

**U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION  
WEB PAGE REQUEST**

**This completed form must accompany any additions or changes requested for the web pages.**

<p>1. Action Requested (<i>C h e c k o n e</i>)</p> <p><input checked="" type="checkbox"/> Create a <u>new</u> project page</p> <p><input type="checkbox"/> Update an <u>existing</u> project page</p> <p><input type="checkbox"/> Add Supplement Analysis to EIS page. <i>(Fill out sections # 3 and # 6 only.)</i></p> <p><input type="checkbox"/> MOVE to Previously Completed Project List</p>	<p>2. Category (<i>C h e c k o n e</i>)</p> <p><input checked="" type="checkbox"/> Active Project</p> <p><input type="checkbox"/> Previously Completed Project</p> <p><input type="checkbox"/> Canceled</p> <p><input type="checkbox"/> On Hold</p> <p><input type="checkbox"/> Other _____</p>
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3. Project Documents: All documents to be posted (*public communications, i.e., letters, maps, comment forms, and NEPA documents*) must be attached to OR location(s) specified in the Web Page Request E-Mail.

Document(s) attached (*C h e c k o n e*)       Document location(s) specified in E-Mail

4. Date to Post: (*C h e c k o n e*)       Standard (within 24 hrs)       Date       Hold until notified

5. Type of Project: (*C h e c k o n e*)       Fish & Wildlife       Power       Transmission

6. Project Title      Wanapa Energy Center Interconnection

7. State(s) where project is located (*Check all that apply*)      OR WA ID MT      Other

8. Project Description - Purpose & Need (*one brief sentence*)  
To interconnect a proposed new combined cycle combustion turbine near Umatilla, OR

9. Current Status

The Bureau of Indian Affairs is preparing a draft EIS on construction and operation of the 1300-MW power plant proposed by the Confederated Tribes of the Umatilla Indian Reservation in partnership with the Eugene Water and Electric Board, the City of Hermiston, and the Port of Umatilla. BPA is participating as a cooperating agency in preparation of the EIS.

10. Contact/Project Environmental Lead      Thomas C. McKinney

11. Public Meetings (*purpose, date, time, and location of meetings*)

	Meeting 1	Meeting 2
Purpose	EIS Scoping	EIS Scoping
Date	October 29 and November 5, 2001	October 30 and November 6
Time	6:00 pm	6:00 pm
Location	Pendleton, OR	Hermiston, OR
Street		
Room		
City, State		

12. Comment Period - Are you in a public comment period? (*C h e c k o n e*)       yes       no

If yes, what is the last day to comment?      November 21, 2001

How to comment (*C h e c k a l l t h a t a p p l y*)

Write a letter to Communications, Bonneville Power Administration - KC-7, P.O. Box 12999, Portland, OR 97212

Call toll free at 1-800-622-4519 and record your comments.

E-mail-comment@bpa.gov

Other:      Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, OR 97801

**NOTE: All information should be displayed as seen on PI page of BPA Journal.**

**Return to Nancy Webster for processing.  
If you have questions please call Nancy at x4511 or David Askren at x5624.**

## McKinney, Thomas - KEC-4

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**From:** Mitchell, Douglas [Douglas.Mitchell@Williams.com]  
**Sent:** Tuesday, March 19, 2002 9:45 AM  
**To:** Partridge, Christine E - TOC-PPO2-2; McKinney, Thomas - KEC-4  
**Cc:** Sauer, Dena J - TOC-DITT2  
**Subject:** RE: Agreement Information



Bonneville -

Wanapa(031102).do...



Bonneville -

Wanapa(031102)Fin...

Christine:

Attached are the Agreement and the Financial terms sheet. There were a couple of minor corrections made on both. The changes were made in the "track changes" mode of MSWord so they are highlighted.

In regards to the Financial Terms sheet, we would like to delay the 2nd payment until October 15, 2002 so that the expenditure is in the 4th quarter. If that does not represent a problem for BPA, I would request that the date change be made.

Let me know if there are any questions.

Thanks.

Doug

-----Original Message-----

**From:** Partridge, Christine E - TOC-PPO2-2 [mailto:cpartridge@bpa.gov]  
**Sent:** Friday, March 08, 2002 4:53 PM  
**To:** Mitchell, Douglas; McKinney, Thomas - KEC-4  
**Cc:** Sauer, Dena J - TOC-DITT2  
**Subject:** RE: Agreement Information  
**Importance:** High

Doug, I was not able to find any comments on the FTC. I revised the FTC to include a sentence that is normally part of our standard FTC language which addresses work stoppage. I added language to include justification for additional funds.

-----Original Message-----

**From:** Mitchell, Douglas [mailto:Douglas.Mitchell@Williams.com]  
**Sent:** Friday, March 08, 2002 11:39 AM  
**To:** Partridge, Christine E - TOC-PPO2-2; McKinney, Thomas - KEC-4  
**Subject:** RE: Agreement Information

Christine:

Thanks for updating the Agreement.

On the Financial Terms and Conditions Statement, requested language pertaining to Williams right to request and receive justification for additional funds and Williams right to cancel the work and receive a refund for remaining funds was omitted. If this was not an accidental omission, could you explain why BPA would not be willing to justify additional expenditures or refund remaining dollars should the work be cancelled for

some reason.

Thanks.

Doug

-----Original Message-----

From: Partridge, Christine E - TOC-PPO2-2 [mailto:cpartridge@bpa.gov]  
Sent: Friday, March 08, 2002 12:05 PM  
To: Mitchell, Douglas; McKinney, Thomas - KEC-4  
Subject: RE: Agreement Information  
Importance: High

Doug, I have incorporated almost all of your comments. I apologize for the omissions, I thought I was working with the latest version and had missed the E-Mail with your changes when I resumed working on this agreement. We'll wait for review process and send out the signature copies subsequent to the review and any potential changes.

Thank You

-----Original Message-----

From: Mitchell, Douglas [mailto:Douglas.Mitchell@Williams.com]  
Sent: Friday, March 08, 2002 8:51 AM  
To: cpartridge@bpa.gov  
Subject: Agreement Information

Christine:

Provided below is the information that you requested.

- 1) Authorizing Official: Rich Ficken
- 2) Administrative Contact: Christa Morgan
- 3) Company Name: Williams Energy Marketing & Trading Company, One Williams Center, Tulsa, Oklahoma 74172
- 4) Contact Person: Doug Mitchell

In regards to the Agreement, it appears that little, if any, of our requested language has been incorporated into the Agreement. I am attaching the draft agreement revisions that I supplied to Tom McKinney for your review and inclusion in the document. Also, I noticed that the payment schedule was adjusted from two \$20,000 installments to a single \$40,000 installment. Our preference is two equal installments. The first to be paid upon execution of the document and the second 6 months later. Finally, once you have the final Agreement prepared, I will need to route it through our contract staff for final review and approval before it is sent up for signature.

Please call me if you have any questions.

<<BPADraftAgreement\_010202.doc>>

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

**U.S. DEPARTMENT OF ENERGY  
 BONNEVILLE POWER ADMINISTRATION**

**AGREEMENT**

1. AGREEMENT NUMBER <b>02TX10955</b>	2. AGREEMENT EFFECTIVE FROM DATE IN BLOCK 4 UNTIL <b>Completion of Work</b>	3. MODIFICATION NO. <b>-0-</b>	4. EFFECTIVE DATE (MM/DD/YY) <b>Same as Block 20</b>	5. PROCUREMENT REQUEST NUMBER
6. ORGANIZATION AND ADDRESS (Include 9-Digit ZIP Code) <b>ATTN: Doug Mitchell Williams Energy, Marketing &amp; Trading Company One Williams Center Tulsa, Oklahoma 74132</b>		9. ORGANIZATION AND ADDRESS <b>U.S. Department of Energy Bonneville Power Administration ATTN: Edward A. Peterson – TOC/DITT2 P.O. Box 491 Vancouver, WA 98666-0491</b>		
7. TECHNICAL CONTACT <b>Doug Mitchell</b>	PHONE NUMBER <b>918-573-5792</b>	10. BPA TECHNICAL CONTACT <b>Thomas C. McKinney</b>	PHONE NUMBER <b>(503) 230-4749</b>	
8. ADMINISTRATIVE CONTACT <b>Christa Morgan</b>	PHONE NUMBER <b>918-573-2882</b>	11. BPA ADMINISTRATIVE CONTACT <b>Christine Partridge</b>	PHONE NUMBER <b>(360) 418-8694</b>	

**12. TITLE/BRIEF DESCRIPTION OF WORK TO BE PERFORMED UNDER THIS AGREEMENT**  
**ENVIRONMENTAL STUDY AGREEMENT for the INTERCONNECTING FACILITIES of the PROPOSED WANAPA ENERGY CENTER Project**

**Background:** The Confederated Tribes of the Umatilla Indian Reservation (“CTUIR”), has requested interconnection of the proposed Wanapa Energy Center combustion generation project with the Federal Columbia River Transmission System, and is participating in the development of such project with Williams Energy Marketing & Trading Company (“Williams”). The Bureau of Indian Affairs (“BIA”) proposes to lease land held in trust for the benefit of the CTUIR for the construction and operation of Wanapa Energy Center. Pursuant to the National Environmental Policy Act (“NEPA”), the BIA must consider the potential environmental impacts of the proposed lease and connected actions such as the construction and operation of the generating facility, required utility lines (i.e. gas, water, sewer, electric) and access roads. Similarly, the Bonneville Power Administration (“BPA”) must consider the potential impacts of the interconnecting transmission line(s) and substation modifications. The BIA has published a Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Wanapa Energy Center (66 FR 53430, October 22, 2001) and BPA has requested and been granted cooperating agency status by the BIA (Sanchez to Smith Letter, December 14, 2001). BPA acknowledges that the BIA is the lead Federal Agency and the BIA has final decision making authority in regards to NEPA compliance for the Wanapa Energy Center project.

BPA will participate as a cooperating agency (within the meaning of 40 CFR 1501.6 and 1508.5) with the BIA in their preparation of an Environmental Impact Statement (EIS) for the Wanapa Energy Center and ancillary facilities. In general, BPA will ensure that the EIS accurately describes the electrical interconnection and will participate in BIA public involvement activities associated with their EIS process. Not sooner than 30 days, but not later than 60 days after completion of the EIS and publication of its Notice of Availability, BPA will make a decision regarding the interconnection of the project and issue the appropriate notice(s).

**Agreement continued on Page 2**

The following document is attached to and becomes part of this agreement:

15. AMOUNT TO BE PAID BY BPA <b>\$ -0-</b>	16. AMOUNT TO BE PAID TO BPA <b>\$40,000 (estimated)</b>
17. SUBMIT INVOICE TO <b>U.S. Department of Energy Bonneville Power Administration ATTN: Edward A. Peterson - TOC/DITT2 P.O. Box 491 Vancouver, WA 98666-0491</b>	18. ACCOUNTING INFORMATION (For BPA Use Only)
	19. SUBMIT INVOICE TO (Name and Address) <b>SAME AS BLOCK # 6</b>
<b>PARTICIPANT</b> <span style="float: right;"><b>BPA</b></span>	
20. APPROVED BY (Signature) _____	21. APPROVED BY (Signature) _____
DATE (MM/DD/YY) _____	DATE (MM/DD/YY) _____
NAME AND TITLE <b>Rich Ficken</b>	NAME AND TITLE <b>Robert (Joe) Rogers Transmission Account Executive</b>

BPA recognizes the importance of the proposed Wanapa Energy Center project to the CTUIR and will cooperate fully with the BIA in working to expeditiously and cost-effectively meet the requirements of NEPA. BPA will make all reasonable efforts to adhere to the BIA's project schedule, including the timely submittal of technical information, timely submittal of requested data, and timely review of draft documents.

