

Minutes
Energy Facility Siting Council Meeting
The Dalles City Hall, Council Chamber
313 Court Street
The Dalles, Oregon
July 31, 2009

Energy Facility Siting Council

Bob Shiprack, Chair
Martha Dibblee, Vice Chair
Lori Brogoitti
Michael Haglund
Bryan Wolfe

Cheri Davis (Absent)
Jake Polvi (Absent)

Oregon Department of Energy:

Tom Stoops, Council Secretary
Adam Bless, Project Officer
Sue Oliver, Hermiston Project Officer
John White, Senior Analyst

Oregon Department of Justice:

Jan Prewitt, Assistant Attorney General

Others:

Jesse Gronner, Iberdrola Renewables Inc.
Patricia Pilz, Caithness Shepherds Flat LLC
Larry Givens, Umatilla County Commissioner
Tamra Mabbot, Umatilla County Planner Director
Terry Tallman, Morrow County Judge
Peter Cogswell, Oregon Liaison for Bonneville Power Administration
Elliot Mainzer, Executive Vice-President, Bonneville Power Administration
Gary Beck, Senior Manager, Transmission Group for BPA
Tom Price, Eastern Oregon resident
Chuck Barker, Wasco County resident
Dave Becker, Oregon National Desert Association
Jill Barker, Wasco County resident

Chair Bob Shiprack called the meeting to order at 9:30 am.

I. Consent Calendar:

A. Introductions and Announcements.

Tom Stoops, Council Secretary called the roll. Cheri Davis and Jake Polvi were absent.

II. Action Items:

A. Approval of May 15, 2009 minutes

Bryan Wolfe moved to approve the May 15, 2009 Energy Facility Siting Council minutes; Lori Brogoitti seconded the motion, Council was polled and minutes were approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

B. Council authorization to contract with Golder Associates for the review of the Summit Ridge Wind Project and Wasco County as the Special Advisory Group.

Tom Stoops, Energy Facility Siting Council Secretary, stated that Sue Oliver is the Project Officer for the Summit Ridge Wind Project. Mr. Stoops said Golder Associates and Wasco County have been recommended to participate in the review.

Bryan Wolfe moved to authorize Golder Associates and Wasco County to participate in the review of the Summit Ridge Wind Project; Martha Dibblee seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

C. Council authorization to contract with Golder Associates for the review of the Saddle Butte Wind Park and appoint Morrow and Gilliam County as the Special Advisory Group.

John White, Oregon Department of Energy, stated that the same action, as above, is necessary to authorize Morrow and Gilliam Counties for participation in review of the Saddle Butte Wind Park, which is expected to submit a Notice of Intent next week.

Bryan Wolfe moved to authorize Golder Associates and appoint Morrow and Gilliam County to participate in the review of the Saddle Butte Wind Park; Lori Brogoitti seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

D. Stateline Wind Project – Council ratification of the Chair’s approval of the form and amount of financial assurance for the Stateline III components

John White, Senior Analyst for the Oregon Department of Energy, referred to the approval by the Energy Facility Siting Council (EFSC) members in March of an amendment of the Stateline Wind Project site certificate. In order to begin construction, the certificate holder had to submit the financial assurance for the Stateline 3 components. The Chair approved the form and amount of financial assurance for Stateline 3 in June. EFSC ratification of the Chair’s approval of the form and amount of financial assurance is necessary.

Michael Haglund moved to ratify the form and amount of financial assurance approved by the Chair; Bryan Wolfe seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

E. Helix Wind Power Facility – Council decision on the application for Site Certificate

John White, Project Officer for the Helix Wind Power Facility, recapped the events leading to this decision meeting on the application for the site certificate for the facility.

The Siting Council met in Pendleton on June 12, 2009, and discussed the Draft Proposed Order. On June 17, the Department issued a Proposed Order and provided a contested case notice with a deadline of July 2, 2009 for interested persons to request party status. No requests were received by the deadline. The application is ready for Council action for the Final Order. If the Department’s recommendations are accepted by the Council, the Final Order can be signed.

Mr. White said representatives of Iberdrola Renewables (IBR) are present at the meeting to answer any questions.

