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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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REEDSPORT OPT WAVE PARK PROJECT : Docket Number
: P-12713-002
- - - - -x

Salem Conference Center
Crosian Room
200 Commercial Street, SE
Salem, Oregon 97301
Thursday, April 8, 2010

The above-entitled matter came on for scoping
meeting, pursuant to notice, at 2:10 p.m., Jim Hastreiter,
moderator.

P R O C E E D I N G S

(2:10 p.m.)

1
2
3 MR. HASTREITER: Welcome everyone. Good
4 afternoon. Thank you for joining us for the public scoping
5 meeting for the Reedsport OPT Wave Park Project, FERC No. P-
6 12713. My name is Jim Hastreiter. I'm with the Federal
7 Energy Regulatory Commission. I'm a fishery biologist by
8 training, and I'm also the project coordinator for the
9 proposed Reedsport Project.

10 I just wanted to point out today we have a court
11 reporter here. He's making a transcript of the meeting. So
12 when you speak, you need to state your name clearly and your
13 affiliation, and if you have a difficult spelling name,
14 please spell it for the court reporter, and we'll also
15 remind you later to do that before we have the comment
16 period.

17 I'd first like to summarize this afternoon's
18 agenda for you. We'll first have introductions of our team
19 and I'll briefly describe who FERC is and what we do. I'll
20 talk about procedures for this meeting and present a
21 schedule for processing the proposed license application and
22 preparing the environmental document for the proposed
23 project. I'll describe the propose of scoping, and that
24 then will be followed by a presentation by Phil Pellegrino
25 with Ocean Power Technologies on the project itself.

1 Then FERC staff will again take the floor and
2 describe the resources issues that we've identified for
3 analysis in our environmental document. And then, after
4 that we'll begin taking formal comments.

5 So again, I'm Jim Hastreiter. I'm the project
6 coordinator. We have two FERC staff folks here today.
7 Annie Jones is over here. She's with the Office of General
8 Counsel. Can you raise your hand big Annie so that people
9 can -- all right. There we go. It's a big crowd. And then
10 we also have Alan Mitchnick. Alan's a senior technical
11 expert. And Annie and Alan will be supporting our efforts
12 on this project.

13 Also, the Commission has decided to use our
14 contract to help us prepare our environmental document, and
15 that is Louis E. Berger & Associates. Fred Winchell is the
16 project coordinator for Berger, and Fred's going to
17 introduce his crew.

18 MR. WINCHELL: I'm the project coordinator for
19 the Berger project team. We have several of our staff here
20 today that'll be working on the project. In the back of the
21 room we have Ellen Hall who you probably met on the way in.
22 She's going to be handling socioeconomic analysis in the EA.
23 We also have Eileen McLanahan down at the end of the right
24 table. She's going to be addressing aspects related to
25 marine mammals, sea birds and marine reptiles. And we also

1 have here today Jeff Bryce is next to her. He's going to be
2 addressing aspects relating to land use and recreation. We
3 also have several other members on the team who aren't here
4 today who are specialists in the areas of fisheries biology,
5 marine biology, water quality sediment transport. So that's
6 the full extent of our team.

7 MR. HASTREITER: So who is FERC and what do we
8 do? FERC is an independent federal agency that regulates
9 aspects of most types of energy that we have available in
10 the United States. FERC is comprised of five commissioners
11 that are appointed by the President and confirmed by the
12 Senate, and the President of the United States designates
13 the chairman.

14 The Office of Energy Projects permits and
15 oversees the construction and operation of energy
16 infrastructure necessary for functioning energy projects
17 such as nonfederal hydro gas projects and oil pipelines. We
18 have three divisions within the office that specifically
19 deal with hydropower. The Division of Hydropower Licensing
20 considers license applications for the project, for project
21 and that's the division I work for, and Alan and Annie works
22 for.

23 The Division of Administration and Compliance is
24 responsible for ensuring that projects are constructed and
25 operated as required by issued licenses, and the Division of

1 Dam Safety and Inspections ensure that dams are safe and
2 public safety is maintained at all projects. FERC's
3 headquarters is located in Washington, D.C., and we have
4 five regional offices, including one in Portland.

5 So issued hydropower licenses normally have a
6 term anywhere from 30 to 50 years, and licensed projects
7 have to best serve the public interest. It's not just a
8 matter of how much energy a project produce. We also must
9 take into account environmental concerns and other resource
10 issues. In all, there's about 2,600 projects that have been
11 licensed by FERC throughout the United States.

12 So moving to meeting procedures, we had some
13 handouts when you first came in today. One is the scoping
14 document, which is sort of the meat of the information
15 pertaining to this meeting and then I also had a handout on
16 our FERC website, which I'll talk about in a minute.

17 We also have two sign-in sheets, so I hope
18 everybody that is attending today signed the sign-in sheet,
19 which shows us and it's made part of the record that you
20 were at this meeting. And then we had a sign-in sheet for
21 speakers. When I check right before I came back in to
22 start, I think we had one person signed up to speak during
23 the formal comment period and if anyone else gets their
24 courage up that would be a wonderful thing, maybe we could
25 get two. That would be a good thing. We get more bang for

1 buck that way, double it.

