BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the matter of
Application No. 2009-01
WHISTLING RIDGE ENERGY, LLC.
WHISTLING RIDGE ENERGY PROJECT

A Special Council Meeting in the above matter was held on
Thursday, October 6, 2011, at the Rock Creek Hegewald
Center, 710 S.W. Rock Creek Drive, in Stevenson, Washington
at 6:00 p.m., before the Energy Facility Site Evaluation
Council.

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CHAIR LUCE: Good evening. My name is Jim Luce,
and I am Chair of the Washington State Energy Facility Site
Evaluation Council. We are meeting in the Rock Creek
Hegewald Center, in Stevenson, Washington on October 6, 2011
regarding the application for Whistling Ridge Energy
Project, LLC, to construct an energy project, a wind
project, in Skamania County.

The clerk will call the roll, please.
MR. WRIGHT: Is the Chair present?
CHAIR LUCE: The Chair is.
MR. WRIGHT: Department of Commerce?
MR. FRYHLING: Dick Fryhling is present.
MR. WRIGHT: Department of Ecology?
CHAIR LUCE: Excused.

MR. WRIGHT: Excused.

Fish and Wildlife?

MR. TAYER: Jeff Tayer is here.

MR. WRIGHT: Department of Natural Resources?

MR. HAYES: Andrew Hayes here.

MR. WRIGHT: Utilities and transportation?

MR. MOSS: Dennis Moss is here.

MR. WRIGHT: And Skamania County?

MR. SUTHERLAND: Doug Sutherland is here.

MR. WRIGHT: And the attorney representing the Attorney General's Office?

MR. CREWS: I'm here.

CHAIR LUCE: And Judge Wallis is also with us.

MR. WRIGHT: And Judge Wallis is with us and for the record the representative for the Attorney General's Office was with us this afternoon. I just failed to call him.

CHAIR LUCE: Thank you. At this point in time I would ask staff for the benefit of those who were not here this afternoon to give a brief summary of our process and recommendation package. That will be followed by an opportunity for Council Members to discuss or ask questions, and that in turn will be followed by an opportunity for Council Members any statements that they may wish to make
with respect to this project. At that point in time there will be a final action on this recommendation that we are going to make to the Governor.

So now if Manager Wright can briefly summarize the process that we have used to get to this point.

MR. WRIGHT: Thank you, Mr. Chairman. Those of you that were here this afternoon this will be repetitive for you, but basically the process in this application are a little bit different than the normal EFSEC processes.

It was a parallel process in that we conducted adjudicative proceedings in parallel with the development of the SEPA documents which resulted in a Final Environmental Impact Statement. Those two processes came together. The Final Environmental Impact Statement was finalized on August 12, 2011. The adjudicative process was culminated shortly after that, and then the results of those two, the adjudicative order with its findings and the Final Environmental Impact Statement were combined by the Council in an evaluation which resulted in a recommendation order and a Draft SCA which after tonight when the Council reaches its final decision will be put together, and it will be a recommendation to the Governor.

The parts of that recommendation order and the resulting Site Certificate Agreement will be a short version of an SCA contains, of course, a number or a lot of points,
but I'm only going to outline about ten of them for you that were basically the findings of that process.

One, after considerable deliberation on both for the adjudicative process and the land use issues outlined in the EIS the Council had a finding that the project was consistent with the land use ordinances of Skamania County.

A very highly contested issue was the visual impacts from various viewing sites around the area relative to the impacts of the turbines from various parts, viewed from various parts of the region. And one of the major concerns in that viewing analysis both done in the EIS by consultants and with simulations of the tower locations and also after that the Council conducted its own viewscape analysis tour with all the Council Members viewing all of the sites and having available to them the simulations of the tower locations they have come out with a set of findings, and some of those tower sites are under consideration for restrictions due to viewscapes.

The largest impact is the Columbia River Gorge, of course, and to some extent the National Scenic Area, but the real issue was the Columbia River Gorge itself. There was considerable discussion both in the EIS and in the adjudicative process on various aspects of wildlife and wildlife management. The Council made considerable efforts to ensure there's compliance with the 2009 Washington
Department of Fish and Wildlife Wind Farm Development
Guidelines on both habitat, vegetation, fish and wildlife issues. That included secondarily compliance with considerations regarding any identified threatened, endangered, or sensitive species within the project area. And, thirdly, under that same category a mitigation parcel or in lieu of mitigation of some of the wildlife impacts for the project was discussed extensively in the adjudicative process. The Council considered and favorably regarded that proposal; however, it was never really presented to the Council in the form of a stipulated agreement between the parties, and so therefore the Council simply acknowledged in the adjudicative process and its consideration, but it did not make a finding on that particular issue because it was never culminated into a stipulated agreement to the Council.