Michael Haglund moved to issue a Final Order approving the site certificate for the Helix Wind Power Facility, subject to the terms and conditions recommended by the Oregon Department of Energy; Lori Brogoitti seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

F. Portland General Electric – Petition to Amend Carbon Dioxide Standard for Load Following Generating Plants (Request for Rulemaking)

Adam Bless, Oregon Department of Energy, stated that a petition was received from Portland General Electric (PGE) to enter rulemaking to modify our CO2 standard. The petition also requests a modification to the definition of a non-base load power plant.

Loretta Mabinton, PGE, introduced herself and stated that PGE’s request is to recognize how technology has evolved and how power plants currently run. Ms. Mabinton discussed the need for natural gas-fired generating units that serve wind integration and load-following functions. These functions are likely to result in generating units operating at partial load conditions. Under the current rules, an hour of actual operation at partial load would be treated as an hour of operation at full load, both for purposes to determine whether a facility is a “non-base load power plant” and for purposes of “truing up” the carbon dioxide emissions. A facility that operates more than 6,600 hours, but which operates at partial load during much of that time, may have to be treated as a base load power plant, resulting in a requirement to offset excess carbon dioxide emissions.

Chair Shiprack asked if the Council would be authorizing the Staff to go into rulemaking, where the technical issues would be discussed in a public hearing and then an Order made.

Jan Prewitt, Oregon Department of Justice, explained the process of granting the petition. She continued by saying the public is involved; the Council ordinarily has a workshop with the public as part of the rulemaking process.

Bryan Wolfe moved to grant Portland General Electric’s petition request and authorize initiation of rulemaking to modify the CO2 standard at Division 24 and associated definitions in Division 1 related to non-base load power plants; Martha Dibblee seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

G. Council authorization to perform a topical study of the current body of knowledge regarding the health effects of electromagnetic fields

Tom Stoops stated that with the number of high voltage transmission lines being proposed in Oregon, one of the historical concerns is the electromagnetic flux. The Council by rule has a subcommittee called the electromagnetic flux (EMF) subcommittee. This committee was retired because it appeared the issue had been resolved and there were not a number of transmission lines proposed for permitting and construction.

Prior to re-establishment of the EMF Subcommittee, staff is recommending that current information be assembled to support a staff recommendation. The Department would like to use the council's independent contractor to assemble generally available EMF information and make a presentation to the Council prior to setting up the subcommittee.

Chair Shiprack asked about this being statutory. Mr. Stoops referred to Jan Prewitt, Department of Justice.

Ms. Prewitt referred to ORS 469.480 and stated the statutes have been updated throughout the years. It is unclear what the continuing obligation of EFSC is without performing more legal research.

Martha Dibblee moved to perform a topical study of the current body of knowledge regarding the health effects of electromagnetic fields; Bryan Wolfe seconded the motion, Council was polled and motion approved:

Lori Brogoitti	Yes	Bob Shiprack	Yes
Martha Dibblee	Yes	Bryan Wolfe	Yes
Michael Haglund	Yes		

III. Information Items:

**A. (This was listed as Item C on the Agenda)
Shepherds Flat Wind Farm – Informational hearing on the request to transfer the Site Certificate as proposed by the Request for Amendment #1**

John White began the presentation of Shepherds Flat Wind Farm informational hearing by reviewing some of the history.

The Oregon Energy Facility Siting Council (Council) issued a Site Certificate to **Caithness Shepherds Flat LLC** for the Shepherds Flat Wind Farm in July 2008. The Site Certificate authorized construction and operation of up to 303 wind turbines and related facility components. The facility would have a peak generating capacity of up to 909 megawatts. The facility site is entirely on private lands located in Morrow County and Gilliam County south of Interstate Highway 84 and east of Arlington, Oregon, between State Highways 19 and 74. The certificate holder has not begun construction of the facility.

Caithness Shepherds Flat LLC has notified the Department of a pending transfer of ownership and control of the Shepherds Flat Wind Farm to the transferees. A transfer of the site certificate is necessary when there is a transfer of the facility. If approved by the Council, this amendment would divide the Shepherds Flat Wind Farm into three separate facilities, each having an individual site certificate. The three facilities would occupy the site boundary of the previously-approved Shepherds Flat Wind Farm. This amendment would not affect any land outside of that site boundary. The three new facilities would be named Shepherds Flat North (SFN), Shepherds Flat Central (SFC) and Shepherds Flat South (SFS).