The BPA, office of Environment, Fish, and Wildlife will, at Williams' expense, perform the following services:

1. BPA will participate as a cooperating agency with the BIA in their preparation of an EIS for the Wanapa Energy Center and its ancillary facilities. As a cooperating agency, BPA will make all reasonable efforts to adhere to the project schedule established by the BIA in the letter from Mr. Philip Sanchez to Ms Alexandra B. Smith dated December 14, 2001.
2. BPA will coordinate with and provide information to the BIA environmental contractor preparing the EIS. BPA will perform work, as necessary, to complete the EIS process. BPA will review and comment on preliminary draft, draft, and final EIS documents to ensure that the EIS satisfies BPA's need to fully understand the potential environmental impacts of the proposed interconnection.
3. BPA, in cooperation with the BIA and its contractor, will participate in public involvement activities for the EIS, and in relevant meetings with Federal, State, Tribal, and local government officials.
4. BPA will issue a Record of Decision on the CTUIR interconnection request not sooner than 30 days, but not later than 60 days following publication of the Environmental Protection Agency's Federal Register Notice of Availability of the Final EIS.

## FINANCIAL TERMS AND CONDITIONS STATEMENT

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Williams Energy Marketing & Trading Company ("Williams") hereby agrees to advance \$40,000 to the Bonneville Power Administration ("BPA") based on the following progress payment schedule:

Payment No.	Amount	Due Date
1	\$20,000	Upon execution of agreement
2	\$20,000	August 23, 2002

These payments represent the estimated cost of participating as a cooperating agency in an environmental impact statement to be prepared by the Bureau of Indian Affairs regarding the proposed Wanapa Energy Center and will be held in an account established for this agreement. The cost to Williams of BPA's participation in the EIS shall be 100% of the actual cost of the work specified in this agreement, including an overhead rate (26% for labor and 10% for materials), representing the indirect costs of the BPA office of Environment, Fish and Wildlife, plus but not limited to the costs to support contract negotiation, billing and accounting, and contract management.

If at any time during the performance of the EIS, BPA, in its sole judgment, determines that additional funds are needed to complete the EIS, Williams, upon written notification, shall advance such funds to BPA for deposit in the account. BPA will provide an accounting and explanation for the additional funds. At any time before completion of the Study, Williams may elect to stop work. In this event, BPA will cease all work and restore, as a cost to the Study, government facilities and/or records (1) to their condition prior to work under the agreement, or (2) to some other mutually agreeable condition.

Within a reasonable time after completion of the EIS or work stoppage BPA shall make a full accounting to Williams, showing the actual costs charged against the account. BPA shall either remit any unexpended balance in the account to Williams or bill for any appropriate costs in excess of the deposits in the account. Williams shall pay any excess costs within 30 days of the billing.

March 11, 2002

## McKinney, Thomas - KEC-4

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**From:** Mitchell, Douglas [Douglas.Mitchell@Williams.com]  
**Sent:** Monday, March 11, 2002 8:33 AM  
**To:** Tom McKinney  
**Subject:** Wanapa - Conference Call

Tom:

Just wanted to let you know that the conference call that was scheduled for today has been cancelled. Jerry Lauer is traveling this afternoon and I will be unavailable as well. Will let you know when we reschedule.

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

## McKinney, Thomas - KEC-4

---

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**Sent:** Friday, March 08, 2002 11:39 AM  
**To:** Partridge, Christine E - TOC-PPO2-2; McKinney, Thomas - KEC-4  
**Subject:** RE: Agreement Information

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**To:** Mitchell, Douglas; McKinney, Thomas - KEC-4  
**Subject:** RE: Agreement Information  
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- 3) Company Name: Williams Energy Marketing & Trading Company, One Williams Center, Tulsa, Oklahoma 74172
- 4) Contact Person: Doug Mitchell

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Please call me if you have any questions.

<<BPADraftAgreement\_010202.doc>>

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

March 6, 2002

Mr. Mark Kirsch  
Wildlife Biologist  
Oregon Department of Fish and Wildlife  
73471 Mytinger Lane  
Pendleton, OR 97801

Dear Mr. Kirsch:

On behalf of the Bureau of Indian Affairs (BIA), ENSR Corporation is preparing an Environmental Impact Statement (EIS) for the proposed Wanapa Energy Center, accordance with the National Environmental Policy Act (NEPA). Williams Energy Marketing and Trading Company, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Eugene Water and Electric Board, the City of Hermiston, and the Port of Umatilla propose to jointly build and operate a new 1,300-megawatt (MW) natural gas-fired power generating facility that would be located approximately 4 miles east of Umatilla, Oregon. The proposed project would be constructed on approximately 30 acres of Tribal Trust Land managed by the Confederated Tribes of the Umatilla Indian Reservation. Construction activities for the proposed project are scheduled to begin in the spring of 2003, and the energy facility is scheduled to begin operation in January 2005.

Specifically, the proposed Wanapa Energy Center would be located in the southern one-third of Section 7, Township 5 North, Range 29 East, Umatilla County, Oregon (see Figure 1-1). The majority of the site is located in Columbia Basin steppe and shrub-steppe habitat on a plateau approximately 100 to 150 feet above the Columbia River drainage.

The proposed facility would consist of a combustion turbine, combined cycle electric power plant with a nominal generating capacity of 1,300 MW. It would consist of four essentially identical combustion turbine generators, four heat recovery steam generators, two steam turbines, and four exhaust stacks. The proposed project also would include a switchyard, cooling towers, storage tanks, natural gas supply pipeline, water supply pipeline, electrical power transmission line, and other related facilities. The exhaust stacks would be approximately 180 feet tall. Natural gas would be provided from a new lateral pipeline that would extend from three possible corridors from the existing Northwest and/or PGT natural gas pipelines to the proposed project site (see U.S. Geological Survey [USGS] 7.5-minute topographic map and USGS orthophoto map). A new water pipeline would extend from the Port of Umatilla's water intake structure to the proposed project site. A new electrical transmission line would extend from the proposed project site to the McNary Substation on the Columbia River.

Water demand for the facility has been estimated at approximately 9 million gallons per day (about 10,000 acre-feet per year). Pre-allocated municipal water would be obtained under the City of Hermiston's and the Port of Umatilla's allocated water supply (permit # 49497) from the Columbia River. Currently, there are several water discharge scenarios being developed for the proposed project. These include upland disposal for crop irrigation, discharge to developed wetland units, and possible infiltration to the groundwater system. Currently, there is no plan to discharge into the Columbia River.





Mr. Mark Kirsch

March 6, 2002

Page 2

ENSR, in coordination with the BIA, will be evaluating project-related and cumulative effects to both aquatic and terrestrial resources. Because of the mobility of wildlife species, resource issues will be examined beyond the proposed project site and associated project facilities (i.e., natural gas pipeline, water pipeline, and electrical transmission line). As indicated in our October 25, 2001, letter to Mr. Craig Ely, we are requesting information on pertinent resource data from federal and state offices in order to address potential impacts to aquatic and terrestrial species. We would like to provide an opportunity for the Oregon Department of Fish and Wildlife (ODFW) biologists and botanists to identify prominent terrestrial and aquatic resource issues or concerns that you may have, focusing on species that are either sensitive (e.g., state-listed), have high economic value (e.g., big game, fisheries), or are considered important by the state (e.g., raptors, bats). Please forward this request to the applicable specialists (e.g., fisheries and wildlife biologists, habitat biologists, botanists, etc.) so they may provide information and input. Resource information provided by the ODFW will be incorporated into the NEPA analysis for the project.

We also are collecting resource information from the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, Umatilla Wildlife Division, and the Natural Heritage Program for sensitive species.

Thank you for your attention to this matter. If you have questions or need further information, please contact me at the above address and phone number.

Sincerely

Charles Johnson  
Senior Wildlife Biologist

CJ/sc

Ref: 10026-001-200

Enc. Project location map  
USGS 7.5-minute topographic map  
USGS Orthophoto quad

cc: Mr. Jerry Lauer (Bureau of Indian Affairs) (w/o enclosures)  
Ms. Terry Shepherd (CTUIR) (w/o enclosures)  
Mr. Eric Quaempts (Umatilla Wildlife Division) (w/o enclosures)  
Mr. Doug Mitchell (Williams) (w/o enclosures)  
Mr. Tom McKinney (BPA) (w/o enclosures)  
Mr. Scott Ellis (ENSR) (w/o enclosures)

March 6, 2002

Mr. Cliff Alton  
Data Manager  
Oregon Natural Heritage Program  
1322 SE Morrison Street  
Portland, OR 97214-2531

Dear Mr. Alton:

On behalf of the Bureau of Indian Affairs (BIA), ENSR Corporation is preparing an Environmental Impact Statement for the proposed Wanapa Energy Center, accordance with the National Environmental Policy Act. Williams Energy Marketing and Trading Company, the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Eugene Water and Electric Board, the City of Hermiston, and the Port of Umatilla propose to jointly build and operate a new 1,300-megawatt (MW) natural gas-fired power generating facility that would be located approximately 4 miles east of Umatilla, Oregon. The proposed project would be constructed on approximately 30 acres of Tribal Trust Land managed by the Confederated Tribes of the Umatilla Indian Reservation. Construction activities for the proposed project are scheduled to begin in the spring of 2003, and the energy facility is scheduled to begin operation in January 2005.

Specifically, the proposed Wanapa Energy Center would be located in the southern one-third of Section 7, Township 5 North, Range 29 East, Umatilla County, Oregon (see Figure 1-1). The majority of the site is located in Columbia Basin steppe and shrub-steppe habitat on a plateau approximately 100 to 150 feet above the Columbia River drainage.

The proposed facility would consist of a combustion turbine, combined cycle electric power plant with a nominal generating capacity of 1,300 MW. Additional off-site facilities that would be associated with the proposed energy facility would include a natural gas supply pipeline, water supply pipeline, and electrical power transmission line. Natural gas would be provided from a new lateral pipeline that would extend from three possible corridors from the existing Northwest and/or PGT natural gas pipelines to the proposed project site (see U.S. Geological Survey [USGS] 7.5-minute topographic map). A new water pipeline would extend from the Port of Umatilla's water intake structure to the proposed project site. A new electrical transmission line would extend from the proposed project site to the McNary Substation on the Columbia River.

In order to address potential impacts to aquatic and terrestrial plant and animal species, we are requesting occurrence data for:

- Federally listed, federally proposed, and federal candidate species;
- Designated critical habitat for federally listed species;
- State listed or state sensitive species; and
- Unique ecosystems or sensitive communities.





Mr. Cliff Alton  
March 6, 2002  
Page 2

Because of the mobility of wildlife species, we would like to request sensitive wildlife information that occurs within 5 miles of the proposed project site and associated project facilities (i.e., natural gas pipeline, water pipeline, and electrical transmission line). For plant species, we would like to request data within 3 miles of the proposed project site and associated project facilities.

We also have requested data from the U.S. Fish and Wildlife Service, National Marine Fisheries Service, Oregon Department of Fish and Wildlife, and Umatilla Wildlife Division. We would greatly appreciate your timely response and recommendations.

Thank you for your attention to this matter. If you have questions or need further information, please contact me at the above address and phone number.

Sincerely

A handwritten signature in black ink that reads "Charles Johnson". The signature is fluid and cursive, with a long horizontal line extending to the right.

