

IN THE STATE OF WASHINGTON
COUNTY OF KITTITAS

KITTITAS COUNTY BOARD OF COUNTY)
COMMISSIONERS SPECIAL MEETING)
RE KITTITAS VALLEY WIND POWER)
PROJECT)

VERBATIM TRANSCRIPT OF PROCEEDINGS

January 10, 2006
6:30 p.m.
Kittitas County Fairgrounds
Ellensburg, Washington

JOINT HEARING BEFORE
THE KITTITAS COUNTY BOARD OF COUNTY COMMISSIONERS
AND
THE KITTITAS COUNTY PLANNING COMMISSION

REPORTED BY:
LOUISE R. BELL, CCR NO. 2676

1 APPEARANCES:

2 KITTITAS COUNTY BOARD OF COUNTY COMMISSIONERS:

3 COMMISSIONER DAVID BOWEN, Chairman

COMMISSIONER ALAN CRANKOVICH

4 COMMISSIONER PERRY HUSTON

5 KITTITAS COUNTY PLANNING COMMISSION:

6 COMMISSIONER DAVID BLACK, Chairman

COMMISSIONER DOUG HARRIS

7 COMMISSIONER MARK McCLAIN

COMMISSIONER SCOTT PERNAA

8 COMMISSIONER GRANT CLARK

COMMISSIONER DON WILLIAMSON

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1 CHAIRMAN BOWEN: It's Tuesday, January 10th,
2 2006, 6:30 p.m., Kittitas County Events Center at
3 the fairgrounds, Home Arts building. I'm going
4 to call this concurrent hearing to order.

5 We are here today for an open-record hearing
6 between the -- before the Kittitas County Board
7 of County Commissioners and the Kittitas County
8 Planning Commission to consider the Kittitas
9 Valley Wind Farm Project --

10 I keep forgetting I have my court reporter
11 over here, so I'm going to slow down.

12 (Continuing) -- submitted by Sagebrush Power
13 Partners, LLC, for siting of a maximum of 80 wind
14 turbines and associated facilities at a site
15 located approximately 12 miles northwest of the
16 city of Ellensburg.

17 One thing I will ask is I've turned my cell
18 phone to silent or buzz; if you all could do the
19 same thing I would appreciate that, as would
20 people sitting next to you.

21 Facility layout-wise, our restrooms are back
22 here to my left in the back of the room. So if
23 anybody needs them, get up and go use them and
24 come on back.

25 At this point I want to introduce the other

1 commissioners and our staff. Immediately to my
2 right is Commissioner Alan Crankovich from
3 District 2. Just past him is Commissioner Perry
4 Huston from District 3.

5 Next to him is Julie Kjorsvik; she's our
6 Clerk of the Board. If you have information you
7 want to hand us in hard copy, please take it to
8 her; and if you don't have enough for everybody
9 here, she will make copies and then arrange for
10 copies to be made, anyway, and have them
11 available for the next time we meet if this
12 hearing should be continued.

13 And I'm going to go ahead and -- oh, and our
14 Chief Deputy Prosecutor, Jim Hurson, is sitting
15 at the table to my far right, unless he got up
16 and walked away on me.

17 MR. HURSON: Back here.

18 CHAIRMAN BOWEN: He's in the very back now.
19 So you recognize him.

20 And I'm going to let Community Development
21 Services Director Darryl Piercy introduce his
22 staff briefly.

23 MR. PIERCY: Mr. Chairman, thank you. To my
24 left is Joanna Valencia, the primary -- that has
25 been primarily working and responsible for the

1 development of the staff report for this project.

2 On my right is Assistant Director Allison
3 Kimball. I'd also like to point out at the far
4 end of the table Susan Barret, who is the
5 Planning Commission Clerk of the Board.

6 CHAIRMAN BOWEN: Perfect, thank you. And
7 one other person sitting up here -- I'll let
8 David Black work with his folks here on the
9 Planning Commission -- Louise Bell is our court
10 reporter. And about once an hour or so we're
11 going to pause for five or ten minutes and let
12 her hands rest, because she's going to try and
13 verbatim print down what we're saying. So
14 besides speaking slow, we're going to give her a
15 break every once in a while.

16 Those -- most of you here have been through
17 this before and know how this worked last time.
18 Last two times, I should say. But for those who
19 weren't, we've got a concurrent hearing going on
20 with the Kittitas County Planning Commission and
21 Kittitas County Board of County Commissioners
22 present. The Planning Commission chair will
23 preside over the majority of the hearing.

24 The hearing itself will consist of a staff
25 presentation, a presentation by the proponent for

1 the project, public testimony, followed by
2 proponent and staff closing comments. Anything
3 that came up during the testimony, you'll have --
4 an opportunity to address those issues will be
5 given.

6 Once we have all comments in from the public
7 and from the proponent and staff, then the Board
8 of County Commissioners will excuse their selves
9 from the meeting so that the Planning Commission
10 can begin their deliberations.

11 So that's in general how this will work,
12 whether it's over one day, two days, or three
13 days. We'll just have to wait and see what
14 they're going to expose this one as.

15 Approximately 10:00 p.m. we're going to stop
16 and assess where we are in regards to testimony
17 today. And if necessary, we will continue this
18 to another date. Most likely tomorrow evening at
19 7:00 it worked out with Mr. -- with Chairman
20 Black, so -- and we'll go from there.

21 And with that, as far as the record and all
22 that, that's what's front of us so far. We're
23 going to probably get as much again as this stack
24 is here, so we've got a lot to go through and a
25 lot to read. All of your comments that were

1 forwarded to the commissioners' office we
2 immediately sent to the CDS office so that they
3 could actually hold the record and have all
4 comments there, so we have a complete record from
5 CDS back out to everybody.

6 I'm going to let CDS talk about exactly
7 what's in this record and then what's been added
8 this evening.

9 With that, Appearance of Fairness-wise, all
10 all of us need to disclose any ex parte contacts,
11 any conversations specific to this particular
12 project. And I'll go ahead and start.

13 In this situation, anything that came in the
14 office or any letters to the editor, all that, I
15 just did not read them, so until I had the record
16 in front of me, so I don't have to disclose much
17 of anything. And I have not had any specific
18 discussions with anyone regarding this project.

19 As I reviewed the project layout, I do know
20 some of the people that own land on it and I know
21 some of the people that own land next to it. So
22 once again, I haven't had conversations with them
23 but I do know them. Otherwise I have no other
24 Declarations to give.

25 With that, does anybody object to my sitting

1 in public hearing on this project?

2 Hearing no objections, Commissioner
3 Crankovich?

4 COMMISSIONER CRANKOVICH: With the exception
5 of what we have here presented by staff, I have
6 purposely declined to engage in any conversation
7 about this particular project, so I have nothing
8 to declare. Like I say, I've avoided.

9 CHAIRMAN BOWEN: With that said, is there
10 anyone who wishes to oppose Commissioner
11 Crankovich sitting in hearing on this project?

12 Seeing no objections, Commissioner Huston?

13 COMMISSIONER HUSTON: Thank you,
14 Mr. Chairman. Curiously enough, I can't even
15 think of anyone who's asked me a process
16 question, which is probably the first time I've
17 actually been able to say that in quite some
18 time.

19 The letters that we've received we
20 blind-filed. I've had no conversations with
21 anybody that I can think of regarding wind power
22 in quite some time. Which I suppose means I
23 haven't left the house or something, but nothing
24 to -- nothing to disclose.

25 CHAIRMAN BOWEN: With that said, is there

1 anyone who objects to Commissioner Huston sitting
2 in hearing on this project?

3 Hearing none, Commissioner Huston will
4 remain seated.

5 With that, I'm going to go ahead and
6 introduce David Black. He's the chairman of our
7 Planning Commission. And David, it's in your
8 hands.

9 CHAIRMAN BLACK: Thank you very much,
10 Commissioner Bowen.

11 I will introduce the Planning Commission
12 members. On my far right is Grant Clark. Next
13 to him is Scott Perna. Next to him is Mark
14 McClain. On my far left is Don Williamson, and
15 next to him is Doug Harris.

16 My name is David Black, and I'm chairman of
17 the Planning Commission. I think our clerk has
18 been introduced, Susan Barret.

19 And again, if you have any hard material
20 that you wish to give to the Planning Commission,
21 please be sure that it goes to Susan Barret.

22 A little bit of background, a little bit of
23 housecleaning. The Planning Commission is an
24 advisory commission to the Board of County
25 Commissioners. The Planning Commission has three

1 options: a recommendation of approval, a
2 recommendation of denial, or no recommendation at
3 all. But in all cases this hearing will go to
4 the Board of County Commissioners for their final
5 approval.

6 The procedure I think was covered by
7 Mr. Bowen: staff presentation, applicant
8 presentation. And I think with the applicant
9 presentation we intend to leave a little bit of
10 time at the end of the testimony so you can rebut
11 some of the testimony. Public testimony.

12 The Planning Commission will go into a
13 deliberation, and then we will have motions and
14 finding of facts to support that.

15 This hearing is being mechanically recorded,
16 the minutes are being taken. Both the minutes
17 and the recordings will be available at the
18 Kittitas County Develop -- Community Development
19 Services, 411 North Ruby Street, Ellensburg.

20 With that, I will go into my legal
21 disclosures. And I will go back to 2002. I am a
22 part owner and a publisher of a Snoqualmie Pass
23 Times newspaper --

24 AUDIENCE MEMBER: Excuse me, can I
25 suggest --

1 CHAIRMAN BLACK: Pardon me?

2 AUDIENCE MEMBER: Speak up.

3 CHAIRMAN BLACK: Speak up?

4 AUDIENCE MEMBER: Yeah, turn your microphone
5 closer.

6 CHAIRMAN BLACK: Better? Great. I don't
7 have to go through all that I just went through,
8 do I? It's all recorded.

9 I'm a part owner and a publisher of a
10 Snoqualmie Pass newspaper. It was called the
11 Snoqualmie Pass Times and it is now the Cascade
12 Times. In June of 2002 I wrote an editorial
13 regarding the "Right Idea" at "the Wrong Place,"
14 and I wrote it under my name.

15 Also on -- and I don't have these dates, but
16 I will just bring them up anyway.

17 Would you keep me in line out there in case
18 I start to drift a little bit.

19 I received a letter and a videotape from
20 Mr. Geoff Saunders of ROKT. I did not view the
21 tape. And I now see it's a portion of the
22 record. Along with that came a letter, which I
23 did read. It's undated and has nothing to do
24 with this.

25 I received a post card to my -- which says

1 no -- say no to the wind farms, that post card
2 (indicating).

3 I received a letter from Mr. Ed Garrett,
4 which also I did not read. I then received a
5 phone call from Mr. Ed Garrett, asking me if I
6 had received the video. I said I had received
7 the video but I did not view it. He asked me --
8 or excuse me, he asked me if I was going to view
9 it; I said no, I didn't think that it was
10 appropriate for me to view it. And I did not
11 view the video.

12 AUDIENCE MEMBER: Mr. Black --

13 CHAIRMAN BLACK: With that, that's all I
14 have.

15 AUDIENCE MEMBER: Mr. Black, will you view
16 that video?

17 CHAIRMAN BLACK: Actually it's --

18 AUDIENCE MEMBER: It's part of the record --

19 CHAIRMAN BLACK: Yes, right. It's part of
20 the record at this time, and I will view the
21 video, yes.

22 I didn't have the dates. I'm totally open
23 minded on this. And feel I'm able to do this
24 without any problem. If there's anyone in the
25 audience that feels I should step down, please

1 say so.

2 MR. DESMOND KNUDSON: I do, sir. Desmond
3 Knudson, Ellensburg Washington.

4 CHAIRMAN BLACK: Pardon me?

5 MR. DESMOND KNUDSON: I believe you should
6 step aside.

7 CHAIRMAN BLACK: Okay. I --

8 COMMISSIONER McCLAIN: A reason?

9 CHAIRMAN BLACK: Yeah, do you have a reason
10 for that?

11 MR. DESMOND KNUDSON: Yes, I do. You have
12 stated --

13 COMMISSIONER HUSTON: Mr. Chairman, I might
14 suggest you bring Mr. Knudson to the podium so we
15 have a good clear recording.

16 CHAIRMAN BLACK: Okay, thank you.

17 MR. DESMOND KNUDSON: Mr. Black, I find it
18 hard for you to remain open on this when you have
19 stated in your letter -- in your paper that you
20 oppose wind farms in Kittitas Valley. I would
21 like to hear you say that you are open-minded --

22 CHAIRMAN BLACK: I did say I was
23 open-minded.

24 MR. DESMOND KNUDSON: Okay, and that you can
25 see wind farms in Kittitas Valley. So far your

1 vote has been 0-0-0.

2 CHAIRMAN BLACK: Not so, that's not true.
3 I'm open-minded in this. I voted for the Wild
4 Horse wind farm straight through. I do not
5 intend to step down.

6 Mr. Hurson?

7 MR. HURSON: Jim Hurson, deputy prosecuting
8 attorney. Just so our record's clear, you had, I
9 think, several letters or documents. What I
10 might suggest is that you put those into the
11 record.

12 CHAIRMAN BLACK: I will do that.

13 MR. HURSON: That then makes our record
14 clean as far as any appearance of fairness, as
15 far as any written documentation on the tape.
16 That then becomes part of the record and then all
17 of the members have had an opportunity to review
18 that (inaudible) ex parte outside of that.

19 As far as your editorial, I think I remember
20 reading a long time ago -- I don't remember the
21 exact wording. I don't know if you have a copy
22 of it with you --

23 CHAIRMAN BLACK: Yes, I do.

24 MR. HURSON: I would suggest that that be
25 also made part of the record. And you might

1 even, for clarity, just read it if people have
2 some concerns. And then you could also clarify
3 your votes on the other wind farm applications
4 that have been in the county, because I think
5 that was an issue too as far as whether you
6 oppose all wind farms.

7 CHAIRMAN BLACK: Right. I did not oppose
8 all wind farms. I did not. But I'm more than
9 happy to read the editorial if you want it to be
10 read into the record.

11 MR. HURSON: I know it'll take a while, but
12 I think it's a good -- it's good for the record
13 preservation. So then the public know what the
14 issue's about.

15 CHAIRMAN BLACK: Go ahead.

16 AUDIENCE MEMBER: This microphone in the
17 center podium does not seem to be working. It
18 doesn't -- I can't hear it hardly.

19 CHAIRMAN BLACK: Talk louder, Mr. Hurson.

20 Editorial: "The Right Idea, The Wrong
21 Place.

22 "The generation of electrical power in
23 Washington State is the basically 84 percent
24 hydroelectric. 6 percent coal-fired, 5 percent
25 nuclear, 4 percent gas, and 1 percent all others,

1 which includes geothermal biomass" --

2 Excuse me, I will qualify this as June 2002.

3 "...biomass, solar, and wind. There are a
4 total of 286 facilities generating nearly 25,000
5 megawatts...enough annual energy for 6 million
6 homes. A closer review of these numbers shows
7 that there are two coal-fired plants generating
8 1460 megawatts, 11 gas-fired plants generating
9 1022 megawatts, 3 petroleum plants generating
10 4 megawatts, for a total of 2486 megawatts or
11 10 percent of the total generated capacity.
12 These 16 are the obvious 'dirty power'
13 facilities" that -- "where we must find alternate
14 sources for electrical generation.

15 "It is generally accepted that we must
16 reduce our dependencies on foreign oil, and few
17 will argue that our environment will allow us to
18 use fossil fuel on a long-term basis.
19 Geothermal, solar, and wind become today's"
20 replacement "of the three. Wind" and --

21 Excuse me, I'll go back. "Geothermal,
22 solar, and wind become total replacements and of
23 the three, wind technology has moved to the
24 forefront and that is the right idea. However,
25 there is a visual drawback that is not easily

1 overcome since these towers are 300 to 350 feet
2 high" and "three-bladed rotors of approximately
3 200 feet in diameter, making the overall height"
4 of "450 feet. Red navigation lights, required on
5 the towers, and white flashing strobe lights will
6 certainly light up the valley. Because of these
7 visual effects, the location of this alternative
8 source of electrical generation is critically
9 important, and in fact is just as important as
10 the location of the 'dirty power' facilities.

11 "The Kittitas Valley Wind Power Project
12 wants to site 150 turbines over 12,000 acres of
13 land between Highways 10 and 97, north of
14 Ellensburg and south of Highway 97. This wind
15 farm, at its maximum production, would generate
16 250 megawatts or 1 percent of the total
17 electricity generated in the state; however,
18 generally the operating levels are around
19 25 percent of" the "maximum rating or about 63
20 megawatts. For this small amount of electricity,
21 placing a wind farm in this pristine setting is
22 too much of a gamble" for "Kittitas County's
23 large recreational driven economy. Statistics
24 show that" the "tourism can be reduced by as much
25 as 30 percent in locations where the large wind

1 turbines have replaced the pristine areas. This
2 is the wrong place for the project. David E.
3 Black."

4 CHAIRMAN BOWEN: With that said, I -- this
5 is my first objection to somebody sitting, so I'm
6 going to ask for some parliamentary guidance,
7 both from Chief Deputy Prosecutor and from
8 Commissioner Huston. I don't know if we note for
9 the record there was an objection or if we
10 actually remove somebody from the board over one
11 objection or since the Planning Commission is a
12 recommendation board and not actually a final
13 decision-maker if it's -- you know, I'm not real
14 clear on those issues, so if I could have that
15 filled in for me I'd appreciate it.

16 COMMISSIONER HUSTON: What would ordinarily
17 be the case, Mr. Chairman, obviously it's
18 Mr. Black's first line of decision, whether he
19 believes he can sit with an open mind on this
20 particular hearing.

21 Certainly it would be the option of
22 Mr. Knudson, who's lodged his objection, to
23 withdraw that, having heard the letter that has
24 now been read, or in fact withdraw that objection
25 at this point.

1 However that works out, if there are no
2 other objections, then it's Mr. Black's first
3 line of decision. It would be within the power
4 of the Planning Commission by motion and vote to
5 ask him to step down, if anyone were to desire to
6 do that or, for that matter, the Board of County
7 Commissioners could arguably put that same motion
8 forward.

9 So what I would do is go through that litany
10 of decisions clearly for the record with
11 Mr. Black, who's already indicated he doesn't
12 want to. But for the sake of the record, repeat
13 that, ask Mr. Knudson if he wishes to pursue his
14 objection; ask anyone else if there's an
15 additional objection now that we've heard the
16 letter. Go to the Planning Commission for
17 motion, go to the Board of County Commissioners
18 for motion.

19 CHAIRMAN BLACK: I feel that I can be
20 open-minded in this. I have not voted against
21 the wind farms in all cases. I have voted in
22 certain cases along with other people on this
23 Planning Commission. I do not intend to step
24 down.

25 CHAIRMAN BLACK: Mr. Knudson?

1 MR. DESMOND KNUDSON: Thank you, Mr. Black.
2 I appreciate your candor on this. I still
3 believe that you have made your mind up on this
4 project, because this is what this letter was
5 relating to, was this project. The other ones
6 you did a fine job. But this one, I think you've
7 already committed yourself not to look at things
8 openly, with an open mind. I do not withdraw my
9 objection.

10 CHAIRMAN BOWEN: Okay, with that,
11 following --

12 CHAIRMAN BLACK: Can I poll the Planning
13 Commission?

14 CHAIRMAN BOWEN: Certainly.

15 MR. HURSON: Jim Hurson again. I'm just
16 trying to clarify something, because I was
17 listening to the -- to your letter to the
18 editor --

19 AUDIENCE MEMBER: Can't hear you.

20 MR. HURSON: In listening to the letter, it
21 sounds like this was done before you had this
22 application in hand.

23 CHAIRMAN BLACK: Oh, absolutely.

24 MR. HURSON: And if I understood it
25 correctly, your letter was under the assumption

1 that the turbine height was up to 450 feet
2 tall --

3 CHAIRMAN BLACK: Absolutely.

4 MR. HURSON: -- there were 150-some turbines
5 in the application, and that the efficiency is
6 only about 25 percent.

7 If those were not true, would your opinion
8 be exactly the same as you entered there, or is
9 that a new issue that you need to address? If
10 those were false assumptions.

11 CHAIRMAN BLACK: Those were tied -- that was
12 the original plan, and it was -- it has been
13 drastically changed. I have no problem with
14 being open-minded about it. I certainly think
15 that the size was changed, and the size was
16 changed not by my editorial but it was changed by
17 the Horizon people; they made the decision to
18 change it.

19 Is there a motion from the Planning
20 Commission for me to step down?

21 Hearing none, I'll turn it back to Chairman
22 Bowen.

23 CHAIRMAN BOWEN: Thank you, Chairman Black.

24 Is there a motion from the Board of County
25 Commissioners for him to step down?

1 Hearing none, we'll move forward, Mr. Black,
2 with the rest of the declarations from your other
3 members.

4 CHAIRMAN BLACK: I'll turn it over to Mark
5 McClain.

6 COMMISSIONER McCLAIN: I think in terms
7 of -- the only things I've heard about this would
8 be a couple of articles that are in the paper,
9 letters to the editor. I can't recall actually
10 reading any of them but just glancing through
11 them. And perhaps a couple of questions in terms
12 of when this evening was to occur. That's all I
13 have.