Chair Shiprack asked about the transferees and whether this is an internal transfer. Mr. White said generally it is internal; all three of the entities are Caithness subsidiaries. This is being done primarily for financing reasons to divide up what is a very large energy development into pieces more amenable to financing.

Chair Shiprack also asked about the previously issued site certificate and questioned whether there is a financing problem.

Patricia Pilz, Caithness Shepherds Flat LLC, stated that they do not have any problems, but wanted Council members and Staff to know that there are no problems and they are excited about the progress. She did note that BPA has to build a 230-500 kv substation at Slat for the interconnect. The transformer for that substation had a down payment made the following Monday from when the site certificate was signed and the transformer will not be delivered until October 31, 2010. Everything is on schedule to begin construction for the infrastructure, the roads, and foundations when the substation is completed.

Chair Shiprack asked for questions; there were none.

Mr. White commented that for the record, notation should be made this informational hearing was convened and the public was given the opportunity to comment, with no comments coming forward.

B. Review of the Council's legal authorities relating to Energy Generation Areas

Jan Prewitt, Oregon Department of Justice, provided a legal analysis of the language in the Council's statutes relating to Energy Generation Areas, with a view to future action the Council may want to make.

Within the definition of an energy facility, the term single Energy Generation Area is subject to the Council's jurisdiction, which is in ORS 469.300 Section 11A (j). Ms. Prewitt read the definition of an Energy Generation Area from ORS 469.300:

Energy Generation Area means an area within which the effects of two or more small generating plants may accumulate so the small generating plants have effects of a magnitude similar to a single generating plant of 35 megawatts average electric generating capacity or more. An "Energy Generation Area" for facilities using a geothermal resource and covered by a unit agreement, as provided in ORS 522.405 to 522.545 or by federal law, shall be defined in that unit agreement. If no such unit agreement exists, an Energy Generation Area for facilities using a geothermal resource shall be the area that is within two miles, measured from the electrical generating equipment of the facility, of an existing or proposed geothermal electric power generating plant, not including the site of any other such plant not owned or controlled by the same person.

Ms. Prewitt stated that the focus of prior provisions was on defining the Council's jurisdiction over geothermal energy facilities. The Energy Generation Area concept was added in 1991 and was solely related to geothermal energy. That statute included a mandatory requirement that the Council adopt Energy Generation Areas. The Council's old rules do not show any adoption of Energy Generation Areas until the wind energy generation area was adopted in Umatilla County.

Ms. Prewitt stated that in 1995 the legislature removed the mandatory requirement to adopt an Energy Generation Area. ORS 469.320 contains a provision relating to whether you have to have a separate site certificate for an expansion within an Energy Generation Area; this is an exception to the site certificate requirement, and you can amend to add the expansion. The 1995 amendment also expanded the definition of energy facility to include geothermal, solar, or wind power produced from a single Energy Generation Area and to give the Council the discretion to define Energy Generation Areas. The Council's authority over energy generation areas is untested.

In 2001, during the energy crisis, changes were made to the renewable resources portion of the statute to change the Council's jurisdiction from 25 megawatt nameplate capacity for certain renewable resources to 35 megawatts of average electric generating capacity. Also in the same year, an opt-in provision was added so that a developer could request a site certificate from Council for a wind facility generating less than 35 megawatts. The

changes to the statute over the years have introduced ambiguity into the Council's authority, and the council has the discretion to interpret the statute.

Ms. Prewitt stated the Council adopted its Energy Generation Area rule in Umatilla County in 1999. This was done as a matter of discretion, not a mandatory requirement. It has not been challenged. There is no clear direction from the legislature, and as a legal matter the Council has the authority and discretion to flesh that out. The fleshing out has to be within the Council's other authority and must be a consistent, reasonable interpretation of the statute.

Mike Haglund asked if Ms. Prewitt's view is that the Council has discretion to adopt rules regarding Energy Generation Areas. Ms. Prewitt agreed.

Martha Dibblee asked how the fifteen questions regarding sub-jurisdictional matters play into the discussion. Ms. Prewitt replied that the fifteen questions may play into how the Council analyzes how a proposed facility might fit into an EGA adopted by the Council, but the real issue is the definition of an Energy Generation Area

There was more discussion about the Council and Energy Generation Areas. Bryan Wolfe stated he felt it should be made even across the board and some things should be set to trigger more definition of the rules to operate.