Another contested issue is the cultural archaeological resources and the protection of those resources. The Council spent a considerable amount of time both in the EIS and in the adjudicative process regarding the information that was presented, and the cultural archaeological resources were of a particular interest to the tribal organizations, and especially the Yakama Indian Nation. The Council has made substantial effort to ensure that there's protection of those archaeological and cultural resources, both the ones already known and identified and
those yet possibly to be identified.

Noise standards were brought up in the adjudicative process and were addressed in the EIS, and the Council has made every effort to ensure compliance with all the applicable state laws as far as compliance of the noise standards.

Within the Draft SCA there are issues on fire protection. There's fire control plans required. There are provisions protecting public roads that exist now or that may be affected or modified during the project construction or operation, and there are provisions relative to private roads, those already constructed or those that might be constructed.

And, lastly, a new issue for this Council, and that's the issue of compliance with the Forest Practices Act. Most of the -- not most. All of the projects that EFSEC has wind farm projects that EFSEC has provided siting agreements with are on the Eastern Washington grasslands. They were not affected by the Forest Practices Act in the state of Washington; however, this is the first one the Council has addressed a wind farm in a conifer forest which does include considerations of the Forest Practices Act, and the Council has under its consideration considerable provisions regarding the compliance with the Forest Practices Act.
And those are the ten items that we selected that we thought were probably the most important to the Council.

CHAIR LUCE: Thank you, Mr. Wright.

At this point in time I would ask the Council Members do they wish to make any comments, ask any questions, have any statements with respect to the decision we're here to make this evening?

And I'll begin with Mr. Sutherland from my far right.

MR. SUTHERLAND: Thank you very much, Mr. Chair.

I appreciate the opportunity to make a few comments. First of all, I'm going to express my appreciation for the people who have participated in the conversations and making presentations, attending meetings, writing us letters, including information that needed to be included in the environmental review, the insistence on many of the people here who are concerned about the impacts of a wind farm here in Skamania County.

As an aside, I want you to know that although I don't live here I do have a significant connection with Skamania County. My great aunt was a proprietor and operator of the Cafe Restaurant at the base of Beacon Rock for many, many years many years ago, and as a little kid I played around up and down Beacon Rock enjoying the fun times scaring the hell out of my mother. That wasn't the first
time nor was it the last. Our family was very involved with
the activities down here, including this is where I raised
my horses. We had an Appaloosa Ranch not very far from
here. So I'm not a stranger to Skamania County.

I do wish to express my deep appreciation to Al
Wright and to all of your staff. I came to this discussion
late, but you and your staff have been really absolutely
marvelous in responding to anything that I needed or asked
for even in anticipating many times even before I asked for
it giving me what information and what was necessary for me
to continue the deliberations that we had.

I want to thank members of this body. It would
have been very easy for many of us to let our emotions get
involved in the discussions and to come to significant
disagreements that would have been difficult to resolve, but
in our deliberations and our conversations I'm amazed at how
well we were able to find common grounds and come to
conclusions, come to conversations, and come to the
deliberative process in a way that each of us had equal
opportunity to participate and do it in a very
straightforward, reasonable approach without any kind of
interference between the thinking and the deliberative
process.

I have served on many boards, I have served on
many councils, as well as I have managed some of those, and
it is rare that when you have an issue before you that is complex as this issue is that members of the deliberative body were able to look at it dispassionately and come to agreements and understandings that enabled all of us to have a significant role to play.

I will tell you, Ladies and Gentleman, that there were many disagreements. The discussions and deliberations were sometimes very pointed, and we didn't always agree. But I do believe that through the process that I just described we were able to come to a conclusion and to a place where an agreement indeed is reasonable, well thought, and I think very defensible.

The last thing that I want to say is that I've been involved in the government process for about 35 years in one way or another at the local level, at the neighborhood level, city, county, state, and I can tell you that these processes are getting more and more complicated. These processes are getting more and more unfruitful where you never come to a decision that is a conclusive decision.