2 And as mentioned before, we have a court reporter
3 here tonight and he's recording every word. He'll produce
4 written transcripts of the meeting and those transcripts
5 will be made available on the FERC website in about two
6 weeks. And if you have a burning desire or need to get
7 those transcripts sooner, you can see the court reporter
8 after the meeting.

9 I'm going to bore you a little here and talk
10 about our website. There's an amazing amount of information
11 available at our website. It's www.FERC.gov, and one of the
12 handouts we provided kind of provides a general overview of
13 some of the functions that are available on our website for
14 finding information, and I just wanted to over three of
15 those, just briefly.

16 One is called E-Library. When you use E-Library
17 you can view any document that was submitted to or issued by
18 FERC. So to view a document, you go into www.FERC.gov and
19 you click on E-Library and up pops a space and it calls for
20 a docket number, and the docket number for the Reedsport
21 Project again is P-1273, and you would put that P-1273 in
22 the docket number and what comes up then is the full record
23 of all documents that were issued or submitted by FERC. So
24 you could access all the documents that way.

25 Another more efficient way is called E-

1 Subscription, and you sign up one time. You essentially
2 register. I think you have to put your name and your email
3 address and you'll be notified automatically by email
4 whenever a document is submitted or issued. So in that
5 email that you get when you open it up there'll be a link
6 and you just click on that link and the document pops up.
7 So it's really handy. You don't have to continually go in
8 and monitor the FERC website for documents. And it has been
9 catching on with folks around the country. It's very
10 useful.

11 And then the last item I wanted to talk about on
12 our website is called is E-Filing. And it's useful to use
13 E-Filing to get your name put on the mailing list,
14 particularly for this project. The scoping document was
15 mailed to everyone on our mailing list for the Reedsport
16 Project and any future mailings from the Commission will
17 only go to the people that are on our mailing list for this
18 project. So if you're interested in receiving hard copies
19 of documents that the Commission issues take a look at the
20 back of the scoping document and there's a mailing list. If
21 you don't see your name on it, you want to use this E-Filing
22 function to get your name put on the mailing list.

23 You can also do that in writing as well, a hard
24 copy of a letter, and I'll show that address shortly.

25 So just briefly looking at our NEPA document

1 preparation schedule, we've decided to do an environmental
2 analysis for this project. OPT filed their license
3 application in February of this and we issued our scoping
4 document, which you all have, on March 1st. In our initial
5 review of OPT's application we noted some information that
6 we needed and we sent them a letter March 18th and their
7 response is due to us 60 days after that, so it's probably
8 middle May sometime.

9 We're having the scoping meeting today and we had
10 a scoping meeting yesterday in Reedsport and we also had an
11 environmental site visit, and the comments on the scoping
12 meeting are due to the Commission by May 10th.

13 Once we receive the additional information
14 request that we sent to OTP for the project, we'll review
15 that and if it's adequate we'll issue a notice that the
16 application is ready for environmental analysis. And then
17 there'll be a notice for filing comments, recommendations
18 and agency terms and conditions and prescriptions in
19 response to that notice, and those will be due mid-July
20 sometime, and then we'll incorporate all those comments into
21 our environmental assessment and that will be issued
22 sometime in October and then we'll have a comment period on
23 that EA and it'll be 60 days and comments will be due
24 sometime -- I said issue EA October. I meant August.
25 Excuse me. And the comments will be due mid-October. And

1 then our hope is that we will issue an order making a
2 decision on their application late winter -- early
3 winter/late winter either this year or next.

4 One other thing I wanted to point out about our
5 schedule here, all the bolded items are the primary
6 opportunities for input from the public, agencies, Tribes
7 and nongovernmental agencies, so you get four opportunities
8 at four different stages in the process to provide comment.

9 So the purpose of scoping and why we're here this
10 afternoon. We are here because FERC regulations in an Act
11 called the National Environmental Policy Act, also referred
12 to as NEPA as well other applicable laws require that any
13 federal agency who takes a federal action, and in this case
14 it's FERC's decision on OTPPT's proposed, whether to issue a
15 license or to not issue a license. So any federal agency
16 that does take that sort of action must conduct a detailed
17 evaluation of the environmental effects of the proposed
18 project.

19 So we're here this afternoon for scoping, and
20 scoping is an early part of the NEPA process where we ask
21 members of the public, nongovernmental organizations, state
22 agencies, federal agencies and Native American Indian Tribes
23 to assist us in identifying issues and concerns that should
24 be included in our environmental document for the proposed
25 project.

1 And besides identifying issues and concerns,
2 we're also making a request, as part of this scoping
3 meeting, for information. And if you look on page 16 of our
4 scoping document, we have a fairly detailed list of the
5 types of information we're interested in receiving. And I
6 just have four general bullets up here, and again, one is to
7 help us identify any significant environmental issues. And
8 if there's any other studies that might be useful for us to
9 use in our evaluation that would be great if you'd let us
10 know about those.

