 that Mr. Taylor indicates he had with Commissioner Huston (and which this writer has not even
11 had the opportunity to discuss with Commissioner Huston as to its accuracy given the shortage
12 of time that this motion is due). The County needs to be afforded the opportunity to respond to
13 this testimony in an appropriate fashion. As with our motion related to Mr. Wagoner’s testimony
14 the County request a continuance of at least six weeks to respond to the “rebuttal” testimony of
15 Chris Taylor.
16

17
18 *Ted Claussin Testimony* - This matter should be stayed so that the parties can prepare and
19 respond to the RNP Prefiled Direct Testimony of Ted Clausing”. This testimony basically
20 asserts that the witness testimony of Kenneth R. Bevis and sponsored by CFE were not
21 authorized to be the position of WDFW. Of note is the fact that both Mr. Bevis and Mr. Claussin
22 work for the WDFW and have the same business address. Mr. Clausing asserts that Mr. Bevis
23 does not speak for WDFW and is not involved in the review of this project. The parties to this
24 proceeding should have a reasonable expectation that the CFE will be adequately carrying out its
25 statutory duties and role in this adjudication. If ⁴the assertions of Mr. Claussin are correct, CFE

1 has failed to fulfill its duties because he hasn't even contacted the correct people to submit
2 testimony and has misled the public and the intervenors as to the position of WDFW. Now for
3 the first time we find "rebuttal" testimony by a WDFW representative (but sponsored by RNP)
4 that contracts what the County (and presumably other parties) understood to be the WDFW
5 position. While the court in *Blue Sky Advocates v. State* 107 Wn. 2d 112 (1986) ruled that there
6 is no right of a cause of action by the public against the CFE for malpractice, the court did
7 recognize that it was reversible error to not allow intervention to represent the interest the CFE
8 was not properly addressing when it became clear that CFE was failing to adequately represent
9 the interest of the public. The parties in this case now find themselves in the position where less
10 than two weeks prior to the hearings CFE has sponsored only two witnesses and apparently one
11 of them isn't even the correct person to present this information. The parties have no time or
12 ability to address the "new" WDFW position that RNP is asserting the real position of WDFW.
13 This matter should be stayed so that this issue can be explored by the parties to see what
14 response or rebuttal may be necessary under the circumstances.
15

16
17 *Applicants Request for Preemption* - The "Applicants Request for Preemption" was an
18 unverified document signed by the counsel for Zilkha. It is a pleading. Although this pleading
19 was mentioned by Chris Taylor and he purports to "sponsor" that document in his initial prefiled
20 testimony, that document was not filed with his testimony, it was not filed as an exhibit, and it
21 has not been assigned an exhibit number as the parties have been advised is necessary under the
22 Council order and procedure. The June 9, 2004 e-mail from Irina Makarow sets forth this
23 process and requirements with links to various orders and rules. (see attached) The spread sheet
24 attached to that e-mail confirms that the "Applicants Request for Preemption" is in fact, not an
25 exhibit in these proceedings. The County relied upon this direction from EFSC staff in

1 preparation its own prefiled testimony and prepared its testimony with the understanding that it
2 was not an exhibit and therefore not prefiled evidence. Although that pleading may be in the
3 record, it has not been properly submitted in the record to be considered for substantive purposes
4 and should therefore be stricken from the record from any such substantive purpose. If the
5 Council intends, however, to still consider this information for substantive purposes then this
6 matter should be continued so that Kittitas County may prepare a response to this information
7 that EFSEC staff has previously indicated to the parties is not an exhibit in these proceedings.
8

9 *SEPA Issues* – EFSEC is not the lead agency under SEPA. WAC 197-11-938 only designates
10 EFSEC as SEPA lead agency for energy facilities for which certification is “required” under
11 RCW 80.50. Alternative energy facilities such as proposed here does not require EFSEC
12 certification. Since EFSEC lacks SEPA lead agency authority there has been no environmental
13 review yet developed. As discussed in more detail in Intervenor ROKT motion to stay, it would
14 be improper to proceed forward with the adjudicatory hearing lacking appropriate environmental
15 review. This matter should be stayed pending the completion of appropriate environmental
16 review.
17