Lori Brogoitti asked where the Energy Generation Area is located in Umatilla County. Mr. Stoops stated it is defined by Township, Range and Sections.

Chair Shiprack gave the public opportunity to speak.

Larry Givens, Umatilla County Commissioner, stated that a letter has been prepared by the Board of Umatilla County Commissioners, requesting the Council to remove the Energy Generation Area.

Commissioner Givens said the Energy Generation Area is approximately 300,000 acres located in the northeastern quadrant of the county around the Athena, Helix area. He said he does not understand why Umatilla County is the only county in the state to have an Energy Generation Area.

Another reason Commissioner Givens stated for requesting removal of the Energy Generation Area is to give applicants the opportunity to follow the county's jurisdiction when they are under the 105 megawatt development. Umatilla County is facing issues with the Blue Mountain area and the Planning Department of Umatilla County is working on a zone amendment, addressing these issues in the comprehensive plan. With the state, county and local citizens involved, this creates a triangulation which produces confusion for the local citizens not knowing where to get answers.

Jan Prewitt said she read the request from the Umatilla County Board of Commissioners and stated that it is a request for rulemaking, similar to what PGE was petitioning for, also requesting rulemaking. She also stated today would not be the decision-making meeting. To delete the Energy Generation Area the Council would have to change the rule through rulemaking. The Council would first determine whether the letter is an adequate request for rulemaking; then the Council would decide whether to grant the petition and undertake rulemaking. A change to the EGA rule would require about the same process as the council used to adopt it.

Tamra Mabbot, Umatilla County Planning Director, said that she had addressed the Council on this issue in 2008 and encouraged the Council to have policy discussion to address this issue. She noted that the purpose and the intent of the EGA are not clear, and linked the EGA to a desire to analyze cumulative effects of small wind facilities. She provided some historical background about the 2001 amnesty provision, which allowed facilities approved through the County process to be constructed in Umatilla County. She also questioned that if cumulative effects are of concern to the Council, how will they play out in administrative rules.

Lori Brogoitti referred to the meeting held in Boardman about a year ago where cumulative effects were brought up and questioned what became of the discussion. Mr. Stoops said that the discussion is happening today. Projects come to the Siting Council as a single project and cumulative effects cannot be evaluated on a single project.

Terry Tallman, Morrow County Judge, introduced himself. He also expressed the support of Morrow County for Umatilla County's request in removing the Energy Generation Area. He referred back to the time when the Energy Generation Area was first proposed. At that time Judge Tallman said he had his doubts as to what it would really accomplish. He encouraged clearing up the governmental process.

C. (This was listed as Item A on the Agenda)
Bonneville Power Administration Transmission Upgrades Overview

Peter Cogswell, Oregon Liaison for Bonneville Power Administration (BPA), introduced himself and also Elliot Mainzer, Executive Vice-President for Corporate Strategy.

Gary Beck, Project Manager for BPA introduced himself and referred to maps to discuss some of the projects at BPA. He stated there is a large investment of capital projects in the northwest over the next four years. Mr. Beck discussed four of the large projects and the timelines for construction.

Adam Bless, Oregon Department of Energy, asked what kind of consultation is required with the Gorge Commission. Mr. Beck said BPA has had a number of consultations with them already and will continue with them and the Forest Service.

Mr. Beck continued explaining each project's anticipated increase in megawatts. The improvements are necessary for the increase in megawatts and also to update the

equipment and lines. Bryan Wolfe asked when the last major transmission lines were added. Mr. Beck stated it was early in the year 2000. Before the projects in the year 2000, it had been ten years previous since major transmission lines were added

Mr. Beck said there are also numerous smaller projects that BPA coming up that will involve working with the Siting Council.

Lori Brogoitti asked where the funding for these projects is coming from. Mr. Beck said because of the stimulus package the borrowing authority was raised. This will come from some outside lenders but the main source will be from the Treasury. The stimulus package is to get people back to work and BPA is glad to be able to help.

Bryan Wolfe stated that BPA said earlier that they could integrate 6,000 megawatts of wind power into their system. They are not even close to that and have had a few problems. These wind farms are not going to wait until the spring of 2012, summer of 2013 or 2015 as mentioned in the timeline on the upcoming projects. Mr. Wolfe asked if BPA foresees any problems with the system as the additional wind farms are added on, and also is the 6,000 megawatts accurate.

