

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of)
Application No. 2003-01) Public Hearing on
SAGEBRUSH POWER PARTNERS, LLC.) Request to Amend SCA
KITTITAS VALLEY WIND POWER PROJECT) Pages 1 - 14
_____)

A Public Hearing in the above matter was held on Tuesday, June 23, 2009, at the Hal Holmes Community Center, 209 North Ruby Street, in Ellensburg, Washington at 6:36 p.m., before the Energy Facility Site Evaluation Council members.

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CHAIR FRYHLING: Good evening. The date is June 23, 2009. The time is about 6:36 p.m. My name is Dick Fryhling and I represent the Department of Community Trade and Economic Development. In the absence of Jim Luce, our Chair, I'm the Acting Chair tonight of the Energy Facility Site Evaluation Council.

On behalf of the Council I would like to thank you for taking time to come tonight and participate in this meeting. We also have some of the Council Members here tonight and I'd like them to introduce themselves starting with Dick Byers.

MR. BYERS: Yes, I am Dick Byers from the Washington Utilities and Transportation Commission.

1 MR. TAYER: Jeff Tayer with Washington Fish and
2 Wildlife.

3 MS. McDONALD: Mary McDonald, Department of
4 Natural Resources.

5 CHAIR FRYHLING: Sitting next to me is Kyle Crews
6 and he's our Assistant Attorney General for the Council.

7 Staff, would you like to introduce yourselves?

8 MR. POSNER: Stephen Posner.

9 MR. LaSPINA: Jim LaSpina.

10 MS. TALBURT: And Tammy Talburt.

11 CHAIR FRYHLING: If you need anything there is the
12 lady who will get it for you so thank you.

13 The purpose of tonight's meeting is for the
14 Council to receive comments on the request by Sagebrush
15 Power Partners, the certificate holder, to amend the Site
16 Certification Agreement (SCA) for the Kittitas Valley Wind
17 Project.

18 Before we begin receiving public comment, I would
19 like to introduce Joy Potter representing the certificate
20 holder will give a brief overview of the proposed project

21 MS. POTTER: Good evening, Council Members and the
22 EFSEC staff. For the record, I am Joy Potter, Project
23 Manager for Horizon Wind Energy, 1206 North Dolarway,
24 Ellensburg, Washington. I'm very pleased to present you
25 tonight with the redesigned Kittitas Valley Wind Power

1 Project. Horizon has spent the last six months redesigning
2 the project to satisfy the micrositing conditions set forth
3 in the Site Certification Agreement. All components have
4 been redesigned into a single integrated project which
5 allows us to eliminate the two turbine corridors with the
6 greatest visual impacts.

7 To do that, we have obtained turbines with a
8 larger generating capacity that still meet all the criteria
9 set forth in the SCA.

10 Our designing engineers have reconfigured the
11 entire project to reduce the overall impacts to
12 nonparticipating landowners.

13 As a result, the project has now been reduced from
14 a total of 65 to 52 turbines.

15 The collection lines are here. This line and this
16 line.

17 A new collection line has been designed
18 eliminating the use of both Bettas Road and Highway 97 right
19 of ways. This new design is possible due to the acquisition
20 of a small 6.29 acre parcel of land which we would like to
21 incorporate into the project boundary. Right there.

22 The O&M facility has been relocated to Hayward
23 Road reducing the visual impact from the traveling public
24 and neighboring property owners.

25 These revisions result in a nearly nine percent

1 reduction in ground disturbance. All the required studies
2 and surveys have been completed.

3 Also, I'd like to inform the Council that Kittitas
4 County and Horizon have formed a positive relationship. The
5 Board of County Commissioners has approved a Franchise
6 Agreement and the Department of Public Works has been
7 approving our permit requests in a timely manner.

8 On behalf of Horizon Wind Energy, I respectfully
9 ask the Council to approve our request to amend the Site
10 Certification Agreement for the Kittitas Valley Wind Power
11 Project.

12 I would be pleased to answer any questions you may
13 have.

14 CHAIR FRYHLING: How about anybody in the
15 audience?

16 Thank you, Ms. Potter.

17 We will accept written comments tonight or
18 comments may be submitted by mail through EFSEC office. To
19 be considered comments must be postmarked by July 10, 2009.
20 Please submit your written comments to the EFSEC staff
21 person Tammy Talburt seated at the sign-up table if you have
22 written comments.

23 Tonight's comments will become part of the
24 Council's review process and is on the record. I would
25 therefore ask everyone to be silent when a witness is

1 speaking so the Council and the public can hear the witness.
2 If you need to come and go during the meeting, please do so
3 as quietly as you can.