Charles Johnson  
Senior Wildlife Biologist

CJ/sc

Ref: 10026-001-200

Enc. Project location map  
USGS 7.5-minute topographic map

cc: Mr. Jerry Lauer (BIA) (w/o enclosures)  
Ms. Terry Shepherd (CTUIR) (w/o enclosures)  
Mr. Eric Quaempts (Umatilla Wildlife Division) (w/o enclosures)  
Mr. Doug Mitchell (Williams) (w/o enclosures)  
Mr. Tom McKinney (BPA) (w/o enclosures)  
Mr. Scott Ellis (ENSR) (w/o enclosures)



**U.S. DEPARTMENT OF ENERGY  
 BONNEVILLE POWER ADMINISTRATION**

**AGREEMENT**

1. AGREEMENT NUMBER <b>02TX10955</b>	2. AGREEMENT EFFECTIVE FROM DATE IN BLOCK 4 UNTIL <b>Completion of Work</b>	3. MODIFICATION NO. <b>-0-</b>	4. EFFECTIVE DATE (MM/DD/YY) <b>Same as Block 20</b>	5. PROCUREMENT REQUEST NUMBER
<b>ISSUED TO</b>		<b>ISSUED BY</b>		
6. ORGANIZATION AND ADDRESS (Include 9-Digit ZIP Code) <b>ATTN: Williams Energy Marketing &amp; Trading Company One Williams Center, WRC C15 Tulsa, Oklahoma 74172</b>		9. ORGANIZATION AND ADDRESS <b>U.S. Department of Energy Bonneville Power Administration ATTN: Edward A. Peterson – TOC/DITT2 P.O. Box 491 Vancouver, WA 98666-0491</b>		
7. TECHNICAL CONTACT <b>Doug Mitchell</b>	PHONE NUMBER <b>918-573-5792</b>	10. BPA TECHNICAL CONTACT <b>Thomas C. McKinney</b>	PHONE NUMBER <b>(503) 230-4749</b>	
8. ADMINISTRATIVE CONTACT	PHONE NUMBER	11. BPA ADMINISTRATIVE CONTACT <b>Christine Partridge</b>	PHONE NUMBER <b>(360) 418-8694</b>	

12. TITLE/BRIEF DESCRIPTION OF WORK TO BE PERFORMED UNDER THIS AGREEMENT  
**ENVIRONMENTAL STUDY AGREEMENT for the INTERCONNECTING FACILITIES of the PROPOSED WANAPA ENERGY CENTER**

**Background:** The Confederated Tribes of the Umatilla Indian Reservation (CTUIR), has requested interconnection of the proposed Wanapa Energy Center combustion generation project with the Federal Columbia River Transmission System, and has partnered with Williams Energy Marketing & Trading Company (Williams), to develop the project. The Bureau of Indian Affairs (BIA) proposes to lease land held in trust for the benefit of the CTUIR for the construction and operation of Wanapa Energy Center. As a Federal Agency, BIA must consider the potential environmental impacts of the proposed lease under the National Environmental Policy Act (NEPA). Similarly, BPA must consider the potential impacts of the interconnecting transmission line(s) and substation modifications, and also connected actions such as the generating facility, the gas pipeline, and water conveyance lines. The BIA has published a Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Wanapa Energy Center (66 FR 53430, October 22, 2001) and BPA has requested the BIA to recognize BPA as a cooperating agency in accordance with regulations implementing NEPA (Smith to Sanchez, October 19, 2001).

BPA will participate as a cooperating agency (within the meaning of 40 CFR 1501.6 and 1508.5) with the BIA in their preparation of an Environmental Impact Statement (EIS) on Wanapa Energy Center and ancillary facilities. In general, BPA will ensure that the EIS accurately describes the electrical interconnection and will participate in BIA public involvement activities associated with their EIS process. Not sooner than 30 days after completion of the EIS and publication of its Notice of Availability, BPA will make a decision regarding the interconnection of the project and issue the appropriate notice(s).

**Agreement continued on Page 2**

The following document is attached to and becomes part of this agreement:

- Financial Terms and Conditions Statement dated March 8, 2002.

15. AMOUNT TO BE PAID BY BPA <b>\$ -0-</b>	16. AMOUNT TO BE PAID TO BPA <b>\$40,000 (estimated)</b>
17. SUBMIT INVOICE TO <b>U.S. Department of Energy Bonneville Power Administration ATTN: Edward A. Peterson - TOC/DITT2 P.O. Box 491 Vancouver, WA 98666-0491</b>	18. ACCOUNTING INFORMATION (For BPA Use Only)
	19. SUBMIT INVOICE TO (Name and Address) <b>SAME AS BLOCK # 6</b>
<b>PARTICIPANT</b>	
20. APPROVED BY (Signature)	DATE (MM/DD/YY)
<b>BPA</b>	
21. APPROVED BY (Signature)	DATE (MM/DD/YY)
NAME AND TITLE	NAME AND TITLE <b>Robert (Joe) Rogers Transmission Account Executive</b>

The Bonneville Power Administration (BPA), office of Environment, Fish, and Wildlife will, at Williams expense, perform the following services:

1. BPA will participate as a cooperating agency with the BIA in their preparation of an EIS on the Wanapa Energy Center and its ancillary facilities.
2. BPA will coordinate with and provide information to the BIA environmental contractor preparing the EIS. BPA will review and comment on both the draft and final EIS documents to ensure that the EIS satisfies BPA's need to fully understand the potential environmental impacts of the proposed interconnection.
3. BPA, in cooperation with the BIA and its contractor, will participate in public involvement activities for the EIS, and in relevant meetings with Federal, State, Tribal, and local government officials.
4. BPA will issue a Record of Decision on the CTUIR interconnection request not sooner than 30 days following publication of the Environmental Protection Agency's Federal Register Notice of Availability of the Final EIS.

The BIA will determine the schedule for completion of the EIS.

2

**FINANCIAL TERMS AND CONDITIONS STATEMENT**

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Williams Energy Marketing & Trading Company (Williams) hereby agrees to advance \$40,000 to the Bonneville Power Administration (BPA) based on the following progress payment schedule:

Payment No.	Amount	Due Date
1	\$40,000	Upon execution of agreement

These payments represent the estimated cost of participating as a cooperating agency in an environmental impact statement to be prepared by the Bureau of Indian Affairs regarding the proposed Wanapa Energy Center and will be held in an account established for this agreement. The cost to Williams of BPA's participation in the EIS shall be 100% of the actual cost of the work specified in this agreement, including an overhead rate (26% for labor and 10% for materials), representing the indirect costs of the BPA office of Environment, Fish and Wildlife, plus but not limited to the costs to support contract negotiation, billing and accounting, and contract management.

If at any time during the performance of the EIS, BPA, in its sole judgment, determines that additional funds are needed to complete the EIS, Williams, upon written notification, shall advance such funds to BPA for deposit in the account.

Within a reasonable time after completion of the EIS BPA shall make a full accounting to Williams, showing the actual costs charged against the account. BPA shall either remit any unexpended balance in the account to Williams or bill for any appropriate costs in excess of the deposits in the account. Williams shall pay any excess costs within 30 days of the billing.

**McKinney, Thomas - KEC-4**

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**From:** McKinney, Thomas - KEC-4  
**Sent:** Monday, March 04, 2002 2:54 PM  
**To:** 'Daggett, Rollin'  
**Subject:** RE: Wanapa EIS - Transmission Line Construction

You can look over most all of our recent EISs here: <http://www.efw.bpa.gov/cgi-bin/PSA/NEPA/Projects>

Under "Active Projects" the Schultz-Hanford transmission line project would probably be the best; it's 500-kV in central Washington. There are also a few transmission project under "Completed Projects" but lower voltages in wetter climates. If you have trouble opening documents (we've been having website problems lately) call 1-800-622-4520 to request hard copies. Also, the McNary - John Day transmission line project draft EIS should be out soon, so watch for that one to be posted.

-----Original Message-----

From: Daggett, Rollin [mailto:RDaggett@ensr.com]  
Sent: Friday, March 01, 2002 3:16 PM  
To: 'tcmckinney@bpa.gov'  
Subject: Wanapa EIS - Transmission Line Construction

Tom,

Would you possibly have a description of transmission line construction methods that we could use in Chapter 2 of the EIS for the Wanapa Energy Project? The Umatilla EIS did not contain a description of the construction methods. Thanks.

Rollin Daggett  
ENSR  
1601 Prospect Parkway  
Fort Collins, CO 80525  
970-493-8878

\*\*\*\*\*  
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ENSR  
[www.ensr.com](http://www.ensr.com)  
[postmaster@ensr.com](mailto:postmaster@ensr.com)

\*\*\*\*\*

# Confederated Tribes - Umatilla Power Generation Project

## Meeting Agenda

March 1, 2001

{9:00 am - 12:00 pm}

1. Introductions
2. Brief Project Overview – the Project and players (John Williams, Williams EM&T)
3. McNary Substation – System Constraints (BPA)
4. Review of other proposed projects impacting McNary Substation (BPA)
5. BPA selection and elimination criteria
6. Transmission Studies - Requirements
7. Alternatives
8. Allocation of System Upgrade Costs
9. Planning Horizons – EIS & Construction
10. Regional Planning Issues
11. BPA Capacity Needs forecast

3/1/01 Umatilla Tribal Gen.

Michael J. Tawney	BPA	cell 503- <del>230</del> - <sup>819</sup> -3396 503-230-4315	mtawney@bpa.gov
Ravi Aggarwal	BPA	360-418-8601	rkaaggarwal@bpa.gov
CHRISTINE PARTRIDGE	BPA	360-418-8694	cpartridge@bpa.gov
Joe Rogers	BPA	360-418-8294	jarogers@bpa.gov
MANNY CANALITA	Williams EMT	(918) 573-4335	MANUEL.CANALITA@WILLIAMS.COM
Scott Spettel	EWEB	541 341 8561	scott.spettel@eweb.eugen.or.us
Bruce Zimmerman	Umatilla Tribes	541-966-2103	brucezimmerman@CTUIR.10
Joe Durham	Williams EMT	918 573 9583	joe.durham@williams.com
John Williams	Williams	918-573-2299	john.l.williams@williams.com
Mike Raschia	BPA	360-418-8685	maraschia@bpa.gov
Tom McKinney	BPA	503-230-4749	tomckinney@bpa.gov

**McKinney, Thomas - KEC-4**

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**From:** Daggett, Rollin [RDaggett@ensr.com]  
**Sent:** Friday, March 01, 2002 3:16 PM  
**To:** 'tcmckinney@bpa.gov'  
**Subject:** Wanapa EIS - Transmission Line Construction

Tom,

Would you possibly have a description of transmission line construction methods that we could use in Chapter 2 of the EIS for the Wanapa Energy Project? The Umatilla EIS did not contain a description of the construction methods. Thanks.

Rollin Daggett  
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## McKinney, Thomas - KEC-4

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**From:** Mitchell, Douglas [Douglas.Mitchell@Williams.com]  
**Sent:** Friday, March 01, 2002 2:22 PM  
**To:** McKinney, Thomas - KEC-4  
**Subject:** RE: BPA Environmental Agreement

Thanks for the update.

Also, we will be having a project conference call the week of March 11 (probably on Monday, March 11 at 1 p.m. PST, but I will confirm) and your participation would be beneficial. We try to have the call every other Monday, although we went close to 2 months without one until this past week. We're hoping to get back on track with the calls so that all parties are routinely updated on project progress.

I'll confirm the conference call date/time next week and provide a call-in number.

Have a good weekend.

Doug

-----Original Message-----

**From:** McKinney, Thomas - KEC-4 [mailto:tcmmckinney@bpa.gov]  
**Sent:** Friday, March 01, 2002 2:46 PM  
**To:** 'Douglas.Mitchell@Williams.com'  
**Subject:** BPA Environmental Agreement

Doug -

It seems that someone forgot about the draft agreement and never moved it to final. Hopefully it will be on its way next week.

Tom McKinney

Thomas C. McKinney

<<McKinney, Thomas - KECN.vcf>>

## McKinney, Thomas - KEC-4

---

**From:** Ellis, Scott [SEllis@ensr.com]  
**Sent:** Friday, March 01, 2002 12:20 PM  
**To:** Tcmckinney (E-mail)  
**Subject:** FW: Conference Call with Jerry Lauer



Data NeedsR.doc



Prelim EIS  
OutlineR.doc

Tom - hopefully this resend of the original file will get to you at the right address.

