

From: [Nathan Baker](#)
To: [EFSEC mi Comments](#); [Bumpus, Sonia \(EFSEC\)](#); [Caputo, Lance \(EFSEC\)](#)
Subject: Whistling Ridge Energy Project
Date: Monday, September 18, 2023 3:47:36 PM
Attachments: [image001.png](#)
[2024.09.14 2nd Letter to EFSEC.pdf](#)
Importance: High

External Email

Dear Ms. Bumpus and Mr. Caputo:

Please find attached additional urgent correspondence regarding the Whistling Ridge Energy Project.

Thank you in advance for your time and attention to this important matter.



Nathan Baker
Senior Staff Attorney
Friends of the Columbia Gorge

[123 NE 3rd Ave., Suite 108](#)
[Portland, OR 97232-2975](#)
nathan@gorgefriends.org
(503) 241-3762 x101



SUBMITTED VIA E-MAIL

September 14, 2023

Sonia Bumpus, Director
Lance Caputo, Site Specialist
Washington Energy Facility Site Evaluation Council
Via email to comments@efsec.wa.gov

Re: Whistling Ridge Energy Project

Dear Ms. Bumpus and Mr. Caputo:

This morning at 9:58 a.m., approximately fourteen minutes after I submitted my earlier correspondence addressed to your attention, I received another email from EFSEC with the subject heading “REVISED EFSEC Notice of Special Informational Meeting for Whistling Ridge Site Certification Agreement Amendment Request” (hereinafter “Revised Email Notice”). A copy of the Revised Email Notice is attached hereto as Exhibit A.

The Revised Email Notice suffers from all of the same defects as the original Email Notice. The Revised Email Notice appears to refer to only a single “Request” in the subject heading. The Revised Email Notice is at best unclear about whether two separate public hearings are scheduled (as required by EFSEC’s rules and due process considerations), and whether these will indeed be public hearings or just public “meetings.” The Revised Hearing Notice continues to state two different days for these “meetings” (hearings?), September 14, 2023 (today), and October 9, 2023. The Revised Email Notice continues to omit any mention of the comment deadlines, including specifically the date(s) by which any written comments to EFSEC must be postmarked and emailed. The Revised Email Notice continues to be grammatically phrased as if the requested changes to the Site Certification Agreement (“SCA”) have already been approved by the Council, for example by stating that the proposed changes “**will** change the following in the current SCA.”


Friends of the Columbia Gorge reiterates our request to remedy these deficiencies immediately by scheduling two separate public hearing date(s) and times for the two pending matters, and then mail and email new public notices (correcting the errors discussed in Friends’ comments of today), announcing the date(s) and times of the public hearings to the full mailing list(s) for the WREP, with clear instructions for participating at the hearings and instructions and deadlines by which written comments must be postmarked and emailed after the hearings.

Also attached for the record as Exhibit B is a copy of EFSEC's deficient webpage for the Whistling Ridge Energy Project as it appeared at 10:20 a.m. this morning. I have been unable to access most pages on the EFSEC website most of the morning today, which is a cause for concern given that EFSEC has never posted many of the materials needed for Friends of the Columbia Gorge and the rest of the interested public to review the pending requests and provide meaningful comments. Please advise when the website will be accessible and when the Whistling Ridge Energy Project webpage specifically has been updated to correct the errors and deficiencies discussed in my prior letter of today.

Finally, as discussed above, the Revised Email Notice still references a "meeting" date of today, September 14, 2023. Please register me to speak at this "meeting" on behalf of Friends of the Columbia Gorge.

Thank you for your time and consideration. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Nathan Baker". The signature is written in a cursive style with a large initial "N" and a stylized "B".