18
19 *Motion to Disqualify* - DNR Council Member Ifie should be disqualified under the appearance
20 o fairness doctrine. According to a DNR press release (copy attached), DNR expects to receive
21 \$5.6 million in revenue from the lease of its lands for this project. This is a conflict that requires
22 disqualification. See Narrowsview Association v. Tacoma 84 Wn. 2d 416, 526 P. 2d 897 (1974).
23

24 *Offsite Alternative and Response to comments issues* - At the August 3, 2004 prehearing
25 conference EFSEC staff indicated that it would be releasing a revised or supplemental response

1 to it's "DEIS". The release of this information just days prior to the hearing and after prefiled
2 testimony has been submitted allow insufficient time for the parties address issues which may be
3 raised in that document. This matter should be stayed so that the parties can appropriately
4 respond to the issues presented in that document since there has been not public access to this
5 information to date. If the response to this request is to delay the release of this document to a
6 later date after the hearings are concluded then this matter should be stay on appearance of
7 fairness grounds since the public wouldn't have access to information already developed and in
8 the possession of EFSEC that is directly related to the project proposal but for which the County
9 and the public would not have the opportunity to respond. See RCW 42.36; *Buell v. Bremerton*,
10 80 Wn. 2d 715 (1969); *Chrobuck v. Snohomish County* 78 Wn 2d 858 (1971). The County also
11 moves for release of and all drafts, preliminary drafts, or any other documents related to the
12 response to comments that are in the possession of EFSEC and for a stay of the proceedings so
13 that the County and the public can consider them and respond to them in there testimony related
14 to these proceedings.
15

16
17 *Cumulative impact of issues* – Even if the Council were to conclude that any of the individual
18 basis presented for request for stay was insufficient to grant a stay, the cumulative impact of all
19 of these factors and issues justify the granting of a stay of these proceedings. See by analogy
20 *State v. Coe*, 101 Wn.2d 772 (1984) wherein the court reversed the conviction of Kevin Coe
21 noting that “ While it is possible that some of these errors, standing alone, might not be of
22 sufficient gravity to constitute grounds for a new trial, the combined effect of the accumulation
23 of errors most certainly requires a new trial.” Id at 789.
24
25

1 *EFSEC meetings without public notice* - The EFSEC adopted WAC 463 -18 provides that all
2 regular and special meetings of the Council shall provide for notice to the public of holding such
3 meetings. Although the Open Public Meetings Act (RCW 42.30) may contain an exception that
4 exempts processes governed by Administrative Procedures Act from the requirements of the
5 Open Public Meeting Act, EFSEC's own adopted rules regarding the holding of its meetings
6 does not include an exception for APA processes. Counsel for Kittitas County has only been to
7 the EFSEC office in Olympia on two occasions. On both occasions the Council was meeting
8 with the EFSEC staff in closed session without notice to the public. On the first occasion (July
9 19, 2004) the meeting was being held in the EFSEC conference room. Upon entering the room
10 (where the sign on the door indicated in was appropriate to enter) counsel for Kittitas County
11 was advised that the meeting was closed to the public and was told he needed to leave the room.
12 On the second occasion of August 2, 2004, members of the Council and staff were meting behind
13 closed door in a room labeled as the office of EFSEC Chairman Jim Luce. Kittitas County
14 received no notice that either of these meetings was taking place despite the requirements of
15 WAC 463-18. The public has a right to be apprised of these meetings in accordance with
16 EFSEC's own adopted procedures.
17

18 CONCLUSION

19 The currently scheduled adjudicative hearings should be stayed pending resolution of all
20 outstanding issues.

21 Respectfully submitted this 3rd day of August, 2004

22 
23
24 James E. Hurson – Deputy Prosecuting Attorney
25 for Intervener Kittitas County