14 CHAIRMAN BLACK: Scott Perna?

15 MR. PERNA: I have nothing to declare at
16 this time either.

17 CHAIRMAN BOWEN: Mr. Chairman, could you
18 check and see if anybody has objections to either
19 of them.

20 CHAIRMAN BLACK: Pardon me?

21 CHAIRMAN BOWEN: Could you check and see if
22 anyone has objections to --

23 CHAIRMAN BLACK: Oh, I'm sorry --

24 CHAIRMAN BOWEN: -- either -- Thank you.

25 CHAIRMAN BLACK: Does anyone have an

1 objection to Mark McClain sitting?

2 Scott Perna; does anyone have an objection
3 to Scott Perna sitting on the commission?

4 Grant Clark, please.

5 COMMISSIONER CLARK: My only previous
6 contact would have been reading a couple of
7 letters to the editor in the paper, maybe half a
8 dozen of them. But I haven't had any other
9 conversations or discussions.

10 CHAIRMAN BLACK: Does anyone have an
11 objection to Grant Clark sitting on the
12 commission?

13 Don Williamson.

14 COMMISSIONER WILLIAMSON: I read this
15 mountain of paperwork that you gave me. I don't
16 know if that makes a difference. I've also read
17 a few letters to the editors, both pro and con.
18 And I talked to my aunt about it. She lives in
19 Thorp. And she's here tonight, looking beautiful
20 as ever.

21 CHAIRMAN BLACK: Does anyone have an
22 objection to Don Williamson sitting on the
23 commission?

24 Seeing no one, Doug Harris.

25 COMMISSIONER HARRIS: I've read articles in

1 the newspaper; and other than that, I have
2 nothing else to declare, no contact with anyone
3 or other discussions of any kind.

4 CHAIRMAN BLACK: Does anyone in the audience
5 have an objection to Doug Harris sitting on the
6 Planning Commission?

7 Seeing no one, we will go into staff
8 presentation.

9 CHAIRMAN BOWEN: Mr. Chairman, before we
10 start, I forgot two things. Could I bring them
11 up quickly and then turn it over to staff?

12 CHAIRMAN BLACK: Yes.

13 CHAIRMAN BOWEN: Thank you. When you get up
14 and do your public testimony, we would prefer
15 that you address the board and not individuals
16 out in the audience, so you're directing your
17 testimony to us.

18 And the other thing, I spoke with Chairman
19 Black, and we normally limit testimony for the
20 public to three or five minutes. He's willing to
21 give a shot, if we can stay focused and address
22 the points and not wander off, to not necessarily
23 time them right at the five minutes or the three
24 minutes, but he will at his discretion, if
25 somebody starts rambling, trying to redirect them

1 back and eventually cut them off if they get too
2 far off-point.

3 So those are the two things I missed in my
4 opening remarks. Thank you.

5 CHAIRMAN BLACK: Thank you. We will be very
6 flexible on the three-, five-minute presentation.
7 However, if it's a me-too type of thing, it would
8 be really nice if you just said, "Yes, I agree"
9 or something like that.

10 But we want everybody to have an opportunity
11 to speak, to say what's on their mind. We have
12 three days of this, and you're more than welcome
13 to spend as much time as you need.

14 So with that, I will turn it over to Darryl
15 Piercy and Joanna, who are going to do the staff
16 presentations.

17 MS. VALENCIA: Thank you, Chairman. Thank
18 you, Mr. Chairman, members of the Planning
19 Commission, and Commissioners. For the record,
20 Joanna Valencia, Kittitas County Community
21 Development Services Planner 2.

22 Tonight's public hearing is for the Kittitas
23 Valley Wind Power Project, File No. Z-05-22. I'd
24 like to begin this evening by first calling out
25 an error that was made in the staff report that

1 was forwarded to you dated January 6th, 2006.
2 Paragraphs 22 and 32 should be deleted, as they
3 do not apply to the project before you this
4 evening and refers to information regarding
5 conditional use permits.

6 A copy of an updated staff report dated
7 January 10th, 2006, with the corrections made has
8 been distributed to you this evening, and copies
9 are also available for the general public at the
10 table by the door.

11 A project binder and other materials were
12 forwarded to you prior to this hearing for your
13 review, and this staff report will highlight some
14 of that information.

15 The applicant, Sagebrush Power Partners,
16 LLC, is requesting approval to develop a proposed
17 wind farm pursuant to the Kittitas County
18 Comprehensive Plan and zoning code. The proposal
19 consists of a project area of approximately
20 6000 acres. A permanent footprint of 90 acres of
21 land will accommodate the proposed turbines and
22 related support facilities.

23 Lands within the proposed 6000-acre project
24 area are composed of privately-owned open space
25 and livestock grazing land and State-owned land

1 administered by the Department of Natural
2 Resources.

3 The project is proposed to be built on open
4 ridge tops between Ellensburg and Cle Elum at a
5 site located about 12 miles northwest of the city
6 of Ellensburg. The project's area includes all
7 or portions of Sections 1, 2, 3, 9, 10, 11, 12,
8 14, 15, 16, 21, 22, 23, 27, 34 of Township 19,
9 Range 17 in Kittitas County. Specific parcel
10 numbers are available in the submitted
11 development application.

12 This slide points out the approximate
13 location of the project site and associated roads
14 located in the area, including Highway 97, Bettas
15 and Hayward Roads, and Elk Springs Road.

16 The application proposes a maximum of 80
17 wind turbine generators with a total height
18 ranging from a minimum of 250 feet to a maximum
19 of 410 feet. A complete description of the
20 proposal may be found in the project applications
21 to Kittitas County and EFSEC and in the Draft EIS
22 published by EFSEC in December 2003 and Draft EIS
23 addendums published on December 23rd, 2004.

24 CHAIRMAN BOWEN: Joanna, you need to slow
25 down a bit for our reporter.

1 MS. VALENCIA: Okay.

2 The current proposed layout submitted with
3 the project application proposes 64 wind turbines
4 with associated facilities which includes a BPA
5 station, a PSE substation, and an operations and
6 maintenance building, also known as the O&M
7 building.

8 The applicant has submitted an application
9 to the Washington Energy Facility Site Evaluation
10 Council, also known as EFSEC, for certification
11 of its proposed wind farm site pursuant to
12 RCW 80.50.

13 EFSEC's rules require that to be approved,
14 energy projects must either be in compliance with
15 local land use plans and zoning ordinances or
16 EFSEC must preempt those plans and ordinances.

17 The applicant withdrew its request for
18 preemption with EFSEC on October 24, 2005, and
19 the current process is to achieve compliance with
20 local land use plans and zoning ordinances.

21 The submitted application is requesting a
22 Wind Farm Resource development permit as
23 described in KCC 17.61A by obtaining the
24 following:

25 1. A site-specific amendment to the

1 Comprehensive Plan land use designation map from
2 a rural and commercial ag designation to wind
3 resource overlay district.

4 2: A site-specific zone change that would
5 over-lay the existing Forest & Range and
6 Agricultural-20 zoning with a Wind Farm Resource
7 overlay zoning.

8 3. A development agreement/development
9 permit to set forth the development standards for
10 this project.

11 A Draft Development Agreement was submitted
12 by the applicant on 12-23-05, and this has been
13 included in your packet.

14 The following will summarize the applicable
15 policies, regulations, and other issues for this
16 project.

17 The project is currently located within a
18 rural and commercial agricultural land use
19 designation. As before mentioned, a
20 site-specific amendment to this Comprehensive
21 Plan land use is required. Applicable goals,
22 policies, and objectives include land use
23 utilities -- land use, utilities, and rural
24 policies. Specific information regarding these
25 GPOs are provided with the staff report for your

1 review.

2 The project is also currently located within
3 the Agriculture-20 and Forest & Range zoning. As
4 before mentioned, a site-specific zone change
5 would be required to over-lay this existing
6 zoning.

7 Wind farms are identified as permitted uses
8 in a Wind Farm Resource Overlay Zoning District
9 subject to the additional information (sic)
10 requirements and restrictions set forth in
11 KCC 17.61A.040, the Wind Farm Resource Overlay
12 Zone, and KCC 17.98, rezones.

13 In regards to the administrative review for
14 this project, on September 30, 2005, an
15 application was submitted to CDS. A letter of
16 incomplete application was issued to the
17 applicant on October 13th, 2005. A revised
18 application was received on October 17th, 2005,
19 and was deemed complete. A copy of the formal
20 withdrawal of preemption from EFSEC was received
21 by CDS on 10-24-05, and a notice of application
22 was issued, with a December 5th, 2005, comment
23 deadline, on October 27, 2005. A notice of
24 revised application was issued on December 12
25 (sic), 2005 with a January 3rd, 2006, comment

1 deadline to address the revised application and
2 revised -- submitted to address comments received
3 during the initial comment period.

4 Written comments were solicited and the
5 final date to submit written comments was on
6 January 3, 2006. As of January 5th, 2006, at
7 5:00 p.m., 271 written and e-mail comments have
8 been received. These comments were transmitted
9 to the Planning Commission and the Board of
10 County Commissioners. And an indexed list of
11 comments received is available for review, along
12 with other project documents at the CDS office.

13 Written comments were received after
14 January 3rd, 2006, deadline, and these have been
15 distributed to you this evening as well.

16 A critical areas review pursuant to KCC 17A
17 was conducted by the staff planner, and some of
18 the key critical areas include wetlands, fish and
19 wildlife conservation areas, and geologically
20 hazardous areas.

21 The Draft EIS and addendums include a more
22 thorough study of the critical areas associated
23 with the project.

24 At this time I'd like to invite Darryl
25 Piercy, director of Kittitas County Community

1 Development Services, to conclude the staff
2 report with a presentation regarding the State
3 Environmental Policy Act and its application to
4 this project.

5 MR. PIERCY: Thank you, Joanna,
6 Mr. Chairman, members of the Planning Commission,
7 and members of the Board of County Commissioners.
8 For the record, my name is Darryl Piercy. I'm
9 director of Community Development Services for
10 Kittitas County.

11 I have the duty this evening of presenting
12 to you the history of the environmental review
13 associated with this project and also to give you
14 an update on the current status of the
15 environmental review process, as well as issues
16 we feel may still be outstanding in regards to
17 this particular application.

18 This is an unusual process in terms of the
19 way the environmental review is normally
20 conducted, in that Kittitas County was not the
21 lead agency for this project. On January 13th,
22 2003, Sagebrush Power Partners submitted an
23 application for site certification to EFSEC, as
24 Joanna has indicated previously in her staff
25 report.

1 Based on the review of that application,
2 EFSEC determined that the proposal would have a
3 probable significant adverse effect on the
4 environment, that a Determination of Significance
5 would be issued, and that an Environmental Impact
6 Statement was required pursuant to the State
7 Environmental Policy Act, often referred to as
8 SEPA.

9 Following the applicable SEPA rules, which
10 is WAC 197-11, EFSEC assumed lead agency status
11 for this project. As such, EFSEC has been
12 responsible -- has been the responsible agency
13 for the development of the Environmental Impact
14 Statement and the draft which is before you and
15 contained in the record this evening.

16 As a portion of that, EFSEC conducted public
17 hearings that were done in January of 2004. They
18 actually issued the Draft Environmental Impact
19 Statement in December of 2003.

20 The record for public comment was open on
21 the Draft Environmental Impact Statement until
22 March 14th -- excuse me, until March 12th of
23 2004.

24 EFSEC published a Draft EIS, as I indicated,
25 on December 12th of 2003 that was followed up

1 later in the year of 2004 with the Supplemental
2 Draft Environmental Impact Statement. The
3 Supplemental Environmental Impact Statement is
4 contained within your packet of materials and is
5 considered to be the Draft Environmental Impact
6 Statement that was issued for this project.

7 Upon receipt of the application by Sagebrush
8 Power Partners for the local process that we
9 received in October of 2005, Kittitas County
10 requested that additional environmental review be
11 completed as a result of the revised application.
12 And we transmitted this request on behalf of
13 Kittitas County to EFSEC in regards to our
14 concerns that the revised application may in fact
15 pose significant differences from that which was
16 reviewed by the original Draft Environmental
17 Impact Statement.

18 As a result of that, in December of 2005 an
19 addendum to the Draft Environmental Impact
20 Statement was issued, and that has been provided
21 to the Board of County Commissioners and to the
22 Planning Commission as an addendum to the Draft
23 Environmental Impact Statement and is contained
24 in your packet. We have provided that to you on
25 disk format. If any of the members of the

1 commission or the -- the Planning Commission or
2 the Board of County Commissioners would like that
3 in a physical hard copy, we can also provide that
4 to you if you so desire.

5 I should point out for the record that in a
6 meeting of EFSEC that was conducted today without
7 any prior announcement to Kittitas County or to
8 the applicant, EFSEC has determined that they
9 would be conducting additional public hearings on
10 the Draft Environmental Impact Statement for this
11 project. This was an effort that we were not
12 aware of prior to scheduling this hearing.

13 The purpose of that additional hearing is to
14 ensure that the proper process was met in regards
15 to the original public hearing that was conducted
16 in January of 2004. There is some question --
17 and that question is contained within the
18 record -- as to whether or not proper notice and
19 adequate time for review and comment was given in
20 advance of that public hearing in January of
21 2004.

22 As a result of that, the responsible
23 official for EFSEC has made a determination that
24 additional public hearings would be necessary.

25 We have brought that issue to the attention

1 of the applicant today and we have given the
2 applicant the opportunity to postpone this
3 hearing based on the fact that the record is not
4 complete in regards to total public comment that
5 will be submitted as part of the Draft
6 Environmental Impact Statement.

7 The applicant I'm sure will address this in
8 their testimony but has indicated to staff that
9 they would like to proceed with this hearing and
10 feel that the record is in fact complete and that
11 proper procedures were in fact handled at the
12 time of public testimony in January of 2004.

13 Nevertheless, it should be noted for the
14 record that EFSEC will in fact be conducting
15 additional public hearings on the Draft
16 Environmental Impact Statement in either late
17 2006 -- January 2006 or early February 2006.
18 Those hearings will be taking place in
19 Ellensburg. So members of the public here
20 locally will be able to testify at that hearing.

21 It should also be noted that in their
22 meeting this afternoon that EFSEC also indicated
23 that they would be allowing for additional
24 testimony to be submitted into the record on the
25 addendum to the Draft Environmental Impact

1 Statement that was issued in December of 2005.
2 And again, that addendum is in your packets and
3 is part of the record.

4 Since Kittitas County has not had the
5 opportunity to be lead agency in the
6 environmental review, there are a number of areas
7 where we probably would have reviewed the Draft
8 Environmental Impact Statement somewhat
9 differently.

10 There is contained within the record a
11 letter from the Department of Community -- or
12 Community Development Services that was signed by
13 Clay White on January 15th, 2004. That is
14 contained within the comments section of the
15 Draft Environmental Impact Statement. I will
16 also submit a hard copy of that into the record
17 for your review.

18 While many of the issues that were addressed
19 in that letter back in January of 2004 had been
20 addressed as part of the supplemental EIS and
21 also have been addressed as part of the revised
22 layout and presentation in this application by
23 Sagebrush Power Partners, many of the issues that
24 are contained in a letter continue to be valid in
25 terms of Kittitas County concerns of the Draft

1 Environmental Impact Statement.

2 For that reason, and since we are not lead
3 agency on this project, it is the intention of
4 staff to introduce into the record the final
5 Environmental Impact Statement that was done for
6 Desert Claim Wind Power Project dated August
7 2004, and we also intend to introduce into the
8 record the final Impact Statement for the Wild
9 Horse Wind Power Project dated May 2005.

10 While these projects are in fact different,
11 they are site-specific in terms of some of their
12 review, there is also general review in regards
13 to the overall impacts of wind farms that we
14 think are pertinent to this project and do it in
15 a manner and methodology that is different from
16 that that was conducted as part of the Draft
17 Environmental Impact Statement for the Kittitas
18 Valley project.

19 I can give you two examples where that is
20 the case. In the example of aesthetic impacts,
21 both of these documents have addressed in their
22 final Environmental Impact Statement the
23 aesthetic impacts in a manner that was different
24 than was is being addressed in the current
25 Environmental Impact Statement.

1 And in fact, they assigned values to view
2 corridors and view sheds, whereas that was not
3 specifically done in this Draft Environmental
4 Impact Statement for Kittitas Valley.

5 Another example is the methodology and
6 analysis that was conducted in each of these
7 final Environmental Impact Statements in regards
8 to sound and noise generation. And so we do feel
9 that this gives an additional perspective in
10 regards to that issue and the final Impact
11 Statements for these two projects that will
12 supplement your knowledge in your review of that
13 issue as you hear testimony.

14 So we will be introducing those, and it is
15 our intention to introduce those into the record
16 for your review. Again, we can make those
17 available to you in a variety of formats, but we
18 intend to provide you a disk and web linkages to
19 those documents; and if you would like a hard
20 copy of those, those can also be provided for
21 your review.

22 With that, we have no other additional
23 information to provide in regards to the
24 environmental work that has been done to date.
25 Again, I think it's important to emphasize for

1 the record that the lead agency for this project
2 is in fact EFSEC; that Kittitas County has only
3 been a respondent in terms of comments to the
4 Draft Environmental Impact Statement.

5 It should also be noted for the record that
6 the applicant was not actively involved in the
7 development of the Environmental Impact
8 Statement, which is typical. A third party under
9 contract from EFSEC was actually responsible for
10 the development of the Draft Environmental Impact
11 Statement that is before you for consideration.

12 I'd be happy to respond to any questions
13 either in regards to Joanna's presentation or in
14 regards to the environmental presentation and
15 that discussion as you see fit.

16 CHAIRMAN BLACK: Planning Commission? No
17 questions.

18 MR. PIERCY: Thank you.

19 CHAIRMAN BOWEN: Commissioners, any
20 questions? No. Okay, thank you.

21 CHAIRMAN BLACK: Before we go into the
22 applicant's presentation, I think we'll take a
23 couple-minute break there for our clerk and our
24 secretary. We'll be back in five minutes.

25 (A break was taken.)

1 CHAIRMAN BLACK: We're ready to start.
2 Commissioner Huston I believe has a question he
3 would like to...

4 COMMISSIONER HUSTON: Yes, Mr. Chairman,
5 thank you. Perry Huston, Commission District 3.

6 I was asked over the break by Mr. Lindstrom
7 specifically, exactly how this process unfolds,
8 and it dawned on me we did kind of miss a key
9 point in terms of how this works. So I thought
10 perhaps some explanation to the public as to how
11 this process meshes with EFSEC might be in order.
12 I can do that or I would defer to anyone else who
13 wishes to take it on.

14 CHAIRMAN BLACK: No, go ahead.

15 COMMISSIONER HUSTON: Very good. I thought
16 I'd ask; it doesn't hurt.

17 CHAIRMAN BLACK: Thank you.

18 COMMISSIONER HUSTON: EFSEC is the -- give
19 me a hand here -- Energy Facility Siting
20 Evaluation Committee; right? Very good, thank
21 you. To the State of Washington. The final
22 decision on the permit for this project lies with
23 the governor. The governor issues that permit.
24 EFSEC will make a recommendation to the governor.

25 What we're doing is working on our own

1 portion of that process where we're dealing with
2 the question of consistency with local land
3 regulation. So as such, we are -- we are doing
4 that process. In the end we either approve the
5 request, we don't approve the request, a variety
6 of other processes. But the final discussion:
7 Is it consistent or it is not.

8 Now, the decision still lies with EFSEC from
9 a recommendation and still lies with the
10 governor. Then you have an appeal process
11 directly to the Supreme Court; correct me if I'm
12 wrong.

13 In terms of SEPA, as Mr. Piercy pointed out,
14 we're not the lead agency; we are essentially a
15 respondent, a commenter, like anyone else would
16 be. We will evaluate in terms of impacts our own
17 portion of the process. So that is essentially
18 how it works.

19 What you need to do in terms of your
20 interaction with us is not worry about that,
21 frankly. Put your comments into the record that
22 you believe are appropriate. If it's something
23 that should have went to EFSEC, keep in mind this
24 record will be transmitted to EFSEC in its total.

25 And of course we need to hear the

1 observations in order to make our own portions of
2 the decisions that are relevant to the local
3 process. So -- but the final decision lies with
4 the governor. That's the important point to
5 consider in terms of what you'll hear from us and
6 then what happens from here.

7 Now, we have the additional hearings,
8 apparently, that are going to be scheduled, and
9 Mr. Hurson -- and then I did ask a question at
10 break of Mr. Hurson in terms of how we interact
11 with the new process, and it's essentially the
12 same way we interacted with the old process.
13 Staff would make the observations based on the
14 information they hear and that which they glean
15 from their own evaluation of the record.

16 So hopefully that clarifies that question.
17 What we will do is rule on our own local portion
18 of the process, all that's transmitted to EFSEC,
19 and then they pick it up from there.