11 And if you have any information or data
12 describing past and present conditions in the project area,
13 it would be useful for us in putting together our document.
14 And if there's any resource plans, including comprehensive
15 plans or you know about any future proposals that are within
16 the project vicinity, we'd appreciate knowing about those as
17 well.

18 So the information that you all provide to us
19 this afternoon will be made part of the Commission's record
20 for the Reedsports Project and I just wanted to quickly go
21 over how you provide comments. First is you can orally
22 provide comments today, and again we have a court reporter
23 and all your comments will be placed in the record, or you
24 can do it in writing today. You're more than welcome to
25 hand me or any of our staff here handwritten copies of any

1 comments you may have if you decide you don't want to give
2 them orally.

3 You could also file your comments electronically,
4 again going to the FERC website and using E-Filing. Page 17
5 of the scoping document describes how to do that or you can
6 mail comments to FERC the old fashion way. We really would
7 like folks to use our E-Filing. It saves a lot of time and
8 effort and paper and money for folks and it's just a real
9 efficient way to do things. So we're really trying to
10 convince all the interested parties to use our E-Filing
11 process. And again, the comments for this scoping meeting
12 are due May 10th this year.

13 And if you do decide you want to do it the old
14 fashion way, this is the directions for doing that. You
15 have to clearly show at the top of the letter that this is
16 for the Reedsport OPT Wave Park Project, FERC No. 12713-002
17 and you send those comments to Kimberly Bose, the Secretary
18 of the Commission and this is the address of the Commission.
19 I believe that address is in the scoping document as well.

20 I guess the incentive to use E-Filing is that if
21 you do submit hard copies you have to submit an original and
22 eight copies, so that's a little bit more of a burden than
23 just going and clicking on E-Filing and submitting them that
24 way. So again, we appreciate anyone providing comments.
25 They can in any way.

1 So at this point, I'm going to turn the mike over
2 to Phil Pellegrino with Ocean Power Technologies, and Phil's
3 going to give us a presentation about project.

4 MR. PELLEGRINO: Good afternoon everybody. My
5 name is Phil Pellegrino. I'm Vice President of Business
6 Development with Ocean Power Technologies, and I'm here to
7 give you a brief overview of our Reedsport Wave Energy
8 Project.

9 So when we talk about the Reedsport OPT Wave
10 Energy Facility, we think in terms of power buoys. And here
11 we have pictured a PB40 or a 40-kilowatt power buoy that's
12 being readied for deployment off the coast of Spain. Now
13 these are impressive devices. They have a lot of steel in
14 them. More importantly, they have about 15 years of
15 intellectual property that's integrated into the package.
16 And they need to be impressive devices because of the fact
17 that they operate in a marine environment, and that
18 environment, as you know, can be very hostile. And these
19 devices are designed to last for 25 or 30 years at sea, so
20 they have to be very sturdy and very survivable.

21 Now this is going to be the first multiple device
22 wave energy deployment off the in Oregon coast. It's
23 important to note that it's a pre-commercial wave energy
24 demonstration. So this is just the penultimate step to
25 commercial technology being installed in the territorial sea

1 in Oregon and in the rest of the world, but Oregon's a great
2 place really to harvest the wave climate.

3 And the other thing that pre-commercial means is
4 that it's not really a profit-making venture. At this point
5 we're spending a lot more money than we're going to earn so
6 that we can become much more knowledgeable in terms of how
7 the wave energy technology can be made to be a commercial
8 product.

9 At this stage, we're talking about deploying 10
10 power buoys with a generating capacity of 1.5 megawatts, and
11 project is expected when it's fully installed to produce on
12 the order of about 4 million kilowatt hours of electricity
13 per year in terms of energy, and this should be sufficient
14 to supply about 350 or 400 homes. This is not a huge
15 project. It's a relatively small, but it's a start down a
16 path, again, to commercial activity.

17 There will be very extensive environmental
18 effects studies that are contemplated as part of this
19 program. And very importantly, this is part of a phased,
20 very gradual process. There's no intention for this to be a
21 snowball rolling down the mountain. It's new technology and
22 people need to learn from it and so therefore we need to
23 engage a highly consultative, very collaborative process
24 with the stakeholders and the public so that they can be
25 comfortable with what we're doing. We need to better

1 understand, not only the benefits from wave energy; but most
2 importantly, any effects and impacts. And of course, we
3 need to understand the effects on traditional ocean users
4 like recreational users, fishermen and crabbers.

5 Now when we look at the project benefits, we're
6 very, very fundamentally concerned about economic
7 development. This project is a project that's going to
8 create a lot of jobs for our fabrication, assembly and
9 deployment in Oregon. And here we have a couple of pictures
10 of the power buoy, which is a 150-kilowatt device or a PB150
11 being fabricated, as we speak, at Oregon Iron Works, the
12 company awarded a contract to OIW last December. And just
13 at Oregon Iron Works alone for the single buoy that's being
14 fabricated now, we have either created or sustained about 30
15 jobs. And when we go on to fabricate the additional nine
16 buoys, we expect to add another 150 jobs in the process.