4 Again, the purpose of tonight's meeting is to
5 receive comments on the SCA amendment, but please be as
6 specific as possible regarding which sections of the
7 amendment request you are addressing. As you inadvertently
8 start drifting away from the subject, I will remind you of
9 the reason for tonight's meeting and I may ask you to focus
10 your comments predominantly to the amendment request.

11 When you give your comments, please state your
12 name and your address so that it's in the record and so that
13 our court reporter has that.

14 The first person to speak tonight is David Crane.

15 COMMENTS BY DAVID CRANE

16 I'm David Crane, 1201 North Vista Road,
17 Ellensburg, Washington. I have a letter here that I sent to
18 EFSEC and it's already been mailed, a copy.

19 CHAIR FRYHLING: Just summarize it and then -- it
20 would be fine to read it again. It looks like it's one
21 page.

22 MR. CRANE: Regarding the May 29, 2009 request to
23 amend the Kittitas Valley Wind Power Project Site
24 Certification Agreement, I am fully in favor of granting the
25 request. They have worked patiently and cooperatively with

1 the community to make this facility the best and least
2 intrusive that it could be. In my view at least they have
3 done an excellent job. We all know that every large project
4 has some negative impacts. These have been effectively
5 addressed with a high degree of professionalism, precision,
6 and thoroughness.

7 I have been watching the wind farm situation for
8 about 40 years and even considered putting one, a windmill
9 on my place at one time when I lived in Camas. I've lived
10 here for ten years in Kittitas County and Ellensburg, and I
11 appreciate these people for their willingness to adjust and
12 to try to work together. I think they represent private
13 enterprise at its finest, and I really would like to see
14 them succeed because I think it will help us all a great
15 deal.

16 I have a section on the back of this where I
17 expressed my appreciation for the Council and what you've
18 done to keep this whole thing on an even keel and to protect
19 your environment and our people. I thank you very much.

20 CHAIR FRYHLING: Thank you, Mr. Crane.

21 Helen Wise.

22 COMMENTS BY HELEN WISE

23 Helen Wise, 1106 East Third Avenue, Ellensburg.

24 I've lived in the county and valley for more than 50 years,
25 and I would like to go on record as agreeing with every word

1 that David Crane said. That Horizon has been doing
2 beautifully in preparing this new vision of a smaller number
3 of turbines but as good a number of megawatts as we had
4 before. Thank you.

5 CHAIR FRYHLING: Thank you.

6 Wayne Bell.

7 COMMENTS BY WAYNE BELL

8 Good evening and also let me welcome EFSEC
9 Council and staff. I appreciate the opportunity to be able
10 to come before you here tonight.

11 My name is Wayne Bell and I'm here tonight with my
12 wife Barbara. We reside at 3911 Bettas Road in Cle Elum and
13 are here as nonparticipating residents who adjoin the energy
14 generating facility and are specifically requesting EFSEC to
15 not approve the resiting of Turbines A-1 and A-2 closer to
16 our home and to the site of our future home. That's the
17 intent of my comments. I have a more detailed letter to you
18 that I have deposited in back as well, and I'll paraphrase
19 it for time tonight.

20 CHAIR FRYHLING: Thank you.

21 MR. BELL: Actually the timing is pretty good. If
22 you compare with what I'd like to hand out to the Council is
23 an enhanced view of this layout for your use also as part of
24 the package, but I think it will make more sense if you see
25 it because I talk to it.

1 What I've done is I've taken this particular
2 layout, for those in the audience I apologize, but basically
3 it's blowing this picture up. And I've taken a scale of
4 which is Horizon's scale and I've applied it to the center
5 of my current home, and that's what EFSEC is looking at
6 right now, an enhanced view of the minimum distance four
7 times the height. 1,670 is the inner circle and the outer
8 circle is the recommended 2,500 feet.

9 The current plan approved A-1 at approximately
10 2,300 feet from our residence and A-2 is outside of that
11 2,500 recommended radius. Should EFSEC approve Horizon's
12 current proposal A-1 would now be inside four times the
13 height of the turbines, 1670, and A-2 would be a few hundred
14 feet further back well within the 2,500 foot recommended
15 setback. Under this amendment these two turbines will be
16 moved approximately 600 feet closer to my home. That's two
17 football fields.

18 So Exhibit B, again because we don't have the
19 scale here, I will talk about this in a second. I am just
20 going to give you a picture. My apologies to the staff. I
21 happen to actually have this here is a second one.