20 Thank you, Mr. Chairman.

21 CHAIRMAN BLACK: Thank you, Commissioner
22 Huston.

23 With that, we will go into the applicant's
24 presentation.

25 MR. PECK: Thank you Mr. Chairman. How am I

1 doing on the microphone here? If I can strike
2 the same deal that was struck earlier, if I start
3 backing away from it or get too quiet, just say
4 something and I'll try to correct it as I go
5 along.

6 Darryl, you set the bar pretty high on
7 keeping it short. I'll see if I can at least
8 stay in the same range. We do have some
9 technical consultants for you that'll add to our
10 time beyond what your staff presentation has
11 been. And with that said, I'll get into the
12 formality part of it if you'll let me.

13 My name is Dana Peck. My address is 222
14 East 4th here in Ellensburg. 98926, obviously.
15 Have to stop and think about it. I actually live
16 in Goldendale, just spent eight years working for
17 Klickitat County as a department head. And I've
18 got a deal with the folks over there that when I
19 say "Klickitat," they'll change it to Kittitas
20 automatically. Hopefully that won't crop up too
21 much.

22 I'm the project manager for the Kittitas
23 project, Horizon Wind Energy. In addition to my
24 own testimony today, or presentation, rather, I'm
25 joined by Erin Anderson from here in Ellensburg

1 with Cone Gilreath. Tim McMahon with the law
2 firm of Stole Reeves in Portland might also be
3 making some comments here.

4 Our presenters -- and I'm going to list the
5 tab in the Findings of Fact just to kind of
6 associate them with paper that you may or may not
7 have in front of you as you go along.

8 Tab 10 on property values was prepared by
9 Barton DeLacey, the Cushman Wakefield firm in
10 Portland.

11 Tab 11 on visual issues was prepared by Tom
12 Priestly from CH2M Hill's Oakland office.

13 Tab 12, noise issues, Mike Bastasch, also
14 with CH2M Hill, but their Portland office. I
15 think I just blew Mark's name as well; sorry
16 about that. When your name is Dana, you try real
17 hard to get other people's names right, and
18 sometimes I don't.

19 Tab 13 was prepared by Dr. Dan Kammen from
20 University of California Berkley. Dan was
21 originally going to be with us today to get into
22 safety issues and risk analysis that he's a
23 particular expert at. He's meeting with Governor
24 Schwarzenegger today, hopefully not riding
25 motorcycles with him, and wasn't able to attend,

1 although he will probably help us provide any
2 written materials that come after this hearing
3 later.

4 Tab 14, also on safety issues, was prepared
5 by Michael Bernay of World Link Specialty
6 Insurance out of Newport Beach, California, and
7 he's with us today.

8 Habitat studies, Tab 16, was prepared by
9 Wally Erickson, from the WEST Firm in Cheyenne,
10 Wyoming. Probably one of the best-known firms
11 doing that kind of work for our industry.
12 Wally's going to be available tomorrow but was
13 out of the region today. So to the extent that
14 there may be a rebuttal period that calls for his
15 input, he'll be available to do that. I'll
16 briefly mention whatever the findings of his
17 area.

18 And two tabs, one where the substantive
19 material is on shadow flicker, and then the vitae
20 materials are under Tab 17 from Andrew Young,
21 who's also here today and who I believe both your
22 organizations are familiar with from previous
23 work with our firm.

24 I'd also like to formally introduce the
25 documents and exhibits, if I might, and I'll keep

1 this short. We have before you a proposed
2 Findings of Fact and Conclusions for the project,
3 Books 1 and 2, dated December 30th, 2005.

4 And then exhibits that we have are project
5 site overview, the project in relation to other
6 projects, project site layout, description,
7 project land ownership map, surrounding land
8 uses. Project area zoning, various references to
9 the Comprehensive Plan. Two slides on property
10 taxes, one that you have and one that we have an
11 updated version of from the Phoenix organization
12 and the county assessor information that we put
13 together recently that I'll have that, again,
14 isn't in your prepared materials previously, but
15 I'll mention that again as we use them.

16 And also in the materials that we've
17 submitted we have the Econorthwest economic
18 impact descriptions, and a brief discussion of
19 the implications of residential development that
20 was prepared in Ohio and gets into some of the
21 comparative costs involved with the different
22 kinds of development.

23 That said, I'd like to just very briefly go
24 into some opening comments before we ask our
25 technical people to come up; and they'll be

1 giving brief summations of the materials that you
2 have in front of you.

3 You know, I think the main point I'd like to
4 make -- and if we could go to Slide 3 on
5 that -- the main point that I'd like to make is
6 just the extent to which my predecessors in this
7 role of project manager and the company as a
8 whole have really heard out your respective
9 commissions and the public comments.

10 It's led to a dramatically changed project
11 and it's dramatically changed in ways that we
12 feel have a real significant response. And this
13 is Slide 16 on this one. A really substantive
14 response to what's been brought before us in a
15 variety of environments over time.

16 The "X"s that you see there are turbines
17 that have been dropped from the original
18 proposal. The blue dots remain wind turbine
19 generators. And the corridors or strings that
20 they would appear in. That reflects a 64-turbine
21 layout.

22 We've also discussed 80 turbines, a range of
23 64 to 80. That's a reflection of the number of
24 turbines that we put into those preexisting
25 strings, depending on what technology we use.

1 We're in a dramatically evolving industry.
2 We can't guess by the time we go to construction
3 which turbines might go in there, but we can give
4 you one statement of fact on the subject, and
5 that is that in the environmental analyses that
6 have been brought before you and EFSEC
7 organization to date, the largest machines have
8 always been used in those analyses.

9 So even if we were to go to 64 machines with
10 a higher megawatt output, the physical dimensions
11 of them have already been addressed in the
12 environmental materials that you've had before
13 you.

14 So we've talked about, briefly, the
15 reduction in the number of wind turbine
16 generators, and it's about a 50 percent
17 reduction.

18 The other things that is of interest is the
19 change that's occurred with the Federal Aviation
20 Administration when it comes to actual lighting
21 involved with turbines. This firm's been
22 extremely involved at a number of levels with the
23 FAA to get changes in their requirements for
24 turbine lighting, turbine string lighting.

25 And the results of those changes are no

1 daytime lighting is required anymore, and
2 nighttime lighting's been dramatically reduced to
3 16 turbines. It would be the end turbines in
4 each of those strings would have a red light on
5 them at night, and that's a rather dramatic
6 reduction from -- I'm going double-check my
7 numbers on this, because I've had a real tendency
8 to get them wrong.

9 I believe the original number was 60,
10 somewhere between 50 and 60, and the current
11 number is 16. So because of actions that the
12 company and the industry as a whole has taken,
13 this project will have a significant change in
14 the kind of lighting that occurs on these reduced
15 number of turbines that exist there.

16 And if you'll look at that map, if I could
17 go back to 16 again -- sorry to jump around on
18 you -- the thing that you'll notice is that
19 there's a dramatic change in visual impact in the
20 project from non-participating landowners. And I
21 think that's probably one of the messages that
22 we've heard the clearest on this project.

23 There's also greater setbacks from property
24 compared to the original. And this is all fairly
25 well discussed in a variety of addenda that were

1 prepared by the EFSEC folks within our document.
2 It's under Tab 18. That's where the EFSEC
3 addenda exists for you folks.

4 Noise in particular is addressed at Page 3.
5 I guess you guys aren't really working off of
6 that, but at any rate, Tab 18, as you get into
7 that, has a significant discussion of the fact
8 that this is a changed project with reduced
9 impacts across the board.

10 And in fact, there are reduced probable
11 significant adverse impacts in areas like shadow
12 flicker as well. The -- well, again, you can
13 just go back to that one that was changed and see
14 that.

15 Extensive environment analyses that have
16 been performed as part of the SEPA process. And
17 the state regulatory agency signoffs on this
18 project, most noticeably -- and I suspect your
19 county commissioners, like my former employers at
20 Klickitat County, don't normally have very many
21 nice things to say about WDFW, and in our
22 particular case we were able to get approval both
23 of the methodology that we used for habitat
24 analysis and the final product.

25 We have a September 17th, 2003, letter from

1 WDFW, agreeing with project's intent and moving
2 forward. Collectively the technical analyses and
3 related regulatory reviews have shown that there
4 aren't any unmitigatable impacts.

5 I'd like to add that the project will bring
6 substantial economic benefits to this area. My
7 position at Klickitat County was Director of
8 Economic Development. In Klickitat County that's
9 a county department head position as opposed to a
10 nonprofit, which it is in most of the rest of the
11 state. Klickitat County was very interested in
12 encouraging this as a way to increase the tax
13 base without really dramatically having an effect
14 on infrastructure costs to the county. Really a
15 dual public benefit to the local economy and the
16 local ranching community in particular.

17 There's no question that the project will
18 pay over \$1 million in property taxes and
19 possibly quite a bit more. And we have two
20 slides, one of which is in your prepared
21 materials at 10. And this is the approximate
22 breakout that we were looking at when we put
23 together the original materials. And then
24 Slide 11 gets at some updated information.

25 So property tax payments that are projected

1 when this project is constructed benefit the
2 local community in those sorts of areas.

3 The other thing that we found in Klickitat
4 County -- and it surprised us, frankly; even the
5 county assessor hadn't foreseen this when our
6 large energy facility was built in Goldendale --
7 there's an actual reduction in personal property
8 tax for individual homeowners that results from a
9 project of this magnitude basically buying down
10 existing special levies. To the extent that you
11 pass bond measures for special items and taxing
12 districts that are affected by this project, an
13 individual's tax rate goes down.

14 For instance, the Calpine project which is
15 in Goldendale, which is roughly equivalent to the
16 Wild Horse project, reduced my property taxes a
17 buck-sixty a thousand just for sitting there. In
18 my case that's not a whole lot of money; there's
19 other people that benefit a lot more from that
20 than I do. But I did nothing and my property
21 taxes went down because of the sort of addition
22 to the property tax base.

23 And we'd certainly have the same impact
24 here, possibly more. I don't have a
25 sophisticated grasp of your property tax

1 structure after one month on the job, but I can
2 pretty much guarantee you that it drives
3 individual property tax rates down to add this
4 sort of thing to your tax rolls.

5 And to put in it comparison, we just got
6 some information from your assessor that the
7 largest item on the property tax rolls right now,
8 not surprisingly, is Suncadia, about \$46 million.

9 The Wild Horse project, as a utility-owned
10 thing, I can't really talk about that a whole
11 lot. You know, they have their own sort of tax
12 structures, the utility-owned facilities. But we
13 would anticipate that the Kittitas Valley Project
14 would, as a 130-megawatt project, would certainly
15 be in the \$100 million range on your property tax
16 rolls, which is more than twice the amount of the
17 largest thing on there right now.

18 New job creation during construction,
19 considerable during operation. Probably
20 somewhere between 5 and 15 jobs. You know, we're
21 not a big employer, we don't have a lot of
22 infrastructure costs that come along with our
23 kind of development. We do create jobs and
24 there's a lot of people that will be working on
25 construction from local firms and subcontractors

1 during construction, which tends to be about a
2 six-month cycle.

3 More importantly, and I say this in a fairly
4 heartfelt way, having just come from county
5 employment myself, we feel very strongly that
6 this project complies with the County's
7 Comprehensive Plan and plan policies as written
8 to date.

9 I was up here in the early '90s when these
10 projects were initially looked at when I was with
11 another wind power company back then. Some of
12 those met towers that are up there because my
13 traveling partner and I were prospecting for wind
14 sites, identified a couple of these sites out
15 here, and the first thing we did was talk to the
16 County about whether this sort of thing is a fit
17 with your Comp Plan.

18 And frankly, looking at your Comp Plan
19 several years ago is what prompted us on the
20 Klickitat County side to initiate this energy
21 overlay zone, which you may or may not have read
22 about. There was a pretty good article in the
23 paper some months back. We felt that you guys
24 have put into your Comp Plan, either by accident
25 or design, some significant incentives for a wind

1 power developer; and if we were one of the other
2 two or three areas with wind power development
3 potential in the state, we better get on the
4 stick and try to do something similar.

5 And let me just go into that a little bit if
6 I could. If you look at Tab 2 and 3 of the
7 Findings of Fact that we submitted, we go into a
8 rather extensive discussion of how we feel we're
9 in compliance with your existing guidelines and
10 policies.

11 Just to summarize, your Ag-20 and your --
12 and the other related zone speak very strongly
13 about preservation of existing agriculture and
14 natural resources uses and practices, making that
15 really the top priority in the zones that we're
16 looking at here for the Kittitas Valley project.
17 And I think Slide 8 gets at that a little bit.

18 Residential development that conflicts with
19 these sorts of agriculture and natural resource
20 uses is fairly explicitly not encouraged by the
21 existing materials on your books.

22 The preservation of habitat and scenic
23 vistas are a public responsibility, and private
24 landowners shouldn't be expected to provide these
25 goods for free. You can find that in your

1 documentation as well.

2 And as someone from a property rights
3 state -- I'm a Goldendale resident, as I
4 mentioned -- when you've got people that would
5 like to see this happen, it sure seems that that
6 point I just raised applies.

7 Several sections of the Finding of Fact go
8 into extensive detail on that, how we feel the
9 proposed project fits with the county code and
10 Comp Plan. And those Tabs 2 and 3 are where you
11 get a lot more information on it than I'm going
12 to provide you tonight. Again, trying to keep to
13 the keeping-it-short part.

14 Again, on the property rights side, it just
15 seem likes the landowners who want wind
16 development on their property and the applicant,
17 us, should be able to rely on the adopted
18 policies, what's on the books, in planning and
19 getting this project approved. Here. We'd like
20 to get it approved here.

21 We've relied on those adopted policies and
22 plans, and we feel quite strongly that this
23 project complies with them. And we're going to
24 start having our technical folks get at some of
25 the specifics of that in just a minute.

1 I made reference to the expert reports that
2 are included as the exhibits and reports in the
3 document that you have before you. And if I
4 could, I'd like to start having those of those
5 folks come up and just give you some brief
6 presentations on this.

7 We've got them here from all over the place,
8 as I mentioned, and I think you'll find it
9 interesting. We're going to have most of these
10 in the sort of 3-to-5-minute range. There's four
11 or five folks that -- we're not going to take up
12 an hour of your time doing this, and I think
13 you'll find it quite interesting that there's
14 some pretty highly credible people that are
15 standing behind what you've got in front of you.

16 If we could, Tom, could we start with you,
17 Tom Priestly --

18 CHAIRMAN BLACK: What tab is that, please?

19 MR. PECK: Tom is Tab 11.

20 MR. PRIESTLY: Good evening. My name is Tom
21 Priestly, and I'm a senior environmental planner
22 with CH2M Hill. My business address is 155 Grand
23 Avenue in Oakland, California.

24 My specialty is the evaluation of the
25 aesthetic effects of --

1 CHAIRMAN BLACK: Excuse me just a second,
2 please.

3 Can you hear in the back? Can you hear back
4 there?

5 AUDIENCE MEMBERS: Barely.

6 MR. PRIESTLY: Is this better now?

7 CHAIRMAN BLACK: Yeah, it's better, I think.
8 Better for me, at least.

9 MR. PRIESTLY: Okay. So my specialty is
10 evaluation of the aesthetic effects of large
11 projects of various kinds.

12 So very briefly in terms of my
13 qualifications for doing this kind of work, I
14 have master's degrees in city planning and
15 environmental planning and a Ph.D. in
16 environmental planning from the University of
17 California at Berkeley. And I have been doing
18 this kind of work for over 20 years.

19 And I prepared the evaluation of the
20 aesthetic effects of the Kittitas Valley Wind
21 Power Project as it was originally proposed. And
22 I've also prepared an assessment of the aesthetic
23 effects of the revised project. And you'll find
24 my assessments of those effects in Tab 11 of the
25 materials that have been filed with you by the

1 applicant.

2 I should probably say something very briefly
3 right now about the methods I used to conduct my
4 analysis. The approach that I followed is one
5 that's been developed over the past 30 years or
6 so by federal land management and infrastructure
7 agencies. And a lot of effort and research has
8 gone into the development of these methods to
9 create a very systematic approach that could be
10 used to make an evenhanded assessment of the
11 potential visual changes of projects of this
12 type.

13 So the approach that I used is one that is
14 very, very much standard in the profession and is
15 very widely -- it's very widely applied.

16 And as I mentioned, my analysis is presented
17 in Exhibit 11 of the document, and so rather than
18 going into great detail about what's in it, I'm
19 just going to make a couple of points that may be
20 of some assistance to you as you read it and
21 evaluate it.

22 One important point is, well, how did I pick
23 the views that I chose to focus on in preparing
24 this supplemental analysis? And what I did is I
25 went back to the original analysis and first

1 decided to focus on all of those viewpoints from
2 which it was originally determined that the
3 project, as originally proposed, would have had
4 high levels of impact.

5 And then I also chose to focus on a couple
6 of viewpoints where the original impacts were
7 moderate at most but which were located along the
8 Highway 97 corridor. And the rationale there is
9 it's that corridor from which the very largest
10 numbers of people are going to have views,
11 particularly views at closer range of the
12 turbines that are a part of this project. So
13 there was a very, very clear rationale for the
14 selection of the viewpoints that were used in the
15 supplemental analysis.

16 What I'd like to do now is just very briefly
17 run you through the PowerPoint slides that show
18 you -- that will illustrate some of the -- some
19 of the illustrations in Tab 11.

20 I'd like to start with the view of the
21 original project of the viewpoint of Highway 97.
22 Right at the top of the ridge some of you might
23 be familiar with the gravel pit up there. And
24 under the original project a total of nine
25 turbines would have been seen in this area. And

1 this was assessed as being an impact that was
2 high.

3 As you travel north on Highway 97, you're
4 probably all very aware of that fact that the
5 landscape becomes quite interesting, has quite a
6 high quality as you pass over the ridge and head
7 north.

8 This is the project as it is now proposed.
9 In response to some of the feedback that the
10 applicant got, the decision was made to remove
11 all nine of those turbines, and it's -- I think
12 it's fairly understandable to -- that my current
13 rating of the impact of the project on this view
14 is that there is no impact.

15 Okay, next view. This is a view also on
16 Highway 97, and some of you might be familiar
17 with the northern end of Bettas Road. It hits
18 Highway 97. This is from that intersection
19 looking south.

20 Under the original project it would have
21 been ten turbines. Well, we're not getting
22 our -- I apologize, we're not getting our
23 "after," but let me walk up there and I'll show
24 you what's happening up here.

25 Under the current project, these turbines,

1 all these turbines have been removed. The only
2 ones visible would be these here. These here in
3 the distance.

4 CHAIRMAN BLACK: Could you --

5 MR. PRIESTLY: Most of you probably couldn't
6 hear that, so I'll explain here on the mic.

7 CHAIRMAN BLACK: Thank you.

8 MR. PRIESTLY: Nine of the turbines on the
9 left would be removed, and the only turbines
10 visible would be the three turbines at the very,
11 very far right end of this view. So there would
12 be a substantial change in the level of impact in
13 this view.

14 Under the original project the impact on
15 this view would have been moderate. It's now
16 rated as low.

17 Next slide. And this is the view from the
18 enclave of rural residences in Section 35 at the
19 very, very far end of Elk Springs Road. Under
20 the original -- under the original project,
21 something like 40 turbines would have been
22 visible from this viewpoint.

23 Next. And under the project that is
24 currently proposed, the number of turbines
25 visible would be reduced to fifteen.

1 And what's also important, you might
2 remember from the map that Dana showed you a
3 little earlier, there are a lot of "X"s in the
4 area closest to Section 35, so the turbines that
5 would have been the very, very closest to the
6 views from this area have been removed, so what's
7 left are turbines that are more visible.

8 But because of the very high initial quality
9 of this view, my assessment is that the impact on
10 this view is still high.

11 And some of you may be familiar with Forest
12 Road 35. It's up at the upper end of
13 Reecer Creek Road. It provides access to the
14 recreational areas up on Table Mountain. This is
15 the view of how the original project would have
16 looked from there, and in this view there would
17 have been 146 turbines visible. And under the
18 current project that's been reduced to 60.

19 And this impact, though, again, given the
20 very high scenic quality of this view, even
21 though the numbers of turbines has been greatly
22 reduced, the level of impact has been reduced,
23 the assessment is still that the impact on this
24 view is high.

25 And finally, I want to pick up on a couple

1 of things that Dana had to say about lights.
2 Under the initially proposed project, the project
3 would have entailed the use of lights on
4 something like 60 of the turbines; there would
5 have been flashing lights during the daytime --
6 flashing white lights during the daytime, and at
7 nighttime there would have been flashing red
8 lights.

9 And as Dana indicated, the applicant has
10 been working very, very closely with the FAA. In
11 the last couple of years they've done quite a bit
12 of research flying around wind farms at nighttime
13 in different places of the company -- in the
14 country and trying out different combinations of
15 lights to see what would really -- what's really
16 necessary to provide for safety.

17 And they have greatly reduced the number of
18 lights required. That's what's reflected in the
19 current plan. So now people looking at this
20 landscape during the daytime would not see
21 flashing white lights; and during the nighttime
22 they would be seeing, you know, a third or fewer
23 of the red lights than they would have seen
24 before.