-----Original Message-----

From: Ellis, Scott  
Sent: Friday, March 01, 2002 2:34 PM  
To: McKinney, Thomas - KECN (E-mail)  
Subject: FW: Conference Call with Jerry Lauer

-----Original Message-----

From: Ellis, Scott  
Sent: Wednesday, February 27, 2002 5:01 PM  
To: McKinney, Thomas - KECN (E-mail)  
Subject: FW: Conference Call with Jerry Lauer

Thomas - The conference call in # is 866-292-6320. Attached is an annotated EIS outline that has been reviewed by BIA & CTUIR & Williams. Also attached is a data needs list that indicates information and issues that we need to address going forward. Look forward to talking with you tomorrow.

-----Original Message-----

From: Mitchell, Douglas [mailto:Douglas.Mitchell@Williams.com]  
Sent: Wednesday, February 27, 2002 12:40 PM  
To: Ellis, Scott  
Subject: RE: Conference Call with Jerry Lauer

Scott:

On Thursday, please plan on a 9 a.m. PST conference call with Jerry Lauer. The call number will be the same as in the past.

Thanks.

-----Original Message-----

From: Ellis, Scott [mailto:SEllis@ensr.com]  
Sent: Tuesday, February 26, 2002 3:04 PM  
To: Mitchell, Douglas  
Subject: RE: Conference Call with Jerry Lauer

Doug - I can be available on Thursday for this call. I am in the process of developing a list of data needs and action items pertaining to the EIS. If you agree, I can get this list out tomorrow prior to our call on Thursday.

-----Original Message-----

From: Mitchell, Douglas [mailto:Douglas.Mitchell@Williams.com]  
Sent: Tuesday, February 26, 2002 3:34 PM  
To: Ellis, Scott; Terry Shepherd  
Subject: Conference Call with Jerry Lauer

Scott and Terry:

We have not had a conference call with Jerry in several weeks. Jerry is available this week for such a call. Therefore, I'd like to schedule a call for Thursday morning at 9 a.m. PST. Please let me know if you will be available and then I will confirm the time with Jerry. If you're not available, please identify times you will be available on both Thursday and Friday.

Thanks.

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

\*\*\*\*\*  
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## **Information Needs for the Wanapa Energy Center EIS**

*Organized by EIS Outline*

*(Responsibility for Information Shown in Parentheses)*

### 1.1 Project Background

- Identify any other cooperating agencies (Bonneville Power Administration) (BIA, ENSR).

### 1.5 Existing Projects

- Provide input on identifying existing projects within the Hermiston region that could interact with the Wanapa Energy Center (BIA, ENSR).

#### 1.5.1 Reasonably Foreseeable Projects

- Provide input on identifying foreseeable projects within the Hermiston region (BIA, ENSR).

### 1.6 Public Participation and EIS Issues

- Provide copies of letters from Dennis Doraughty (Umatilla County Commissioner) and Ken Thompson (Umatilla County Board of Commissioners) (BIA).
- Need Tribe response to BUREC concerning augmentation for project Columbia River withdrawals.

### 2.1 Alternatives Considered in the Development of the Proposed Action

- Screening analysis for alternatives – Describe variables considered in selecting proposed plant site and identify any constraints/benefits used in the site selection. Also provide assistance in discussing the existing regional energy delivery system (natural gas, electrical transmission) and future development scenarios based on BPA's long-term plans. Identify existing system constraints that must be overcome (e.g., increase BPA electrical transmission capacity) (Williams, BPA, and ENSR).
- Power generation alternatives (wind, water, biomass, coal) – Explain why these technologies/energy sources would not meet the purpose and need of the project (Williams and ENSR).
- Electrical power generation site alternatives – Explain why other sites considered were not selected for the Proposed Action (Williams and ENSR).
- Pipeline route alternatives - Explain why other route alignments considered were not selected for the Proposed Action (Williams and ENSR).
- Transmission line route alternatives - Explain why other route alignments considered were not selected for the Proposed Action (Williams, BPA, and ENSR).
- Water supply alternatives - Explain why other water supply sources considered were not selected as part of the Proposed Action (Williams and ENSR).
- Cooling water disposal alternatives - Explain why other methods considered were not selected for the Proposed Action (Williams, CTUIR, ENSR). It may be necessary to address other disposal alternatives to improve flexibility. Initial water quality data set received, B&V have estimated discharge water volume and quality based on number of

cooling cycles. Substantial work to be done to lay out a conceptual design for an artificial wetland system, assuming discharge water quality is acceptable for this purpose. Need to initiate discussions with Carl Scheeler concerning design options .

#### 2.2.1 Project Components, Construction, and Operation

- Electric power generation station site – The following information is needed (Williams):
  - Identify the height of the cooling towers;
  - Identify the height of the exhaust stacks;
  - Describe the cooling water treatment and disposal;
  - Describe the process wastewater generation and disposal;
  - Final elevation of the site;
  - Dimensions of all buildings and structures
  - Stormwater management plan (ENSR input).
- Natural gas pipeline – Identify the route alignment and ROW requirements (e.g., width) and any ancillary facilities. Identify the amount of natural gas to be supplied to the power plant (annual average) (Williams).
- Electrical transmission line – Identify the route alignment, construction procedures, and how the line would connect into the McNary Substation (Williams and BPA).
- Water supply – Identify the volume of water to be used in million gallons per day (range or average); identify the route of the new water pipeline and ROW requirements; and research the intake design and required modifications for the project water withdrawal (Williams, ENSR). The Port 404 Permit is in hand; intake design information has been requested from the Port by Williams. Also looking at infiltration gallery in the Columbia River alluvium as an alternative.
- Access road – Identify the length and width of the new road (Williams). (any update since preliminary B&V drawings in November 2001?)

#### 2.2.2 Construction Schedule and Activities

- Identify the overall project construction and operation schedule including transmission line, water pipeline, natural gas pipeline, access road, and power plant (Williams – we have overall schedule prepared by B&V – need revision??).
- Construction and operation workforce numbers (include construction numbers for each project component) (Williams).
- Material delivery modes, routes, and timing and numbers of trips during the construction and operation phases of the project (power plant, transmission line, water pipeline, natural gas pipeline, access road) (Williams).

#### 2.2.4 Emergency Operations

- Describe the fire prevention capabilities, on-site emergency response and reporting, and facility shutdown procedures (Williams). Is there an off-the-shelf template??

#### 2.2.5 Project Abandonment

- Brief explanation of how the project would be abandoned (Williams). (This was a scoping comment – abandonment is unlikely)

### 3.2 Water Resources

- Confirm that no water would be discharged to the Columbia River directly or via tributaries (ENSR, Williams). This should have already been stated up front, but we may need to prove it (or prove water quality & temperature are ok via return by groundwater system).
- Determine if water withdrawal volume is considered part of baseline flow in the Columbia River (BIA, Williams, and ENSR meet with NMFS).

### 3.3 Biological Resources

- Coordinate with Oregon Department of Fish and Wildlife (ODFW) and Tribe in identifying existing wildlife and sensitive species data and studies needed to collect additional information in the project study area. It is critical that the location of the project facilities be defined so that the studies can be scoped and completed in the spring 2002 (BIA, Williams, ENSR, ODFW, and Tribe).
- Meet with National Marine Fisheries Service after we have researched the intake structure information as it relates to this project; determine if water withdrawal volume is considered part of baseline flow in the Columbia River (Williams and ENSR).

### 3.4 Air Quality

- Air emissions physical data, including stack heights, exhaust velocity, exhaust temperature, stack diameter (or cross-dimensions), locations of stacks and units, and location of cooling towers (Williams).
- Confirm performance of any controls, including SCR or other controls that are proposed (Williams and Trinity).
- Emissions data including emission rates for all criteria pollutants based on vendor data or other information; control effectiveness for SCR or other potential controls; provide both worst case hourly and annual average emissions based on the expected range of ambient conditions and on site elevation (Trinity).

### 3.5 Traffic and Circulation

- Conduct a traffic count or analysis using existing data on the road system for the power plant site (Williams and ENSR).

### 3.6 Visual Quality and Aesthetics, Noise

- Visual simulations made be needed from at least two viewpoints (northside of the Columbia River and main highway south of the project site) (Williams and ENSR).
- May need to conduct a noise study for the site, or use information from a similar operating plant to estimate noise levels. (Williams and ENSR).

Preliminary Wanapa Energy Center Draft EIS Outline  
January 2002.

EIS Summary

- Project location and purpose and need
- EIS Scope (Proposed Action and Alternatives)
- Proposed Action by component
- Primary EIS Issues
- Major EIS Conclusions (by resource)

1.0 Introduction

1.1 Project Background

- Proposed Project
- Project Proponents
- Lead Agency & NOI date
- Cooperating Agencies

1.2 Purpose and Need

- Overall purpose & need & separate statements by project partners (if needed).

1.3 Federal Agency Approval Process and Authorizing Actions

- List/description of the primary federal approvals (BIA for the lease, COE, EPA & USFWS)
- Consistency statements regarding land use and management plans.

1.4 Non-Federal Agency Approval Process and Authorizing Actions

- List of State Agencies & approvals. Explain exemption from EFSC, tribal sovereignty.
- List of Local Agencies & approvals.
- Consistency statements regarding land use and management plans.

1.5 Existing Projects

- Existing power plants within the Hermiston region, other projects that could interact with the Wanapa project construction and operation (e.g. Port, lumber mill, prison, other industrial facilities, BPA transmission lines). Rationale for this

section is to set up the projects to be addressed in cumulative effects. Cite the ongoing BPA study for cumulative air quality effects.

#### 1.6 Reasonably Foreseeable Projects.

- Proposed power plants within the Hermiston region, other projects that could interact with the Wanapa project construction and operation (see above).

#### 1.7 Public Participation and EIS Issues

- Summary of public involvement and public and agency scoping meetings held.
- Summary of key issues by resource. List of any required elements for analysis.

### 2.0 Project Alternatives

#### 2.1 Alternatives Considered in the Development of the Proposed Action

- Screening analysis for alternatives (Williams/ENSR –description of variables considered in selecting proposed plant site & constraints/opportunities identified within the Hermiston region). Discussion of the existing regional energy delivery system (natural gas, electrical transmission), and future development scenarios (based on BPA long-term plans). Description of existing system constraints that must be overcome (e.g. increase in BPA electrical transmission capacity).
- Power generation alternatives (wind, water, biomass, coal). Brief explanation for why these technologies/fuel sources would not meet purpose and need (Williams/ENSR).
- Electric power generation site alternatives (other sites considered & reasons for not pursuing – Williams/ENSR).
- Pipeline route alternatives (alignments considered & reasons for not pursuing – Williams/ENSR).
- Transmission line route alternatives (alignments considered & reasons for not pursuing – Williams/ENSR).
- Water supply alternatives (sources considered & reasons for not pursuing).
- Cooling water disposal alternatives (methods considered & reasons for not pursuing).

#### 2.2 Proposed Action

- Summary of components (electric power generation station, natural gas supply pipeline, electrical transmission line, water supply and cooling water disposal). Overall map showing plant site and all utility connections.

### 2.2.1 Project Components, Construction and Operation

- Electric Power Generation Station (plot plan and description of major components and their operation – combustion turbines, heat recovery steam generators, water supply and pipeline, cooling towers and cooling water treatment and disposal, process wastewater generation and disposal, fuel and chemical storage, site access roads, site fencing). It is assumed here that disposal of cooling water into nearby constructed wetlands is a viable option, and is analyzed under the Proposed Action.
- Natural gas pipeline (supply source, pipeline description, ROW requirements & ancillary facilities).
- Electrical transmission system (route, dimensions, interconnections). Construction process.