My greatest fear is that after tonight this decision is not going to be able to go forward because someone is a going to challenge it. Someone is going to find something in the process that they didn't like, even after as much time has been devoted to the discussions and the deliberations. And as you can see that stack of paper
down there that's only part of it. The discussions I think once you come to a decision that should be it, and if you don't like the decision find a way to take those who are making the decision and remove them and find someone who can bring you decisions that are more in your favor. But to constantly challenge increases the cost, takes an incredible amount of time which is stupid. It involves way too much changes of what can and should be able to be done.

As many decisions are very important, but I think once those people that have been delegated the responsibility to make the decision and the decision is made that should be it. So I just hope that thoughtful people can come to an understanding that this decision was worked real hard and proponents and opponents alike had the opportunity to participate and to bring that information to this board, and I as one of those participants on the board appreciate the amount of work that was done by proponents and opponents.

So with that, Mr. Chair, I say thank you for the opportunity to make comments and thank you all for being here and being part of it.

CHAIR LUCE: Thank you.

The next Council member will speak to the questions, please. Andy.

MR. HAYES: Thank you, Mr. Chair. I'd like to
start by echoing some of Doug's sentiments. I appreciate
the consistent hard work of staff and other Council Members
how much intentionality they brought to this process.

Particularly I would like to thank the public
though for their consistent and passionate input into this
process, and I want to assure you that we have considered
that very seriously in our deliberations and hope we see
some of those sentiments in the outcome of this process.

This has been as was noted a very complex
application and process. I think it's important to
emphasize that the most important thing I would like to
emphasize there was true diversity of opinions on the
Council, and they were in deliberations during the
adjudicative process. You know, we very carefully
considered the complete record and all the public input that
was given. There was sort of active and iterative
discussions about could we recommend this project or not and
how would we do that, and we considered our mandates to
balance the objective of the Council very seriously.

In particular, there were many issues that were
brought up during the adjudicative process and indeed are in
the record. Discussions on the need for power and the
state's renewable energy policy recognizing the need to
minimize environmental impacts was heavily discussed. In
addition, a discussion of visual impacts having over several
meetings, including a site visit and a detailed analysis on the part of the Council.

And, lastly, a particular significance to me and careful consideration of potential wildlife impacts given this is the first wind power facility considered by the Council, and it's extremely important to assure that potential impacts to wildlife were minimized and mitigated for as possible. So with that thank you very much.

CHAIR LUCE: Council Member Moss?

MR. MOSS: I share many of the sentiments expressed by my colleagues and would only wish to express my great appreciation to all of you and to the many others who have participated in this process as members of the public, as parties to the proceedings, and as my colleagues on the Council.

I don't see any point in belaboring the matter by repeating many of the things that have already been said. So with expression of my appreciation, I'll pass the mic over.

CHAIR LUCE: Council Member Fryhling.

MR. FRYHLING: I'd like to also thank the citizens of Skamania County and the greater Columbia Gorge Area on all their participation and all the meetings they attended, and the good testimony we received from them. Also I would like to thank the Counsel for the Environment and all the
parties that have participated in the adjudicative process
and my fellow Council Members up here.

I'm the old guy on the Council here. I've been on
the Council for ten years now. This is probably my last
project I'm going to work on. So I've learned so much from
these people I've worked with here on the Council. They're
all specialists in their own fields, and so it's also been a
learning process. I'd also like to thank our Attorney
General Kyle Crews and Law Judge Bob Wallis and our great
staff.

I'm a little unique than maybe some of the people
Walla Walla, and my agency has allowed me to live in Walla
Walla and be their representative on the Council so I have
to keep on top of things sometimes by special help from our
staff, and so I'd like to specifically thank Al Wright and
Stephen Posner and Kayce Michelle.

This project was hard work, and I believe that we
have with all our efforts and our discussions and our
meetings and so forth I think we'll announce a good decision
this evening. Thank you.

CHAIR LUCE: Thank you, Council Member Fryhling.
I'm going to have some comments at the end, but I would like
to read now a statement from Hedia Adelsman who could not be
with us this evening.
Her statement reads as follows: To my fellow Council Members, Whistling Ridge Energy Project Applicants, parties to this case, and members of the public, I'm out of the country for family business. I have reviewed the extensive record, adjudicative record, the Application 2009-01, Final Environmental Impact Statement, Council Order No. 868, Draft Site Certification Agreement, and other documents.

I support the recommendations to Governor Gregoire to approve portions of this project site in Skamania County for the construction and operation of Whistling Ridge Energy Project consistent with the conditions specified in the Draft Site Certificate Agreement.