25 And a couple of things to say about these

1 lights that's important to understand. One is
2 that they are very highly directional. And
3 because they are shielded and directional, it
4 means that you won't be getting a lot of, like,
5 light trespass on land areas that would have the
6 effect of potentially increasing ambient light
7 conditions, and you won't get the backscatter
8 into the sky, which has the potential for
9 creating skyglow, like a red skyglow at
10 nighttime.

11 And the potential for skyglow is actually
12 further reduced by the fact that under the new
13 regs, all the lights flash at the same time. And
14 I recently had a long conversation with the
15 people from the FAA, and they said that one of
16 the things that they had observed in flying
17 around these sites at night, when the lights were
18 synchronized there is no potential for skyglow.

19 So I guess on that note I'd like to end, and
20 you can see the details of my testimony in the
21 written documents.

22 COMMISSIONER CRANKOVICH: I have one
23 question.

24 CHAIRMAN BLACK: We have a question, please.

25 COMMISSIONER CRANKOVICH: In your slides, do

1 they represent the true scale?

2 MR. PRIESTLY: Yes. Yes, they do. And if
3 you want more documentation, there's a little
4 section in the initial environmental assessment
5 that we submitted to EFSEC that provides kind of
6 a technical -- the technical basis for the
7 various things that we did to assure that the
8 scale that you get in the simulation is accurate.

9 CHAIRMAN BLACK: Any other questions? No.
10 Thank you.

11 MR. DeLACEY: Good evening. My name is
12 Barton DeLacey. I'm a -- I'm with Cushman &
13 Wakefield from Portland, Oregon. My address is
14 200 Southwest Market Street, Suite 200. I'm the
15 director of litigation support at Cushman. My
16 background --

17 CHAIRMAN BLACK: Excuse me, could we get a
18 tab that you're talking about?

19 MR. DeLACEY: I'm sorry, I'm here to address
20 the impacts on property values.

21 MR. PECK: It's Tab 10.

22 MR. DeLACEY: Tab 10A --

23 CHAIRMAN BLACK: Thank you. That's
24 extremely helpful --

25 MR. DeLACEY: Tab 10, and then my CV is

1 in -- right behind it.

2 CHAIRMAN BLACK: Thank you very much.

3 MR. DeLACEY: Okay. My background to
4 address this includes a master's degree in
5 planning. I'm also -- I've been a professional
6 appraiser for over 25 years. I hold the MAI
7 designation. I also teach adjunct at the School
8 of Business Administration at Portland State, and
9 I've been a certified appraiser in the state of
10 Washington for 15 years.

11 And I'm also -- I'll mention this only
12 because it's -- there's literature which we
13 address that is published in studies, and I also
14 was elected a Fellow in the Royal Institution of
15 Chartered Surveyors, which has published some
16 studies on wind farm activity in the British
17 Isles.

18 COMMISSIONER McCLAIN: I don't think
19 anybody's actually able to hear you unless you
20 get really close --

21 MR. DeLACEY: I'm not told that at home very
22 often, but all right. For once I have my inside
23 voice. Sorry, excuse me.

24 I've conducted impact studies on what we
25 call LULUs -- Locally Undesirable Land Uses. And

1 as Mr. Black has said, many times there's nothing
2 wrong with this particular use; it's -- sometimes
3 they can be very desirable and have great utility
4 and we just don't want to look at them, we don't
5 want them near by us, but they're great to have
6 them someplace.

7 So my work has included work with siting
8 gravel mines, wind turbines, power plants,
9 prisons, and last month I was asked to help a
10 group of volunteers site -- or relocate a
11 homeless shelter in Orlando, Florida, because
12 that was also considered a Locally Undesirable
13 Land Use to a growing downtown.

14 I've studied the Wild Horse project, also
15 wind projects in California, Oregon, and recently
16 in upstate New York.

17 Part of what I do, my methodology includes
18 researching and keeping up to date on the
19 literature that has been published from time to
20 time regarding, again, how LULUs, if you like,
21 adversely -- or how they can impact property
22 values.

23 And indeed, adverse impacts on property
24 values can be measured in some circumstances.
25 But what it requires is a high volume of

1 transactional activity such that one can do a
2 statistical analysis.

3 Many times appraisers use statistical terms
4 when they do appraisals. They'll average three
5 sales and come out with the value and they'll
6 say, well, that's the value of the house. But
7 you know, in fact, the data that appraisers
8 typically use in coming up with values is really
9 anecdotal evidence and it informs the judgment of
10 the appraiser.

11 So you're having to deal -- really, the --
12 it's all about the experience the appraiser has
13 with that type of property as opposed to some dry
14 analysis of numbers.

15 But back to the kinds of data that we need
16 to measure value impacts, where we've been
17 successful in measuring it, in gauging it, we
18 find it's in fairly dense urban areas where we
19 have lots of sales over a long period of time so
20 you can go through and randomly sample the
21 population. And then you can do what's called a
22 hedonic model, where you're able to then explain
23 various factors or look to various factors to
24 explain a change in sale price.

25 Unfortunately this isn't possible in rural

1 areas for obvious reasons, because we don't have
2 a high volume of sales activity and the
3 properties are very unique. So what do we do to
4 see whether or not or to try to hypothecate
5 whether or not a particular change in the
6 landscape is going to impact values?

7 Well, first we have to look at the types of
8 properties that are impacted. And what we're
9 talking about is a visual impact. It tends to be
10 aesthetic. Now, if you put a turbine or
11 something right on somebody's property, that's a
12 direct impact; and for that typically there's
13 direct compensation or the land is bought.

14 Well, we're really not talking about that.
15 We're talking about somebody who isn't directly
16 affected in the sense that the project is not on
17 his or her property but is, in fact -- drives by
18 it, looks at it, lives in the neighborhood, and
19 is in some fashion influenced or feels
20 influenced, they may be influenced by that
21 change, by that structure.

22 So in the Kittitas Valley what we -- we did
23 an exhaustive inventory of all the properties
24 that were affected, we looked at all the
25 neighboring properties. We've also looked at --

1 we've done inventory of all the sale transactions
2 that are reported at the assessor's office, also
3 through multiple listing.

4 Fortunately Washington state is a disclosure
5 state, which means that transactions involving
6 the sales of property are -- at least there's a
7 nominal price recorded, so that information's
8 accessible in the public record. That isn't
9 always the case in some states. We've looked at
10 that.

11 And what must be understood is that
12 properties have value because of their utility or
13 because of the expectation that there will be
14 some future benefit. Such as you have an
15 apartment building, you buy an apartment building
16 because you're anticipating rents. You pay a lot
17 more money for the apartment building than you're
18 going to realize in rents, but you're
19 anticipating those rents to come in over time.

20 You know, a farm or agricultural land has
21 utility based on its carrying capacity. It's
22 also the lifestyle of the person who chooses to
23 be a farmer and be able to work the land. So
24 there's utility that way.

25 But clearly the kind of property that is

1 influenced by the aesthetics of a -- of a change
2 in the landscape is going to be residential
3 property. And the rules are kind of different
4 for residential property compared to other types
5 of commercial property, land and timber, where
6 basically experts can agree as to value based on
7 how much income they're going to, you know -- if
8 you and I agree as to what the rent's going to be
9 on a retail building, there won't be a lot of
10 difference between where we come in at value if
11 we both agree that there's been rent.

12 But when we come to residential real estate,
13 it's much more sensitive to personal tastes. And
14 again, that's the area that we are most concerned
15 about when there's a change in the landscape.

16 Now, in fact, when you see in the pattern,
17 when we went through and did the inventory of the
18 potentially -- of the properties that might be
19 affected, we looked at a lot of things and
20 admittedly in a subjective way, but there is
21 fairly consistent criteria that comes to mind and
22 develops.

23 And one is the concept of a pristine
24 viewshed or a pristine view. And there are many
25 areas where strings of wind turbines have been

1 proposed that one could hardly say the viewshed
2 there is pristine; the hand of man is all over
3 it.

4 You have -- you're in the middle of a
5 transmission corridor, so you have transmission
6 towers, you have power lines, you have freeways,
7 you have roads. You have, you know, even things
8 like, you know, blue and white tarps over hay
9 bales. I mean, some people might like that; some
10 people might think that's intrusive. Or
11 irrigation pipes scattered in the field and left
12 out for the season.

13 I -- you know, the hand of man is all over
14 that, and the type of view amenity you have there
15 is not the same as say -- as we were looking at
16 Bettas Road.

17 And to really cut to the gist of my
18 analysis, it was our finding that in fact the
19 properties along Bettas Road were probably going
20 to be the most directly impacted by the proposed
21 turbine development. Because they had a number
22 of characteristics. One, it was most likely that
23 they were going to be developed residentially; in
24 fact, they were going to be developed with custom
25 homes as opposed to maybe, again, what we were

1 doing at the Whiskey Dick or the Wild Horse
2 project.

3 It was always kind of interesting, there
4 were some homes that were sited, you know; where
5 were they? Well, they weren't up on the hill
6 tops; they were down in a hollow where, you know,
7 the wind wasn't blowing. And so, you know, it
8 wasn't really -- very many of them had -- you
9 know, they didn't have views, because if they
10 were where they could have views, the wind would
11 be blowing too hard.

12 Well, you know, clearly on Bettas Road we
13 have a situation where you've already -- in fact,
14 you're already seeing some custom homes built.
15 We've seen some subdivisions and we've seen sales
16 of land there.

17 And that's the kind of -- albeit it
18 anecdotal, but very compelling evidence that we
19 look at that says, you know, if there's going to
20 be that kind of land sale activity going on,
21 there's going to be that kind of platting,
22 particularly post-announcement of the proposed
23 project -- it's been public knowledge that it
24 would likely come -- that kind of evidence says
25 that the market's either indifferent to what the

1 impact will be, or -- but it certainly doesn't
2 suggest that there's been any negative value.
3 It's just -- it's a preference.

4 And again, we have to go back to those
5 characteristics of residential value that have to
6 do with appeal, because we all have different
7 tastes. And some people like to live in the
8 woods; other people find that claustrophobic.
9 They want a, you know, sun-drenched landscape.
10 We're all different, we all celebrate that
11 diversity.

12 The market looks at really rather
13 ill-defined but nevertheless valid indicators to
14 suggest we look at aggregate -- we look at
15 aggregate numbers, the aggregate volume, the
16 velocity of homes that have sold, how many have
17 sold, how many sold compared to last year, what
18 have been those values, you know, have the
19 average price of homes sold, has it gone up or
20 not.

21 And by all indicators, the Kittitas Valley,
22 there's been virtually no change, not even a
23 hiccup, looking at the sales activity for the
24 homes in this region prior to the announcement of
25 the project in early 2002 all the way through

1 2005.

2 Now, there might conceivably be a change
3 once the turbines go up, but again, the evidence
4 we look at in other areas where these things
5 happen is, is that yes, there's always disruption
6 when there's construction, but once the
7 improvements are in place, the market gets used
8 to them.

9 And people value silos, and I've seen wind
10 turbines at freeway interchanges in Iowa because
11 they really think that's neat to look at. I was
12 just up at -- if you go by Suncadia, I mean,
13 they're right next to a power line corridor,
14 structures that are arguably intrusive, but
15 they're there and, you know, the market says,
16 Look, that may be better if it wasn't there but
17 the fact is this is a wonderful development and
18 we'll, you know, orient our improvements looking
19 somewhere else.

20 So in conclusion, with the tools available,
21 with the data available, we just don't have
22 evidence that will support the contention that
23 wind turbines will diminish property value in
24 this area.

25 The -- again, you have to look -- what truly

1 does influence property values are things like
2 population growth, strength of your economy,
3 frankly the presence of a resort, high-end resort
4 and a huge investment such as Cascadia --
5 Suncadia.

6 What will diminish property values are
7 things like loss of population, drops in
8 population, can be devastating. Bank closures.
9 If your community is dependent on a particular
10 industry and that industry closes, then you have
11 real stress on property values.

12 But those factors are not present in this
13 community today. And even in the most
14 sensitive -- with the most sensitive parcels that
15 we've identified, we simply can't find support
16 for concerns that property values will be
17 diminished.

18 CHAIRMAN BLACK: Questions?

19 COMMISSIONER McCLAIN: Mark McClain for the
20 record. You said that you -- in your
21 contemplation of this that the property values
22 hadn't changed between 2002 and 2005.

23 MR. DeLACEY: No, they actually have. The
24 average price of homes sold has increased
25 consistently and steadily with other areas around

1 here.

2 COMMISSIONER McCLAIN: Right. And that's in
3 contemplation, would you imagine, to the land
4 itself in that area, or is that just the Kittitas
5 Valley?

6 MR. DeLACEY: We found it in both places. I
7 mean, we found, again, anecdotal evidence,
8 compared sales and such, that suggested that
9 prices -- land prices were going up just along
10 Bettas Road as a result of development activity.
11 And it was in line with the overall appreciation
12 in values which we were able to track within
13 Kittitas Valley.

14 COMMISSIONER McCLAIN: Okay, but I mean --
15 but you -- I guess what I'm asking, what I'm a
16 little concerned about, your -- you proposed as
17 part of your basis for your analysis that in
18 looking at whether or not there was impact as a
19 result of announcement regarding this project in
20 terms of the property that's in the area, would
21 you agree or disagree that, say, an example in
22 2002, when this project was initially declined,
23 that that is some settled area that would support
24 the reason for growth in that continued area or
25 the high price of land in that area? Or would

1 you say that that's just an inappropriate
2 consideration?

3 MR. DeLACEY: Well, in other words, that the
4 project was initially tabled or declined in 2002?

5 COMMISSIONER McCLAIN: Well, I guess what
6 I'm saying is how can -- I mean --

7 COMMISSIONER HUSTON: Mr. Chairman, if I
8 might intervene, I suspect Mr. McClain's
9 confusing two projects, which we don't want to
10 do. Keep in mind we have not had a decision
11 process in this. It was withheld. It has not
12 gone on to EFSEC, so there is no decision in the
13 past in terms of this particular project.

14 So just -- I just want to make sure for the
15 record that we're on the right application and
16 that we don't -- granted, we've already had staff
17 introduce certain information from other
18 processes, but just for the sake of the
19 discussion, we might be extra cognizant of the
20 application before us.

21 COMMISSIONER McCLAIN: I appreciate that.
22 First of all, certainly I wasn't involve in that
23 initial contemplation; don't know anything about
24 it.

25 My question actually stems around how can

1 you possibly decide in terms of this project
2 whether or not a value has changed when I would
3 suspect most people in this community wouldn't
4 have been aware that this project was proposed,
5 until a couple of months ago? So how do you --

6 MR. DeLACEY: Well, I don't think that's --
7 that's not the history, as I've been involved
8 with this for at least two years, that I know
9 it's been -- it's been out there.

10 You know, there -- one of the points I try
11 to make is that -- that's my point about how real
12 estate is about expectations of value, and when
13 things are announced or things are expected, real
14 estate investors and others who participate in
15 real estate markets tend to move accordingly.

16 So if you're going to open a plant, you'd be
17 surprised at who buys land in the area. You go
18 up -- and even just having the knowledge out
19 there, yes, some people will have it a little bit
20 sooner and they make -- they move a little faster
21 than maybe the rest of us. I always make the
22 comment that if you ever see appraisers buying a
23 property, we tend to be the last ones to know
24 because we're always kind of looking backwards.
25 So if you ever see appraisers investing in

1 something, you might go buy something else.

2 COMMISSIONER McCLAIN: You've obviously been
3 out to the site.

4 MR. DeLACEY: Yes, a number of times.

5 COMMISSIONER McCLAIN: Okay. You say there
6 are little more than seasonal cabins out there,
7 and I'm referring to --

8 MR. DeLACEY: Oh, that's the northern
9 cluster.

10 COMMISSIONER McCLAIN: And then so that's
11 obviously not in reference to the homes that are
12 on Bettas Road?

13 MR. DeLACEY: No, no.

14 COMMISSIONER McCLAIN: Okay. How many homes
15 have been built in the Bettas Road area in, say,
16 the last, I don't know, year or so?

17 MR. DeLACEY: Well, there appear to be at
18 least -- at least two new homes that I was able
19 to count that -- I was out here -- I inspected
20 the area in May and October of '04. And when I
21 went back out there this fall in November, there
22 was at least one new home and there may have been
23 a second.

24 There were some indications at the County
25 that there were some footprints that were laid,

1 but of course there was snow on the ground, so --
2 but there was at least two new homes that I
3 observed to have been built just in the two years
4 that I've been working on the project.

5 COMMISSIONER McCLAIN: And those aren't
6 seasonal cabins; those are large homes?

7 MR. DeLACEY: They were -- I would classify
8 them as custom homes. They may have been
9 seasonal. One of them didn't have a -- didn't
10 appear to have a garage, for example, but was a
11 very nice story-and-a-half kind of log,
12 wood-sided custom home.

13 COMMISSIONER McCLAIN: In your analysis was
14 there any discussion with the home owners that
15 were in the area -- because you said regarding
16 personal taste is part of the reason why some of
17 these -- for your evaluation --

18 MR. DeLACEY: What we did is we -- I did
19 speak with the realtors and some of the
20 developers that were involved that were sort of
21 the intermediaries. Often we find that that's a
22 little better source of information. We didn't
23 have access to the homeowners themselves.

24 CHAIRMAN BLACK: Any questions? Thank you
25 very much.

1 MR. BASTASCH: Good evening. Am I speaking
2 loud enough?

3 My name is Mark Bastasch. I am an
4 acoustical engineer with CH2M Hill in Portland,
5 Oregon. Our address is 2020 Southwest 4th Avenue
6 in Portland. I prepared the acoustical analysis
7 on this and numerous energy facility projects,
8 including --

9 CHAIRMAN BLACK: Excuse me, could you bring
10 us into the tab so that --

11 MR. BASTASCH: Sure. Noise is --

12 MR. PECK: 12, Tab 12.

13 CHAIRMAN BLACK: That's somewhat helpful.

14 MR. BASTASCH: I prepared numerous fiscal
15 analyses on many energy facilities, including
16 wind farms. I was the only American organizer
17 present for the first International Wind Turbine
18 Noise Conference in Berlin, Germany, which was
19 attended by over 150 acoustical professionals
20 from all over the world.

21 I was also an invited speaker at the
22 National Wind Coordinating Committee technical
23 workshop on technical issues, including noise.
24 And that was just recently held in December back
25 in Washington, D.C.

1 I prepared the original analysis on the
2 larger project and the latest analysis which was
3 submitted to the County.

4 The analysis is based on standard acoustical
5 modeling methods. The project will comply with
6 the county and state noise regulations.

7 The land surrounding the site is a
8 Class C EDNA environmental designation for noise
9 abatement. That establishes a 70 dBA threshold
10 at the property line. This project achieves
11 50 decibels at the property line.

12 Additionally, we looked at residential
13 residences and we also looked at them using the
14 residential criteria of 50 dBA. That's a
15 Class A EDNA. And the project complies at all
16 residences. This project, like the larger
17 project, complies with the appropriate state and
18 local noise regulations.

19 And I understand that there has been some
20 discussion regarding low frequency noise and
21 infrasound, and I would like to set the record
22 straight, because this was a topic at the
23 conference in Berlin. And the leading
24 independent experts have published several
25 studies that really state that these concerns are

1 unfounded, that infrasound and low frequency
2 noise from wind turbines primarily was associated
3 with the downwind machines, and we're now all
4 commercial; the viable projects are using upwind
5 machines, and that has resolved those issues.

6 And with that I conclude.

7 CHAIRMAN BLACK: Questions?

8 COMMISSIONER CLARK: Grant Clark.

9 In looking at your study here, and it lists
10 a number of I'm assuming adjoining properties,
11 property owners, and the sound levels at their
12 particular homes. Is that -- on Page 2 through
13 about 4 of your section here, there's a table,
14 shows noise levels and -- am I correct in
15 assuming those are the levels at --

16 MR. BASTASCH: Yeah, the table does --

17 COMMISSIONER CLARK: -- the particular --

18 MR. BASTASCH: The table does specify noise
19 levels at homes and noise levels at property
20 lines. So there are two columns there.

21 COMMISSIONER CLARK: Can you characterize
22 for me -- it looks like the range here runs here
23 from about 20 to 50 decibels. Can you
24 characterize for me what 20 decibels sound like,
25 what 50 decibels sounds like?

1 MR. BASTASCH: Sure. There was actually
2 a -- 20 decibels is -- would be considered quiet,
3 very quiet. Sometimes it's considered -- 20
4 decibels or less sometimes is considered a
5 recording studio level. 50 decibels is probably
6 what we're experiencing close to in an office
7 building complex or office building setting. Or
8 potentially when we've got the HVAC system
9 kicking on here, we're probably in the 45-decibel
10 range, would be a qualitative assessment.

11 COMMISSIONER CLARK: Okay, thank you.

12 CHAIRMAN BLACK: Any other questions? Thank
13 you very much.

14 MR. PECK: Just for reference before Mike
15 gets started, this is Tab 14.

16 CHAIRMAN BLACK: Thank you. Helpful.

17 MR. BERNAY: Good, because I didn't know my
18 tab. My name is Michael Bernay. My business
19 address is 3101 West Coast Highway, Newport
20 Beach, California.