17 There's a million dollars in wages that are
18 expect to go directly to southern Oregon coastal
19 communities, and this will be to create jobs in assembly and
20 deployment, six-family wage jobs expected to be created, 10
21 to 12 jobs maintained for things like anchoring,
22 fabrication, mooring and deployment of the power buoy
23 itself. These jobs will be performed locally, and there
24 will also be jobs associated with the ongoing maintenance of
25 the buoys. Once they're deployed in the marine environment,

1 they're on a five-year maintenance cycle. So for the
2 Reedsport Ten Project with 10 power buoys, when we get going
3 on an annual we'll have to maintain at least two of those
4 devices. That'll involve a lot of highly technical, skilled
5 jobs that are good family wage jobs, well paying in the
6 local communities.

7 And if and when the project is expanded to as
8 much as 50 megawatts, we could have a hundred power buoys in
9 the water in a wave power array, and that would mean on an
10 annual basis as many 20 power buoys being maintained within
11 the local community with an established workforce, and we'll
12 be using local scientists and researchers to study the
13 marine environment. We're creating jobs for the manufacture
14 of the smart-pod that I kind of call the Intel inside the
15 box, which is pictured here. This is the power takeoff
16 system, the control apparatus and the electrical generator
17 that will be installed into the power buoy. But very
18 importantly, most of the jobs are going to be in the State
19 of Oregon. This is where most of the fabrication, the
20 assembly and the deployment is going to take place. So the
21 bottom line is these kind of power apparatus is good for
22 Oregon and it's good for the United States. And what it
23 will help us to do is to ground a new industry in the USA
24 and to keep the technology here in the United States and the
25 associated jobs.

1 Now when we look wave energy facility and its
2 components, we have a very simple diagram here that
3 eliminates the quaternary mooring system so that you can see
4 clearly the principal components of the power buoy, which
5 include at the top the float, a spar and a heave plate. Now
6 when the waves impact the float, the float moves up and down
7 with the transfer of the wave energy on a spar, which is
8 essentially stationary and that transfer mechanical energy
9 to an electrical generator that then produces the
10 electricity. There are what we call pigtailed that connect
11 from the power buoy to an undersea substation, which is an
12 electrical integration point and all of the other power
13 buoys that are in the array will have those pigtailed
14 connected into that undersea substation. And then from that
15 substation we have a cable which will emanate to shore to
16 ultimately integrate the power array into the power grid.

17 Now there are 10 power buoys of a PB-150 power
18 buoys and the associated mooring systems and the anchors.
19 There's an underwater substation, which is pictured here.
20 It's also an impressive device and it will be installed on
21 the sea floor in the vicinity of the array. We have the
22 transmission cable to shore and that all constitutes the
23 principal components on the marine side and on the land side
24 we'll be using an existing effluent pipeline as a conduit to
25 accommodate the undersea cable, which ultimately will be

1 interconnected into the grid, and that will avoid any
2 disturbance to the beach area for facility.

3 We have existing under-utilized industrial
4 property. There's been a significant decline in traditional
5 industry in the coastal communities, the loss of a
6 considerable amount of jobs. There's one industry in the
7 Gardner area that moved out in 1989 and closed up shop, and
8 as a result of that there were 700 jobs that were lost.
9 This is in a community that has residential population of
10 about 4,300 people. So that's a tremendous impact on the
11 community that's very difficult to recover from. All the
12 more reason why the jobs are so important. And we have, as
13 a result of that decline in industry existing,
14 under-utilized transmission interconnection capacity that we
15 can now make use of. It's already there, no need to upgrade
16 or rebuild.

17 This project overview shows the coast over on the
18 left-hand top side and the array is about 2 and 1/2 miles
19 offshore in the territorial sea. The array will be
20 installed in about 190 feet of water. And on the right
21 side, on the upper side of the chart we have the FERC
22 boundary for the facility. That's about a mile wide and
23 about 2 and 1/2 miles long. But the actual array is
24 considerably smaller. It represents about 800x800 square
25 meters or about 30 acres for the 10-buoy array.

1 And then we have pictured here the outfall
2 effluent pipeline, which is about a half mile offshore into
3 which the undersea cable will use that effluent pipeline as
4 a conduit. A demarcation point on the terrestrial side
5 where we'll make a transition into an underground
6 residential distribution cable that ultimately interconnect
7 with a grid connection at the shore station, called the
8 Gardner substation operated by the Bonneville Power
9 Administration.

10 Here we have pictured a dimension drawing of the
11 power buoy. The PB150 is quite a bit larger than the PB40,
12 which was a device that I showed you earlier. It's about
13 115 feet tall. It's about 35 feet wide and it weighs about
14 250 tons. We also have pictured here fabrication of the
15 float that I showed you earlier at Oregon Iron Works, and
16 lots of workers hard at work creating new technology.

17 Let's take a look at effects evaluations for a
18 moment. There are 18 studies, evaluations or assessments
19 that are contemplated as part of this project covering all
20 aspects of wave energy. There's an adaptive management plan
21 that's an integral part of the settlement agreement that's
22 been established with the stakeholders in this process. And
23 what the adaptive plan will allow for is that as we operate
24 the project and we have environmental studies and establish
25 baselines and we learn things we will be able to make

1 modifications to the way the project operates to minimize
2 any potential impacts.