Nathan Baker
Senior Staff Attorney

EXHIBIT A

Nathan Baker

From: Energy Facility Site Evaluation Council <WAEFSEC@public.govdelivery.com>
Sent: Thursday, September 14, 2023 9:58 AM
To: Nathan Baker
Subject: REVISED EFSEC Notice of Special Informational Meeting for Whistling Ridge Site Certification Agreement Amendment Request

Having trouble viewing this email? [View it as a Web page.](#)



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

P.O. Box 43172 · Olympia, Washington 98504-3172

- September 12, 2023 -

Contact: efsec@efsec.wa.gov

**State of Washington
Energy Facility Site Evaluation Council
NOTICE OF SPECIAL MEETING AND OPPORTUNITY FOR PUBLIC COMMENT
FOR AMENDMENTS TO THE SITE CERTIFICATION AGREEMENT FOR
Whistling Ridge Energy, LLC
Skamania County WA
October 9, 2023
5 PM**

Requests to Amend the Whistling Ridge Energy Project Site Certification Agreement

In April 2023, and June 2023, Twin Creek Timber submitted requests to the Energy Facility Site Evaluation Council (EFSEC or Council) to amend the Site Certification Agreement (SCA) for the Whistling Ridge Energy Project. The first amendment request seeks approval from the Council of a transfer of ownership of the SCA from SDS Lumber Co. to Twin Creek Timber LLC (TCT). The second amendment request seeks a three-year extension of the SCA until November 18, 2026. EFSEC invites you to participate in its consideration of these amendment requests. The Council, as the state agency responsible for regulating Whistling Ridge Energy, will hold a virtual public special meeting on Monday, October 9, 2023, to provide an

opportunity for citizens, stakeholders, and interested persons or organizations to receive information and provide comments on the proposed SCA extension.

The proposed revisions will change the following in the current SCA:

1. Transfer ownership of the SCA from SDS Lumber Co. to Twin Creek Timber LLC.
2. Extend the current SCA to November 18, 2026, to the following entities for the below site:

Site: Whistling Ridge Energy, located approximately seven miles northeast of the City of White Salmon in Skamania County, Washington.

Entities:

SDS Lumber Co. (original Certificate Holder) and Twin Creek Timber LLC (prospective Certificate Holder).

Informational Public Meeting: Monday, October 9, 2023, 5 PM – 7 PM or last speaker whichever comes first: Pursuant to WAC 463-66-030, EFSEC proposes to hold a virtual, public, special meeting on the evening of **September 14, 2023**. During the special meeting the prospective Certificate Holder will present their amendment requests and the Council will take public comment on the amendment requests for the Council’s consideration. Speakers may have limited minutes to provide comments, and any additional comments will be directed to be submitted online or postal mail. Duration of speaking time will be announced at the meeting, depending on the number of speakers signed up, to allow as many commenters as possible.

Public Comment: Public Comment will be accepted during the Public Information Meeting. If you are unable to attend this meeting, please send your comments in writing to comments@efsec.wa.gov or to the EFSEC office mailing address below. An online database will also be open during the meeting at <https://comments.efsec.wa.gov/> for submission of written comments.

EFSEC
621 Woodland Square Loop
PO Box 43172
Lacey, WA 98503-3172

Where to review Whistling Ridge Energy’s SCA Amendment Request:

Copies of the current Site Certification Agreement and the Certificate Holder’s amendment request are available at:

- <https://www.efsec.wa.gov/energy-facilities/whistling-ridge-energy-project>
- EFSEC
621 Woodland Square Loop
PO Box 43172
Lacey, WA 98503-3172

How to attend EFSEC’s Special Meeting:

This meeting is being held remotely and may be attended virtually via Microsoft Teams online or via telephone at:

- Microsoft Teams: https://bit.ly/WR_SCA_InfoMtg
- By telephone: +1 (546) 999-2000 Conference ID: 750 124 217#

To facilitate this remote meeting, EFSEC would like to invite speakers to sign up ahead of the meeting. Anyone wishing to speak during the public meeting should please notify EFSEC by phone at (360) 664-1345 or email at efsec@efsec.wa.gov before 5:00 pm on October 9, 2023.