21 I'm the executive vice president for World
22 Link Insurance Services and World Link Specialty
23 Insurance Services. We are a wholly-owned,
24 100 percent wholly-owned subsidiary of a firm
25 called Jardine Lloyd Thompson. Jardine Lloyd

1 Thompson is the largest Lloyds of London broker,
2 headquartered in London. We specialize in wind
3 energy projects, the insuring of wind energy
4 projects.

5 We -- World Link Specialty manages and
6 operates a facility, an insurance facility
7 exclusive to the wind industry. I personally
8 have day-to-day responsibility for managing the
9 WindPro facility both here in the United States
10 and worldwide. I've been involved personally in
11 the wind industry business since 1985, when we
12 wrote our first wind project -- we called it a
13 wind farm back then -- in California. So I've
14 been around the industry for about 20 years from
15 the insurance side.

16 WindPro is the facility that we own and we
17 manage and is dedicated to the wind industry. We
18 believe it's the largest single facility insuring
19 wind projects.

20 Presently we have 8000 megawatts of wind
21 power projects insured underneath our facility.
22 Which relates to about, from what we can tell,
23 about 20,000 wind turbines. We're in 20
24 different countries and have just gone beyond 20
25 different countries. We wrote the first one in

1 Brazil. The first wind project in Brazil. And
2 we are presently writing in probably 25 different
3 states.

4 We presently insure I would say
5 approximately 60 percent of all wind projects in
6 the United States and approximately 80 percent of
7 all the wind projects that are operational in
8 Canada.

9 I've been asked to address basically the
10 general safety issues that are associated with
11 wind energy and wind projects specifically.

12 As a basis of our underwriting, we deal
13 specifically with technology issues. And since
14 1985, since I've been in the business, we've
15 really -- we've gone through approximately six
16 generations of wind turbine technology. And
17 that's gone from a 25-kilowatt wind turbine to
18 presently now a 2-megawatt wind turbine, which is
19 now what most projects are considering, between
20 1.5 to 2 megawatts.

21 And as these have become bigger, we've
22 also -- we've also seen the safety issues
23 become -- that the projects become much safer. A
24 lot of this has to do with the way these -- the
25 way the turbines themselves are designed and the

1 projects are designed.

2 All the turbines that we will insure have to
3 be on an approved list. And we start our
4 approved list by requesting third-party
5 certifications from third parties that specify
6 that the turbine will do exactly what the turbine
7 says it will do or the turbine manufacturer will
8 say -- says it will do. So we always ask for a
9 third party to also be involved before they can
10 get onto our list of turbines that we would be
11 insuring.

12 Our primary -- our experience, our
13 experience in claims and accidents has been --
14 has been very, very favorable and becoming more
15 and more favorable.

16 Basically we provide two types of insurance
17 coverage. We provide coverage for third-party
18 liability, which I think you might be probably
19 most interested in. And that is for damages that
20 occur to either individuals on a bodily injury
21 basis or property damage to trucks or -- or just
22 vacant land. And crops, et cetera.

23 And we have had absolutely not a single, to
24 date, a single claim to third-party bodily
25 injury. So there -- we just have not had that

1 experience. We have had a couple of incidents
2 where fires have started and we've lost some
3 crops, we've lost some -- some of those things
4 that we've had to pay on. But the third-party
5 incidents have been very, very, very low.

6 Our primary coverage is for the protection
7 and the offering of protection for the actual
8 wind power -- wind power turbine assets and
9 balance of plant assets. We insure them -- these
10 are quite large projects, and we will insure all
11 the -- all the assets for a variety of different
12 perils, including mechanical and electrical
13 breakdown coverages. So we're the ones that are
14 paying if these do fail.

15 Specifically I think in my written testimony
16 I made reference to the fact that we have not had
17 any -- we have not really had any claims -- we
18 know of no claims that -- for the collapse of any
19 wind towers. We've had very minor claims for
20 mechanical and electrical breakdown, which is --
21 and the majority of our claims are all due to
22 lightning. 55 percent of all of our claims.

23 Our conclusion, quite simply, is the way
24 wind projects are built and designed today,
25 they've never been more safe. And they continue

1 to get safer. It's people like you that do a lot
2 of -- help us with that, because you're, you're
3 our eyes and you make sure they are safe, so we
4 appreciate this whole process.

5 And the wind projects are, from our
6 standpoint, a very, very good risk and we, we are
7 the ones that will ultimately pay if a claim were
8 to occur. We very much like the risk and we're
9 going to continue insuring wind projects.

10 That's all I have.

11 CHAIRMAN BLACK: Any questions? Mr. Huston.

12 COMMISSIONER HUSTON: Thank you,
13 Mr. Chairman. Perry Huston, Commissioner
14 District 3.

15 Sir, in terms of a project of this nature,
16 when you write a policy, give me an idea what
17 sort of exclusions I would see in that policy,
18 what kind of deductible might I see.

19 MR. BERNAY: Well, are you talking on the
20 first-party property, are you talking third-party
21 liability --

22 COMMISSIONER HUSTON: I'm not so much
23 interested in actually replacing the turbines so
24 much as a third-party liability --

25 MR. BERNAY: Typically the owners will not

1 have a deductible. The deductibles are minor.
2 And the reason for that is that we prefer to
3 settle the claim and not give that opportunity to
4 the owners to do so. So we will typically not
5 offer a deductible or they'll be as low as \$2500.
6 And -- typically the 2500. We give no credits
7 for anything above 2500, so there's no reason to
8 take a deductible.

9 Typically right now here in the United
10 States if a power, an interconnect agreement is
11 required of the project, the FERC has required a
12 minimum of 20 million in limits for third-party
13 liability, so -- and that's a per-occurrence
14 limit. So we'll put up \$20 million per loss per
15 occurrence per accident. To third-party.

16 COMMISSIONER HUSTON: Any exclusions that
17 are consistent in the industry?

18 MR. BERNAY: On third-party liability,
19 nuclear. But that's not one you're going to see.
20 Not -- there're very, very -- it's a very, very
21 broad coverage.

22 Intentional acts. So if you were able to
23 take the turbine and somebody do damage to
24 somebody on an intentional basis. But those
25 would probably be the only ones that are -- that

1 you would see on a regular basis.

2 COMMISSIONER HUSTON: In terms of the
3 projects you've insured, how many would compare
4 in terms of proximity to residential uses,
5 et cetera with this project?

6 MR. BERNAY: I'm not that familiar with
7 the -- with the actual residential use and the
8 way it's -- this project has been -- has been
9 designed. But I can comment on the fact that we
10 insure projects in Germany; and Germany being the
11 largest country for wind energy, we have -- it
12 has close to 14,000 megawatts to the United
13 States' 6 or 7. They have, they have turbines
14 sitting right in their -- their town square in
15 certain villages so, I mean, there's a wide
16 range. Granted a lot are, are off the beaten
17 path, but some are right in downtown.

18 COMMISSIONER HUSTON: Thank you.

19 Thank you, Mr. Chairman.

20 CHAIRMAN BLACK: Thank you.

21 Before we -- it's approximately 8:30. We're
22 going to have a ten-minute break and let the
23 reporter's fingers straighten out.

24 (A break was taken.)

25 CHAIRMAN BLACK: Do you have any idea of how

1 much time we're looking at, at the present time
2 for the rest of your --

3 MR. PECK: Another ten, fifteen minutes.

4 CHAIRMAN BLACK: On this presentation?

5 MR. PECK: Total.

6 CHAIRMAN BLACK: Okay. Total? And then
7 we'll hold -- after the public testimony, then
8 you'll come back and you can give some rebuttal.

9 MR. PECK: That's our understanding of the
10 process --

11 CHAIRMAN BLACK: Right, that's the way it
12 is.

13 We have about 90 names of public testimony
14 that will go after this. We're not going to
15 obviously get this done this after -- this
16 evening or whatever it is, and so the thing that
17 I would like to ask the audience is if there is
18 anyone in the audience that is here today that
19 wishes to testify and cannot be here tomorrow.

20 Now, you're not kidding me, are you? I mean
21 this is -- there are three of you, right?
22 Would -- five?

23 Would it be acceptable by the rest of the
24 people to have these three to five testify so
25 that they don't have to come back tomorrow or so

1 we don't lose their testimony? Is that
2 acceptable to the people in the audience?

3 AUDIENCE MEMBERS: (Yesses)

4 CHAIRMAN BLACK: Do I hear a yes?

5 AUDIENCE MEMBERS: (Yesses)

6 CHAIRMAN BLACK: Do I hear a no?

7 AUDIENCE MEMBERS: (Nos)

8 (Laughter)

9 CHAIRMAN BLACK: Okay, we'll do that, and I
10 think if you don't mind, you will be the first
11 five. And then you can split, do whatever you
12 need to do, okay? Thank you for your time.

13 MR. PECK: I'm actually the next person up,
14 too, so this is actually --

15 CHAIRMAN BLACK: Oh, you are? Okay. What a
16 wonderful time this is, then.

17 MR. PECK: And I'm on Tab 16. I'm speaking
18 for Wally Erickson from WEST, who's our habitat
19 biologist and has the interesting professional
20 title of being a biostatistician. Years of
21 practice, I'm finally able to get that out in one
22 effort.

23 CHAIRMAN BLACK: Excuse me, was he going to
24 be here tomorrow?

25 MR. PECK: He'll be here tomorrow, yes.

1 CHAIRMAN BLACK: Would you prefer --
2 It's probably better that we do it this way.

3 MR. PECK: It seems like that might confuse
4 the process.

5 CHAIRMAN BLACK: Right, it will --

6 MR. PECK: He'll definitely be here for
7 rebuttal --

8 CHAIRMAN BLACK: It's probably not legal and
9 the whole thing, so let's just do --

10 MR. PECK: Well, the punchline is really the
11 WDFW approval for the project.

12 But before I get there, there was a
13 year-long habitat study done by the WEST folks
14 using what are widely accepted practices that
15 Wally's much more qualified to explain than am I.

16 A year-long study includes things like
17 raptor nesting, which tends to have a high
18 predictive value for what raptor use of an area's
19 going to be.

20 But the main thing that I'd like to say is
21 that the WDFW folks approved both the analysis
22 that was performed, the methodology of that
23 analysis, and they also ruled that the
24 mitigations that were proposed were sufficient,
25 and they did that in a letter dated September

1 17th, 2003, the first sentence of which -- it's
2 always amazing to receive from these guys, right,
3 is -- "As we discussed, this letter is intended
4 to confirm our support for the wildlife habitat
5 mitigation proposed by" then "Zilkha Renewable
6 Energy for the Kittitas Valley Wind Power
7 Project."

8 And that I think pretty much covers the
9 habitat discussion under that tab. And Wally
10 will be available for additional questions
11 tomorrow.

12 CHAIRMAN BLACK: Is that letter part of the
13 record? I don't think I've seen --

14 MR. PECK: It is part of the record. I'm
15 not sure if we've actually got it under out
16 Tab 16 --

17 CHAIRMAN BLACK: It's not under Tab 16.

18 MR. PECK: We can certainly provide it.

19 CHAIRMAN BLACK: Would you, please? Would
20 it be satisfactory -- would you care to read
21 the -- into the record, read the letter?

22 MR. PECK: Oh, it's -- the first sentence is
23 really the punchline, too, I think. I mean,
24 basically they approved it.

25 CHAIRMAN BLACK: Okay, would you provide

1 copies for us?

2 MR. PECK: Certainly will, certainly will.

3 CHAIRMAN BLACK: Okay.

4 MR. PECK: And if I could, I'd also like to
5 finish up the expert section of this by asking
6 Andrew Young if he might come up.

7 CHAIRMAN BLACK: Before you do that, do we
8 have any questions --

9 MR. PECK: Oh, sorry, sorry.

10 CHAIRMAN BLACK: Any questions? No. Okay.

11 MR. PECK: And this is Tab 15.

12 CHAIRMAN BLACK: See how easy that is? That
13 just works so well.

14 MR. YOUNG: Good evening. I'm Andrew Young
15 with Horizon Wind Energy, representing the
16 applicant. And I'm here to discuss Tabs 15 and
17 15A and 17. 15 is a report on shadow flicker
18 analysis. And Exhibit 17 is my resume. So I'm
19 going to discuss two portions, aspects of the
20 project, specifically shadow flicker, the
21 methodology used, and the reports and findings.

22 I worked closely with Arne Nielsen. He's
23 with a company called Wind Energy -- or Wind
24 Engineers, Inc. He's an independent consultant.

25 And why don't I start with just defining

1 what shadow flicker actually is. Shadow flicker
2 is essentially the casting of a shadow by the
3 moving object. So specifically for this
4 application, for the Kittitas Valley Wind Power
5 Project, shadow flicker is defined as the
6 alternating changes in light intensity caused by
7 wind turbine blade as it passes through the sun's
8 line of sight, causing a passing shadow.

9 So this is the kind of passing shadow effect
10 that one might experience at a receptor in the
11 proximity of a single wind turbine or in the area
12 of a cluster of wind turbines.

13 So specifically for the project analysis, a
14 specific software was used that's widely accepted
15 in the industry called WindPro, which is a
16 product that's used all over Europe to analyze
17 and assess the impacts of shadow flicker.

18 Specific inputs to the project include the
19 specific turbine locations, which have been, as
20 previously discussed, significantly reduced. And
21 setbacks also increased quite significantly from
22 nearby residences and property lines through the
23 mitigation. And the specific geometry and sizes
24 of the machines are also inputs to the model.

25 The specific locations of residences, the

1 terrain and the topography, whether the turbine's
2 on a hill or in a valley, which we don't have,
3 but if the house is on a valley, for instance, we
4 look at the wind data, how much wind there is
5 during summer months, winter months, et cetera.
6 We also used from the National Weather Service
7 sunshine and cloud-cover data.

8 Also of specific mention, which I'll discuss
9 with you and I'll point out some of the plots
10 that are contained in Exhibit 15, that the
11 assumption for a house as a receptor, because we
12 didn't go up to everyone's house and go onto
13 their property and look at which direction they
14 had windows, et cetera, we assumed an
15 omnidirectional window, which basically is a
16 glass box with windows pointing in all
17 directions. So what you're seeing in the
18 assessment, what we've come up with in our
19 results, assumes a glass house.

20 What was not assumed in the model are mainly
21 two things. If there's any obstructions. If a
22 house, for instance, doesn't have windows on the
23 east face or a south face or a west face, if
24 there's trees in the way, curtains or other
25 structures, that might sort of eliminate the

1 shadow flicker effect from actually happening
2 inside a residence.

3 So if I could draw your attention to
4 Exhibit 15, there's some color contour plots at
5 the back of those. If you pull open any one of
6 those, I'd like to just explain what those
7 actually are.

8 The contour plots, basically there's
9 lines -- if you look down at the very bottom left
10 of each page of any one of the contour plots,
11 you'll see the number of hours per year of shadow
12 flicker that are occurring around the turbine
13 locations. At the center you'll see the turbine
14 locations which are sort of red-looking tripods.

15 And then around you'll see a red line, which
16 indicates shadow flicker effect happening at 200
17 hours or more. The orange line is 100 hours or
18 more, and the blue line is 50 hours or more. And
19 the kind of reddish line is -- or the
20 burgundy-type line is 24 -- 25 hours or more.
21 Anything outside of 24 or 25 hours is, you know,
22 quite insignificant and extends almost beyond a
23 kilometer or more than 3300 feet from any one of
24 the wind turbines. So that just gives you an
25 idea.

1 The specific residences, if you look at any
2 one of the contour maps, you'll notice yellow
3 semicircles, and those are specific locations of
4 homes.

5 So as you flip through -- I just want to
6 explain that diagram. If you want to know how
7 much shadow flicker there is anywhere on the map,
8 it's been covered by the analysis for quite an
9 expanse, you know, far further than 3300 feet out
10 from the turbines. So all the residences that
11 were within the shed -- or shadow flicker impact
12 area were examined for the project.

13 Results of the studies: There are zero
14 residences with any more than 100 hours of shadow
15 flicker impact per year. And there are two
16 residences with shadow flicker of more than
17 50 hours per year. Of those two residences, one
18 is a non-participating landowner, and the other
19 one is a participating landowner.

20 The other thing I'd like to point out is --
21 also in the tables in Exhibit 15 -- that the max
22 number of hours per day, the distance to the
23 nearest turbine for all the residences in the
24 vicinity of the project are also included.

25 For the record, I'd also like to state that

1 shadow flicker effect has -- we've, you know,
2 through extensive document search there were no
3 findings of any documentation about adverse
4 health effects caused by shadow flicker.

5 The Epilepsy Foundation, which has quite an
6 extensive website and also doing research for
7 them from their published information, didn't
8 reveal anything; and what they do report,
9 however, is that fast strobes that are in excess
10 of 10 Hertz can cause epilepsy -- or epileptic
11 seizures, excuse me. And for the wind turbines
12 that we're discussing here, we're below 1 Hertz.
13 So we're an order of magnitude less than what
14 would be considered sort of being in the area
15 that might be close to inducing something like an
16 epileptic seizure.

17 One other thing that's not included in the
18 analysis is the fact that as the further distance
19 you get away from the turbines, the shadow
20 flicker intensity also diminishes. It's
21 basically the stark -- how stark the contrast is
22 between the shadow and the bright light. If
23 you're close to the turbine, the shadow flicker
24 intensity would be quite high. If you're further
25 from the turbine, you may still get shadow

1 flicker; but the blur, if you will, or the
2 intensity, you know, the shadow would be less
3 dark than if you were close up. Sort of like
4 standing below a tree you'll notice the same
5 things.

6 The other thing I'd like to point out, just
7 to explain the shape of the butterflies that seem
8 to be surrounding the turbines, they
9 predominantly extend east-west. We're in the
10 northern hemisphere, so most of the shadows are
11 also to the north, so the shadow impact zones
12 make sense just, you know, from a layman's sort
13 of perspective on the stretch and extent. It's
14 calculated numerically based on the rotation of
15 the earth, the exact latitude/longitude of the
16 machines, the height of the machines, et cetera.

17 Just a summary of the setbacks that you'll
18 find in the tables that were included with the
19 analysis that we don't have any turbines within
20 1200 feet of any existing residences or
21 structure. Some of the structures are used
22 seasonally or as hunting facilities. Other
23 setbacks that we've maintained through the
24 project design are 541 feet from
25 non-participating property lines, consistent with

1 the Wild Horse project. And we've also imposed a
2 tip-height setback from all public roads,
3 including Elk Springs Road.

4 So I think that's, you know -- in summary,
5 the detailed information covers the effects of
6 shadow flicker quite well. And with the revised
7 site design, there's been a significant amount of
8 mitigation that has also been done to help reduce
9 the impact.

10 So with that, I'll finish and open it for
11 any questions you may have.

12 CHAIRMAN BLACK: Tab 17 is your resume?

13 MR. YOUNG: Yes, that's correct.

14 CHAIRMAN BLACK: Any questions?

15 AUDIENCE MEMBER: I have a question --

16 CHAIRMAN BLACK: Mr. Williamson.

17 COMMISSIONER WILLIAMSON: Don Williamson.

18 On this analysis I -- as a layman I
19 understand that the angle of the sun is what
20 basically creates the shadow. Is this -- how do
21 you take into consideration the fact that we have
22 such a diversity of angles that our sun
23 approaches these turbines at? In other words, in
24 the summertime it's relatively high, but in the
25 wintertime, this time of year, it's extremely

1 low -- you know, much more close to horizontal,
2 which casts a much longer shadow. Is that taken
3 into consideration in your analysis?

4 MR. YOUNG: Yes, absolutely. That's exactly
5 why these shapes are not sort of, you know,
6 perfectly symmetric; sort of ellipzoids, if you
7 will, or sort of figure 8's that one might see if
8 you were perfectly on the equator. That's
9 exactly why those shapes -- and also the shapes
10 are dictated because of the shape of the terrain
11 and the angle of the sun coming over that
12 terrain. There's a lot of hill features,
13 et cetera, that are actually done through
14 computer numerical model with the digital
15 elevation modeling. That's included in the
16 software.

17 COMMISSIONER WILLIAMSON: Okay, so then,
18 like you say, the butterfly effect around that
19 indicates that any -- that throughout the year
20 this is basically going to move through it --
21 throughout that shape?

22 MR. YOUNG: What the contours indicate are,
23 for instance, if you're inside the orange
24 contour, that the total number of hours of shadow
25 impact are somewhere between 100 and 200 hours.

1 If you're outside the orange and between the
2 orange and the blue, you'll be somewhere between
3 50 and 100.

4 Do you see the legend on the lower left?

5 COMMISSIONER WILLIAMSON: Yes.

6 MR. YOUNG: That's exactly what it is.

7 COMMISSIONER WILLIAMSON: Okay.

8 MR. YOUNG: It's very -- it's like an
9 isoline or like reading a contour map, if you
10 will, very much like a topographical map.

11 COMMISSIONER WILLIAMSON: Where this
12 non-participating landowner that you say there's
13 only one, how much has it affected it and where
14 is it located? Can you tell me on which of these
15 pages it is?