As I said, I will have a statement here at the conclusion of the proceedings and I'll pass the mic now to our esteemed chairman or our esteemed member from the Department of Fish and Wildlife, Jeff Tayer.

MR. TAYER: Thank you, Mr. Chairman. Well, I would echo the appreciation that's been expressed for all of the citizens that have come forward to testify in this matter. I've spent my whole adult life 35 years working for the Department of Fish and Wildlife protecting the fish and wildlife, including ten years of that right here in the Columbia Gorge patrolling the Bonneville pool and all of the hills around this pool. So I really appreciate all of that.
concern that was expressed here for wildlife. I only really
would comment that I wish there was this much concern and
scrutiny put to everything that has a potential to affect
wildlife. I'm afraid there's not.

As you have heard earlier we've placed a lot of emphasis in this process on the Department of Fish and
Wildlife Wind Power Guidelines. The reason for that emphasis is because that set of guidelines was developed by not one biologist but by many biologists at both the state and federal level. And not just state and federal biologists but experts from the environmental community, including Washington Audubon, Seattle Audubon, and their concerns. So really what I was looking for in this process was whether there was something that would make this project exceptional to the guidelines.

The guidelines were redone in 2009 partially to take into account the other habitat types that weren't present in the area of gas lines. They were extended to capture the habitat types that we're dealing with here in forest habitats. So the question once again that I ask myself is: What makes this exceptional to the guidelines? Does it have impacts to threatened or endangered species? And I couldn't help but come back to the conclusion of the experts that I respect so much with this state, our state agency and with our colleagues at the Fish and Wildlife
Service, that this project may affect but is unlikely to adversely affect threatened or endangered species. Does it have the usual concentrations of wildlife? No, in my view it does not. And finally is this adjacent to an area that's set aside for wildlife? And, no, I couldn't find that it was, and so therefore I concluded that it was within the context of the Fish and Wildlife Guidelines.

So I wanted to at least walk you through my rationale for how I came back to each of those questions, back to the guidelines that are intended to be used for wind power projects in Washington. Thank you.

CHAIR LUCE: Thank you, Council Members.

I have a statement I would like to read at this point in time.

Fellow Council Members, parties and members of the public, first, I want to address some preliminary matters. Again, I want to thank our Administrative Law Judge Robert Wallis (Bob Wallis), Kyle Crews our Attorney General, and our staff who worked very long over a very hard, very hard over a very long period of time. I also want to recognize our Environmental Impact Statement partners the Bonneville Power Administration for their hard work.

But most importantly, and this has been said before, I want to thank the members of the public for their contributions to this process. It's been a long process.
think it's been a good process. You have offered valuable testimony in all of our proceedings and we have considered them carefully.

I also want to acknowledge a very recent October 4, 2011 letter from the Yakama Nation requesting that the Council postpone this decision and recommendation to the Governor until it has met with the Yakama Tribal Council. The Yakima Nation is a party to these proceedings but early on withdrew its testimony based upon the tribal resolution directing negotiations with the Applicant and the Cultural Resource Program of the Yakama Nation regarding placement of wind turbines on Chemawa Hill. The letter states that those negotiations have not occurred.

The Council respects the government-to-government relationship between the State of Washington and the Yakama Nation. The Council acknowledges and shares with the Yakama Nation the importance of protecting cultural resources. We are proceeding to a decision this evening in the hope that the recommendation order and the Draft Site Certificate Agreement may satisfy the concerns expressed in the October 4 letter. At the same time we assure the Yakama Nation as an intervenor of the Tribe's right to petition for reconsideration if those concerns are not resolved.

Finally because this is an adjudicatory proceeding which will be reviewed by the Governor and because
litigation is possible neither the Council Members nor the staff will answer questions. Our adjudicatory order, recommendation order, and site certificate agreement, draft site certificate agreement speak for themselves. If we were to answer questions about any of these documents some might say that we were interpreting what we meant and use it to argue their case in later proceedings. We do not want this to happen. Thus, I hope you will understand neither Council Members nor staff will answer questions tonight or in the future concerning the case in the documents that will inform the Governor's decision.

Now the case before us. On March 10, 2009, Whistling Ridge Energy filed as permitted by law Application 2009-01 with our Council. The application seeks site certification for the construction and operation of no more than 50 wind turbines that would generate up to 75 megawatts of wind power. Located in Skamania County the project as proposed would require approximately 1,152 acres of land now presently used for commercial forestry of which 384 acres would be permanently developed.

