



OREGON ENERGY FACILITY SITING COUNCIL

*Lori Brogoitti, Vice Chair
Jacob Polvi, Council Member
Barry Beyeler, Council Member*

Bryan Wolfe, Chair

*Trey Senn, Council Member
Bob Shiprack, Council Member
Paul F. Sumner, Council Member*

MINUTES
December 17, 2010
5000 Discovery Center Drive
The Dalles, OR 97058

I. AGENDA ITEMS

- A. Call to Order and Roll Call:** Chair Bryan Wolfe called the meeting to order at 9:32 a.m. Council Members present were: Bryan Wolfe, Trey Senn, Lori Brogoitti, Barry Beyeler and Paul Sumner. Chair noted a quorum. Oregon Department of Energy Staff present were: Tom Stoops, Division Administrator/Council Secretary, Sue Oliver, Duane Kilsdonk and John White. Janet Prewitt, Senior Assistant Attorney General was also present. Tom Stoops announced that the Idaho Power representatives would not be at the meeting until later due to weather conditions.
- B. New Member Introduction:** Mr. Stoops then introduced Paul Sumner, the newest Council Member, whose appointment had been approved on December 14th. Paul gave a brief summary of his background and then was welcomed by Council and Staff.
- C. Helix Wind Power Facility: Request for Amendment #1:** John White, Project Officer, reported that this facility received a site certificate several years ago but the project is not yet under construction. Iberdrola Renewables, Inc. would like to amend the Certificate to expand the facility and transfer it to a wholly-owned subsidiary, Helix Wind Power Facility LLC. This is not currently an action item, but we are doing an informational hearing as required by Council Rule 345-027-0100 and opening the floor for comment on the transfer request. ODOE has not issued a Proposed Order on the larger part of the amendment request, the expansion, but it should be ready by January, followed by the 30 day comment period. Chair Wolfe opened the Informational Hearing on the Request for Amendment #1, Transfer of Site Certificate from Iberdrola Renewables to Helix Wind Power Facility, for anyone present to make comment on the Amendment, acknowledged that no one wished to make a comment and the Informational Hearing closed at 9:40 a.m.
- D. Department of Health Services Presentation:** Dr. Jae Douglas, from the Department of Health Services reported on the status of listening sessions and the establishment of a steering committee to assess the health effects of wind energy installations on local communities and individuals. Council Beyeler attended a meeting in Arlington and both he and Chair Wolfe attended a meeting in Pendleton and both reported that the

discussions were very interesting and informative. Dr. Douglas also reported that they have described the process and have attempted to clarify and dispel the misunderstanding that they are conducting a health study at these meetings. At each session they have had open discussions and then broken down into smaller groups and each session has been a reflection of each community in which they were held.

Three questions were asked at each session: 1) What is it that they most value about where they live and what are the strengths of their communities? 2) What do they see as positive contributions of wind energy? 3) What are the challenges presented by wind energy?

Dr. Douglas reported that they had lively discussions at all of the sessions. The LaGrande meeting was the largest by far, given the fact that there had been a measure on the ballot two days prior to the session. Dr. Douglas stated that they do not anticipate holding meetings in the future and have started to process the information gathered from the meetings, a web based survey and comments received. Mr. Sumner asked Dr. Douglas to explain and identify any major impact concerns that were voiced during the sessions and she responded that for the most part, noise and sound had been the biggest concerns, followed by sleep disturbance, mental health issues and social fracturing of communities. Updates can be found on the Health Department's Website. Chair Wolfe, thanked her for the information reported and Council Member Beyeler for his representation at these meetings.

- F. Update on Establishing an Energy Generation Area Work Group:** Mr. Stoops reported that he had participated in conference calls with County Planners who are in counties that are on the verge of having wind development or have had a fair amount of wind development. He also reported that he had received letters from stakeholders about some of their concerns. He gave a presentation that reflected the cumulative positive impacts and the negative impacts, i.e., birds and bats, unprotected visual resources, and impacts on habitat and asked Council if this represents their concerns. He stated that he visualizes the next step being assembling a core group of about ten individuals to work on refining the statements, getting presentation from stakeholders, experts in the area, county regulatory staff and the Association of Oregon Counties (36 counties in Oregon with 36 different sets of rules we need to be aware of). He also stated that he would like to have a developer in the group because they too need to be part of the dialogue. He is going to ask for Department of Lands Conservation and Development assistance on this project because of the land use questions involved and Lori has volunteered to participate. He anticipates that the core group holds round table discussions to see if there are consensus recommendations that can be brought before the Council and if that can't be done, and then they would have to come to the Council and have specific discussions and get advice. Lori suggested adding a "public perspective" to the group with an unbiased individual that has no interest in wind energy. Chair Wolfe stated that he is looking forward to the continued updates.

II. CONSENT CALENDAR

B. Council Travel Expense Reimbursement Forms: Mr. Stoops stated that in order to have a more diverse representation on the Council, the Department of Energy reimburses Council for travel to meetings and overnight accommodations. The Staff asks the Council to keep them apprised of any schedule changes. Reservations are usually made in blocks for hotel rooms and some have gone unused; we need to prevent this from happening in the future. Council Members are also reimbursed for travel and meals when attending an official function as a Council Member and are not covered when attending a function only for personal informational purposes.

A. Meeting Minutes: It was decided, upon the suggestion of Jan Prewitt, to postpone approval of the minutes until a quorum of Council that was in attendance at the meetings on April 30, 2010, June 11, 2010 and October 28 and 29, 2010 could be present.