Peter Cogswell, BPA, answered by clarifying the 6,000 megawatts figure. There is the transmission side in terms of how many megawatts BPA can actually interconnect into the system and then the related operational impacts that those megawatts from the wind have on the system. The context of how the megawatts are being used has to be considered.

Mr. Wolfe asked if the 6,000 megawatts discussed came from the operational side; Mr. Cogswell agreed. Mr. Beck said that every time a wind facility connects to the BPA system a facility siting is done to determine what upgrades need to be done on the system to accept the generation. A lot of these projects have been coordinated to come after the substation is in. From that point the transmission lines are coordinated after that.

Chair Shiprack asked if EFSC will have any jurisdiction on this or would it be through the Federal Energy Regulatory Commission (FERC). Tom Stoops said there is a Memorandum of Agreement (MOA) with BPA, dated in 1981. There is also a MOA between the State and BPA from 1984. Mr. Stoops said these are federally permitted projects but BPA has been open to discussions with the State.

Jan Prewitt, Department of Justice, said the siting is decided on by the BPA environmental impact statement, looking at the routes and a decision is made as to the routes, publishes a record of decision and then reviewed by the 9th Circuit.

Ms. Prewitt also pointed out that in the Oregon statute there is a specific provision related to EFSC in Oregon, and cooperation with a non-jurisdictional facility. The Legislature anticipates that the State will cooperate with a non-jurisdictional facility with a goal of

making sure that they pay attention to what matters to the State, including what counties want also.

Chair Shiprack asked if there were any public comments before the lunch break.

Tom Price, citizen and property owner in Eastern Oregon introduced himself. He expressed his appreciation for EFSC. The Antelope Ridge Wind Farm concerns him and noted he has submitted written comment also.

Mr. Price said he felt there is a lack of consideration being given to the environmental impacts in that project. Also, he has concern with the infestation of weeds that will occur in that area if there is a lot of ground broken. Mr. Price requested that EFSC take his comments and the comments of many landowners in that area into consideration.

Chuck Barker, resident of Wasco County, stated he felt that the Energy Generation Area should remain in place. That could be the saving grace for the whole state and other counties should look at that. It doesn't seem that any facilities are being stopped in that county.

Dave Becker, Staff Attorney for Oregon National Desert Association, apologized for not being able to attend the earlier part of the meeting to hear the discussion on the Energy Generation Areas. Mr. Becker agreed with Mr. Barker about the Council not moving quickly to remove the Energy Generation Area.

Mr. Becker discussed the Sage Grouse and the declining numbers of this species. The habitat for the grouse overlaps areas that are being looked at for energy generation and the destruction of this habitat can only be protected by something like the Energy Generation Area. There is nothing else in place to monitor cumulative effects of projects.

Bryan Wolfe asked about the sage grouse and whether it is a hunted bird. Mr. Becker stated it is. Mr. Wolfe commented that to be an endangered species and still be hunted amazes him.

Mr. Becker said the same agency, Oregon Department of Fish & Wildlife (ODFW), is who is concerned because of the decline in the species. The question is what can be done to a species before it disappears entirely; an industrial scaled wind generation facility has a lot more impact than a few hunters.

Larry Givens, Umatilla County Commissioner, commented that under the Umatilla County Comprehensive Plan, they do work closely with ODFW, US Forest Service and BLM especially with these developments.

Jill Barker, Wasco County, wanted to second the opinion expressed earlier about Antelope Ridge Wind Farm, applying that to the Summit Ridge Wind Project. Ms. Barker stated that Summit Ridge is immediately above the west bank of the Deschutes

River and this is a major migratory corridor. She is particularly concerned about the birds that would be affected by the blades. This should be a major consideration because these corridors are natural landmarks, the rivers and ridges, and the wind facilities are in direct competition.

D. Boardman Power Plant – Briefing on PGE request for amendment 8 to Site Certificate

Adam Bless, Oregon Department of Energy, stated a request was received to amend the Boardman Site Certificate, which would be Amendment #8. Mr. Bless continued by giving a brief summary so that Council members can be asked for a decision possibly at next month's meeting.