For more information about the SCA Amendment, contact Lance Caputo at (360)-485-1664 or lance.caputo@efsec.wa.gov

To request ADA accommodation or materials in a format for the visually impaired, contact the EFSEC office at (360) 664-1345.

You received this message because you are subscribed to updates from State of Washington, Energy Facility Site Evaluation Council.
Get this as a forward? [Sign up](#) to receive updates.

SUBSCRIBER SERVICES:
[Manage Subscriptions](#) | [Unsubscribe All](#) | [Help](#)

EXHIBIT B



State of Washington Energy Facility Site Evaluation Council

(/)

Enter your search term 

Home (/) » Energy Facilities (/energy-facilities) » Whistling Ridge Energy Project

ENERGY FACILITIES (/ENERGY-FACILITIES)

[Badger Mountain \(/energy-facilities/badger-mountain\)](/energy-facilities/badger-mountain)

[Carriger Solar \(/energy-facilities/carriger-solar\)](/energy-facilities/carriger-solar)

[Chehalis Generation Facility \(/energy-facilities/chehalis-generation-facility\)](/energy-facilities/chehalis-generation-facility)

[Columbia Generating Station \(/energy-facilities/columbia-generating-station\)](/energy-facilities/columbia-generating-station)

[Columbia Solar \(/energy-facilities/columbia-solar\)](/energy-facilities/columbia-solar)

[Desert Claim Wind Power Project \(/energy-facilities/desert-claim\)](/energy-facilities/desert-claim)

[Goose Prairie Solar \(/energy-facilities/goose-prairie-solar\)](/energy-facilities/goose-prairie-solar)

[Grays Harbor Energy Center \(/energy-facilities/grays-harbor-energy-center\)](/energy-facilities/grays-harbor-energy-center)

[High Top and Ostrea Solar Project \(/energy-facilities/high-top-and-ostrea-solar-project\)](/energy-facilities/high-top-and-ostrea-solar-project)

[Hop Hill Solar \(/energy-facilities/hop-hill-solar\)](/energy-facilities/hop-hill-solar)

[Horse Heaven Wind Project \(/energy-facilities/horse-heaven-wind-project\)](/energy-facilities/horse-heaven-wind-project)

[Kittitas Valley Wind Power Project \(/energy-facilities/kittitas-valley\)](/energy-facilities/kittitas-valley)

[Transmission Corridors Work Group \(/energy-facilities/transmission-corridors-work-group\)](/energy-facilities/transmission-corridors-work-group)

[Wautoma Solar Project \(/energy-facilities/wautoma-solar-project\)](/energy-facilities/wautoma-solar-project)

[Whistling Ridge Energy Project \(/energy-facilities/whistling-ridge-energy-project\)](/energy-facilities/whistling-ridge-energy-project)

[Whistling Ridge Energy Project Application \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-application\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-application)

[Whistling Ridge Energy Project Adjudication \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-adjudication\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-adjudication)

[Whistling Ridge Energy Project Land Use \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-land-use\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-land-use)

[Whistling Ridge Energy Project Recommendation and Governor's Decision \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-recommendation-and\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-recommendation-and)

[Whistling Ridge Energy Project SEPA \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-sepa\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-sepa)

[Whistling Ridge Energy Project Site Certification Agreement \(SCA\) \(/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-sca\)](/energy-facilities/whistling-ridge-energy-project/whistling-ridge-energy-project-sca)

[Wild Horse Wind Power Project \(/energy-facilities/wild-horse-wind-power-project\)](/energy-facilities/wild-horse-wind-power-project)

[WNP 1 and 4 \(/energy-facilities/wnp-1-and-4\)](/energy-facilities/wnp-1-and-4)

Whistling Ridge Energy Project

On March 10, 2009, Whistling Ridge Energy LLC, submitted an Application for Site Certification to construct and operate the Whistling Ridge Energy Project. The Project will consist of up to fifty 1.2- to 2.5-megawatt wind turbines with a maximum generating capacity of 75 MW, to be located on the forested ridges of Saddleback Mountain in eastern Skamania County (location map). The Project includes an operation and maintenance facility, underground collector lines and systems, and other ancillary facilities. The proposed project will cover 1,152 acres.