In considering this case there has been a very substantial public process. The process included preparation of a joint Environmental Impact Statement in cooperation with the Bonneville Power Administration. We did this because the project will require the construction
of an adjacent substation to move wind power to transmission lines. The EIS totals more than 5,731 pages, including attachments, and was itself the subject of extensive scoping and public meetings. In addition to the EIS public process EFSEC conducted seven public meetings and eight days of adjudicative hearings. Most of these were held here in Skamania County. More than 200 citizens testified personally or offered written comments on land use issues and whether the project should be recommended for approval. Those meetings occurred here at Rock Creek Center and at Underwood in the Underwood Community Center. In our eight days of adjudicative hearing many witnesses were heard in support of and opposition to the project. 223 exhibits totalling 3,325 pages were entered into evidence which has also seen numerous motions and discovery requests.

Perhaps the most significantly contested issue is what has been called the viewscape. The question is whether and to what extent the project might adversely impact the views of the Columbia Gorge and whether this should affect our decision. Council Members among other things spent two days touring the view sheds and were presented visual simulations in the EIS and the adjudication hearings. We did this because we believe that seeing with our own eyes and forming our own opinion is critically important, especially so because our law requires us to balance what it
calls the pressing need for increased energy facilities with
the directive to preserve and protect the environment and
including the public's opportunity to enjoy the aesthetic
benefits of the air and land resources.

The Council received and considered extensive
briefing on this and other issues. We have used our best
decision to balance competing considerations, and as I said,
our laws require us to presuppose a compelling need for
energy resources tempered with the requirement that the
resource preserve and protect the aesthetic opportunities
available for the public while providing abundant power at a
reasonable cost, and this is all to be done in the public
interest.

What's the public interest? Opponents say that
the public interest is best served by recommending denial of
this entire project as unduly intrusive in what they argue
is an area of visual importance, the Columbia River Gorge.
Building on this opponents further argue that while the
Council's laws and regulations recognize the pressing need
for increased energy facilities that on balance the laws
their contention of the broad interest of the public in
preserving and protecting quality of the environment and the
public's ability to enjoy the aesthetic benefits of the air, land, and water resources of this area outweigh the need for
new energy facilities. They maintain that this is
especially so given that there was testimony given in our
adjudication that 85 percent of the region's needs can be
met with energy efficiency, and that we are in a power
surplus for the foreseeable future.

The Applicant on the other hand argues that the
public interest is best served by supporting our state's
renewable energy policy and indeed the Council has committed
to doing so as a matter of law. They reserve that wind
power has much to commend it and it does. There are no fuel
costs and no air emissions, and as to concerns of aesthetic
impacts to the Columbia River Gorge the Applicant maintains,
first, that the Council should limit its considerations to
the findings in the EIS. Second, that in any event the
project is only minimally visible from the Columbia River
Gorge most prominent scenic areas. And, third, that it's
entirely outside the boundaries of the National Scenic Area.
Finally, it argues the wildlife and other impacts can be
mitigated, and that Skamania County is an economically
depressed area and will benefit from increased tax revenues
as much as $700,000 yearly.

The Council sees merits in both proponents' and
opponents' case, and on this most significant issue of
viewscape we believe everyone is acting in good faith and
wants to protect the Gorge. Opponents Friends of the
Columbia Gorge is a well-known environmental steward whose
mission is to project the Gorge. Opponents Save our Scenic Area represent the local landowners who seek to protect their existing properties, and the Applicant is a well-respected businessman who knows that the economy which his business depends also relies on the tens of thousands who visit the Gorge yearly to recreate and enjoy the beauty of its natural landscape.

On the viewscape issue the testimony during our adjudicatory hearing was understandably divided. Applicant's witness Mr. Pearson testified that the Columbia Gorge was not a pristine area, and that the proposed area project is not within the National Scenic Area. He observed that the area's scenic values are already diminished by industrial, agricultural, power dams, transmission lines, highways, and other commercial development; therefore, he concluded we should discount the aesthetic, cultural, and the historical significance of the Gorge and allow all proposed tower corridors.

Opponents' witness Mr. Apostol he supplied a different conclusion. He maintains that the contrast and intrusion of towers across prominent landscapes and ridge lines is unacceptable. He said that wind production towers rising more than 40 stories above the skyline on a prominent ridge with smooth modern designs contrasting markedly with rugged natural formations would be readily noticeable and
intrusive into the surrounding view. He relies on these contrasts and the negative affects on landscape and points out that this environment is recognized as valuable by the passage of the Columbia River Gorge National Scenic Act.