D. Council Contracting and Appointments: Mr. Stoops reported that the last time that the fees were changed was in 2004 and the current fees are still appropriate, but that before the first of each odd numbered year, the fee schedule needs to be approved by Council.

Action: The motion by Sumner, seconded by Brogoitti, to readopt and publish the fee schedule, as presented, for the calendar year 2011, passed unanimously. **Vote:** Beyeler, yes; Senn, yes; Brogoitti, yes; Sumner, yes; and Wolfe, yes.

C. Climate Trust: Mr. Stoops reported that EFSC is responsible for appointing members to the Climate Trust Board of Directors.

Action: The motion by Senn, seconded by Sumner, to re-appoint Susan Anderson to the Climate Trust Board, passed unanimously. **Vote:** Brogoitti, yes; Beyeler, yes; Senn, yes; Sumner, yes; and Wolfe, yes.

Shanna Brownstein from Climate Trust was present via telephone. Stoops gave a short presentation about the Climate Trust. Following a brief discussion, it was announced that another presentation at the February 4th meeting would include discussions of suggested criteria to qualify organizations so that more funds can be used in the State of Oregon. Wolfe asked that the presentation information be sent to Council as soon as possible for their review. Shanna will keep Council informed of progress.

E. Hermiston Power Project: Mr. White stated that the Letter of Credit for Hermiston Power Project needs to be updated. Deutsche Bank which has a 4 out of 5 star rating, has agreed to issue the LOC in an amount appropriately escalated by Condition 41 of the Site Certificate. This LOC was also approved by Department of Justice.

Action: The motion by Beyeler, seconded by Senn, to approve issuance of the Letter of Credit for Hermiston Power Project by Deutsche Bank, passed unanimously. **Vote:** Sumner, yes; Brogoitti, yes; Senn, yes; Beyeler, yes; and Wolfe, yes.

Public Comment: Mr. Wolfe requested public comment.

Dan Williams, who lives near Lone, Oregon gave public comment about a wind facility located in Morrow County near his home. He stated that he would like to see EFSC regulate all wind facilities in the State of Oregon and not just those that are over 105 megawatts and take the control out of the hands of the individual counties. He reported having trouble sleeping at night and the stress associated having a wind farm located so close to his property.

Suzie Asmus, Horizon, stated that she had not really planned on speaking, but wanted to update Council on recent developments. Last month an agreement with Union County was reached on a Strategic Investment Program (SIP), which enacted will provide over forty million dollars to the County to provide local benefit and mitigate some of the communities' concerns. She also reported that she had attended all three Health Impact Assessment meetings and was disappointed that other attendees had expressed misgivings about representatives from Horizon being present.

Irene Gilbert, a member of Friends of the Grande Ronde Valley, stated that Land Use issues should be settled before this project can be approved. Currently, no construction can be done on Craig Mountain, but a wind farm can be constructed? Big game and bird issues also need to be considered. It is not all about money.

The meeting was adjourned for lunch.

- E. Presentation of Phased Study Plan Approach for Linear Projects:** Ms. Oliver introduced the Idaho Power Entourage. They proceeded to give their Phased Study Approach Presentation which gave a general overview of the project, the proposed routes and explained the need for the Phased Study Approach, and how this project could tie in with the Cascade Crossing Transmission Project. The Phased Study Approach has three phases. The first phase will use existing information for the application process, the second will use new additional data to support suggested routes and the third will be to collect data on route changes and any new issues that come up during the previous two processes. As the route is formally determined, the proper permitting processes, studies and surveys for all will be completed as needed.

Following Idaho Power's presentation, Sue Oliver gave her own Phased Study Approach presentation which included both the Cascade Crossing Transmission Line and Idaho Power's Boardman to Hemingway Transmission Line Projects. Cascade has submitted a preliminary application and has proposed to concurrently follow the federal (NEPA) permitting processing. BLM has informed Idaho Power that they are likely going to require an alternative route that minimizes use of federal land. The phased study

approach gives the applicant flexibility and time to complete the steps necessary for permitting, i.e., collect seasonal sensitive studies, landowner permission, etc. and has been used in the Cultural Resources portion of the permitting process.

III. PROJECT UPDATES

- A. Port Westward Amendment #8:** Mr. Stoops provided an update that the draft proposed order would be published before the end of the year.

- B. Other Projects:** John White reported that he expects to issue a proposed order on the Helix expansion amendment the end of January, and following the thirty day comment period would hope to have it on the Agenda for the March EFSC Meeting. He also reported that the Klondike III amendment is simple and allows for the replacement of a rotor on a turbine. The Site Certificate condition limited the size of the rotor; hopes to have it on the Agenda for the February EFSC Meeting. He is working on the final language for the Shepherds Flat North, Central and South Letters of Credit. Leaning Juniper II is still under construction, but should be operational within six months. Antelope Ridge is very close to having a complete application and we will be having a public information meeting sometime in January, in the City of Union, for public comments. Sue also reported that she should have the Draft Proposed Order for Summit Ridge Wind Farm ready for the January Meeting with the first reading at the February Meeting. Carty Generating is very close to a complete application. Duane reported that Klamath Falls Bioenergy's Preliminary Application has been deemed complete and the first RAI has been sent to the developer. Sue reported that ODOE is working closely with DEQ on both Carty Generating Plant and Klamath Falls and will share mailings/lists and information meetings. Tom reported that Port Westward has requested an extension on their Amendment #8 of the Site Certificate.

Chair Wolfe asked for public comment, and there being none, the meeting was adjourned at 2:38 p.m.