16 MR. YOUNG: If you could bear with me I can.

17 Yes. I'll submit to the record exactly that
18 one, and I'll refer to the page that would show
19 that. If you look on -- there is a contour plot
20 that has in the top -- let me see if it's
21 differentiated.

22 I'm going to have to approach and --

23 COMMISSIONER WILLIAMSON: How about the
24 calculation numbers? Is that it?

25 MR. YOUNG: Yeah, it's calculation number

1 051108 SF, HNI.

2 CHAIRMAN BLACK: Would you like to come
3 forward and show it?

4 MR. YOUNG: Sure.

5 COMMISSIONER WILLIAMSON: I'm sorry, my
6 question was one non-participating --

7 MR. YOUNG: Yes, one non. The
8 non-participating landowner is Calculation
9 05-1-112SF, B, C, D, F, H, I. And --

10 COMMISSIONER WILLIAMSON: What's the name?

11 MR. YOUNG: Thompson.

12 CHAIRMAN BLACK: The non-participating is
13 56...

14 MR. YOUNG: I think this is also spelled out
15 in the summary table that's provided in front of
16 all these pictures.

17 COMMISSIONER McCLAIN: 56 hours, 40 minutes;
18 is that right?

19 MR. YOUNG: Yeah.

20 CHAIRMAN BLACK: That's the
21 non-participating, and the participating one is
22 Andrew?

23 MR. YOUNG: That's correct.

24 CHAIRMAN BLACK: At 84?

25 MR. YOUNG: And it was Thompson/Giesick.

1 CHAIRMAN BLACK: Any other questions?

2 COMMISSIONER WILLIAMSON: Thank you.

3 MR. YOUNG: Sorry that the page numbers
4 weren't a little easier to find; my apologies.

5 CHAIRMAN BLACK: Thank you very much.

6 MR. PECK: Mr. Chairman, if I could, before
7 Erin Anderson prepares -- or presents our
8 summation, I'd like to just as one of the people
9 who was up here initially in the early '90s
10 exploring for sites and identifying these sites,
11 I'd like to address the -- probably the most
12 recurring question that you're receiving, or
13 comment, which is "Why here." And it's actually
14 something that can be answered relatively
15 quickly, and that's, you know, my meander take of
16 that task, that's what I'll do.

17 Horizon's selection of this site was made
18 because it met your code. You know, when you go
19 looking at the Comp Plan requirements related to
20 how ag lands are used and how residential
21 developments can't restrict traditional uses, and
22 when you add in the other things that a wind
23 power developer looks for, which is obviously
24 wind, and we all know you got a lot of that here;
25 transmission, a pretty prominent feature.

1 After you've answered those two questions,
2 you ask the zoning question and you ask the Comp
3 Plan question, which was done. I was one of the
4 people who did it a long time ago. You go
5 looking for willing landowners after that. As
6 you can tell, we've got them. You've got leases
7 signed with people that would like to see this
8 development occur on their property.

9 And then you go through the environmental
10 test phase as part of the SEPA process. And I
11 think between the documentation you've heard
12 about and the people that you've heard testify on
13 it, it really, really comes back to the first
14 three factors were identified in the early '90s.
15 You've got wind transmission, you've got zoning
16 laws that SEPA will allow for this use. There
17 wasn't anything when we were poking around back
18 then that said, Boy, this is going to be a
19 housing development area like you wouldn't
20 believe. It said just the opposite; still does.

21 And our subsequent research demonstrated
22 that the county's Comprehensive Plan and zoning
23 made frequent reference to preserving agriculture
24 and resource lands, that residential development
25 and rural lands needed to respect the traditions

1 and culture of protective lands. This is
2 certainly a productive use of those lands. And
3 recognizing the land values were at least as
4 important as scenic views, especially to the
5 people that own the land themselves.

6 And our initial contact with county
7 representatives and subsequent contacts just
8 reinforced all those points. I mean, if you're
9 an outsider looking where you can do wind in the
10 state of Washington, you don't find a lot of
11 locations where it works. This is one of them.
12 This is one of the best of them.

13 And if you're that same outsider trying to
14 figure out what the direction of the county is
15 for the land you're looking at, everything you
16 read says this fits.

17 And with that said I'd like to just respond
18 to any questions folks might have on what a wind
19 prospector goes through to identify a site. Then
20 we can ask Erin to present our summation.

21 CHAIRMAN BLACK: Mr. Huston?

22 COMMISSION HUSTON: Thank you, Mr. Chairman.
23 Perry Huston, Commissioner District 3.

24 Mr. Peck, I just want to make sure I'm
25 hearing your testimony correctly. You're telling

1 me that in the early '90s you did an analysis of
2 the county's adopted Comprehensive Plan and found
3 that a project this sort would be in compliance?

4 MR. PECK: We approached the then-planning
5 department, which, boy, it's a long time ago; I
6 remember going into the basement of some place.
7 I have no idea what building it was, but it sure
8 seems like we went downstairs somewhere and
9 wandered around and talked to whoever the staff
10 people were at that time. This would be probably
11 '93 or '94.

12 We identified the nature of our interest in
13 the area, we specifically asked the question does
14 this seem to be a fit for the areas that we were
15 looking at, this being one of them. And we were
16 told yes. That's why the met towers got put up.

17 And it's those same met towers the data from
18 which was subsequently purchased by the federal
19 government and made publicly available that
20 continue to draw the attention of wind power
21 project developers to this area.

22 We'd have never put those met towers up in
23 an area that somebody told us wasn't ever going
24 to be suitable for this kind of activity.

25 COMMISSIONER HUSTON: I just wanted to make

1 sure what you were telling me. So you did no
2 analysis; a staffer at that point told you you'd
3 be in compliance?

4 MR. PECK: Well, you know, my boss was the
5 lawyer and he read through that stuff, and that's
6 the conclusion -- he's the guy who reached the
7 conclusion that the met towers were worth
8 investing in for this area.

9 COMMISSIONER HUSTON: Okay, thank you.

10 MR. PECK: Sure.

11 CHAIRMAN BLACK: Any other questions?

12 COMMISSIONER McCLAIN: Mine's kind of more
13 of a --

14 CHAIRMAN BLACK: Mr. McClain?

15 COMMISSIONER McCLAIN: Thank you.

16 (Continuing) -- a big-picture question. I
17 know that in sitting here on the planning
18 commission only for about six months at the most,
19 I've seen a lot of development come to us in that
20 area. Is that not what you're -- you're seeing?

21 I mean, I think there was a rezone recently
22 for that area for something like 112 acres right
23 off of Highway 97, in that area. Rezoning it to
24 I believe Rural 5. I want to say 112 homes,
25 something in that nature. Maybe it was 500

1 acres, now that I think of it. Is that not what
2 your analysis is telling you?

3 MR. PECK: No, I think I'd rather defer to
4 my -- to Erin in her summation on that. You've
5 been on this commission for six months; I've been
6 on this job for four weeks, and I can't even get
7 "Kittitas" out every time I try. So if you don't
8 mind, I'd like to have her answer that one.

9 CHAIRMAN BLACK: Any other questions? Thank
10 you very much.

11 MR. PECK: Thank you for your time this
12 evening.

13 MS. ANDERSON: Mr. Chair, Commissioners;
14 Mr. Chair, Commissioners. I am the last speaker
15 tonight. Erin Anderson, 200 East Third here in
16 Ellensburg; 105 East First Street in Cle Elum, on
17 behalf of the proponent, Horizon Wind Energy,
18 I'll be making reference --

19 CHAIRMAN BLACK: Excuse me, can't hear you
20 in the back.

21 MS. ANDERSON: I'm going to have to get
22 really close. Do you want me to start over?

23 CHAIRMAN BLACK: Please.

24 MS. ANDERSON: Erin Anderson, 200 East Third
25 here in Ellensburg. 105 East First Street in Cle

1 Elum on behalf of the proponent, Horizon Wind
2 Energy. I will be referring to Tabs 2, 3, 4, and
3 5. I am going to be the last speaker for the
4 proponent.

5 First I'd like to thank everybody for their
6 courtesy. Having been a participant in these
7 processes in the past, I know that passions run
8 high, and you've run a very effective meeting,
9 and we're always concerned about that. I look
10 forward to the continuation of that through this
11 process as we've experienced in the past.

12 Let me be very clear what Horizon is asking
13 for. You alluded to it. I believe Commissioner
14 Huston alluded to it. The governor of the state
15 gives final blessing to any projects of this sort
16 in the state of Washington. We are a subset of
17 that process here tonight.

18 What we are asking you for tonight,
19 Mr. Planning Commission Chair and Planning
20 Commission and then for the County Commissioners
21 when you come back with recommendation in hand,
22 is a recommendation and approval for a
23 site-specific Comprehensive Plan sub-area
24 amendment to designate this property for Wind
25 Farm Resource overlay designation; a

1 site-specific rezone to the Wind Farm Resource
2 overlay zone; a Wind Farm Resource development
3 permit -- basically that is the land use
4 consistency certification; and approval of a
5 development agreement.

6 As you will largely recall, the development
7 agreement itself is a contract between the
8 applicant and the County that is designed to
9 provide legal protection and obligations to all
10 of the parties involved: the county, the
11 developer, and the public. And that includes the
12 obligations of the developer throughout the life
13 of the project under the development agreement.

14 The reason we're asking for it, I think
15 Mr. Peck made a very good explanation for why.
16 He's been involved in wind -- chasing the wind
17 for 15 years, but the wind's always blown in this
18 county. Nobody discovered it 15 years ago; it's
19 been blowing here since before any of us got
20 here. But it is here.

21 And he's looked at it, we've looked at it,
22 predecessors have looked at it. We looked at it
23 in terms of what does the Comprehensive Plan
24 zoning and SEPA analysis say and what do we know
25 about our Comprehensive Plan?

1 You will find reference and evaluation of
2 the Comp Plan in the proposed Findings of Fact
3 and Conclusions at Tab 2. And they discuss the
4 goals, policies, and objectives of Kittitas
5 County in the Comprehensive Plan designation.

6 The property we're talking about -- and you
7 saw a map earlier this evening that had just two
8 colors. We are talking about agricultural lands
9 and natural resource lands. Your county code
10 says the primary focus in those lands is to
11 maximize the natural resources that are there.
12 It is not for residential housing. It is not the
13 primary use of that property.

14 Mr. McClain, I think you were one the that
15 asked how do you explain all of these rezones.
16 And frankly, you're an attorney; I know you have
17 experience in land use laws on behalf of Kittitas
18 County as a prosecutor. Take a look at the
19 county Comp Plan and what it says are the
20 priorities. They are for maximization of natural
21 resources, and in this circumstance in
22 particular, wind. And it's also designated
23 commercial agriculture. (Inaudible) zoning
24 designations correlate with the Comp Plan
25 designation to be out of compliance with GMA.

1 The Forest & Range is for maximization of
2 natural resources, the commercial ag is to
3 promote as a primary emphasis preservation of
4 farmland, grazing, those types of things, not
5 residential uses.

6 You'll find a lot of analysis of the county
7 zoning code that implements your Comp Plan, so
8 you know that the Comp Plan is for rural land
9 uses and agriculture. How do we implement that?
10 We implement that through your zoning code.
11 That's the Forest & Range, the Ag 20. You'll
12 find that analysis, including the County's stated
13 policies, goals, and objectives, in Tab 3 of
14 Volume 1, the big fat document.

15 In Tab 4 are the criteria for a development
16 agreement. That is the contract between the
17 parties to address the County's objectives,
18 protections, developers' obligations and rights.

19 Tab 5 contains the SEPA review. The State
20 Environment Policy Act analysis that is called
21 for through the county code as well as through
22 state law.

23 What you have before you tonight and in this
24 audience are people who own the land that these
25 turbines will go on. They bought their land as

1 resource land. They bought their land as
2 agricultural land. That is the primary focus of
3 their property. They have relied upon the
4 county's code, the county's Comprehensive Plan to
5 say this is the focus of use for these
6 properties. They have entered into agreements
7 with the developer that yes, we want to maximize
8 the resource on our land. That is a property
9 right.

10 And you'll hear from individuals tonight who
11 are saying, We expect to be able to depend on you
12 when you say this is a natural resource land; we
13 want to capture that resource and it should not
14 be our uncompensated burden to do view
15 preservation for other people. This is resource
16 land that they desire to capture in accordance
17 with your code.

18 I do believe that developers such as
19 Horizon, people like myself who live here in this
20 community, as well as the people that want to put
21 the turbines on their property, have and should
22 be able to have a right to rely upon what is in
23 the county code.

24 With that, I'll field any questions. I have
25 my crew here, but we're liking to adjourn when

1 you're done with questions for me.

2 COMMISSIONER McCLAIN: I guess my question
3 still remains.

4 CHAIRMAN BLACK: Go ahead.

5 COMMISSIONER McCLAIN: I'm sorry.

6 Isn't there, is there not, a significant
7 development up in that area, within this area
8 that we're talking about, of -- and I want to say
9 it was 112 or so houses; I think that's been
10 confirmed by some nods, but --

11 MS. ANDERSON: A non-project rezone is not a
12 development approval. A non-project rezone
13 doesn't do any environmental analysis whatsoever.
14 We do not invoke SEPA or do EISs on non-project
15 reasons.

16 To the extent you want me to define
17 "significant," what I would ask is a
18 quantification of that acreage included in what
19 is the total acreage here. Is that a primary use
20 of the property or is it secondary to resource
21 maximization? And I believe it would be
22 secondary, but I can't speak to that because I'm
23 not your planner. But those are the kinds of
24 questions you'd want to get answers to. To put
25 words in Mr. Piercy's mouth.

1 Anything else? Thank you all.

2 CHAIRMAN BLACK: Any questions? No. Thank
3 you very much.

4 MS. ANDERSON: Thank you.

5 CHAIRMAN BLACK: With that, I believe that
6 concludes the applicant's presentation. However,
7 we will retain some time at the end of the
8 testimony for you to do some -- some rebuttal.

9 MR. PECK: Thank you.

10 CHAIRMAN BLACK: 30 seconds, maybe, or --

11 (Laughter)

12 CHAIRMAN BLACK: With that we won't close --
13 don't close it? So we -- not even the door.

14 So we will then go into the public
15 testimony. And again, I apologize because we
16 have five people that cannot be here tomorrow.
17 When you come there, because you did sign up,
18 would you please give your name so that Susan can
19 remove your name. And whoever's No. 2, would you
20 be prepared so that we can go through this pretty
21 quickly, please.

22 And again, I thank you for the rest of the
23 audience for allowing these people to do it in
24 advance.

25 MR. LEE BATES: I am Lee Bates, 1509 Brick

1 Road, Ellensburg. And I represent myself.

2 I am opposed to the project, the Kittitas
3 Valley Wind Power Project Addendum DEIS comments.
4 I read through the December 2005 DEIS Addendum
5 and had the following comments: The wind farm
6 developer, in my opinion, states in the DEIS that
7 all the new turbines will be 410 feet tall. And
8 I got that from Pages 3-9 and -10 and Figures 2-1
9 and 2-2.

10 The shadow flicker estimates shown in
11 Appendix A are for October and November and not
12 December and January, when the sun is lowest and
13 the shadows longest.

14 As a licensed mechanical engineer and
15 33 years of experience, I feel I am qualified to
16 comment on the noise levels for this project. To
17 study noise levels in the DEIS, I picked the
18 loudest -- excuse me, the closest structure to
19 the turbines. I find it hard to believe that the
20 Andrew structure experiences an estimated noise
21 level of only 49 dBA, according to Table 3.12-5,
22 Page 3-32 in the DEIS, when the turbine H5 listed
23 on Page 3-31 has an estimated noise level of
24 105.3 dBA. You have to see this in the Kittitas
25 Valley Wind Power Project Addendum to Draft

1 Environmental Impact Statement of December 2005.

2 This Andrews structure is 723 feet away from
3 the turbine H5, which is a 410-foot-high turbine,
4 and you have to look at Pages 3-9 and -10 and
5 Figures 2-2 and 2-1. The noise levels estimated
6 in Table 3.12-5, as shown on Page 3-31, shows the
7 estimator used the turbine hub height of
8 67 meters, which is 221 feet, which is for the
9 smaller turbine and not the 410-foot-high
10 turbines they want to build for this project.
11 You have to look at Figure 2-2.

12 If you are going to make accurate noise
13 estimates, you need to use the same size turbine
14 in the project and not a smaller turbine. A
15 turbine noise comparison is the 109 dBA turbine
16 noise level at 10 meters per second wind speed,
17 as shown in the technical specifications for the
18 V80-1.8 megawatts Vestas turbine.

19 However, Page 3-9 and 3-10 and Figures 2-1
20 and 2-2 in the DEIS states they are using 3.0
21 megawatt turbines on this project and not the
22 smaller 1.8 megawatt turbines. The turbine
23 setbacks shown on Page 2-6 is 541 feet from the
24 tip of the turbine blade to the property line,
25 when it should be, per Steve Lathrop, 1000 feet

1 from the property line.

2 Is there any questions?

3 CHAIRMAN BLACK: Questions?

4 COMMISSIONER McCLAIN: Maybe you could flesh
5 out your background a little bit more just so --
6 in the sense of --

7 MR. LEE BATES: I worked for the Department
8 of Defense, the Navy, for 15 years and Boeing for
9 15 years as a mechanical and aeronautical
10 engineer, and I have an MBA and I worked in
11 management. And I worked on noise studies at
12 Boeing.

13 CHAIRMAN BLACK: Questions?

14 COMMISSIONER WILLIAMSON: Yes, I have a
15 question. The name's Don Williamson.

16 You say that you -- that at 105 dBA at the
17 turbine, what -- you say you have that there. Do
18 you have anything that supports -- that would
19 indicate what the noise level would be at the
20 Andrew structure?

21 MR. LEE BATES: Yeah, they're saying it's
22 49 dBA and it's only 723 feet away.

23 COMMISSIONER WILLIAMSON: Okay, so do you
24 have anything that refutes that? Or are you
25 just -- in other words, do you have any

1 calculations that would indicate it would be
2 higher?

3 MR. LEE BATES: Well, these are estimates.

4 COMMISSIONER WILLIAMSON: Is there any kind
5 of formulation that would tell us what the sound
6 reduction would be 700-plus feet from the turbine
7 as opposed to 1000 feet or 541?

8 MR. LEE BATES: No, I don't have those
9 calculations.

10 COMMISSIONER WILLIAMSON: Oh, okay. Thank
11 you.

12 CHAIRMAN BLACK: Thank you very much.

13 MR. RICK FORSTER: My name is Rick Forster.
14 My address is 2411 268th, Redmond. My family and
15 I have five parcels of land in the valley here.

16 I can sit up on the hill and listen to
17 trains ten miles down the road. I don't know
18 what the decibel reading is, but you ought to
19 come up and listen to it. So I don't know how
20 we're going to get the sound level of 10 feet.
21 Or a 1000 feet. And how they're going to hold at
22 50 decibels.

23 As my dad would say, F.M. to the
24 presentation. And what "F.M." stands for, when
25 he's working on something that finally works, he

1 calls it "friggin' magic." It's not quite the
2 word he uses, but that's what this is: friggin'
3 magic.

4 And I've run my own successful business for
5 30 years, and that probably qualifies me for a
6 Ph.D. in common sense. And I can tell you your
7 land values will go down. I can tell you that
8 the views, they won't be hurt as long as it's not
9 your own view being hurt when you don't live here
10 and you just sell this whole proposal.

11 You know, their own insurance people have
12 told you these things are dangerous, that the
13 blades break, they do cause fires. This is a
14 very dry, hazardous area. So when you have a
15 fire started and you got 400-foot-tall turbines
16 here, you can't get the tankers in here anymore,
17 you can't get helicopters in anymore. So by the
18 time you got enough people on the ground to put
19 it out, it's friggin' all the way over the top to
20 Wenatchee. Because with wind blowing here, just
21 like they want, it also blows the fires. I don't
22 think they've really addressed this.

23 You know, I sat here many nights about one,
24 two o'clock in the morning wondering why would
25 they put an industrial site here. I thought, you

1 know, it would be better off to have waste
2 management here build a garbage dump. You know,
3 at least they'd bring real jobs. Every time a
4 truck would pull up, the County would get money
5 for it, and every night they would cover it up.
6 And we wouldn't have to look at it. Think about
7 it; that's real money.

8 And you know, how a thousand feet away would
9 be just like a refrigerator running, as they put
10 it in their ad. I have some pictures of some
11 blades here and some turbines. These blades,
12 mind you, I wrote on the sides, these are like
13 90 feet away. Theirs are 132 feet. This shows
14 them on a truck; it gives you a real size, how
15 big they are. These turbines here are about
16 250 feet. It shows a car and stuff next to it,
17 real ones. They're 400-and-some-odd feet.

18 Don't let these people ruin this valley.
19 They don't live here. As soon as they sell this
20 thing, their pockets would be lined and off they
21 move, go away, and it doesn't ever impact them
22 forever and forever.

