

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of
Application No. 2003-01

SAGEBRUSH POWER PARTNERS, L.L.C.

KITTITAS VALLEY WIND
POWER PROJECT

NOTICE OF BEGINNING OF
ADJUDICATIVE PROCEEDING –
SEPTEMBER 27, 2004

NOTICE OF HEARING TO RECEIVE
EVIDENCE AND TESTIMONY FROM
THE PUBLIC – **OCTOBER 5, 2004**

The Application

Kittitas Valley Wind Power Project, Application No. 2003-01 – On January 13, 2003, Sagebrush Power Partners, L.L.C., a wholly owned subsidiary of Zilkha Renewable Energy, submitted an Application for Site Certification to the Washington State Energy Facility Site Evaluation Council (EFSEC or Council) to construct and operate the Kittitas Valley Wind Power Project (Project), a 182-megawatt generation facility consisting of approximately 121 wind generation turbines. Related Project facilities include: access roads; foundations; underground and overhead electrical lines, substations and interconnection facilities to allow transmission through existing Puget Sound Energy or Bonneville Power Administration transmission lines; an operations and maintenance center; and associated supporting infrastructure and facilities. The proposed Project will be located within Kittitas County, on the ridges on either side of state Highway 97, 12 miles northwest of the city of Ellensburg.

A public informational and SEPA scoping meeting was held in Ellensburg, Washington, on March 12, 2003. A Land Use Consistency hearing was held in Ellensburg, Washington, on May 1, 2003. EFSEC has taken lead agency status under WAC 173-11-938 of the State Environmental Policy Act (SEPA) rules for the environmental review of this wind generation facility, and issued a Draft Environmental Impact Statement (EIS) in December 2003. Prior to issuing a Final EIS for this project EFSEC will conduct an examination of the project through a formal adjudicative proceeding.

Notice of Adjudicative Proceeding

The Council is reviewing Application No. 2003-01 under the procedures set forth in Chapter 80.50 of the Revised Code of Washington (RCW) and Title 463 of the Washington Administrative Code (WAC) for reviewing applications for new major energy facilities. The statute requires the Council to hold an adjudicative proceeding under Chapter 34.05 RCW, the Administrative Procedure Act. On May 16, 2003, EFSEC noticed its intention to hold adjudicative hearings relating to Application No. 2003-01 in accordance with the procedural rules found in Chapter 463-30 WAC.

The adjudicative proceeding will begin at **8:30 a.m. on Monday September 27, 2004, in the Yakama Room, Samuelson Union Building, Central Washington University, 400 E. University Way, Ellensburg, Washington 98926.** Exact hearing times on subsequent days are subject to change. All hearings will be held at the Samuelson Union Building, but exact room locations are also subject to change. Please contact the EFSEC office at (360) 956-2121 for the most current hearing schedule.

The statutory parties to this adjudicative proceeding are the applicant, Sagebrush Power Partners, L.L.C., and the Counsel for the Environment (as defined in RCW 80.50.020(12)), Assistant Attorney General, John Lane. On July 3, 2003, EFSEC granted various petitions for intervention adding the following parties: the Washington State Department of Community, Trade and Economic Development (CTED); Kittitas County; the Northwest Renewable Project (RNP); the Economic Development Group of Kittitas County; the Sierra Club; Residents Opposed to Kittitas Turbines (ROKT); F. Steven Lathrop; and Chris and William Hall.

Notice of Hearing to Receive Evidence and Testimony from the Public: October 5, 2004

During the course of the adjudicative hearing, a hearing to receive public evidence and testimony on the Application of the proposed Project will be held on Tuesday October 5, 2004. The public is invited to attend and provide testimony, oral and/or written, to the Council regarding this Application.

**Public Testimony Hearing
Tuesday, October 5, 2004 – Starting at 7:00 p.m.**

**Home Arts Building, Kittitas County Fairgrounds
512 North Poplar Street, Ellensburg, WA 98926.**

If there is a large number of speakers, EFSEC may impose a time limit on each speaker. Interested persons may also send written comments about the Kittitas Valley Wind Power Project by surface mail or e-mail to the address indicated below. Written comments must be **postmarked (or dated for e-mail) no later than October 8, 2004**, to be entered into the adjudicative record and considered by EFSEC.

Address written comments to:

Allen J. Fiksdal
EFSEC
P. O. Box 43172
Olympia, Washington 98504-3172

Address e-mail comments to:

efsec@ep.cted.wa.gov

Opportunities for Public Participation

Public participation in the EFSEC process is accommodated in several ways. As noted above, a public information and scoping meeting was held in Ellensburg, Washington on March 12, 2003, and a public

comment hearing on the Draft Environmental Impact Statement was held in Ellensburg, Washington, on January 13, 2004.

Finally, as stated above, as part of the adjudicative proceeding regarding this Application, a specially designated session has been scheduled to receive evidence and testimony from the public: Tuesday October 5, 2004 – starting at 7:00 p.m. - see details of meeting and location above. This is an opportunity for the public to testify before EFSEC regarding this proposal. EFSEC will also receive written comments on this matter through October 8th, 2004 - see details above.

Counsel for the Environment

Under RCW 80.50.080, the state Attorney General's Office has appointed an independent Counsel for the Environment to represent the public and its interests in protecting the quality of the environment. Mr. John Lane, Assistant Attorney General, is the Counsel for the Environment for this adjudicative proceeding. The public may contact Mr. Lane for information regarding the project and to express their concerns regarding the proposal at: Assistant Attorney General's Office, 1125 Washington Street S.E., P.O. Box 40100, Olympia, WA 98504-0100, (360) 586-2438, johnl1@atg.wa.gov.

Additional Information

Copies of filings in this proceeding are available at the Council office, located at 925 Plum Street S.E., Building 4, Olympia, Washington, 98501, or by calling (360) 956-2047. Additional information about EFSEC's review of this project is also available on the EFSEC website at: www.efsec.wa.gov.

If you require additional information, special assistance, the assistance of a translator, or auxiliary aids to participate in the meeting, please contact Mariah Laamb, EFSEC Secretary, at (360) 956-2121 as soon as possible. For TDD, call (360) 586-4224.

WASHINGTON ENERGY FACILITY SITE EVALUATION COUNCIL

Dated in Olympia, Washington this 14th day of September, 2004.



Allen J. Fiksdal
EFSEC Manager