On October 12, 2009, Whistling Ridge Energy LLC submitted an Amended Application for Site Certification that eliminated the site access road that traveled through the Columbia Gorge National Scenic Area to a road at the site's western boundary, outside the National Scenic Area.

Assigned Site Specialist
Lance Caputo

Applicant: Whistling Ridge Energy LLC
PO Box 266
Bingen, WA 98605
(509) 493-6103

Facility: 75 MW wind power project

Location: Skamania County, Washington, approximately 7

General Information:

- Adjudicative Proceeding - EFSEC held an adjudicative proceeding on the Whistling Ridge Energy Project under Chapter 34.05 RCW, the Administrative Procedure Act and has commenced the adjudicative hearing related to Application No. 2009-01 in accordance with the procedural requirements found in Chapter 463-30 WAC and Chapter 34.05 RCW. See the Adjudication page for information, motions, orders, and filings related to EFSEC adjudicative proceedings of the Whistling Ridge Energy Project.
- Application Review Process (<http://efsec.wa.gov/cert.html>)
- Environmental Review - EFSEC, in cooperation with the Bonneville Power Administration is conducting an environmental review under the State and National Environmental Policy Acts (SEPA and NEPA).
- Land Use Consistency - On May 7, 2006 EFSEC held a Land Use Consistency hearing in Skamania County.

Whistling Ridge Orders

SCA Amendment Special Meeting

The meeting for the Amended SCA will be held on October 9, 2023 at 5pm.

Special Meeting Documents

SCA Meeting 2023

Document Title (/energy-facilities/whistling-ridge-energy-project?order=field_doc_friendly_name&sort=asc)

Whistling Ridge SCA Amendment Informational Meeting Notice
 (https://www.efsec.wa.gov/sites/default/files/096000/001/20230914_WR_

Email Updates

To sign up for updates or to access your subscriber preferences, please enter your contact information below.

★ **Email Address**

miles northwest of White Salmon, Washington. Site Location Figure

Status: The EFSEC Council has prepared a recommendation order to the Governor. Review the recommendation process Amended Application submitted on Oct. 12, 2009, application review continuing. Adjudicative Proceeding initiated, Notice for intervention issued on June 25, 2009. Application review initiated. Land Use Consistency hearing held on May 7, 2009.

Recent Activity

10/09/2023 - Whistling Ridge SCA Amendment Informational Meeting Notice

(<https://www.efsec.wa.gov/sites/c>

03/24/2022 - SCA Transfer Request Green Diamond
 (<https://www.efsec.wa.gov/sites/c>

03/02/2022 - SCA Extension Request 2022
 (<https://www.efsec.wa.gov/sites/c>
 2-2022_1.pdf)

11/18/2013 - Site Certification Agreement
 (<https://www.efsec.wa.gov/sites/c>

04/03/2012 - April 3, 2012 Superior Court Petition of Judicial Review

(<https://www.efsec.wa.gov/sites/c>

03/05/2012 - Governor's approval letter
 (<https://www.efsec.wa.gov/sites/c>

Submit

01/06/2012 - 871 Order Denying
FCG and SOSA motion
(<https://www.efsec.wa.gov/sites/c>

01/04/2012 - EFSEC's
Recommendation to the
Governor Letter
(<https://www.efsec.wa.gov/sites/c>

12/27/2011 - 870 Order Denying
Petitions for Reconsideration of
Orders 868 & 869
(<https://www.efsec.wa.gov/sites/c>

12/27/2011 - Special Meeting
(<https://www.efsec.wa.gov/sites/c>

© Copyright 2019 by the Washington State Energy Facility Site Evaluation Council (EFSEC)