### 2.2.2 Construction Schedule and Activities

- Overall project schedule, and work force by component.
- Electric Power Generation Station. Construction process, off-site resource requirements (e.g. pad fill) and material delivery modes (truck, railroad).
- Natural gas pipeline (construction process, material delivery modes, and ROW access).
- Electrical transmission system (construction process, material delivery modes, and ROW access).

### 2.2.3 Normal Operations

- Brief description of power generation process, schedule of operations, permanent work force.

### 2.2.4 Emergency Operations

- Fire prevention capabilities, on-site emergency response and reporting, facility shutdown procedures.

### 2.2.5 Project Abandonment

- Brief explanation of how the project would be abandoned. This was a scoping comment received from a local county commissioner.

### 2.2.6 Project Environmental Protection Measures/Mitigation Measures

- Applicant-committed measures (by resource).

### 2.3 No Action Alternative

- Statement that project would not be constructed & project effects & benefits would not occur.

### 2.4 Other Alternatives

#### 2.4.1 Other Alternatives Carried Forward in the Analysis

- Pipeline Route Alternatives (map & rationale for consideration). It is possible that some routing variations will be needed to address land use & resource concerns.
- Transmission line route alternatives (map & rationale for consideration). Probably won't need this alternative category, unless there are problems getting into the McNary substation or new, more remote interconnections with BPA system are identified.
- Water supply alternatives (description of sources, quantity, & infrastructure required). Probably won't need this alternative category if we can validate Hermiston municipal source.
- Cooling water disposal alternatives (Description of method & location). This alternative category may be needed, depending on water quality results and cooling water system design.

### 3.0 Affected Environment and Environmental Consequences – Proposed Action

- Focus is on primary issues raised in scoping, or potentially significant effects.
- Some issues not addressed in detail because of no or minimal effects, or standard control measures are available.
- Alternatives to the Proposed Action are compared in Chapter 4.0.

#### 3.1 Land Resources (Geology, Geologic Hazards, and Soils)

##### 3.1.1 Existing Environment

- Surficial geology, with emphasis on exposed bedrock. Any protected/unique geologic features.
- Commercial mineral resources (gravel, minerals that can be mined, oil and gas)

- Seismicity (earthquakes, fault displacement, subsidence, liquefaction, landslides) – tier from Umatilla EIS
- Soils, with emphasis on agricultural soil productivity, and revegetation constraints that may increase wind and water erosion risk after soil disturbance. Species and locations of invasive weed species, or soil pathogens.

### 3.1.2 Environmental Consequences and Mitigation

- Could protected/unique geologic features be modified? No, move to issues not addressed in detail.
- Could access to commercial mineral resources be reduced or prevented? Probably no, check pipeline alignments for mineral resources.
- Could earthquakes damage project structures? *Yes, but low risk level. Standard facility seismic design requirements must be met. Tier from Umatilla EIS.*
- Could fault displacement, subsidence, liquefaction, landslides damage project structures? – No, because the underlying geology does not present these hazards. Tier from Umatilla & move to issues not addressed in detail.
- Could soil wind and water erosion rates increase as the result of soil disturbance? *Yes, based on soil characteristics and climate. Standard soil erosion control methods will be included in pipeline construction plans and stormwater management plans.*
- Could soil disturbance result in reduced agricultural productivity (primarily pipeline ROW)? *Yes, if soils are mixed, and soil structure is modified. Standard soil management measures (soil segregation, decompaction) would be applied to prevent or reduce these impacts.*
- Could invasive weed species or soil pathogens be spread by project soil disturbances? *Yes, based on current agricultural uses (primarily pipeline ROW). Standard methods for preventing spread of weeds and pathogens (pre-construction control, equipment cleaning) would be applied.*

### 3.1.3 Cumulative Effects

- Effects are site-specific, and not additive to other projects, assuming that individual projects implement appropriate soil management and erosion control measures.

## 3.2 Water Resources (Surface Water and Ground Water Quantity and Quality).

### 3.2.1 Existing Environment

- Surface Water – Surface drainage system encompassing the project area, Columbia River (flow rates, existing water quality, water quality standards, water management), other water bodies potentially affected (primarily pipeline ROW).
- Ground Water – Aquifers underlying the plant site and adjacent wildlife refuge area (depth, water quality, water quality standards, drinking water & other well locations), aquifer recharge areas.

### 3.2.2 Environmental Consequences and Mitigation

- Could surface water diversion for power generation reduce the water available for power generation and agricultural uses downstream? *Yes, quantify the annual reductions for these uses. Effects on fisheries addressed under Biological Resources.*
- Could plant waste water and cooling water discharged to wetlands reduce water quality in underlying aquifers and other receiving water bodies? *Possibly, depending on discharged water quality, effectiveness of wetlands in sequestering discharged water constituents, rates of aquifer recharge – this is a key issue that will also be addressed under Biological Resources. Estimate potential changes in water quality based on literature review and reasonable assumptions.*
- Could chemical spills at the power generation plant affect surface and ground water quality? *No, because there would be bermed containment around tanks, and other chemical spills would be routed to drains and containment basins within the plant site.*

### 3.2.2 Cumulative Effects

- Project water diversions would be added to current Hermiston municipal withdrawals, plus all the other Columbia River water diversions for industrial, agricultural, and fish habitat uses, and would be a net consumptive use. Project use would not cause Hermiston's water right to be exceeded.
- Any changes in ground water quality from aquifer recharge would not likely be cumulative with other contributing sources, unless there is a known industrial ground water pollution source nearby. Check.

### 3.3 Biological Resources (Wildlife Species and Habitats, Sensitive Species, Wetlands, Fisheries)

#### 3.3.1 Existing Environment

- Wildlife Species and Habitats. Description of habitats that would be affected by proposed project, and use by typical species.
- Sensitive Wildlife Species . Summary of USFWS & state protected species, habitat requirements, and seasons of use.
- Wetlands. Tabulation of wetlands permanently or temporarily affected by project construction and operation.
- Fisheries. List of Columbia River fish, other fish utilizing streams affected by project components, life cycles and seasons of use.

#### 3.3.2 Environmental Consequences and Mitigation Measures

- Could wildlife habitats be reduced or modified in the short- and long-term as the result of project surface disturbance? *Yes. Estimate the surface area of wildlife habitats to be disturbed, and habitat recovery times. Calculate the relative change in habitats if additional wetlands are created to accommodate cooling water discharges.*
- Could populations and reproductive capabilities of sensitive wildlife species be reduced by project construction activities (surface disturbance and noise)? *Yes. Identify nesting locations or population locations of sensitive wildlife species relative to proposed construction locations and agency-accepted activity buffer distances. Estimate operational noise levels from plant site & estimate noise effects on waterfowl and shorebirds using nearby wetlands based on available literature.*
- Could waterfowl and other birds collide with transmission lines linking the plant site and the substation under adverse weather conditions (fog)? *Yes. Estimate the potential loss of birds from collisions based on agency experience and literature review.*
- Could wetland functions be reduced as well as augmented by project construction activities (including creating new wetlands)? *Yes. Calculate wetland surface disturbance by type of wetland*

*(including any permanent losses), and estimate wetland recovery periods and changes in functions. Estimate wetland functional and vegetation compositional changes in created wetlands (i.e. change from open water to palustrine wetland over time).*

- Could cooling tower drift affect plant growth because of deposition of salt and other chemicals? *Unlikely because of the small drift radius and location within the plant site. However, a brief analysis of cooling tower drift would be included, and the relative tolerance of the vegetation potentially affected (native grasses and shrubs, introduced weeds).*
- Could water diversions from the Columbia River modify habitat of migrating salmon? *Yes. However, the change in habitat would be small because of the small relative water volume withdrawn, and because no modifications to the existing intake structure would be required. Tier from analysis contained in Umatilla EIS.*
- Could return flows of discharged cooling water into created wetlands via surface drainages and the ground water system reduce water quality of the Columbia River? *Possibly. However, the routing of cooling water through wetlands and infiltration into underlying aquifers would result in a low (or no) returns to the river. Qualitative estimates of return rates will be made based on expected evaporation and evapotranspiration rates, and transmissivity of aquifers.*

### 3.3.3 Cumulative Impacts

Wildlife impacts likely to be site-specific, and non-interactive with other projects. Cumulative waterfowl collision hazard with transmission lines may need consideration because of the proximity of existing transmission lines. Project water diversion would contribute to the cumulative reduction in Columbia River fish habitat, but the increment would be small, and within the approved diversion allowed by the water right and prior environmental review (see Umatilla EIS).

## 3.4 Air Quality

### 3.4.1 Existing Environment

- Synopsis of regional climate

- Existing regional air quality (ambient standards and attainment status).
- Regulatory requirements (PSD rules). Identification of Class I areas.

#### 3.4.2 Environmental Consequences and Mitigation

- Could natural gas combustion emissions from electric power generation contribute to local and regional air pollutant concentrations? *Yes. Provide synopsis of new source performance standards, PSD applicability for the project. Provide summary of modeling performed for criteria pollutants. Identify potential mitigation measures.*
- Could natural gas combustion emissions from electric power generation affect regional visibility and Air Quality Related Values in Class I areas? *Yes. Provide summary of visibility screening modeling and the highest estimated sulfate and nitrate deposition rates in a Class 1 area.*
- Could natural gas combustion emissions from electric power generation increase global carbon dioxide levels? *Yes. Provide estimate of pounds of carbon dioxide per kilowatt hour yielded by fuel combustion. Describe any offsets for carbon dioxide generation.*
- Could station and pipeline construction activities increase hydrocarbon emissions and fugitive dust in the vicinity of the construction zone? *Yes. Provide a qualitative estimate of construction emissions, and fugitive dust. Describe control measures.*

#### 3.4.2 Cumulative Impacts

Summarize the findings of the BPA cumulative air quality impact study completed to date. Describe any other analysis being done for this project in the context of overall air quality permitting with the EPA.

### 3.5 Traffic and Circulation

#### 3.5.1 Existing Environment

Existing road system serving the proposed power generation site extending to Interstate 82. Railroad service to and near the site. Barge service on the Columbia River. Summary of the current level of service on highways and secondary roads serving the site using Department of Transportation information. Description of major intersections, and accommodations for turning.

### 3.5.2 Environmental Consequences and Mitigation

- Could construction and operation of the power generation station increase equipment and worker traffic on local highways and secondary roads? *Yes. Estimate daily vehicle trips to the site based on the workforce size, routes to be used, and any potential changes in level of service. No scoping input was received from local officials on this issue, but shift changes at the prison cause short-term increases in traffic on the secondary road that serves the prison. This road would also provide access to the plant site. .*

### 3.5.3 Cumulative Impacts

It is unlikely that multiple large construction projects will be underway in the same time frame north of Hermiston, but this assumption will be verified. The operational work force is expected to be sufficiently small that this incremental increase would not change local traffic patterns.

## 3.6 Visual Quality and Aesthetics, Noise

### 3.6.1 Existing Environment

Landscape characteristics and current land uses of plant site, electrical transmission route, and pipeline route. Location of important viewpoints (highways, recreation areas, specially designated areas by local agencies). Location of residences. Locations of existing noise sources.