The Council considered this and other similar testimony in two days of site visits. We carefully evaluated with our own eyes impacts and visual simulations presented to us, and we carefully considered the adjudicatory testimony in the briefs submitted on this issue. Our conclusion in the adjudicatory order is based on the examination of tower views from the record, including map simulation, testimony of expert and lay witnesses, and is verified during the view of the site from identified viewing areas. The degree of reduced visibility is not a mathematical calculation but an exercise of judgment by the Council, and I stress based on the evidence.

In reaching our decision we rely heavily upon the position taken by the Counsel for the Environment. The Counsel for the Environment as you may know is an office created by law to represent the public and its interest in protecting the environment. And the public and its interest is the public and, of course, all of our state's citizens.

We adopt in part the suggestion of the Counsel for the Environment supported by Save Our Scenic Area that as a beginning the Council should eliminate a portion of the
A-Corridor containing Turbines A-1 through A-7. We agree with the Counsel For the Environment's analysis of several other points. It will reduce the impacts to residences to the south and west. It will reduce potential noise impacts, and it will reduce the possibility of geologic hazards by eliminating the use of a relatively narrow ridge with the least surface for tower foundations of any in the application. The northern portion of the A-String however need not be eliminated.

However, in light of our site view and our analysis of tower visibility we also find the entire C-Corridor, Towers 1 through 8, to be impermissibly intrusive into the scenic vista; therefore, we find this portion of the site to be unsuitable and it too is eliminated. In reaching our decision, and I want to stress that we also find both as regards further to Strings A-1 through 7 and C-1 through 8 that no mitigation is possible.

In summary, we recommend to the Governor that the Whistling Ridge Energy Project as modified should be approved and that within the constraints described in the Site Certificate Agreement, the Draft Site Certificate Agreement, the Applicant should be able to build a project of no more than 35 turbines to produce 75 megawatts of capacity.

I will now ask the Council Members to offer a
motion to adopt the administrative order and a recommendation order. The site certificate agreement adoption will follow upon final action by the Governor.

Do I have a motion?

MR. FRYHLING: Council Luce, I'd like to make a motion to adopt Administrative Order 868 and Recommendation Order 869.

CHAIR LUCE: Is there any discussion?

Hearing no discussion, is there a second?

MR. MOSS: I'll second the motion, Chairman Luce.

CHAIR LUCE: Is there a discussion?

Hearing no discussion, the question is called for.

The clerk will please call the roll.

MR. WRIGHT: The Department of Commerce?

MR. FRYHLING: The Department of Commerce Richard Fryhling here votes yes to the motion.

MR. WRIGHT: Department of Ecology Hedia Adelsman is excused.

Department of Fish and Wildlife?

MR. TAYER: Jeff Tayer votes yes.

MR. WRIGHT: Department of Natural Resources?

MR. HAYES: Andrew Hayes votes yes.

MR. WRIGHT: Utilities and Transportation Commission?

MR. MOSS: Dennis Moss votes yes.
MR. WRIGHT: And Skamania County?

MR. SUTHERLAND: Doug Sutherland votes yes.

MR. WRIGHT: And the Chair?

CHAIR LUCE: The Chair votes yes.

What is the final total?

MR. WRIGHT: Total is 1, 2, 3, 4, 5, 6, six in favor and one excused.

CHAIR LUCE: Thank you. I want to remind the parties there’s a 20-day period from the date of the order service to request reconsideration of the recommendation to the Governor. If there is such a request, the Council will review it and determine appropriate actions as soon as possible. Once this procedure has been completed, the recommendation will be transmitted to the Governor. Upon receipt the Governor has 60 days to review the recommendation and either approve the application and execute the Draft Site Certification Agreement as proposed, reject the application, or direct the Council to reconsider certain aspects of the Draft Site Certificate Agreement.

I want to thank everyone for being here this evening and participating in this process. The meeting is adjourned. Thank you very much.

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(Whereupon, the meeting was adjourned at 6:47 p.m.)
In re: Whistling Ridge Energy Project
Application No. 2009-01

AFFIDAVIT

I, Shaun Linse, CCR, do hereby certify that the foregoing transcript prepared under my direction is a full and complete transcript of proceedings held on October 6, 2011, in Stevenson, Washington.

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Shaun Linse, CCR 2029