James Hurson

From: Makarow, Irina (EFSEC) [IrinaM@ep.cted.wa.gov]
Sent: Wednesday, June 09, 2004 11:10 AM
To: john11@atg.wa.gov; dpeeples@ix.netcom.com; ctaylor@zilkha.com; James Hurson; Usibelli, Tony (CTED); sonja@rnp.org; DrumS@foster.com; phoenix@elltel.net; lstoni@hotmail.com; shawna@vmslaw.com; jcc@vmslaw.com; amy_oslund@hotmail.com; geoff@geoffsaunders.com; garrett_ew@netos.com; steve@lwhsd.com; jslothower@lwhsd.com; hall@ellensburg.com; Clay White; Anderson, Mark (CTED); andyds11@mac.com; lean@comcast.net; mhr@elltel.net; aliceb@atg.wa.gov
Cc: Essko, Ann (ATG); Fiksdal, Allen (EFSEC); Adam Torem
Subject: Kittitas Valley Exhibits

Dear parties -

This is a quick note to give you guidance re how the prefiled testimony you submit to EFSEC must be numbered. Please also cross check with the hearing guidelines. We apologize for the process being so complicated, but it has evolved over the last few years to assist both the Council members in organizing your testimony and EFSEC staff to keep track of it and not delay distribution to Council because it hasn't been numbered.

Both the hearing guidelines (look under Council Orders, appendix to order 777) and the most recent service list are on our web site at:

<http://www.efsec.wa.gov/kittitaswind/adj/adj.html>

Please remember that all prefiled must be double sided (unless color or oversize exhibits are used) and three hole punched. Please remember that the prefiled intended for the Council must be IN OUR OFFICE (not just mailed...) by the deadlines established.

FIRST - as indicated in the hearing guidelines, please "label" your prefiled testimony using the first and last letters of the witness name. (see Section 16 (b) of the hearing guidelines).

For John Q. Witness's prefiled testimony and accompanying exhibits:

Ex (JQW-T)

Ex (JQW-1)

Ex (JQW-2)

Ex (JQW-3)

SECOND - Once you know how many witnesses you will have, you will CONTACT ME and I will tell you what NUMBERS to assign to each witness. Refer to the Applicant's prefiled for example. Each Party will be assigned a "block" of numbers.

I will also ask you to make a good faith effort to estimate if you will have any NEW witnesses for rebuttal testimony and how many. You will have some extra numbers for these.

YOU WILL THEN include the exhibit "number" on your prefiled exhibits, along with the "label". Remember that during the hearing you will be referring to the exhibits by their "number" when you introduce them and use them for cross examination. This system allows the Council and our ALJ to find the specified exhibit quickly.

How will the Rebuttal testimony be labeled and numbered?

If an existing witness (identified at the direct testimony stage) is submitting rebuttal, you will use the same exhibit "number", but will add an "R" (for rebuttal).

Following the example above: If John Q. Witness was assigned Exhibit number 78:

For John Q. Witness's prefiled testimony and accompanying exhibits:

- Ex (JQW-T)....78.0
- Ex (JQW-1).....78.1
- Ex (JQW-2).....78.2
- Ex (JQW-3).....78.3

If John Q. Witness is filing rebuttal testimony, his rebuttal will be labeled as follows

- Ex (JQW-R)....78R.0
- Ex (JQW-R1).....78R.1
- Ex (JQW-R2).....78R.2
- Ex (JQW-R3).....78R.3

If a new witness (who did not file direct) is being used for rebuttal, he will be assigned a new number (one of the extras allocated to you), and will also follow the "R" numbering scheme.

What if I have new exhibits that I want to use for cross that I did not submit in my prefiled?

Hearing Guidelines say:

20 (e) Exhibits used for cross examination of witnesses that have not been previously prefiled with the Council will be submitted to the Council no later than one week prior to the scheduled start of the adjudicative hearings, except for good cause shown. Such exhibits will be submitted in the required number of copies, and with a cover sheet indicating which witnesses they are intended for.