### 3.6.2 Environmental Consequences and Mitigation

- Could the new facilities (power plant, electrical transmission line) substantially change the rural character of the landscape to a more industrial setting from Key Observation Points (KOPs)? *Possibly. There was little or no input during scoping about visual resource issues – the tribal elders did express concerns about the changes in the area in the context of traditional uses. No specific*

*inputs were received from local agencies or citizens. ENSR suggests including two visual simulations – one from the south looking north at the site from Highway 730, and one from the north (across the Columbia) looking south at the bluff above the river.*

- *Could lights at the power plant site cause night lighting glare that can be viewed from nearby residences and public viewpoints? Possibly. This was a scoping issue. Light shielding is an option to reduce glare.*
- *Could the operational noise generated by the electric power generation station exceed typical day/night noise levels considered tolerable by residential inhabitants? Unlikely. There is a substantial land buffer (generally a mile or more) on all sides of the plant site. The nearest “residents” are the prisoners located in the prison to the west. The external noise exposure opportunities for these inhabitants is limited. Noise measurements taken at a similar facility could be included to document expected noise levels at various distances from the site.*

### 3.6.3 Cumulative Impacts

The proposed project represents an extension of industrial land uses further east along the Columbia River bluff. It is likely other industrial uses would be added in the future, based on current zoning.

## 3.7 Cultural Resources

### 3.7.1 Existing Environment

- *Brief summary of pre-historic and historic uses of the plant site, pipeline ROW, and transmission ROW. Description of the types of sites encountered as the results of records searches and pedestrian surveys within areas proposed for surface disturbance.*

### 3.7.2 Environmental Consequences

- *Could known and unknown cultural resources be affected by construction of the plant site, pipeline system, and electrical transmission line? Yes, but construction monitors would be present to identify and protect known sites, and to direct the*

*response in the event of unanticipated discoveries, especially burials. List procedures identified in cultural resources reports prepared by tribal cultural resources staff.*

- Could construction of proposed facilities change the quality and appearance of Umatilla Tribe traditional use areas within and surrounding proposed facility? *Yes. Summarize the consultations with the tribal elders that have been completed, and the concerns expressed.*

### 3.7.3 Cumulative Impacts

Based on cultural surveys and monitoring, adverse cultural resources effects should not occur that would contribute to cumulative impacts.

## 3.8 Land Use and Recreation

### 3.8.1 Existing Environment

- Maps of existing land use categories, land ownership, recreational areas (federal, state, and local), local zoning map, and tables listing the land uses crossed and area required for project purposes. Emphasis on pivot irrigation fields, perennial cropland, residential areas, and highway/irrigation canal crossings. The issue of federal, state, and local land use plan consistency would be addressed in Chapter 1. If the consistency analysis is too long, the review of local plans could be placed here, as was done in Umatilla EIS. List/map residences or residential areas within 500 feet of all project facilities. Umatilla EIS used an aerial photo base map that was very informative for distinguishing land use. We should use something comparable.

### 3.8.2 Environmental Consequences and Mitigation

- Could construction and operation cause short and long-term changes in land use for the plant site and utility ROWs? *Yes. Document the agricultural areas that would not be usable for one or more seasons (pipeline ROW), and land area committed to long term industrial and utility uses (plant site, pipeline and transmission line permanent ROWs).*
- Could pipeline construction cause short-term increases in noise and dust and access delays to residences located near (within 500 feet) of the pipeline construction ROW? *Possibly. Depends*

*upon gas pipeline routing, to be determined. Based on initial reconnaissance, it did not appear that there would be any residences near the plant site or the transmission line to McNary.*

- *Could construction and operation cause a change in recreational opportunities (quality and ease of access) at established recreational areas? Possibly. Need to examine access and use of picnic areas and boating facilities at McNary Dam.*

### 3.8.3 Cumulative Impacts

There would be an incremental increase in the area and types of industries located along the Columbia River near McNary Dam. This area is already zoned for these uses, so requirements for infrastructure have already been considered in local planning documents.

## 3.7 Socioeconomics

### 3.7.1 Existing Environment

Local statistics for Umatilla County – population, employment, housing, tax base, county and municipal budgets.

### 3.7.2 Environmental Consequences and Mitigation

Could the project increase the tribal, county, and municipal property tax bases? *Yes. Question – how would facilities on tribal land be taxed? Provide an estimate of tax revenues (sales and property), and allocation among the political entities.*

Could the project provide employment for local workers during project construction and operation? *Yes. This was a scoping issue raised by a county commissioner. Need input from Williams on local employment goals, training, and skills needed.*

Could the construction phase of the project exceed the availability of local rental housing or rental spaces in recreational vehicle and trailer parks? *Unlikely. Document availability of local rental housing and rental spaces relative to estimated imported work force size. Document prior experience of other recent projects in the area via agency contacts.*

Could the construction phase increase the demand for local services (police, medical services, schools)? *Yes, based on the multi-year*

*construction schedule. The relative increase would be calculated based on the estimated number of dependents and size of the imported work force. Any estimates would be compared with recent local agency experience with other power plant projects in the vicinity.*

Could the power plant operations increase the need for additional fire-fighting and emergency medical personnel and equipment? *Unlikely, but depends upon capabilities that will be in place on the plant site, and nature of cooperative agreements between the plant and emergency responders. This response capability/ additional requirements may be explained previously in Chapter 2.0.*

Could project construction and operation adversely affect low income and minority populations? *Unlikely, but the location of these populations within Umatilla County will be identified so that an Environmental Justice conclusion can be reached.*

Could project construction and operation adversely affect or benefit Indian trust assets? *Need BIA input on whether Indian trust assets could be adversely affected by tribal participation in this project per requirements under Secretarial Order 3175 when granting the requested lease.*

### 3.8.2 Cumulative Impacts

The construction workforce and schedule will be examined in relation to the schedule of other known projects in the vicinity (if any) to determine if there would be any short-term constraints on availability of housing and other services.

## 4.0 Alternatives

### 4.1 Pipeline Route Alternatives

#### 4.1.1 Route Alternative Description

For each pipeline alternative, a brief baseline description will be prepared, based on quantification of land requirements and resources affected.

#### 4.1.2 Route Alternative Comparison

Each pipeline alternative will be compared with the equivalent segment of the Proposed Action route to document environmental impact differences between the routes. Only issues that demonstrate substantive differences (or substantive impact reduction opportunities) will be included in these comparisons.

#### 4.2 Cooling Water Disposal Alternatives

##### 4.2.1 Water Disposal Alternative Description

For each disposal alternative, a brief description of the proposed design, operation, and land requirements will be prepared.

##### 4.2.2 Water Disposal Alternative Comparison

Each pipeline alternative will be compared with the Proposed Action disposal method to document environmental impact differences between the alternatives. Only issues that demonstrate substantive differences (or substantive impact reduction opportunities) will be included in these comparisons.

#### 5.0 Unavoidable Adverse Effects

Focus would primarily be on long-term land commitments, and use of water.

#### 6.0 Relationship Between Local Short-term Uses of the Environment and the Maintenance and Enhancement of Long-term Productivity.

See 5.0 above.

#### 7.0 Irreversible and Irrecoverable Commitment of Resources.

See 5.0 above.

#### 8.0 Consultation and Coordination

#### 9.0 List of Preparers

#### 10.0 References Cited

#### Appendices.

**McKinney, Thomas - KEC-4**

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**From:** Ellis, Scott [SEllis@ensr.com]  
**Sent:** Friday, March 01, 2002 11:32 AM  
**To:** 'McKinney, Thomas - KEC-4'  
**Subject:** RE: Conference Call

The conference call was yesterday. I e-mailed you two files on Wednesday afternoon that included the working EIS outline, plus a data needs list. I used your outside world e-mail address and received no bounce back that the message could not be delivered. The message attached to that e-mail indicated the call was "tomorrow" = Thursday & I listed the call-in number. If you didn't receive that e-mail & attachments, let me know so that we can make sure it works next time. I will also try resending the file/message now.

-----Original Message-----

From: McKinney, Thomas - KEC-4 [mailto:tc McKinney@bpa.gov]  
Sent: Friday, March 01, 2002 2:27 PM  
To: Ellis, Scott  
Subject: Conference Call

Scott -

Did you say there was to be a conference call this morning, and you were going to FAX and/or e-mail the phone number?  
Or did I misunderstand something?

Tom McKinney

Thomas C. McKinney  
<<McKinney, Thomas - KECN.vcf>>

\*\*\*\*\*  
The information contained in this communication is confidential and privileged proprietary information intended only for the individual or entity to whom it is addressed. Any unauthorized use, distribution, copying or disclosure of this communication is prohibited.  
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It is our policy that e-mails are intended for and should be used for business purposes only.

This footnote also confirms that this email message has been swept by MIMESweeper for the presence of computer viruses.

ENSR  
www.ensr.com  
postmaster@ensr.com

\*\*\*\*\*

## McKinney, Thomas - KEC-4

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**From:** Partridge, Christine E - TOC-PPO2-2  
**Sent:** Friday, March 01, 2002 9:43 AM  
**To:** McKinney, Thomas - KEC-4; Sauer, Dena J - TOC-DITT2  
**Subject:** RE: Wanapa & Summit Environmental Agreements

Summit, has in fact not returned the agreement, I left a message w/Brett Wilcox too.

I did find the Wanapa agreement that you and Doug worked on and my E-mail indicating that I would get it done - my apologies for the memory laps.

Dena, can you please assign a contract number next week for: Williams Energy Marketing & Trading Company for an environmental agreement. I have a bit of work to do on the body and cover letter and won't get it all done before Monday.

Thank You

-----Original Message-----

**From:** McKinney, Thomas - KEC-4  
**Sent:** Friday, March 01, 2002 8:27 AM  
**To:** Partridge, Christine E - TOC-PPO2-2  
**Subject:** RE: Wanapa & Summit Environmental Agreements

Wanapa Energy Center is the Umatilla Tribes & Williams project at Umatilla. The contract was to be with Williams. Doug Mitchell (918-573-5792) of Williams recently called me to ask about the contract status. I don't know about a Watoma project. Summit/GNA may be dragging their feet on Summit Westward--they have some serious financial issues.

-----Original Message-----

**From:** Partridge, Christine E - TOC-PPO2-2  
**Sent:** Friday, March 01, 2002 7:04 AM  
**To:** Shaw, Cynthia E - TOC-DITT2; McKinney, Thomas - KEC-4; Sauer, Dena J - TOC-DITT2  
**Subject:** RE: Wanapa & Summit Environmental Agreements

Tom, I need some clarification on project names. I have seen the names Watoma and Wanapa and am getting confused in regard to who the requestors are for these. I know one of these is the Umatilla Confederated Tribes (Williams Energy Marketing & Trading Company) and am not sure about the other or which is which. I am pretty sure I have not started an agreement for Watoma, particularly since I'm not sure who the developer is.

In regard to Summit the environmental study agreement (02TX10813) was sent to the customer on November 15 and I don't believe we have received the agreement or payment from them. I just left a couple of messages with their contract specialist and their attorney and we'll see what they have to say when they call back.

Dena, Cynthia do either of you know if anything has been returned from Westward energy for the Summit environmental study agreement? Thank You

-----Original Message-----

**From:** McKinney, Thomas - KEC-4  
**Sent:** Thursday, February 28, 2002 3:55 PM  
**To:** Partridge, Christine E - TOC-PPO2-2  
**Cc:** Rogers, Robert A (Joe) - TM-Ditt2; Raschio, Mike - TM-Ditt2  
**Subject:** Wanapa & Summit Environmental Agreements

We are soon going to be having significant expenses with the Wanapa and Summit Westward projects. What's the status of the environmental agreements for these projects?

To << File: McKinney, Thomas - KECN.vcf >> McKinney

## McKinney, Thomas - KEC-4

---

**From:** Rogers, Robert A (Joe) - TM-Ditt2  
**Sent:** Thursday, February 21, 2002 2:07 PM  
**To:** McKinney, Thomas - KEC-4  
**Subject:** RE: Wanapa Energy Center

Between the first event and the second, a modification of the project design resulted in a 1300 MW project, rather than 1000 MW.