3 There are six primary study areas in aquatics and
4 water resources, include cetaceans or whales and associated
5 acoustical studies, pinnipeds, which include seals and
6 walruses, fish and invertebrates, avian or birds, wave
7 current and sediment and finally, electromagnetic fields or
8 EMF.

9 Obviously, as part of this project, there's a
10 very, very strong and appropriately so environmental focus.
11 They'll be five years of evaluation of all of these
12 environmental studies, and there will be additional studies
13 on crabbing and fishing, recreational use and cultural
14 impacts. And all of that is designed to apply knowledge to
15 future phases of project activity, which ultimately could
16 lead to commercial-scale project.

17 And when we look at the process steps, there are
18 numerous federal and state licenses, permits, and
19 authorizations that must be obtained before the 10-buoy
20 project can be operated and integrated into the power grid.
21 There are absolutely multiple opportunities for involvement
22 of the public, of nongovernmental organizations, and the
23 associated stakeholders. To date, we've developed studies
24 over a three-year period. A lot of hard work has been done
25 well before the buoys go in the water. There are state,

1 federal, and private interests, fishing, recreation all have
2 participated extensively in the work that's been done to
3 date.

4 There's the settlement agreement that I mentioned
5 earlier and a collaborative process, which is highly
6 consultative and very importantly, there's no one party that
7 leads that process, especially not the developer Ocean Power
8 Technologies.

9 Modifications will be based on study results or
10 any new information that becomes available and the results,
11 very importantly, will be shared in an open, transparent
12 process. As I indicated, modifications will be based on
13 study results or new information so that we can operate the
14 project in a manner which absolutely minimizes any adverse
15 impact.

16 And finally, the results will always be shared in
17 a highly transparent process so that everyone is kept very
18 well informed. And here we have some information in terms
19 of how you can contact, in particular, Ocean Power
20 Technologies or Reedsport OPT Wave Park, LLC, which will be
21 the subsidiary of OPT that owns the project facilities. We
22 encourage you to reach out to us. We're there to answer
23 your questions and to cooperate and work in a highly
24 consultative manner to get this project done and this
25 scoping meeting really is evidence of that, but there will

1 be many, many more opportunities as we venture along the
2 path to ultimately deploying the power buoys in the marine
3 environment. I want to thank you very much for your kind
4 attention.

5 MR. HASTREITER: Thanks Phil. Now Fred Winchell,
6 our contractor is going to give a presentation on the
7 preliminary list of the resource issues that we've
8 identified for our environmental analysis.

9 MR. WINCHELL: I'm going to, as Jim said, provide
10 a run through of the issues as we've identified to date that
11 we plan to address in the environmental assessment, based on
12 our review of the license application. These are are listed
13 in the scoping document. I'm going to run through them
14 fairly quickly, but you can review to them in the scoping
15 document also.

16 I want to reinforce what Jim about the scoping
17 being an opportunity for you to bring to light issues that
18 we not have identified yet in the scoping document, so
19 that's one of the key purposes of scoping and as well as for
20 you to provide any information that may not have been
21 included with OPT's license application to be considered in
22 our analysis.

23 On this slide we show the four resource areas
24 that we've identified that we believe have the potential to
25 be affected cumulative effects from development of the

1 project, along with other past, present or reasonably
2 foreseeable future actions, and that may include future
3 development of additional wave facilities.

4 I'm going to be going through issues identified
5 by a number of different resource areas on these next two
6 slides. It's just a list of the resource areas that we
7 typically cover in a NEPA document. I'll be going through
8 specific issues within each of these resource areas in the
9 following slides.

10 Within the area of geological and soil resources,
11 we've identified the issue of the affects of changes in wave
12 energy on sediment transport processes, and that would
13 include any affects on beach erosion, on sediment
14 deposition, changing the depth of the water.

15 In the area of water resources, we've identified
16 issues to address the affects of aquatic growths on mooring
17 lines, on water quality. The issue there being, if
18 substantial growths occur and fall of to the ocean floor,
19 that there could be oxygen deprivation during decomposition.
20 We'd also be looking at affects of anchor and cable
21 installation on water quality, including sediment
22 resuspension. We'll be looking at the affects of
23 antifouling paint and the coatings on water quality and
24 aquatic biota, and also potential affects of spills of
25 hydraulic oil on water quality. But I would note that OPT

1 has been working a number of plans to minimize the potential
2 of spills of toxic materials.

3 In the area aquatic resources, we'll be looking
4 at affects of electromagnetic fields on aquatic resources
5 and that would include marine mammals. We'll also be
6 looking at the attraction of predators and predation of
7 anadromous fish, which include a number of listed species in
8 the project area. We'll be looking at affects on species
9 composition and interactions as a result of attraction to
10 the project structures, also the affects on underwater noise
11 and vibration on fish and on marine mammals as well. And
12 we'll also be looking at affects of seabed habitat, seabed
13 habitat alteration and the affects of installation process.
14 And finally, we'll be looking at affects of the changes in
15 wave energy on the littoral habitat and shoreline habit in
16 shallow areas.