In general, the exhibits will be numbered in the appropriate sequence for the witness they are being used for. HOWEVER, one of the reasons we request them in advance, is so that we can number them correctly, again so that the Council can find the exhibit quickly during the hearing. Remember that other parties may be submitting cross exhibits for the same witness.

All exhibits used for cross must also be double sided and three hole punched.

Please also remember to make enough copies of cross examination exhibits for all other parties. It will be your responsibility to distribute to other parties during the hearing.

I will periodically provide you with updated exhibit lists, and will get you a master list for your use on the first day of the hearings. You are welcome to check with me to keep your exhibit list current, or let me know if corrections are needed.

Attached is the first preliminary exhibit list. <<KV exhibit list 6-9-04.pdf>>

If you have any questions about the above, please contact me.

Irina Makarow

PS - it is never too late to be thinking about audio-visual equipment you will need during the hearing. Either let us know what you need as early as possible, and we'll try to get it, or bring your own.

~~~~~  
 Irina Makarow  
 Siting Manager

EFSEC  
P.O. Box 43172  
Olympia, WA, 98504-3172

[www.efsec.wa.gov](http://www.efsec.wa.gov)

(360) 956-2047  
[irinam@ep.cted.wa.gov](mailto:irinam@ep.cted.wa.gov)

~~~~~

Kittitas Valley Wind Power Project - Exhibit List

<i>Number</i>	<i>Exhibit No</i>	<i>Witness</i>	<i>Sponsor</i>	<i>Description</i>	<i>Identified</i>	<i>Admitted</i>	<i>Rejected</i>
1.	0		Zilkha	Application for Site Certification (and Associated Exhibits) (January 13, 2003)			
1.	1		Zilkha	Clarification Information (June 25, 2003)			
20.	0	CT-T	Taylor	Applicant's Prefiled Direct Testimony: Witness 1- Chris Taylor			
20.	1	CT-1	Taylor	Chris Taylor - Resume			
20.	2	CT-2	Taylor	Re: Proposed Utilities Amendment for Windfarm Overlay Zone			
21.	0	AL-T	Linehan	Applicant's Prefiled Direct Testimony: Witness 2 - Andrew O. Linehan			
21.	1	AL-1	Linehan	Andrew Linehan - Resume			
22.	0	AY-T	Young	Applicant's Prefiled Direct testimony: Witness 3 - Andrew Young			
22.	1	AY-1	Young	Andrew H, Young - Resume			
23.	0	MP-T	Pappalardo	Applicant's Prefiled Direct Testimony: Witness 4 - Michael Pappalardo			
23.	1	MP-1	Pappalardo	Michael E Pappalardo - Resume			
24.	0	JB-T	Butler	Applicant's Prefiled Direct Testimony: Witness 5 - Josh Butler			
24.	1	JB-1	Butler	Joshua John Butler - Resume			
25.	0	MB-T	Bastasc	Applicant's Prefiled Direct Testimony: Witness 6 - Mark Bastasc			
25.	1	MB-1	Bastasc	Mark Bastasc - Resume			
26.	0	RN-T	Nierenberg	Applicant's Prefiled Direct Testimony: Witness 7 - Ron Nierenberg			
26.	1	RN-1	Nierenberg	Ron Nierenberg - Resume			
27.	0	PO-T	O'Neill	Applicant's Prefiled Direct Testimony: Witness 8 - Peggy O'Neill			
27.	1	PO-1	O'Neill	Peggy O'Neill - Resume			
28.	0	JF-T	Flenniken	Applicant's Prefiled Direct Testimony: Witness 9 - J. Jeffrey Flenniken			
28.	1	JF-1	Flenniken	J. Jeffrey Flenniken - Resume			

