



REEDSPORT WAVE ENERGY PROJECT Oregon Solutions Team

April 20, 2007

In attendance:

Steve Kopf, OPT
Therese Hampton, Oregon Solutions
Laurel Hillman, Parks and Rec. Dept.
Jeff Farm, State Parks
Cristen Don, ODFW
Jim Hastreiter, FERC
Kathy Roberts, USFWS
Hugh Link, ODCC
George Barton, CTCLUSI
Edgar Bowen, CTCLUSI
JR Herbst, CTCLUSI
Terri Moffett, Senator Smith

Robin Hartmann, Ocean Shores
Greg McMurray, DLCD
Cathy Tortorici, NOAA Fisheries
Peter Stauffer, Surfrider
Ron Yockim, Douglas County
Cory Engel, DSL
Ron Kresky, Congressman DeFazio
Ike Launstein, L. Umpqua Economic
Development Forum
Justin Klure, ODOE
Onno Husing, OCZMA

Meeting Summary

Purpose and Introductions

Keith Tymchuk welcomed the group and opened the meeting with introductions. Keith emphasized that we are nearing a crucial phase in this effort. Although there are many statewide and industry related issues, it was important for the group to stay focused on what is needed to get achieve signature of a Declaration of Cooperation in May.

Industry Overview

OPAC

Robin Hartmann provided a brief overview of the discussions from the OPAC Wave Energy subgroup. She shared that most of the meeting was update and information regarding the Reedsport project. However, there was discussion surrounding state planning for the wave industry. There is a desire to understand how to recommend the best alignment for the location of wave parks, Marine Protected Areas, and fishing/crabbing areas.

Robin also noted the scientific workshop planned for September to discuss potential impacts of wave energy.

Lincoln County

Justin Klure reported that the FINE committee provided unanimous approval of 2-year temporary use of a ½ mile by ½ mile site. OSU and Finavera will place a total of 3 test buoys in the area for different period throughout the 2-year period. Use of the site will require DSL lease, 404 permit but will not require a state permit or FERC license. .

Douglas County

Ron Yockim shared that the county has received a preliminary permit for the site. The County is working with WaveGen out of Scotland. They are pursuing a 1-3 MW facility to be located at the training jetty outside the harbor. The next major step on the project will be an RFP for bathymetric and wave energy studies.

There was a question about what type of public involvement process will be used to support the project. Ron suggested that there had been a couple of public meetings, but they wanted to wait until receipt of the preliminary permit before they went much further. From this point forward, there will be public involvement consistent with FERC requirements.

Statewide Assessment

Therese shared that the Governor's Office has asked the Oregon Consensus Program (a sister agency to Oregon Solutions) to conduct an assessment of the issues that may influence state-wide planning and policy for wave energy development. The purpose of the assessment is to identify key unresolved issues, evaluate current forums, and provide recommended approaches for resolution of the issues. This effort is intended to both complement and advance current efforts to address industry wide issues; such as Ocean Policy Advisory Committee's (OPAC) Wave Energy Group and Oregon Sea Grant and Ocean Coastal Zone Management Association's (OCZMA) efforts to assure representation of crabbing and fishing interests. The assessment will result in a written report to be provided to the Governor's office and all participants. Interviews for the assessment will begin in early May.

Declaration of Cooperation Discussion

Therese reminded the group of the purpose behind making Reedsport an Oregon Solutions. Key to this effort is a collaborative approach to issues and identifying the best regulatory approach for this project. At this point in this project, the Declaration or Cooperation is intended to capture all the good work to date. Primary in that is the definition of issues and the commitment to settlement.

There was a question about what FERC does with settlement and how it might change the process. Jim Hastreiter emphasized that the process is the same, but it takes longer without a settlement. Without a settlement, the application goes into a contested proceeding and this takes longer. Jim reminded the group that FERC prefers settlement because the decisions are made locally rather than FERC hearing from parties and then

making a decision. Without a settlement, local and state influence is lost. Ron Yockim suggested that it behooves us all to be part of settlement and help identify issues.

The group moved on to a discussion of the Declaration of Cooperation and required changes:

- Therese reviewed the summary of comments received to date.
- Federal and State agencies expressed interest in language that indicates that this is not a legally binding document and that state and federal agencies reserve their power and authorities.
- There was discussion about continuing to ensure that all perspectives are heard in this process. For instance, the inclusion of fish/crab processors was raised. It was recommended that we add to the commitments section that we all commit to ensure everyone is involved.
- CTCLUSI raised concerns about the need to exclude mining on the sea floor. Past experience and legal advice suggests that regulations may not limit this type of action. They would either like clarity that the jurisdiction and permits for this project provide exclusivity to this action only or something some ability to assure exclusivity. DSL is checking into this.
- Site boundary/disposal site and the relationship of this project to the site will be added to the list of general issues.

NOAA fisheries indicated that it needs to check whether the Declaration of Cooperation can be signed locally or has to go to DC. If it goes to DC will take some lead time. This prompted discussion about what other organizations might need to get to signature. The group went around the room and discussed lead time:

- USFWS—ambitious to have a signature draft by May 1. Once a good signature draft, 2 weeks to get signature
- DLCD—Director will sign and 2 weeks should be sufficient.
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- CTCLUSI—Recent tribal elections and ½ the Tribal Council is new. They plan to have a Tribal Council meeting in may. Maybe first part of June
- ODCC—Official meeting may 23rd
- Douglas County—Must have a public meeting prior to signature. Will need 1-2 weeks for public meeting notices
- Oregon Shores—2 weeks should be sufficient.
- Surfrider—2-4 weeks depending on chapter meeting schedule.
- Port of Umpqua—2 weeks should be sufficient.
- City of Reedsport—Therese reported based on previous communication with Rick Hohnbaum that will it will depend on the timing of City Council meetings.
- OCZMA—Will need to check with Board and see how they want to deal with it.
- ODOE—2 weeks should be sufficient
- Lower Umpqua Economic Development Forum—2 weeks is no problem.

Next Steps/Schedule for Completion

- **May 1**—Revised Draft Declaration of Cooperation distributed by e-mail for review.
- **Week of May 7**—Subgroup meetings for final changes to document
- **May 11**—All changes/comments to Therese for final incorporation
- **May 15**—Signature draft available to all parties
- **May 15**—1:00-3:00 Conference Call of all parties