17 In the area of marine mammals, reptiles and
18 birds, in addition to affects of EMF and noise and vibration
19 on marine mammals, we'd be looking at potential for whale
20 injury or entanglement and affects on migration. In
21 addition, we'll be looking at the potential use of buoys as
22 use as haul-outs by sea lions and seals, and also the
23 potential for offshore birds to collide with buoys and cause
24 mortality, including potential affects on some of the listed
25 species of birds.

1 In the area of terrestrial resources, we'll be
2 evaluating the affects of changes in transport processes, on
3 potential erosion of beaches used by western snowy clover
4 for nesting. I would note that most of the potential for
5 impact to terrestrial resources is minimize or very limited
6 because of OPT's plan to route the cable through the
7 existing effluent pipe throughout the whole terrestrial
8 portion of the transmission corridor.

9 In threatened and endangered species, there are a
10 number of species of marine mammals, including some whales
11 species and sea lion, also some potential for marine
12 reptiles in the area. There are listed birds and a number
13 of fish species, including most of the salmon species in the
14 area. We'll also be looking at the affects of construction,
15 operation and maintenance of the project on essential fish
16 habitat.

17 For recreation, ocean use and land use, we'll be
18 looking at affects of navigation exclusion zones on
19 recreational fishing as well as on navigation and on
20 commercial fishing and crabbing. And we'll also be looking
21 at affects of lost gear on the commercial fishing and
22 crabbing, and also we plan to evaluate the affects of wave
23 attenuation on surfing opportunities.

24 In the area of esthetics, we'll be looking at the
25 effects of buoys and associated navigation lighting on

1 esthetics. And in socioeconomic, we'll be looking at the
2 effects of the projects on local, Tribal and regional
3 economies.

4 And finally, I think, in the area of cultural
5 resources, we'll be looking at potential affects on any
6 archeological traditional resources or historic resources
7 that may be eligible for inclusion on the National Register
8 of Historic Places. Again, potential in the terrestrial
9 area is limited by the plan to route the cable through the
10 effluent pipe and I don't believe any shipwrecks have been
11 identified in the project area, so that appears to be a
12 limited potential for an affect there also.

13 Now this is the time when we open the meeting for
14 comments. As Jim said, please use the microphone when you
15 make the comments for the court reporter and spell your last
16 name, also identify your affiliation. And also a reminder
17 to everybody to make sure that you've filled out your name
18 on the registration form, so we can have a record of
19 everyone who's attended here.

20 I think we have one person signed up at this
21 point, Arlene Merems.

22 MS. MEREMS: I guess I need to state my name?

23 COURT REPORTER: And spell it, please.

24 MS. MEREMS: Arlene Merems, M-E-R-E-M-S.

25 COURT REPORTER: And who are you with?

1 MS. MEREMS: I'm with the Oregon Department of
2 Fish and Wildlife, and I'm also -- I serve on the habitat
3 committee for the Pacific Fishery Management Council. So
4 this is what my question is related to that, which is
5 directed to you. So the deadline for the scoping comments
6 is May 10th, and the Council meets five times a year. They
7 have a meeting starting tomorrow and for the rest of this
8 week, but it's not on their agenda because they weren't
9 aware of the timeline of this project.

10 So comments from the Council would likely come at
11 their June meeting, which is past the scoping deadline, and
12 there's a number of management plans that are not on your
13 list and I believe there may be other comments coming from
14 the Council. So is there a way to submit this after the
15 deadline? And there'd probably be a formal request from
16 them, but I thought I would find out now since I'm headed up
17 there tonight.

18 MR. HASTREITER: You know, if you have that
19 important information, you should provide it when you have
20 it and we'll do our best to consider that information. And
21 as I showed on our schedule -- if you want to go to that
22 slide, Fred? Okay, so May 10th the scoping comments are
23 due. But again, then in July we have another comment
24 period. But it sounds like the information you have would
25 be useful in preparation of our EA. So you just need to get

1 it in as soon as possible. I mean do you have to wait until
2 the meeting? It sounds like you know what the information
3 is?

4 MS. MEREMS: No, other than the management plans.

5 MR. HASTREITER: And that's what I'm referring to
6 you.

7 MS. MEREMS: Right.

8 MR. HASTREITER: So if you have that information,
9 and it's something that you feel isn't part of our current
10 record to do our analysis --

11 MS. MEREMS: Yeah, they're not part of your
12 current record.

13 MR. HASTREITER: You should provide that as a
14 part of this comment period.

15 MS. MEREMS: Sure.

16 MR. HASTREITER: So I'm not really clear what it
17 is that the meeting will result in of the Council. Why do
18 we need to wait until June for something?

19 MS. MEREMS: Well, the Council meets five times a
20 year, as I said. They're agendas are set several months
21 ahead of time, so their subcommittees provide updates and
22 information to them on various things happening outside the
23 Council that they, you know, perhaps want to comment on or
24 the affect Fisheries Management, so the committees provide
25 them with information and suggestions and things like that.