22 So the second graph that I've handed out takes the
23 ten acre -- whoops, I better stay with the script or my wife
24 will be upset. So additionally when you own a separate
25 10-acre parcel from the 20-acre parcel where our residence

1 currently exists, that parcel lies between our residence and
2 Turbines A-1 and 2. This property is already down as an
3 unimproved road land and already has power to it. That was
4 to be the site for our future residence. It's the highest
5 part of the valley that overlooks Horse Canyon and the vista
6 is unbelievable. It's just down the road from Mike and Liz
7 Robertson's residence. It's actually our property which for
8 they have an easement to get to their home. So the plan was
9 for us to move up to the top eventually and then we put that
10 on hold.

11 So if this amendment is approved as you look at
12 the second exhibit, Exhibit 1-B, both of those turbines
13 would be inside the height of 1,670 to our building site
14 with A-1 being 800 feet away if we were going to build it.

15 And then just again for reference the one view is
16 this particular drawing. What I've done is I've taken the
17 actual exhibit to layout one. It is in the plan. If you
18 look at the plan, once again there is no scale. Horizon
19 does not take -- they have a scale down here and they have
20 it on numbers. So you have to interpret what the 1,670 is
21 and the 2,500 recommendation is. It's very important. So
22 what I've done is I've just taken it and I've overlaid it on
23 my particular property. And then again I have -- so you
24 have both the existing home, our planned future home
25 overlaid in a bigger view. That's the best I could do with

1 the technology at hand. So I promise I will try to be short
2 to the end here.

3 So in light of my previous comments and supporting
4 layouts that I have provided you I would like to add it's
5 Horizon's policy to minimize the adverse impacts on wind
6 turbines in regards to the proximity to existing residences,
7 and then their strategy to move them closer to existing
8 residence indicates policy and strategy mismatch.

9 Specifically in the Applicant's request they
10 suggest in a request they have made will better implement
11 the intent of this Council and Governor Gregoire as stated
12 in SCA Article 1, Section C, Subsection 7, and let me just
13 take a quote from that section. For each turbine located
14 within 2,500 feet of a nonparticipating landowner, that
15 would be myself and my wife, their existing residence
16 micrositing determination shall be given the highest
17 priority to increasing the distance of the turbines from
18 that nonparticipating landowner's residence even beyond the
19 minimum four times the height of it.

20 Okay. So we believe that the relocation of
21 Turbines A-1 and 2 are diametrically opposed to the intent
22 of this Council and that of Governor Gregoire in micrositing
23 determinations. We are asking that EFSEC not approve the
24 relocation of Turbines A-1 and 2 to the proposed locations
25 in the SCA amendment. We also are asking DNR to be a good

1 neighbor and consider this request as well and hopefully you
2 can work with Horizon and mitigate the impacts of these
3 turbines as it is your land it is on. And it certainly
4 would be representative of the state but I think you might
5 be able to look at moving them closer to Turbines A-3 and 4
6 away from our residence rather than closer to them.
7 However, that will be left to DNR and Horizon to sort that
8 out.

9 In closing, my wife and I would like to thank
10 Horizon for reviewing your business case, specifically Joy
11 Potter for visiting our residence. It's the first time
12 anybody from Horizon has come to our home and it's very
13 welcome to have you here and we both appreciate that very
14 much.

15 And so in their review of their business case they
16 came up with an alternative specifically to remove that F
17 String and I appreciate that effort and I want to
18 acknowledge that tonight.

19 I would also like to acknowledge Carla Thomas, a
20 property owner. Carla was the owner of the property the F
21 String was planned on, and for the role that she played in
22 that effort I would like to thank her because she did so at
23 some financial risk, at the risk and expense of being a good
24 friend and a good neighbor. So publicly I want to thank
25 Carla. I haven't reached out to her and I just wanted to

1 mention that here to everybody in this room.

2 Again I have a complete package with more details
3 that have already been handed in with all the attachments.
4 Does anybody have any questions? And also I'll promise to
5 be good.

6 CHAIR FRYHLING: Thank you, Mr. Bell.

7 Tammy, do we have any additional sign-ups?

8 MS. TALBURT: No.

9 CHAIR FRYHLING: Would anybody like to just come
10 out and speak on it or for or against this proposal? We
11 would be happy entertain any additional discussion.

12 If not, we are going to close the hearing.

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14 (Whereupon, the public hearing is adjourned at
15 6:53 p.m.)

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In re: Kittitas Valley Wind Power Project

A F F I D A V I T

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 June 23, 2009, in Ellensburg, Washington.

Shaun Linse, CCR 2029