23 Thank you.

24 CHAIRMAN BLACK: Thank you. Do you -- will
25 you submit those pictures, please? They go to

1 Susan down there. Thank you.

2 Next?

3 MR. JAMES BOYLE: My name is James Boyle.
4 P.O. Box 39, Ronald. I'm here representing
5 myself and my wife and family.

6 Leading academics in Europe have concluded
7 that the negative effects of wind energy are as
8 underestimated as the positive effects are
9 overestimated.

10 Denmark is calling for a moratorium on wind
11 farm development so they can reassess their
12 worth. These monstrosities are all over Denmark
13 and the people pay an enormous price not only for
14 them but for their electricity.

15 CHAIRMAN BLACK: Excuse me, could you get a
16 little closer to the mic, please? They're having
17 a hard time hearing you in the back.

18 MR. JAMES BOYLE: Oh, I'm sorry.

19 Puget Sound Energy has asked for a rate
20 increase to cover the cost of their wind farm in
21 southeast Washington. How much more will they
22 increase their rates for the Whiskey Dick
23 facility, which they have purchased? Will Puget
24 Sound Energy also buy the proposed wind farm we
25 are discussing tonight when and if it is

1 completed?

2 Every month along with my bill I get a piece
3 of paper asking me to sign up for a so-called
4 "green energy" at a higher rate than regular
5 electricity. Will we end up like the people of
6 Denmark with enormous energy bills helping to pay
7 PSE back their investment in wind farms?

8 Environmentalists everywhere are jumping on
9 the bandwagon for this feel-good, highly visible
10 quick fix to a complicated problem that just
11 doesn't and won't work. With these towers strewn
12 across the earth, they will not only be an
13 eyesore but a monument to human folly. Not to
14 mention the fact that we will be destroying
15 precious habitat, species, and delicate
16 ecosystems.

17 Consider the energy expended and the
18 countryside destroyed in the construction of
19 these towers. Each tower will take enough
20 concrete to build an Olympic-sized swimming pool.
21 Imagine the number of trucks required to carry
22 that cement and the roads that will have to be
23 built to accommodate them.

24 Historically the installation of wind
25 turbines in the U.S. have fluctuated with the

1 production tax credit. When the credit isn't in
2 place, the industry sits on its hands. The
3 credit has expired three times and each gap has
4 brought an installation dry spell.

5 During the last lapse of the credit, from
6 the end of 2003 to the fall of 2004,
7 installations dropped from 1687 megawatts to
8 389 megawatts. With the credit back in place
9 now, they have another wonderful growth at our
10 expense.

11 The American Wind Energy Association said
12 the credit is a fundamental part of financing
13 these projects. In other words, let the taxpayer
14 foot the bill.

15 If wind farms supplied genuinely green
16 energy, one might be willing to bite the bullet
17 and suffer the sacrifice of the countryside for
18 the good of the planet. The truth is they are
19 not the solution they have been touted to be.
20 They are nothing more than symbols for the dream
21 of renewable energy.

22 If we absolutely must have these dinosaurs
23 in our county, then they should be placed in an
24 area where they will not be an eyesore, where we
25 will not have to see them every day and be

1 reminded how foolish we humans can be.

2 Please vote to recommend denial of this
3 project. Thank you.

4 CHAIRMAN BLACK: Questions? Thank you very
5 much.

6 MS. GLORIA LINDSTROM: My name is Gloria
7 Lindstrom. I live at 1831 Hanson Road,
8 Ellensburg.

9 Wind farms belong on developed agricultural
10 lands away from populated areas. They do not
11 belong in wildlife areas such as the
12 shrub-steppe. A good example is the Klondike
13 wind farm in Oregon. The area, located on
14 hundreds of acres of wheat farmland, lacks trees
15 and water sources and is not well suited to avian
16 life. The area is not populated. It is the kind
17 of country ideally suited to wind farms and where
18 they should be located.

19 In contrast to the experience in Kittitas
20 County, there appears to be no opposition to
21 Klondike. As part of our visit to the Klondike
22 installation in 2004, my husband and I had lunch
23 in a restaurant in Wasco near the Klondike and
24 talked with four or five young men at a table
25 nearby about the wind farm. They said no one was

1 opposed to it; in fact, there was competition in
2 soliciting the installation of turbines on
3 properties.

4 While one such visit is scant evidence on
5 which to make decisions, we often think about the
6 night and day contrast between Klondike and what
7 is proposed for our geographically confined
8 valley. Here thousands will be in a sight line
9 to these turbines. The effect will be on far
10 more people than just the close-by neighbors.

11 The proposed WV -- KVVPP is located in a
12 shrub-steppe area and near too many residents. A
13 consequence of geographical features tends to
14 funnel or concentrate birds into certain areas.
15 This is such an area and is a flyway for
16 migrating birds.

17 HawkWatch International, probably the best
18 source of information about raptor numbers and
19 their migratory flight patterns for western
20 United States, have determined the major
21 migratory pathways in the western U.S., and one
22 of these pathways is the north-south route along
23 the Cascade mountains. And we are considering
24 putting wind farms there without adequate studies
25 to help determine the potential impact?

1 We have driven along Highway 97 and watched
2 hawks soar in the areas of the designated
3 turbines G-1 through G-4. In fact, a few years
4 ago a resident whose property is within the
5 proposed wind farm boundary invited my husband to
6 come to his property to see the area because he
7 was very concerned about raptors and the danger
8 they might be in. This resident, sadly, on whose
9 property turbines are proposed for installation,
10 has since become an advocate for the wind farm.

11 Wildlife studies done for the project by
12 WEST, a company hired by Zilkha and other wind
13 farm developers to perform such studies, are
14 minimal. Only one year's observation and no
15 nighttime studies for bats and migratory birds.
16 This is inadequate.

17 I am concerned for livability of our valley.
18 It is a small, beautiful valley. I have -- it
19 has been my home for over 60 years. The upland
20 area to the north and west of Ellensburg has a
21 unique and lovely geography with the Stuart range
22 as its crowning backdrop. What will the addition
23 of hundreds of giant turbines, whirling blades
24 placed in the foreground, do to this historic and
25 treasured view? This concern drives much of the

1 opposition to KVVPP. Thank you.

2 I would also like to submit a letter that
3 was e-mailed me today by a former resident who
4 lived here for 20 years. Carl -- or Michael Maw.
5 And he is in the process -- he lives in Auburn.
6 10807 Southeast 290th Street in Auburn,
7 Washington, and he is in process right now of
8 purchasing land in the proposed site, and he
9 submits this in opposition to the wind farm.

10 CHAIRMAN BLACK: Thank you very much. Next?

11 MR. ROGER WEAVER: I bring forth my resume
12 as a good ol' boy with a Ph.D. in rodeo.

13 No, seriously, I'm Roger Weaver, 1217 Radio
14 Road. I've been in the real estate business for
15 28 years. I own three ReMax offices: one in
16 Ellensburg, one in Cle Elum, and one in a couple
17 weeks at the Summit. We have 22 agents that
18 we're involved with. We handle a significant
19 number of property.

20 I personally have been affiliated with
21 Buck & Gordon land use attorneys in Seattle;
22 Mentor Law Group, when I served on the Suncadia
23 Water Council when we did the water rights work
24 for the acquisition of water rights involved with
25 the Environmental Impact Statement. Along with

1 another firm called Hempleman.

2 And then I also just finished a three-year
3 project with Jeff Slothower of Lathrop Winbauer
4 Slothower & Harrel firm and completed successful
5 defense of a rezone that took three years. The
6 planning counsel remembers IMWP, and finally that
7 finally took place and was victorious at the
8 Supreme Court; they refused to hear it.

9 I do personally myself a significant number
10 of what we call opinions of value. I cannot call
11 them an appraisal because I'm not an M.I.
12 appraiser. I'd have to take two years off of my
13 business to go and just do appraisals, and we
14 can't afford that right now.

15 So anyway, but I do a lot of opinion of
16 values for estate planning, stepped-up basis,
17 dissolutions. And then I have -- the reason I
18 have to speak now rather than tomorrow is I have
19 to be in Skagit County on a property valuation
20 expert -- as an expert witness tomorrow and
21 Friday, okay?

22 What I want to take issue with is -- first
23 of all, I need to qualify this discussion as it
24 comes from me. Most of you -- some of you know
25 me, and I've spent a significant part of my

1 career defending property rights. This last
2 issue, the windmill, they brought a confounding
3 struggle for me personally because I've always
4 been for personal property rights.

5 But this is the first time in my life I'm
6 going to take a departure from that to where I've
7 seen where their exercise of rights in one
8 particular area could affect the values and the
9 dreams of a significant number of people outside
10 of that particular legal description and where
11 they're putting the windmills, as an example.

12 I have lost a very good friend because of
13 this. Not counting clients that I've lost. So
14 this is a serious subject for me and one that I
15 don't take lightly.

16 And because of the outcome of that
17 particular decision, I'm appalled that we would
18 even consider this particular project when we
19 didn't allow it in the Reecer Creek area, because
20 this area is significantly more valuable and more
21 pristine and closer to more significant and
22 high-end development.

23 I used to own a ranch that is about two
24 miles south of there, okay? And then I sold a
25 ranch, Kenny Hartman's old ranch, up around the

1 corner of Highway 97, which is down that valley
2 there by Swauk Creek. There is significant
3 development planned at both ends of that area
4 that we're talking about.

5 So we would be from my ranch -- I can
6 remember -- when you talk about viewshed and the
7 lady mentioned it earlier, when you look all
8 across all that area, what is your centerpiece?
9 It's the Stuart range. The Stuart range is the
10 centerpiece for much of the things that we see
11 and appreciate and love in this valley. Now
12 we're going to have a picket fence in front of
13 that view. And that's basically what it will be.

14 But let's got to the real argument, and
15 that's property values. And this has nothing to
16 do with anecdotal or philosophical, okay? This
17 is some real data. The only quantitative data
18 that I've ever received from this organization
19 was a book that they put out several years ago.
20 And I think some of you have seen the blue
21 booklet where they came out and said their
22 statement on wind farms and how it affects
23 property values.

24 In that booklet in that particular data,
25 there was not anywhere near this number of wind

1 farms in any of the examples they used in any
2 particular area except for Bakersfield,
3 California. All the median income and all the
4 properties that they used quantitatively to
5 provide us the detailed information, the median
6 prices of a family household home, a
7 three-bedroom home, was valued between 70,000 and
8 the highest was 123,000. Was the highest
9 particular housing unit that they were
10 discussing.

11 Compare that to the values in our particular
12 valley. And our land is more expensive than
13 that.

14 I contend that we need -- you know, if they
15 want to have a justifiable discussion about
16 property values, it's got to be related in
17 comparative terms, okay? And what I mean by that
18 is I want to know are they taking this kind of
19 institution into a valley that depends on
20 recreation and tourism and a property that's as
21 pretty and as valuable as ours is without having
22 any effect on that particular area. I don't
23 believe that. I don't think they can prove that.

24 A better example would be -- someone said
25 have you talked to any of the homeowners. That

1 was a good question. They won't talk to home
2 owners, okay; I do. They're scared to death.
3 They've made significant investments.

4 I have sold one house already prematurely
5 because they were frightened about this coming.
6 And that sacrificed from what a normal market
7 price would be so they could get out of town
8 early. That's occurring, okay?

9 But the investments have already been made,
10 and they said that we can't track anybody that's
11 lost any money. Well, there's not a wind tower
12 up yet. But we will stop the development, we
13 will stop significant investment.

14 Ask Bend, Redmond, and Sisters if they want
15 windmills. And if you look at our county with
16 Suncadia, the investment that's made all the way
17 from the pass that's been going on and in
18 Ellensburg right now, we can't jeopardize the
19 quality of life that we have or the values that
20 we've committed to the people that live here and
21 what they hope to attain by staying here.

22 Our biggest industry, gentlemen, I'm sorry,
23 is real estate. That's our biggest business, is
24 real estate. And that (indicating) is going to
25 destroy it, as far as I'm concerned.

1 And any questions? In fact, I will submit
2 to you the article that I wrote in reference to
3 their only document that quantifies what they
4 think is something that has nothing -- their
5 argument that it does not affect land values,
6 okay.

7 COMMISSIONER McCLAIN: Yeah, I do have --

8 CHAIRMAN BLACK: Mr. McClain, please.

9 COMMISSIONER McCLAIN: Thank you.

10 The questions I have and I've asked
11 currently are tell us about the land that's
12 developing in this area. What are we seeing in
13 terms of the real estate market in this area? Is
14 this the area that we're seeing homes developed,
15 or is this an area that we're seeing more light
16 industrial or other sort of development?

17 MR. ROGER WEAVER: Well, unfortunately we
18 don't have enough resource land that's currently
19 zoned to handle light industrial. The other
20 thing that we don't have that we hope to have is
21 retail soon. And that's another current argument
22 that's taking place.

23 But most of the real estate development
24 that's occurring right now is residential. In
25 regard to second homes, recreational homes,

1 future retirement homes.

2 COMMISSIONER McCLAIN: I'm talking
3 specifically about this area. What is -- in your
4 experience, you said 20-some years experience,
5 what's your experience with this exact area that
6 we're talking about?

7 MR. ROGER WEAVER: Recreational,
8 residential.

9 COMMISSIONER McCLAIN: Any quantitative
10 sense of how many homes are we seeing developed
11 there, that sort of thing?

12 MR. ROGER WEAVER: Bettas Road is a bad
13 example because that's, you know, down in an area
14 that's not going to be affected, because they
15 very astutely hid where they were going to put
16 them on the ridges there.

17 But as soon as you get up a little bit --
18 and every -- most people prefer to build up, you
19 know, and Bettas Road is a beautiful valley but
20 it's low. And most of construction's going to
21 take place on the higher hills going up and down
22 from there around it.

23 You could go to the west side right now
24 where I have a couple projects, and you'll be
25 able to see these from across I-90. You will.

1 You'll see them from over there. And it's going
2 to change -- it's going to change our trademark.
3 Because how many pictures have you seen of the
4 Stuart range that we do in this valley? How many
5 people have bought their house and built them
6 facing the Stuart range? Okay?

7 Now, the appraiser mentioned about persons'
8 perceptions, perspective, personal taste and
9 everything else. Much of those things will be
10 changed with the onslaught of these. And like I
11 said, if I had anything to do with other one, I
12 feel twice as strongly about this one.

13 And I would recommend that maybe we get, you
14 know, a situation where we appraised a piece of
15 property with and without a windmill.

16 But you got to remember, the investments in
17 this area -- to get back to your point -- the
18 investments in this area are a quarter of a
19 million dollars and up. Minimum. You go down
20 around the corner where Kenny Hartman's ranch was
21 and count the houses through there.

22 My old ranch, which was 400 acres, go ask
23 that fellow what he's planning for that property,
24 which is at the other end of the Hayward Hills
25 section, okay. There's damages that we can

1 absolutely identify if we had to, okay?

2 CHAIRMAN BLACK: Thank you. Any other
3 questions?

4 Are you Number Last?

5 MR. TROY GAGLIANO: Yeah, I raised my hand
6 up first. I have to drive back in the morning.

7 CHAIRMAN BLACK: Because people are starting
8 to sneak in, you know, and I'm starting to lose
9 track.

10 MR. TROY GAGLIANO: Thank you, Chairman and
11 commissioners.

12 I've got just a couple of maps I'd like to
13 maybe perhaps pass out to the commissioners.
14 I'll reference these in a few moments.

15 My names is Troy Gagliano. I'm with the
16 Renewable Northwest Project. Business address is
17 917 Southwest Oak Street, Suite 303, Portland,
18 Oregon, 97205.

19 Thank you -- first of all, thanks to the
20 commissioners and the members of the public for
21 allowing me to step up from about 87th on the
22 list to 6th. I greatly appreciate that.

23 My organization, Renewable Northwest
24 Project, is a renewable energy advocacy group.
25 We promote the responsible development of

1 renewable energy in the four northwestern states.
2 To us that means you work with the community, you
3 get input, and you also do your environmental
4 assessments. We don't believe in just renewable
5 energy development for the sake of it.

6 My comments tonight will be brief and
7 they're focused on two areas. One, I'll explain
8 why we support this project. Essentially the
9 answer to that is it's consistent with the Comp
10 Plan of the county as well as some state
11 standards.

12 And in the second part of my comments, which
13 will reference to the maps I've just passed out,
14 I'd like to say a few words on some of the local,
15 regional, and the national benefits of renewable
16 energy projects such as this and explain how that
17 fits in to larger, I guess more broad regional
18 and national energy issues. And again, the maps
19 will apply there.

20 First of all, let me say one quick thing
21 about avian issues. I'm sorry I can't stay for
22 the whole couple of days here, but you'll
23 probably hear a lot about bird kills with wind
24 turbines. I don't have the study with me; I wish
25 I did.

1 The national average is two birds per
2 turbine per year, and that's in states across the
3 country. There are some projects in California
4 which, quite frankly, they couldn't have chosen a
5 worse place to put them, and a project in West
6 Virginia that maybe is having some issues. But
7 those are two projects. And there's bigger
8 effects, but the number is two birds per turbine
9 per year nationally.

10 The first part of my comments, we would
11 encourage you to approve the project because,
12 one, it meets the county and some state
13 standards.

14 This project is compliant with the rules of
15 the Washington Department of Fish & Wildlife.
16 You've heard tonight that you've got two letters
17 in the record. One from January 20, 2004, from
18 regional habitat manager Ted Clausing, saying
19 that the project is consistent with the
20 Department's wind power siting guidelines. Those
21 wind power siting guidelines require rigorous
22 pre-project assessment and mitigation for
23 potential impacts to wildlife and habitat.

24 The other letter from Mr. Clausing, again
25 with Washington Department of Fish & Wildlife,

1 dated September 17, '03, states that the WDFW
2 approves the project's proposed habitat and
3 environmental -- habitat and wildlife mitigation
4 plan.

5 So two letters from your Washington
6 Department of Fish & Wildlife agreeing that this
7 project is -- the possible effects are
8 mitigatable and it fits within the siting
9 guidelines.

10 In 2002 my organization, the Renewable
11 Northwest Project, worked with the Department of
12 Fish & Wildlife as well as the Governor's office
13 to craft those -- the WDFW wind siting
14 guidelines. So we commend the applicant for
15 adhering to them and also in some areas even
16 exceeding the requirements of those guidelines.

17 Another reason we would agree with -- we
18 would encourage you to approve is that we've
19 heard this project complies with the state noise
20 regs.

21 Three, you know, critically it's consistent
22 with the county's Comp Plan. That plan, as I've
23 read, there's pieces in there that call for a
24 diverse use of rural lands and encourages
25 projects that conserve rural character.

1 I've been to a number of wind farms like
2 this across the country, and I would argue that
3 they protect rural landscapes much more than the
4 likely proposed alternative use of this land,
5 that being sprawling residential development.

6 So secondly I'd like to talk a bit about
7 some of the benefits, both local, regionally, and
8 nationally about projects like this.

9 One, you've heard a lot of economic
10 development in this project and others. States
11 and counties use taxes different ways. We've
12 heard about bringing down the tax burden for
13 others, the tax payers in the county.

14 Counties also use it like the Klondike farm
15 in Sherman County. The first phase of that was
16 only 16 turbines, 24 megawatts, and it's added
17 10 percent to the tax base of the county. We did
18 a study on that last summer.

19 So there are examples of these projects
20 providing very valuable revenue across the
21 country.

22 Also you've heard about royalties, and the
23 number nationwide there is landowners receive
24 between \$2000 and \$5000 for each turbine that's
25 on their land.

1 So then moving to sort of regional issues
2 here, and this'll get you to the first -- the
3 first -- actually both of these maps. When
4 thinking about regional impacts of renewable
5 energy projects like this, the question to ask
6 is, If we're not going to use wind to get our
7 electricity, what are we going to use?

8 And the answer to that is coal. A few years
9 ago it was natural gas plants that were planned
10 across the country because gas was a lot cheaper
11 and it burned a lot cleaner, a lot of good
12 environmental things compared to coal. But gas
13 is volatile and the price has really gone high.
14 So coal is coming to our region.

15 If you look at this first page, this shows
16 you the two dozen newly proposed coal plants in
17 the west. All of these are using old pulverized
18 coal technology. This is not new clean coal
19 technology or IGCC.

20 You see a couple of projects there in
21 southern Idaho. I do some work in Idaho too, and
22 I know that some of the dairy farmers there are
23 really opposed to the expansion of the coal
24 plants because they're concerned about the
25 emissions of mercury, in particular, getting into

1 the drinking water for their cattle and then
2 impacting their dairy businesses.

3 The second page here I'll ask you to look at
4 shows you natural gas prices. And as I said,
5 natural gas was the fuel of choice several years
6 ago. You could see that -- the top graph
7 there -- the average price for natural gas per
8 million BTU, how it's measured and consumed or
9 bought and sold, was about \$2.25 around '01.

10 And April of '03 that spiked four-fold to
11 about \$10. And then the bottom graph shows you
12 September '04 through September '05 and how those
13 prices are now at -- were at \$5 and peaked to
14 \$14.

15 In the last two months natural gas prices
16 nationwide still are above \$10, so a four-fold
17 increase. So it's not -- it's no longer gas;
18 it's coal that's going to meet our demands if we
19 don't use renewable energy project -- renewable
20 energy in our region.