29.	0	WE-T	Erickson	Zilkha	Applicant's Prefiled Direct Testimony: Witness 10 - Wally Erickson
29.	1	WE-1	Erickson	Zilkha	Wallace P. Erickson, M.S. - Resume
30.	0	RK-T	Krichbaum	Zilkha	Applicant's Prefiled Direct testimony: Witness 11 - Randall Krichbaum
30.	1	RK-1	Krichbaum	Zilkha	Randall Scott Krichbaum - Resume
31.	0	LP-T	Polisky	Zilkha	Applicant's Prefiled Direct Testimony: Witness 12 - Les Polisky
31.	1	LP-1	Polisky	Zilkha	Lester E. Polisky - Resume
32.	0	DP-T	Pitzler	Zilkha	Applicants' Prefiled Direct Testimony: Witness 13 - Daniel Pitzler
32.	1	DP-1	Pitzler	Zilkha	Daniel R. Pitzler - Resume
33.	0	JA-T	Acutanza	Zilkha	Applicant's Prefiled Direct Testimony: Witness 14 - Jeanne Acutanza
33.	1	JA-1	Acutanza	Zilkha	Jeanne Acutanza - Resume
34.	0	TP-T	Priestley	Zilkha	Applicant's Prefiled Direct Testimony: Witness 15 - Thomas Priestley
34.	1	TP-1	Priestley	Zilkha	Thomas J. Priestley - Resume
34.	2	TP-2	Priestley	Zilkha	Figure 3.9-14 Viewpoint 1: Simulated View Lower End Scenario (90m RD)
34.	3	TP-3	Priestley	Zilkha	Figure 3.9-16 Viewpoint 1: Simulated View Upper End Scenario (60m RD)
34.	4	TP-4	Priestley	Zilkha	Figure 3.9-13 Viewpoint 11: Existing Conditions
34.	5	TP-5	Priestley	Zilkha	Figure 3.9-28 Viewpoint 11: Simulated View
34.	6	TP-6	Priestley	Zilkha	Figure 3.14-1 Cumulative Study Area for Kittitas Valley, Desert Claim and Wild Horse Wind Power Projects
34.	7	TP-7	Priestley	Zilkha	Exhibit 3.14-2 Photograph Locations for Cumulative Analysis
34.	8	TP-8	Priestley	Zilkha	Figure 3.14-3 Viewpoint 1: Existing Conditions
34.	9	TP-9	Priestley	Zilkha	Figure 3.14-4 Viewpoint 1: Simulated Conditions Kittitas Valley Wind Power Project
34.	10	TP-10	Priestley	Zilkha	Figure 3.14-5 Viewpoint 1 Simulated Conditions Desert Claim project
34.	11	TP-11	Priestley	Zilkha	Figure 3.14-6 Viewpoint 1: Simulated conditions Cumulative Scenario

34.	12	TP-12	Priestley	Zilkha	Figure 3.14-7 Viewpoint 2: Existing Conditions
34.	13	TP-13	Priestley	Zilkha	Figure 3.14-8 Viewpoint 2: Simulated Conditions Cumulative Scenario
35.	0	GS-T	Sterzinger	Zilkha	Applicant's Prefiled Direct Testimony: Witness 16 - George Sterzinger
35.	1	GS-1	Sterzinger	Zilkha	George J. Sterzinger - Resume
36.	0	PBD-T	De Lacy	Zilkha	Applicant's Prefiled Direct Testimony: Witness 17 - P. Barton De Lacy
36.	1	PBD-1	De Lacy	Zilkha	P. Barton De Lacy, MAI, CRE - Resume
37.	0	HKJ-T	Jorgensen	Zilkha	Applicant's Prefiled Direct Testimony: Witness 18 - Henrik Kanstrup Jorgensen
37.	1	HKJ-1	Jorgensen	Zilkha	Henrik Kanstrup Jorgensen - Resume
38.	0	MB-T	Bernay	Zilkha	Applicant's Prefiled Direct Testimony: Witness 19 - Michael Bernay
38.	1	MB-1	Bernay	Zilkha	Michael J. Bernay - Resume
39.	0	DK-T	Kammen	Zilkha	Applicant's Prefiled Direct Testimony: Witness 20 - Daniel Kammen
39.	1	DK-1	Kammen	Zilkha	Daniel M. Kammen - Resume
39.	2	DK-2	Kammen	Zilkha	Analysis of Potential Safety Risks of the Proposed Kittitas Valley Wind Power Project
40.	0	AN-T	Nielsen	Zilkha	Applicant's Prefiled Direct Testimony: Witness 21 - Arne Nielsen
40.	1	AN-1	Nielsen	Zilkha	Arne Nielsen - Resume