1 And then the Council decided whether or not to comment or
2 you know how they want to address a particular issue. And
3 so the next opportunity for the Council to do that is at the
4 June meeting.

5 MR. HASTREITER: You know what you should do is
6 have the meeting, submit the comments when you have them.
7 And if we're at a point where we can use those comments, we
8 will use them. But we can't hold up our process to wait for
9 their meeting. So I would suggest if it's really important
10 and you feel you're going to have some comments that are
11 very important to try and maybe have a meeting sooner, if at
12 all possible.

13 MS. MEREMS: No, the Council doesn't adjust its
14 meeting schedule.

15 MR. HASTREITER: Okay. Right --

16 MS. MEREMS: It's set several years in advance.

17 MR. HASTREITER: Right. And we're sort of in the
18 same situation where we've set a schedule for producing our
19 document.

20 MS. MEREMS: Sure.

21 MR. HASTREITER: So you know, what I suggest is
22 get them in as soon as you can.

23 MS. MEREMS: So you generally don't -- you don't
24 do extension like, you know, another 30-day extension period
25 onto your time periods? You keep it pretty much this way.

1 MR. HASTREITER: Yes, we do.

2 MS. MEREMS: Okay. Thank you.

3 MR. HASTREITER: Sure.

4 MR. WINCHELL: We have one more, it looks like.
5 Okay.

6 MS. KEYS: Hello again. My name is Jessica Keys.
7 It is J-E-S-S-I-C-A, last name K-E-Y-S like car keys or
8 Florida Keys. I'm in Governor Kulongoski office and I just
9 wanted to say thank you for the meeting and we've really
10 appreciated the working relationship we've had with FERC,
11 particularly, in developing the MOU and we're looking
12 forward to implementing that MOU as we move forward with
13 siting wave energy in Oregon, starting with the Reedsport
14 Project.

15 You recently received a letter from us in March
16 about the settlement agreement, which we do intend on
17 submitting. We've worked really hard on that with Ocean
18 Power Technologies and the Reedsport community and
19 stakeholder groups, so anticipate that coming into you.

20 And at this time, I wanted to just introduce the
21 state agency team, not all the agency representatives are
22 here, and you had a chance to meet some of them yesterday,
23 but I just wanted to kind of point them out in the crowd for
24 you. They may comment, even though they didn't sign up, but
25 we do anticipate submitting comments in writing from the

1 State of Oregon in the future.

2 So Mary Grainey you heard from last night from
3 Water Resources. She also works with Craig Kohanek with
4 Water Resources, Ken Homolka with Oregon Department of Fish
5 and Wildlife, and Arlene, of course, with the ODFW as well.
6 Rebecca Sherman with Department of Energy and then Paul
7 Klarin with Department of Land Conservation and Development,
8 and then Laurel Hillman with Oregon Parks and Recreation
9 Department. And Jen is my colleague. She's a sea grant
10 fellow. And then, Steve Shipsey is with our Department of
11 Justice, and Nancy Pustis with Department of State Lands.
12 So that's your team, and if you had any questions for them,
13 I'm sure they'd be available to talk to you as well.

14 MR. BUSCH: My name is Jason Bush, B-U-S-C-H,
15 like the beer and not the former President. I wasn't sure I
16 had anything to contribute, so I didn't sign up. But I
17 notice here that you have --

18 MR. HASTREITER: Jason, can you tell us who
19 you're with?

20 MR. BUSCH: I'm from the Oregon Wave Energy
21 Trust. We're a nonprofit funded by state dollars here in
22 Oregon.

23 MR. HASTREITER: Thank you.

24 MR. BUSCH: And our mandate, of course, is to
25 promote the responsible development of wave energy in

1 Oregon. And as part of that effort, we have funded a
2 variety of studies, including some ecological baseline data,
3 and that's basically what I wanted to make sure that you
4 were aware of. Many of those studies are already finished
5 and posted on our website. Some are still being reviewed
6 and will be posted soon. So if you have any questions about
7 any of those reports, feel free to contact me at the Oregon
8 Wave Energy Trust. We're at OregonWave.org. Thank you.

9 MR. WILLIAMS: My name is Rick Williams,
10 W-I-L-L-I-A-M-S, Oregon citizen. I'm an ocean engineer with
11 Science Applications International Corporation, and a board
12 member of the Oregon Wave Energy Trust.

13 My comment is in support of the project in that
14 it's a developmental project for an emerging industry. The
15 phased implementation that was described by the proponent is
16 exactly what we need. We need to install a small project,
17 learn from a small project, expand it and move toward pre-
18 commercial and commercial scale. So my perception is that
19 this project is well-intended, well conceived and I support
20 it as a citizen.

21 MR. HASTREITER: Thank you, Rick.

22 MR. WINCHELL: For the folks that are providing
23 comments that didn't sign the comment list, would you please
24 do that before you leave, please?

25 MR. HOMOLKA: I'm Ken Homolka. That's

1 H-O-M-O-L-K-A, with the Oregon Department of Fish and
2 Wildlife. And on March 5th, we filed some additional
3 comprehensive plans from the State of Oregon. They weren't
4 filed under this docket, but just under the general state
5 plans. And I, one, would like to get an idea of how long it
6 takes for FERC to process those and get those on the list
7 because some of those would be pertinent to this project.