Boardman Power Plant was originally permitted back in 1975, which is on 32 sections of land (32 square miles) in Morrow County. That site was envisioned to hold not only the Boardman Coal Plant but other power plants as well, possibly even a nuclear plant. PGE has determined that they really only need 5,800 acres to operate the Boardman Coal Plant and in Amendment #7, which was over 10 years ago (1994). They actually amended the site certificate to take out the authority to build the other power plants.

Public notice was issued and requested comments by July 17th. Having received none, a Proposed Order was issued. In the Proposed Order, ODOE noted that for an Amendment that shrinks the size of the Site Certificate, the only issues you have to consider are the effects of the shrinking of the site. In review, nothing was found that would violate a condition, standard or finding. ODOE does recommend approval of the request.

Mr. Bless continued explaining the Proposed Order is subject to a mandatory 30-day period for public comment and possible contested case request. If there are no comments or requests, ODOE will approach the Council for a vote, probably at the September meeting.

Chair Shiprack asked if PGE is intending to put some type of gas turbine on that location. Mr. Bless stated they have not issued a Notice of Intent so nothing is on the record. If a Notice of Intent is issued, submit an application and go through the process, they would apply for a new gas-fired plant on the part that is being deleted from the Boardman Site Certificate. The idea would be that it would be a totally separate plant, site and site certificate.

E. Status Update: Antelope Ridge Wind Farm and Summit Ridge Wind Project

Sue Oliver, Oregon Department of Energy in Hermiston, gave an update on projects:

Antelope Ridge Wind Farm

The Public Meeting was held and the Project Order was issued and transmitted to Council members along with public comments. Ms. Oliver noted that she spoke with Mr. Price also to assure him that his comments were transmitted verbatim for the Council to review.

Ms. Oliver stated that some of the big issues on Antelope Ridge are the wildlife and scenic impacts. ODOE has met with Horizon recently to get a status on the application, which has not been received as of July 31. They are working close with ODFW and getting ready to undertake a big game study which will include collaring of twenty elk and twenty mule deer in the area. The collaring is scheduled for about mid-August and will be done with netting and helicopter. In terms of the siting process, there is much to be done yet to cover issues and comments from the public meeting.

Summit Ridge Wind Project

Ms. Oliver said there was a public meeting held on June 25, 2009 in Dufur. There were a lot of comments received. The project order was issued July 30, and ODFW has submitted comments. An application has not been received yet. There has been an exchange of correspondence because when Golder did their review they noticed a discrepancy between the maps and the narrative description of the site boundary, in terms of the township and ranges. Ms. Oliver has requested Wasco County to take an in-depth review of the map and notification list to be sure everyone in the site boundary did get notice. There has been some discrepancy between the tax lot records, and the Planning Department records. There had been one property owner that was missed in notification is well aware of what is happening and there had been discussions with them.

Tom Stoops requested Adam Bless to discuss the national meeting he had attended.

Adam Bless stated that last week in Seattle the National Association of Public Utility Commissioners held its annual meeting. This was a five-day meeting with a real look ahead about topics that are of concern. One session brought bad news – the President has cancelled the federal nuclear waste repository at Yucca Mountain. The project has been terminated but he's directed the Nuclear Regulatory Commission to continue its licensing effort on a scaled back basis. Mr. Bless said that states are suing – the question of who pays for the spent fuel storage installation will be sorted out by the courts. The National Association of Regulatory Utility Commissioners is considering a petition to file.

Martha Dibblee mentioned that at the Western Regional ACS meeting last fall, the whole meeting was about fuel recycling. She wondered whether they are questioning these

above ground storages for future recycling because of the potential for the fuel need later on. Mr. Bless said that recycling was much of the session at the meeting in Seattle.

Tom Stoops discussed more on the BPA projects and noted that an agreement is being developed project by project concerning how EFSC will participate in the upgrades. As part of that, a meeting is in planning to talk about the bigger picture. It is still in the planning stages as to whether it will be a public meeting.

Chair Shiprack asked for comments. There were none.

Tom Stoops discussed future meetings. ODFW has their draft policy statement study on the Western Sage Grouse which is on their website. The policy will go to their Commission for review and the ODFW Commission will determine if it goes in to place. That will start a one-year review of Oregon's Western Greater Sage Grouse plan.

Chair Shiprack adjourned the meeting at 2:30 p.m.