-----Original Message-----

**From:** McKinney, Thomas - KEC-4  
**Sent:** Thursday, February 21, 2002 1:48 PM  
**To:** Rogers, Robert A (Joe) - TM-Ditt2  
**Cc:** 'rdaggett@ensr.com'  
**Subject:** Wanapa Energy Center

Joe -

We're confused by a discrepancy on OASIS: #26 in the Generation Interconnection queue indicates that CTUIR requested interconnection of 1000 MW at McNary, while #481 in the Long-Term Transmission queue indicates that Williams requested PTP service for 1300 MW with point of receipt at McNary. Can you explain why the difference in megawatts ?

Thanks, Tom

Thomas C. McKinney  
<< File: McKinney, Thomas - KECN.vcf >>

## McKinney, Thomas - KEC-4

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**From:** Partridge, Christine E - TOC-PPO2-2  
**Sent:** Friday, January 11, 2002 10:40 AM  
**To:** McKinney, Thomas - KEC-4; Rogers, Robert A (Joe) - TM-Ditt2  
**Subject:** RE: Revised Draft Agreement Language

Tom, I can't find a copy of the original version you sent to Doug Mitchell, can you provide that and I will get the rest of the pieces and the cover letter set up. Thank You

-----Original Message-----

**From:** McKinney, Thomas - KEC-4  
**Sent:** Monday, January 07, 2002 8:19 AM  
**To:** Rogers, Robert A (Joe) - TM-Ditt2  
**Cc:** Partridge, Christine E - TOC-PPO2-2  
**Subject:** FW: Revised Draft Agreement Language

Joe-

I have no problems with Williams' suggested changes to the environmental agreement for Wanapa Energy Center. How about you?

-----Original Message-----

**From:** Mitchell, Douglas [mailto:Douglas.Mitchell@Williams.com]  
**Sent:** Monday, January 07, 2002 6:56 AM  
**To:** 'tcmckinney@bpa.gov'  
**Subject:** Revised Draft Agreement Language

Tom:

Attached are two documents. One is a cover letter and the other is our revisions to the draft Agreement that you provided. I have placed hard copies of these documents in the mail, but you may not receive those until early next week. Please review our changes and let me know if you have comments.

<<BPACoverLetter\_010202.doc>> <<BPADraftAgreement\_010202.doc>>

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

**McKinney, Thomas - KEC-4**

---

**From:** Mitchell, Douglas [Douglas.Mitchell@Williams.com]  
**Sent:** Friday, January 11, 2002 6:23 AM  
**To:** Tom McKinney  
**Subject:** Receipt Confirmation

Tom:

Just wanted to make sure that you had received the revisions I sent to you regarding the cost recovery agreement. Also, wanted to know if you had a chance to look at our comments and whether they were acceptable to BPA.

Let me know. Thanks.

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

**McKinney, Thomas - KEC-4**

---

**From:** Mitchell, Douglas [Douglas.Mitchell@Williams.com]  
**Sent:** Monday, January 07, 2002 6:56 AM  
**To:** 'tcmckinney@bpa.gov'  
**Subject:** Revised Draft Agreement Language

Tom:

Attached are two documents. One is a cover letter and the other is our revisions to the draft Agreement that you provided. I have placed hard copies of these documents in the mail, but you may not receive those until early next week. Please review our changes and let me know if you have comments.

<<BPACoverLetter\_010202.doc>> <<BPADraftAgreement\_010202.doc>>

Doug Mitchell  
Williams Energy Marketing & Trading  
Phone 918/573-5792

January 4, 2002

Mr. Thomas C. McKinney  
Bonneville Power Authority  
Environmental Analysis, KEC-4  
905 N.E. 11<sup>th</sup> Avenue  
P.O. Box 3621  
Portland, Oregon 97208-3621

Re: Draft Environmental Study Agreement

Dear Mr. McKinney:

It is our understanding that the BIA has formally recognized the BPA as a cooperating agency for the proposed Wanapa Energy Center project. This will allow both the BIA and the BPA to fulfill their National Environmental Policy Act (NEPA) compliance requirements in a single effort and ultimately could help to expedite interconnection of the project since BPA will not need to conduct a separate NEPA process for interconnection later.

We have reviewed the Draft Environmental Study Agreement that you provided and we have several revisions that we would like to see incorporated into the document. Attached is a document containing information specific to each section of the Agreement that required information from us or contains revisions to the draft Agreement you provided for review. To assist you in identifying our requested changes to the document, we have retyped portions of the text and used strikethrough and highlight features. If you have any questions regarding the requested changes please contact me at 918/573-5792.

Welcome to the project and we look forward to working with you.

Sincerely,

Douglas J. Mitchell  
Senior Environmental Engineer  
Williams Energy Marketing & Trading Company

**BLOCK 6**

**ORGANIZATION AND ADDRESS**

Williams Energy Marketing & Trading Company  
One Williams Center  
Tulsa, OK 74132

**BLOCK 7**

**TECHNICAL CONTACT**

Doug Mitchell 918/573-5792

**BLOCK 8**

**ADMINISTRATIVE CONTACT**

Same

**BLOCK 12**

**ENVIRONMENTAL STUDY AGREEMENT for the INTERCONNECTING FACILITIES of the PROPOSED WANAPA ENERGY CENTER**

**Background:** The Confederated Tribes of the Umatilla Indian Reservation (CTUIR), has requested interconnection of the proposed Wanapa Energy Center combustion generation project with the Federal Columbia River Transmission System, and ~~has partnered~~ is participating in the development of such project with Williams Energy, Marketing & Trading Company (Williams), ~~Inc., et al, to develop the project.~~ The Bureau of Indian Affairs (BIA) proposes to lease land held in trust for the benefit of the CTUIR for the construction and operation of the Wanapa Energy Center. ~~As a Federal Agency, BIA must consider the potential environmental impacts of the proposed lease under the National Environmental Policy Act (NEPA).~~ Pursuant to the National Environmental Policy Act (NEPA), the BIA must consider the potential environmental impacts of the proposed lease and connected actions such as the construction and operation of the generating facility, required utility lines (i.e. gas, water, sewer, electric) and access roads. Similarly, BPA must consider the potential impacts of the interconnecting transmission line(s) and substation modifications, ~~and also connected actions such as the generating facility, the gas pipeline and water conveyance lines.~~ The BIA has published a Notice of Intent to Prepare an Environmental Impact Statement for the proposed Wanapa Energy Center (66 FR53430, October 22, 2001) and BPA has requested the BIA to recognize BPA as a cooperating agency in accordance with regulations implementing NEPA (Smith to Sanchez Letter, October 19, 2001); and been granted cooperating agency status by the BIA (Sanchez to Smith Letter, December 14, 2001). BPA acknowledges that the BIA is the lead Federal Agency and the BIA has final decision making authority in regards to NEPA compliance for the Wanapa Energy Center project.

BPA will participate as a cooperating agency (within the meaning of 40 CFR 1501.6 and 1508.5) with the BIA in their preparation of an Environmental Impact Statement (EIS) ~~on~~ for the Wanapa Energy Facility and ancillary facilities. In general, BPA will ensure that the EIS accurately describes the electrical interconnection and will participate in BIA public involvement activities associated with their EIS process. Not sooner than 30 days, but not later than 60 days after completion of the EIS and publication of its Notice of Availability, BPA will make a decision regarding the interconnection of the project and issue the appropriate notice(s).

BPA recognizes the importance of the proposed Wanapa Energy Center project to the CTUIR and will cooperate fully with the BIA in working to expeditiously and cost-effectively meet the requirements of NEPA. BPA will make all reasonable efforts to adhere to the BIA's project schedule, including the timely submittal of technical information, timely submittal of requested data, and timely review of draft documents.

The Bonneville Power Administration (BPA), office of Environment, Fish and Wildlife will, at Williams' expense, perform the following services.

FINANCIAL TERMS AND CONDITIONS STATEMENT

Williams hereby agrees to advance \$40,000 to the Bonneville Power Administration (BPA) based on the following progress payment schedule:

Payment No.	Amount	Due Date
1	\$20,000	Upon Execution of Agreement
2	\$20,000	March 31, 2002

These payments represent the estimated cost of participating as a cooperating agency in an environmental impact statement to be prepared by the Bureau of Indian Affairs regarding the proposed Wanapa Energy Center and will be held in an account established for this Agreement. The cost to Williams of BPA participation in the EIS process shall be 100% of the actual cost of the work specified in this Agreement, including an overhead rate (43% for labor and 10% for materials) representing the indirect costs of the BPA office of Environment, Fish and Wildlife, plus but not limited to the costs to support contract negotiation, billing and accounting, and contract management.

If at any time during the performance of the EIS, BPA, ~~in its sole judgement~~, determines that additional funds are needed to complete the EIS, Williams, upon written notification, shall advance such funds to BPA for deposit in the account. Williams does have the right to request and receive justification for the additional funds prior to advancing such funds to BPA. At any time, Williams may cancel such work contemplated in this agreement. Upon such written notification of cancellation, BPA will discontinue all work, bill Williams the project for all work done to date and refund any remaining funds.

Within a reasonable time after completion of the EIS, BPA shall make full accounting to Williams, showing the actual costs charged against the account. BPA shall either remit any unexpended balance in the account to Williams or bill for any appropriate costs in excess of the deposits in the account. Williams shall pay any excess costs within 30 days of billing.



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Umatilla Agency  
Post Office Box 520  
Pendleton, OK 97801

DEC 14 2001

Ms. Alexandra B. Smith  
Vice President for Environment, Fish and Wildlife  
Bonneville Power Administration  
P.O. Box 3621  
Portland, OR 97208-3621

Dear Ms. Smith:

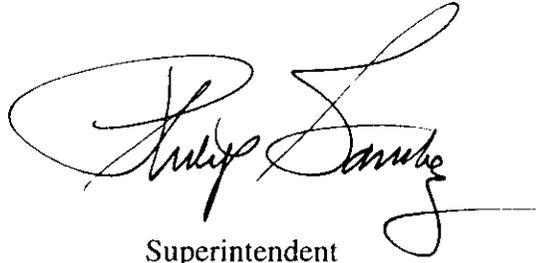
In response to your request of October 19, 2001, we hereby recognize Bonneville Power Administration (BPA) as a cooperating agency in the preparation of an Environmental Impact Statement (EIS) for the proposed Wanapa Energy Center. As part of the process to decide whether or not to approve a lease between the Wanapa Energy Center partnership, the project developers, and the Confederated Tribes of the Umatilla Indian Reservation, the landowner, the Bureau of Indian Affairs must conduct an environmental review process in accordance with the provisions of the National Environmental Policy Act. We have discussed time frames for completion of the environmental review process with the Wanapa Energy Center partnership and have agreed to adhere to the following schedule.

Action	Target Date
Publish Notice of Intent	October 22, 2001
Public Scoping Meetings	October 29, 2001 Pendleton, (Mission Oregon) October 30, 2001 Hermiston, Oregon November 5, 2001 Pendleton, (Mission) Oregon November 6, 2001 Hermiston, Oregon
Field Studies	October-November 2001
Agency Scoping Meetings	November 27, 2001 Pendleton, Oregon November 28, 2001 Portland, Oregon
Prepare and Review Draft EIS	February 2002
Approve and Distribute Draft EIS	April 2002
Issue Notice of Availability	April 2002
File With EPA and DOI	April 2002
Public Review and Comment Period	April-June 2002
Hold Public Meetings	July-August 2002
Respond to Comments	September 2002
Prepare and Review Final EIS	November 2002
Approve Final EIS	December 2002
Issue Notice of Availability	December 2002
File With EPA and DOI	December 2002
Prepare Record of Decision	January 2003
Make Decision	February 2003

We previously provided a copy of this schedule to Mr. Thomas McKinney, of your staff. Mr. McKinney also attended a several of the public scoping meetings and participated in an agency scoping meeting held at our Northwest Regional Office on November 28, 2001.