8 MR. HASTREITER: Our senior technical expert,
9 Allan Mitchnick will address that question.

10 MR. MITCHNICK: Finally useful for something. I
11 mean we'll use them as long as they're -- once they're filed
12 and we go through the assessment to make sure it meets the
13 criteria for a comprehensive plan and then we'll make it
14 available to staff. It won't appear into the list of
15 comprehensive plans until the next quarter that it's updated
16 or every six months, whatever it's updated. But we can make
17 sure -- if you filed them, we can make sure that they are
18 being processed and they do get to the right people so that
19 we'll have them when we do this document.

20 MR. HOMOKLA: So we should reiterate those plans
21 in any comments that we file as well.

22 MR. HASTREITER: I think that would be a good
23 idea, Ken.

24 MR. HOMOKLA: And I also had a question about the
25 term of the license, that you mentioned a 30 to 50 years,

1 and I was under the impression that the Power Act says if
2 it's an initial license it's up to 50 years and if it's a
3 relicense it's 30 to 50. Could you clarify for me?

4 MR. HASTREITER: Yes, and that's right. Whenever
5 we talk about it, generally, we say 30 to 50 years. But for
6 an original license, it can be less than 30, as in the pilot
7 license that we've contemplated issuing it can be 5 years,
8 so you are correct.

9 MR. HOMOKLA: Okay. And also for the
10 environmental assessment, is there anticipation that that
11 would be a draft and the revised to a final or are you just
12 going to issue just a single EA?

13 MR. HASTREITER: Yes, we're just going to issue a
14 single EA and then take comment on that single EA and any
15 comments we receive, then we will address those in the
16 order.

17 MR. HOMOLKA: And lastly, as far as the scope on
18 the issues, do you want comments that recommend scope for,
19 say, specific species or just more general than that? Are
20 you going to address individual species in your EA? What
21 would be helpful from us?

22 MR. HASTREITER: Yes, individual species, if you
23 have that detailed information. The more detailed
24 information you provide us the more helpful it is, so I
25 would suggest if you have that information please provide it

1 on the species.

2 MR. HOMOLKA: We do have some new information
3 that we'll update what has been submitted to date on some
4 species.

5 MR. HASTREITER: Okay. Great.

6 MR. HOMOLKA: All right. Thanks.

7 MR. HASTREITER: Thank you, Ken.

8 MS. SHERMAN: Hey there. I'm Rebecca Sherman. I
9 work for the Oregon Department of Energy. It's Sherman,
10 S-H-E-R-M-A-N. And Jim, I was just looking at the scoping
11 notice and I realized that it's a minor license because it's
12 less than 5 megawatts, but part of what the group is
13 contemplating is that ultimately we may scale it up and I
14 think Rick just mentioned it a moment ago, thinking forward
15 about scaling up, which would take it over 5 megawatts and I
16 know that unusual in the hydroelectric sector, so maybe
17 could you talk -- is there a consequence of amending a
18 license from a minor to a major license and what would that
19 look like? Would the standard license articles change or
20 any thoughts on that?

21 MR. HASTREITER: I don't think there are any
22 significant differences other than some of the consultation
23 process in items that are required in an application. But
24 there's no real significant differences that would, you
25 know, I think cause alarm for anyone.

1 MS. SHERMAN: Okay. I wasn't sure if there was.

2 MR. HASTREITER: Right.

3 MS. SHERMAN: And then maybe could you -- Frank,
4 could you talk for a moment about -- in the scoping document
5 you listed a bunch of issues that you've come up with, but
6 because this is sort of the first environmental assessment
7 of its kind maybe you could talk for a moment about what
8 documents you consulted to come up with that list or where
9 it came from. Thank you.

10 MR. WINCHELL: It's Fred Winchell. That's all
11 right. Well, it's primarily derived from the license
12 application and the APDEA that was prepared for OPT. But we
13 are also in the process of our analysis we'll be drawing on
14 all publicly available information that's relative to the
15 resource affects, and we know there's a lot of work
16 available from work going on in Europe. We're aware of the
17 OWET, O-W-E-T, reports and there's a lot of work generated
18 in the APDEA wave connect license application. So there's a
19 lot of information we will be drawing from for our affects
20 analysis as well as what you provide in response to our
21 scoping -- our information requests and terms and
22 conditions.

23 MR. HASTREITER: Anybody else want to provide
24 comment during the formal comment period?

25 (No response.)

1 MR. HASTREITER: All right. Well, I guess I
2 would like to thank everyone for coming this afternoon and
3 participating in our scoping meeting. The information you
4 provide will make our analysis all the much better, and
5 again, thank you for coming. We'll be around for as long as
6 you want to chat after the meeting is over, so don't
7 hesitate if you want to talk. So this ends the scoping
8 meeting for the proposed Reedsport Project. Thank you very
9 much.

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11 (Whereupon, the above-referenced matter was
12 concluded at 3:05 p.m.)

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