21 And then finally here just an idea or an
22 issue about national security. The winds
23 resource that you have in Kittitas County is a
24 renewable resource, but it's also domestic, okay?
25 Every amount of renewable domestic energy that we

1 use for our needs is coal we don't have to buy
2 and send money to other states and natural gas
3 that we don't have to rely on from Russia,
4 Venezuela, Indonesia.

5 The more domestic renewables we use, that's
6 more money and jobs that we keep in our economy,
7 and that truly puts us on a path to national
8 energy independence. So I would argue that not
9 only is renewable energy and energy independence
10 in the county, the state, and the region's
11 interests, it is a matter of national interest to
12 tap our domestic renewable energy resources.

13 So in conclusion, I'd like to just encourage
14 you to approve this application because the
15 project is consistent with the county Comp Plan,
16 it adheres to and in some cases even exceeds the
17 requirements of the Washington Department of
18 Fish & Wildlife wind siting guidelines.

19 As we've heard tonight, there's been
20 extensive environmental, cultural resource,
21 noise, and visual studies that indicate the
22 impacts of this project are minimal and can be
23 mitigated.

24 And the County, EFSEC, and the applicant
25 have solicited extensive community input over the

1 last three years. And I think it's obvious how
2 the applicant has responded to that input and cut
3 this project significantly.

4 So thank you.

5 CHAIRMAN BLACK: Thank you. Questions? No.

6 MR. TROY GAGLIANO: Thank you, Mr. Chair --

7 CHAIRMAN BLACK: Thank you very much.

8 It's ten o'clock. Mr. Bowen, what's your
9 preference? Do you want to go to 10:30?

10 AUDIENCE MEMBER: Do you want to listen to
11 one more? I had my hand up --

12 CHAIRMAN BLACK: Yeah. We won't miss you.
13 Okay?

14 CHAIRMAN BOWEN: I've got about five minutes
15 to 10:00.

16 CHAIRMAN BLACK: We can take a break. You
17 want to go to 10:30?

18 CHAIRMAN BOWEN: Is this the last
19 gentlemen --

20 CHAIRMAN BLACK: This was the last one that
21 had his hand up.

22 CHAIRMAN BOWEN: That's what I was afraid
23 was going to start happening, it would continue
24 to grow as we got along here.

25 CHAIRMAN BLACK: Let's take a five-minute

1 break and then we'll run until 10:30. Is that
2 all right, Dave, or would you rather --
3 Mr. Bowen?

4 CHAIRMAN BOWEN: That would be fine.

5 CHAIRMAN BLACK: Okay, we're going to take a
6 five-minute break.

7 (A break was taken.)

8 CHAIRMAN BLACK: Our plan, if the chairman
9 of the Board of County Commissioners agrees, is
10 we will run until 10:30 and at that time continue
11 the hearing until tomorrow evening at seven
12 o'clock in the same room.

13 CHAIRMAN BOWEN: That would be the current
14 thought process. We'll do that by motion.

15 CHAIRMAN BLACK: Right, that would be. So
16 if we're all set, ready to go, we will run until
17 10:30. No crowders, okay?

18 Go ahead.

19 MR. MERLE STEINMAN, JR.: My name is Merle
20 Steinman, Jr. I live up -- or I have property in
21 Section 14 up Tricklewood Lane northeast of
22 Highway 97 and more east of Bettas Road. I have
23 had that property for about 19 years.

24 Back in the '80s, I was working out there
25 and -- I mean, you could hardly keep a hat on. I

1 mean, that wind just blows and blows and blows.

2 At one time I was thinking of recreation
3 property there, and I have -- you know, I had 700
4 acres in there and I've sold off most of it. I
5 still have 70 acres in there.

6 At that time it was kind of a joke that the
7 best thing for this land is a wind farm. You
8 know, I never pursued it; I didn't know a lot
9 about wind farming or anything else, you know.

10 And then back in 1999 I was on a trip down
11 to Phoenix and came back through Palm Springs;
12 and driving up the freeway there in Palm Springs
13 and I looked at that wind farm as we were driving
14 by there and said, Man, that looks like a heck of
15 a project. We kind of stopped and looked and,
16 you know, I just said, Man, that looks real nice.

17 Because it's, you know, all the turbines
18 going, you got the -- the cows were underneath
19 and all the natural resources were still there
20 and, you know, it looked like a nice little
21 project. And I, you know, just kind of moved on
22 and never really thought about it again.

23 Back in 2001 Horizon approached me about
24 putting in some turbines on my land, and I said,
25 you know, that looks like a heck of a good deal.

1 So I went down and I got and looked at the
2 wind farms. My wife and I, we -- you know, we
3 went and touched the turbines, looked at the, you
4 know, overall project and says, yes, we'll sign
5 on to that project. So at that time, you know,
6 we kind of signed on for it.

7 So -- but you know, this -- the other thing
8 on this is this is a private venture; we are not
9 asking the government for money to put this thing
10 in. You know, Horizon is putting up most of the
11 money.

12 It is, you know, I mean, this project will
13 give the county back tax dollars; it isn't taking
14 away tax dollars. This project is not asking for
15 extra infrastructure. It is putting in roads and
16 servicing some of the properties around the area.

17 So -- you know, it is good for some of the
18 landowners. These turbines will reduce the
19 overall effect of property taxes on the overall
20 county. Because they do pay extra taxes for that
21 property for these turbines.

22 This, the turbines, these are using
23 renewable energy that is not polluting. I mean,
24 all our other sources -- I mean, if we were to go
25 out and get alternate resources, you know, it's

1 the hydropower -- I mean, we got a few fish
2 kills, et cetera.

3 You know our coal and gas, it's, you know,
4 it doesn't burn as clean. I mean, this stuff,
5 that wind is natural, and it -- what's happening
6 is that wind is hitting the base of those hills,
7 coming up those hills, and concentrating that
8 load on to those turbines, and that's why they
9 are siting them on the top of the hills. I mean,
10 it -- I mean, if you guys go up there and walk
11 that land, you will notice that it will blow your
12 hats off, literally. I mean, it just naturally
13 goes up there.

14 It would be one of the best things about
15 this whole thing, is this project is located next
16 to the power grid. Some of the projects, the
17 wind projects that get built, they may be
18 20 miles from a power grid, and they've got to
19 run that power from over the mountains and
20 through the valleys in order to get to a power
21 grid where they can run it.

22 This project is right on that power grid;
23 they don't have to run these powers anywhere.
24 You know, power lines. And the power lines that
25 they are running are all underneath the ground.

1 So I mean there is, you know, they don't have all
2 the telephone poles and everything else for the
3 power grid.

4 So in the short, I am very much for this
5 project and think that it would be very good for
6 the county. And now, Mr. Chair, if you have any
7 other questions?

8 COMMISSIONER CRANKOVICH: I do. Alan
9 Crankovich, Commissioner District 2.

10 You said you started out with -- originally
11 with approximately 700 acres and you've sold
12 off --

13 MR. MERLE STEINMAN, JR.: Yes, I did say
14 that. Originally I owned 1680 acres with a
15 partner. So there was two of us had 1680 acres.
16 I took that and divided, and I really had 840
17 acres, I think. Or thereabouts. I'd have to go
18 back and do my math again. But it's 1680 acres,
19 about two and three-quarter square miles.

20 COMMISSIONER CRANKOVICH: Okay, so of that
21 land that you sold, what are the uses that it
22 falls under right now; what's it being used for
23 by the people that you sold it to?

24 MR. MERLE STEINMAN, JR.: There are a few
25 recreationalists on there. Some of them are pro,

1 some of them are con. There are -- there's 800
2 acres that is a pro property.

3 And you know, this stuff is -- you know,
4 I've sold it off in different deals, and some of
5 it's -- oh, I've sold off twelve 50s in the
6 partnership and I've sold off one 800-acre
7 parcel. Actually I'll back up; I still own a 50
8 and a 20. So I sold eleven 50-acre parcels.

9 COMMISSIONER CRANKOVICH: Okay, thank you.

10 CHAIRMAN BLACK: Any other questions?

11 COMMISSIONER McCLAIN: Recreationalists?
12 And you said pro and con; I'm sorry, could you
13 clarify that?

14 MR. MERLE STEINMAN, JR.: There are -- I
15 really don't know exactly how many cabins there
16 are on the property. I think there's, let's say,
17 probably one, two, three -- I would probably
18 guesstimate about three to four cabins on the
19 property. One of them I know is full-time or
20 mostly full-time. He does commute back and forth
21 to Seattle and stay there at times.

22 The others I'm not sure exactly how often
23 they come.

24 And you know, I would probably say that
25 three-quarters are pro that I've sold to, and

1 I've probably got about a quarter against the
2 project.

3 COMMISSIONER McCLAIN: And when you say you
4 sold that, when did you sell that off?

5 MR. MERLE STEINMAN, JR.: Well, I bought the
6 property in '86, about 19-plus years ago, and we
7 sold off some of it in the -- around 1990, '91.
8 I've sold land in there as recent as, I don't
9 know, probably '97.

10 And I have -- to be honest with you, I did
11 repurchase a 20-acre parcel in, I don't know,
12 '01.

13 COMMISSIONER McCLAIN: And home -- little
14 cabins were developed on those? You said four or
15 five of those, or three or four of those?

16 MR. MERLE STEINMAN, JR.: Yeah, I've never
17 been to any of them so, you know, I mean, there
18 are cabins and there would probably be three
19 cabins, maybe four. I can't -- I really haven't
20 been there, so I don't know.

21 CHAIRMAN BLACK: Thank you.

22 MR. MERLE STEINMAN, JR.: Thank you.

23 CHAIRMAN BLACK: With that we will start at
24 the top of the list.

25 Susan?

1 MS. BARRET: Jeff Howard.

2 MR. JEFF HOWARD: My name is Jeff Howard.
3 21 Fawn Road in Cle Elum, and I'm representing
4 myself and my wife as homeowners.

5 After nearly four years of renewable
6 hearings, newspaper articles, letters,
7 applications to and by different entities, I find
8 myself once again speaking on behalf of
9 protecting the western valley, its property
10 values, and its way of life.

11 The proposed project has no place sited
12 among homes, recreational and ranch properties,
13 and along one of the most scenic routes in the
14 western United States.

15 If approved, it will not only indelibly mar
16 the countryside for decades to come, but it will
17 also open this entire area to many additional
18 efforts to create similar installations from
19 Ellensburg to Easton. There will be a
20 never-ending stream of applicants. They'll be
21 coming out of the cupboard like Willard's bats,
22 using the wedge issue that this project was
23 approved and therefore you're going to be asked
24 to approve theirs.

25 Now, these applicants first tried to get

1 approval for siting by saying flatly that no
2 other site in the entire county would work for
3 their project. Period, exclamation point. None
4 were feasible except this particular one.

5 When this project got bogged down a couple
6 of years ago, whoopieola. Miracle of miracles,
7 they found a place east of Kittitas that would
8 work after all. They have since obtained county
9 approval and are beginning construction. The
10 applicants have demonstrated by their actions
11 that other locations in this county will work for
12 them.

13 We opponents of this particular project have
14 demonstrated that we do not object to siting
15 these wind farms where they will do the least
16 harm. How many ways can the word "no" be spelled
17 and stated before these applicants understand
18 what it really means?

19 This idea got bogged down at the county
20 level in years past. The applicant decided to
21 seek state preemption in an effort to railroad
22 Kittitas County into accepting their plan. Now
23 they're back at the county level again because
24 the State is looking a bit soft on possibly
25 overriding county preferences.

1 Let us make it clear that such installations
2 do not, should not, and will not ever be sited in
3 areas where the long-term damage to the county,
4 its residents, its commerce, and property values
5 will be so adversely affected.

6 Please preserve our valley and our way of
7 life by disapproving this application. Thank you
8 very much.

9 CHAIRMAN BLACK: Questions, anyone? Thank
10 you.

11 MS. BARRET: Sorry for the last name.
12 Michael Ptaszynski?

13 Sandy Sandall?

14 MR. SANDY SANDALL: My name is Sandy
15 Sandall. I reside at 8560 Elk Springs Road. I
16 represent my wife and myself and a gentleman by
17 the name of John Philips and his wife Shelly,
18 Steve and Lori Flute, and Mark and Linda Hampton.

19 What I passed out there is the map of
20 Section 35. And I noticed the gentleman when he
21 pointed out Section 35 up there, he had my
22 neighbor's property. And they cut down the wind
23 towers.

24 Now, I've got a view from Highway -- or
25 Milepost 93 on I-90 across the valley all the way

1 over to Kittitas. If I can see those wind
2 towers, are they going to remove those from me?
3 Are they going to buy my property?

4 There are 37 parcels of land up there and
5 four full-time residents. We're looking at about
6 6 to 8 million dollars' worth of property up
7 there that's going to be destroyed or damaged by
8 these wind towers.

9 We have to drive Elk Springs Road on a daily
10 basis. If you go down to get the mail or get the
11 paper, people at work have to drive through
12 there. There's also other people in Section 1,
13 which is right adjacent to that, that have to
14 travel through these towers every day.

15 The -- they talk about the views. For
16 crying out loud. I got magazines here that says
17 view, watching wildlife, stunning views, every
18 direction. One acre. Territorial views. The
19 Daily Record, their little magazine, you go
20 through there. We don't own the views, right,
21 but it sure increases the property value. As you
22 look at Suncadia, as you look at the, what is it,
23 Sapphire Skies over there in Cle Elum? I looked
24 at 20 acres over there. 300-some-odd thousand
25 dollars. I don't know, I just -- it blows my

1 mind.

2 The test towers that they've got up right
3 now, they're running roughly 155, 165 feet.
4 There's two of them on Elk Springs Road. We see
5 both of them.

6 We bought our property in '89 for
7 retirement. We invested our time, our money; we
8 built and retired over here in '97. We loved it
9 and we don't like the idea of having to put up
10 with these wind farms. I dare any one of these
11 gentlemen, any one of these folks that have one
12 of these damn things in their place where they're
13 looking. They wouldn't like it; they'd cry like
14 you -- a banty rooster. I'm sorry, I get kind of
15 carried away.

16 Now, the wind farm people, they don't care
17 about us. They want their tax credit and they're
18 going to move on.

19 It's not about siting. If you look on the
20 second page here -- I'll get carried away, excuse
21 me.

22 CHAIRMAN BLACK: You're fine.

23 MR. SANDY SANDALL: BLM guidelines. Get
24 more wind farms going. That's in the western
25 part of the United States. It's open. There's

1 other places in Ellensburg. You go over here to
2 the -- and these articles came out of the Yakima
3 Herald, by the way.

4 Over here where it talks about economy.
5 Talks about Kittitas County. Not a thing said in
6 here about the wind farm that's in here right
7 now, but yet in Klickitat they're talking about a
8 21,000-acre wind farm project. That's where the
9 money's at. We've driven all around Klickitat
10 and I have not seen any wind farms over there.
11 They must be hidden somewhere.

12 Also they're talking about the wind. That
13 wind don't blow all the time. Last winter we had
14 about seven to eight weeks of fog. We call it
15 Lake Ellensburg when we look out over the top of
16 that. Just the other day, looking at it coming
17 across the valley, it was just low enough you
18 could see the river running -- outlet going down
19 the canyon road. It's beautiful. I mean, I defy
20 any of you to come up there and say it isn't.

21 The gentleman that spoke up there, all the
22 views, there's a bunch of people up there that
23 got views. Mr. Philips lives on the top of a
24 ridge. He's got just about a 360-degree view.
25 Yes, the wind blows up there; he said it himself.

1 There's other people that have got views
2 over there. This year so far we've got about
3 34 days of fog. The wind don't blow all the
4 time. What are we going to do, set down -- or
5 sit down with those wind farms four months out of
6 the year that don't operate? That's not being
7 productive.

8 Then what about the rights of the landowners
9 that are opposing this? I have some rights too,
10 just as well as anybody else, as those people
11 that have got the right to do what they want with
12 their property. I've got a right to complain,
13 I've got a right to fight for them.

14 And then in the last -- in a letter from
15 Mr. Philips, if you -- I've got it marked on the
16 last three items here, those are things he wanted
17 to be brought out. I won't read them. I'm too
18 uptight.

19 Is there any questions? I'm sorry.

20 CHAIRMAN BLACK: Questions, anyone? No.

21 MR. SANDY SANDALL: Okay, thank you.

22 CHAIRMAN BLACK: Thank you very much.

23 MS. BARRET: Preston Shugart?

24 Ann Gabrielson?

25 Gordon Gabrielson?

1 Tracy Frame?

2 Skip Littlefield?

3 Joe Brown?

4 CHAIRMAN BOWEN: Mr. Chairman, I would
5 suggest people have decided we -- they're not
6 going to get up today, so maybe we should --

7 CHAIRMAN BLACK: I agree with you. I think
8 that with that, we will make a continuation of
9 this public hearing until 7:00 p.m. in this
10 building tomorrow evening. January 11th --

11 COMMISSIONER McCLAIN: Point of order,
12 Mr. Chairman. I think we need to have a motion.

13 CHAIRMAN BLACK: Just a moment.
14 Mr. Slothower?

15 MR. JEFF SLOTHOWER: Yes, I'm signed up to
16 speak and my turn is coming up fairly soon. I
17 will be late tomorrow night; there's a Board of
18 Adjustment meeting that I have to be at. I'd
19 also remind you that on Thursday night the City
20 of Ellensburg Planning Commission has its first
21 study session on the Comprehensive Plan
22 amendment. So there's going to be a fairly
23 substantial scheduling conflict with that, as I
24 believe there will be a number of people that are
25 interested tonight, some of who have probably

1 left, that will want to attend that City of
2 Ellensburg Comprehensive Plan Planning Commission
3 study session. I just wanted to make you aware
4 of that conflict.

5 CHAIRMAN BLACK: Thank you.

6 COMMISSIONER McCLAIN: Move to adjourn to
7 tomorrow to continue the hearing.

8 COMMISSIONER HARRIS: I'll second that.

9 COMMISSIONER McCLAIN: Seven o'clock here.

10 CHAIRMAN BLACK: This building?

11 COMMISSIONER McCLAIN: This building.

12 CHAIRMAN BLACK: January the 11th. With
13 that, we'll turn it back to the chairman of the
14 Board of County Commissioners. Mr. Bowen?

15 CHAIRMAN BOWEN: Did you get it moved and
16 seconded and voted on, Mr. Chairman?

17 MR. McCLAIN: Moved and seconded.

18 CHAIRMAN BLACK: Moved and seconded. All in
19 favor?

20 COMMISSIONER HARRIS: Aye.

21 COMMISSIONER McCLAIN: Aye.

22 COMMISSIONER PERNA: Aye.

23 COMMISSIONER CLARK: Aye.

24 COMMISSIONER WILLIAMSON: Aye.

25 CHAIRMAN BLACK: Opposed?

1 The motion carries. Continuation until
2 tomorrow.

3 CHAIRMAN BOWEN: Thank you all for attending
4 tonight. We'll go ahead and I'm going to --

5 COMMISSIONER HUSTON: Mr. Chairman, I might
6 suggest that we go ahead by motion and vote to
7 continue our segment of the public hearing, just
8 to make sure our record's clean.

9 To that end, I would move to continue this
10 public hearing to July 11th, 7:00 p.m., Kittitas
11 County Arts Center.

12 CHAIRMAN BLACK: January 11th.

13 COMMISSIONER HUSTON: Excuse me, January
14 11th would be -- well, somewhere in there.

15 January 11th at 7:00 p.m., Kittitas County
16 Events Center.

17 COMMISSIONER CRANKOVICH: Seconded.

18 CHAIRMAN BOWEN: It's been moved and
19 seconded to continue this public hearing to
20 Wednesday, January 11, 2006, 7:00 p.m. here at
21 the Kittitas County Events Center, Home Arts
22 Building. The record will remain open for
23 written and verbal testimony.

24 Any discussion to the motion?

25 Hearing none, all those in favor indicate by

1 saying aye.

2 COMMISSIONER CRANKOVICH: Aye.

3 COMMISSIONER HUSTON: Aye.

4 CHAIRMAN BOWEN: I too will vote aye, and
5 the motion carries.

6 (The proceeding was adjourned at
7 10:23 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON)
) SS.
COUNTY OF YAKIMA)

This is to certify that I, Louise Raelene Bell,
Certified Court Reporter and Notary Public in and for
the State of Washington, residing at Yakima, reported
the within and foregoing hearing; said hearing being
taken before me as a Notary Public on the date herein
set forth; that said hearing was taken by me in
shorthand and thereafter under my supervision
transcribed, and that same is a full, true and correct
record of the hearing.

I further certify that I am not a relative or
employee or attorney or counsel of any of the parties,
nor am I financially interested in the outcome of the
cause.

IN WITNESS WHEREOF I have hereunto set my hand
and affixed my official seal this _____ day of
_____, 2005.

LOUISE RAELENE BELL, CCR
CCR No. 2676
Notary Public in and for the
State of Washington, residing at
Yakima. My commission expires
July 19, 2007.