WASHINGTON STATE DEPARTMENT OF
Natural Resources

[Home](#) | [Contact Us](#) | [Links](#) | [Divisions](#) | [Regions](#)

NEWS RELEASE

About DNR

Programs & Topics

News & Information

Publications & Data

Business with DNR

Recreation

Fire & Natural Hazards

Education & Assistance

Employment with DNR

Site Map / Index

Search DNR

search

No. 03-080
July 9, 2003
Contact: Todd Myers, 360-902-1023

DNR leases Ellensburg state trust land for wind power generation

First lease of its kind on state lands will generate \$5.6 million for school construction in the first 25 years

OLYMPIA – Commissioner of Public Lands Doug Sutherland today announced that the Washington State Department of Natural Resources (DNR) recently signed a lease with Sagebrush Power Partners for a new wind power development on common school trust land north of Ellensburg. The leased land will be part of the proposed Kittitas Valley Wind Power Project, which will locate about 121 wind turbines on state and privately owned land. About one quarter of the turbines will be located on state land

“People across the state are looking for reliable sources of power, sources that find the right balance between producing the energy we need, fueling our economy, and preserving our environment,” said Doug Sutherland, Commissioner of Public Lands. “By leasing lands to generate wind power, DNR is helping to expand the availability of clean, renewable energy sources while providing an new way to earn revenue.”

The Kittitas Valley is one of the prime wind energy locations in the state, with strong winds, access to electric transmission lines, compatibility with existing land uses, and proximity to power markets. The 30-year lease was awarded through a competitive public auction process.

The Sagebrush Power Partners lease is the first to include state trust land in a wind power project. The lease will generate an estimated \$5.6 million over the first 25 years of operation for the common school trust, which funds K-12 public school construction.

In addition to providing revenue for school construction, a portion of the leasehold tax revenue will remain in the local communities. According to a recent study, the project will also increase the local tax base and provide increased tax revenue for county government. The Kittitas Valley wind project is expected to employ up to 250 people during construction and create 14 to 18 permanent operations jobs.

The wind power project will also provide a number of environmental benefits, including providing a long-term source of income and energy and will also help retain habitat for wildlife.

“Balancing the needs of economic growth, the desires of local communities, and the potential environmental benefits of this project isn’t easy, but it is critical if we are to make responsible decisions that provide benefits today and for generations to come,” said Sutherland.

Revenue for schools and other beneficiaries, and more

DNR, led by Commissioner of Public Lands Doug Sutherland, manages about 5.6 million acres of state-owned forest, aquatic, agricultural and urban lands for long-term benefits to current and future trust beneficiaries and other residents of the state.

Since 1970, DNR-managed lands have produced more than \$5.7 billion in revenue, reducing the need for taxes to pay for public projects and services. By law, state-owned trust lands are to be managed to produce income for schools, universities, prisons, state mental hospitals, community colleges, local services in many counties, and the state general fund. They are also to be managed to offer fish and wildlife habitat, and provide educational and recreational opportunities to more than 11 million people each year.

#

[About DNR](#) | [Programs & Topics](#) | [News & Information](#) | [Publications & Data](#) | [Business with DNR](#)
[Recreation](#) | [Fires & Natural Hazards](#) | [Education & Assistance](#) | [Employment with DNR](#) | [Site Map/Index](#)