Mr. McKinney should coordinate with Jerry L. Lauer of my staff to ensure that the EIS satisfies BPA's needs. His mailing address is on the letterhead and his phone number is (541) 278-3790.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry L. Lauer". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Superintendent

11/28/01

Wanapa Energy Project

Name	agency	phone #
Jane Boynton	BIA NWRD	503 231-6749
Kelita Hatch	" "	503 872-2876
Stuart Pauls	ENSR	425-881-7700
Tom McKinney	BPA	503-230-4749
Lynda Walker	Corps of Engineers	503 808 3715
MARY HEADLEY	CORPS OF ENGINEERS	mary.j.headley@usace.army.mil 503-908-4392
Gordy Schumacher	CTUER/BPA	541-278-3792
Doug Mitchell	Williams	918-573-5792
Jean Decker	ENSR	970-493-8878
Lou Driessen	BPA	<del>360-619-2222</del> 6327



Tom McKenna

ENSR International  
1601 Prospect Parkway  
Fort Collins, CO 80525-9769  
(970) 493-8878  
FAX (970) 493-0213  
www.ensr.com

October 25, 2001

Ms. Alexandra Smith – Vice President for Environment, Fish and Wildlife  
Bonneville Power Administration (BPA)  
U.S. Department of Energy  
905 NE 11th Avenue  
Portland, OR 97208-3621

**RE: Wanapa Energy Center Project EIS**

Dear Ms. Smith:

The Bureau of Indian Affairs (BIA), in cooperation with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) will be preparing an Environmental Impact Statement (EIS) for the proposed Wanapa Energy Center (Project). The Project is a 1,200-megawatt, natural gas-fired, combined cycle, combustion turbine electric generation plant that would be located on CTUIR Trust Lands near Hermiston, Oregon. The project would be constructed and operated by Williams Energy and Marketing. The BIA is the lead federal agency for the Project. ENSR Corporation is providing technical assistance to the BIA to prepare the EIS.

The BIA published a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Project in the Federal Register on October 22, 2001. The Notice of Intent is attached for your review.

BPA representatives are invited to attend the public scoping meetings for the proposed project. Two meetings will be held at the Tamastlikt Cultural Institute, located at 72789 Highway 331, Pendleton on October 29 and again on November 5, 2001. Two meetings will be held at the Hermiston Community Center, located at 415 S. Highway 395, Hermiston on October 30 and on November 6, 2001. The public scoping meetings will be presented in a workshop format where interested parties can come to the meetings anytime between 5 p.m. and 8 p.m.

Please forward this request to the applicable specialists in your organization for information and input. Resource information provided by the BPA will be incorporated into the NEPA analysis for the proposed project. We welcome your input (either in person or by letter), and look forward to meeting your representatives at the public meetings listed above. Williams Energy and Marketing representatives will be attending these meetings, and will be available to address your questions about the proposed project. We are planning to hold agency scoping meetings to further define EIS issues, and propose to hold these meetings at two locations (Pendleton, Portland) within a three day period (November 27, 28, and 29). We will be contacting you in the near future to determine your interest in participating in these meetings, and the most favorable meeting date.

If you have questions or concerns, please contact me directly at the above address and phone number. Alternatively, please write Mr. Jerry Lauer at Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, Oregon, 97801. Telephone: (541) 278-3790. E-mail: JerryLauer@bia.gov.

Sincerely,

Scott Ellis  
ENSR Project Manager

SE/  
Ref: 10026-001  
Enc. NOI

**Notice of Intent To Prepare an Environmental Impact Statement for the  
Proposed Wanapa Energy Center, Umatilla County, Oregon**

10/22/2001

Federal Register

53430

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**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA), with the cooperation of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), intends to gather the information necessary for preparing an Environmental Impact Statement (EIS) for the proposed lease to Wanapa Energy Center of up to 195 acres of land held in trust by the United States for the benefit of the CTUIR in Umatilla County, Oregon. The Williams Energy Marketing and Trading Company, CTUIR, the Eugene Water and Electric Board, the City of Hermiston and the Port of Umatilla intend to jointly build and operate the Wanapa Energy Center, an approximately 1,300 megawatt electric generation plant, on the property. The purpose of the proposed project is to conjointly help provide for the economic development of the CTUIR and for the power needs of the Pacific northwest. Details on the proposed project and its location are provided in the SUPPLEMENTARY INFORMATION section. This notice also announces public scoping meetings to identify potential issues for inclusion in the EIS, distinguish those to be analyzed in depth, and eliminate from consideration those that are not significant.

**DATES:** Written comments on the scope and implementation of this proposal must arrive by November 21, 2001. The public scoping meetings will be held on November 5, 2001, and November 6, 2001, from 5 to 8 p.m.

**ADDRESSES:** You may mail or hand carry written comments to Philip Sanchez, Superintendent, Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, Oregon 97801.

The November 5, 2001, public hearing will be in Pendleton, Oregon. The November 6, 2001, public hearing will be in Hermiston, Oregon. Exact locations of the hearings will be determined at a later date and can be obtained from the FURTHER INFORMATION CONTACT listed below.

If you would like a map displaying the proposed project location, please contact Jerry L. Lauer, Natural Resource Officer, at the above Umatilla Agency address, telephone (541) 278-3790, or e-mail [JerryLauer@bia.gov](mailto:JerryLauer@bia.gov).

FOR FURTHER INFORMATION CONTACT: Jerry L. Lauer, (541) 278-3790.

**SUPPLEMENTARY INFORMATION:** The EIS will assess the environmental consequences of BIA approval of a proposed lease between Wanapa Energy Center, the lessee, and the CTUIR, the lessor, of part of Lots 1, 2, 3, and 4, the South Half of the Southwest Quarter, Section 7, Township 5 North, Range 29 East, Willamette Meridian, Umatilla County, Oregon. The property lies in western Umatilla County near McNary Dam on the Columbia River. The parties developing the Wanapa Energy Center plan to construct and operate the facility on this property.

The proposed project has several components. They include an electrical connection at or near the Bonneville Power Administration's McNary Substation; a natural gas-fired, combined cycle, combustion turbine electric generation plant; a natural gas supply pipeline; a water supply pipeline; and a new electric power transmission line. All proposed facilities would be located within Umatilla County, Oregon.

The proposed Wanapa Energy Center would be a combustion turbine, combined cycle electric power plant with a nominal generating capacity of 1,300 megawatts. It would consist of four essentially identical combustion turbine generators, four heat recovery steam generators (HRSG) and two steam turbines. Expanding gasses from combustion would turn rotors within the turbines that are connected to electric generators. The hot gases exhausted from the combustion turbines would be used to raise steam in the HRSGs. Steam from the HRSGs would be expanded through steam turbines that drive their own electric generators. The combustion turbines would be fueled by natural gas from either the existing Williams pipeline or an existing PGT pipeline. The facility would interconnect in either case through a new, approximately ten mile gas supply lateral.

Water to generate steam and cool the steam process at the plant would be supplied from the Port of Umatilla Regional Water Supply. A recirculation cooling system employing mechanically induced draft, evaporative cooling towers would be used. Water would be added to the cooling system to compensate for evaporative losses and blowdown. Blowdown is water bled from the cooling system to limit the build-up of salts.

The proposed Wanapa Energy Center would deliver electric power to the regional power grid at BPA's McNary Substation, using a new high voltage transmission line crossing property owned by the Port of Umatilla.

#### **Public Comment Solicitation**

As an alternative to submitting written comments regarding the scope of the EIS to the location identified in the ADDRESSES section, interested persons may instead comment via the Internet to PhilipSanchez@bia.gov. Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. If you do not receive confirmation from the system that your Internet message was received, contact Philip Sanchez at (541) 278-3786.

Comments, including names and home addresses of respondents, will be available for public review at the BIA address shown in the ADDRESSES section, during regular business hours, 7:30 a.m. to 4 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

#### **Authority**

This notice is published in accordance with section 1503.1 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508), implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary-Indian Affairs by 209 DM 8.

[Page Number 53431]

Dated: October 4, 2001.

Neal A. McCaleb,

Assistant Secretary, Indian Affairs.

[FR Doc. 01-26506 Filed 10-19-01; 8:45 am] BILLING CODE 4310-02-P

Dated: October 4, 2001.

Neal A. McCaleb,

Assistant Secretary, Indian Affairs.

[FR Doc. 01-26506 Filed 10-19-01; 8:45 am]

BILLING CODE 4310-02-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-910-01-1430-HN-LRTN]

#### Notice of Temporary Closure of Access to Public Lands Administered by the Bureau of Land Management; Fairfax County, VA

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM), Eastern States, is temporarily closing Meadowood Farm in Fairfax County, Virginia to public entry with the exception of those persons who board their horses at the boarding facility located on the property. This closure notice serves as a follow-up to the Planning Analysis/Environmental Assessment (PA/EA) whose Notice of Availability was published in the *Federal Register* on August 6, 2001. Section II(A) of the PA/EA stipulated that upon acquisition, Meadowood Farm would be closed to the public on an interim basis until a long-term management plan could be completed. This closure complies with the requirements of the Federal Land Policy and Management Act, that a land use plan be completed prior to acquisition of land. This is to ensure protection of resources, protection of structures and facilities, and provide for the safety of the public. The authority for this closure is found in 43 CFR 8364.1. The closure is necessary to protect soils, vegetation, cultural, wildlife and riparian resources, facilities, structure, from potential adverse effects. No recreational activities for public use exist currently except horseback riding. All new activities must undergo an Environmental Assessment to determine their levels of impact to sensitive areas, habitat, resources. It is necessary that this be done to preclude adverse impacts and unintended degradation of the property and to provide for the safety of the public until a plan is completed.

A horse boarding facility is located on the property and will, during the closure period, continue operation under a Special Recreation Permit. No new activities will be allowed until completion of a PA/EA. The main

entrance to the property leading to the office will remain open to the general public. All other access will be closed except to Federal, State and local officers and bureau employees in the scope of his or her duties, contractors, consultants and their employees engaged in official duties, members of organized rescue or fire-fighting force in performance of official duties, and others with written permission from the Bureau of Land Management.

**EFFECTIVE DATE:** This closure goes into effect upon acquisition of the Meadowood Farm, and will remain in effect until the State Director, Eastern States determines it is no longer needed.

**Location:** The land commonly known as Meadowood Farm, Fairfax County, Virginia is closed to the public.

**FOR FURTHER INFORMATION CONTACT:** Charles Bush, Meadowood Project Manager, Bureau of Land Management, Eastern States, 7450 Boston Boulevard, Springfield, Virginia 22153. (703) 440-1745.

**Prohibited Act:** Under 43 CFR 8364.1 and 8360.0-7, the Bureau of Land Management is providing notice that within the closure area described above:

You must not enter the closed area.

**Exemptions:** Persons who are exempt from these rules include any Federal, State or local officer or employee in the scope of his or her duties, members of any organized rescue or fire-fighting force in performance of an official duty, contractors, and their employees while engaged in official duty, and others authorized in writing by the Bureau of Land Management.

**Penalties:** Penalties for violating this closure notice is found in section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) and 43 CFR 8360.0-7. Any person who fails to comply with a restriction order may be tried before a United States Magistrate and fined not more than \$1,000 or imprisoned for no more than 12 months, or both.

Dated: October 4, 2001.

Gayle F. Gordon,

State Director.

[FR Doc. 01-26569 Filed 10-19-01; 8:45 am]

BILLING CODE 4310-GJ-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-670-01-1610-JP-064B]

#### Temporary Closure of Approximately 49,300 Acres to Motorized Vehicle Use of Five Selected Areas in the Imperial Sand Dunes Recreation Management Area, Imperial County, CA

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Temporary closure of approximately 49,300 acres to motorized vehicle use of five selected areas in the Imperial Sand Dunes Recreation Management Area, Imperial County, California.

**DATES:** This temporary closure was approved September 27, 2001 and is in effect.

**ADDRESSES:** Bureau of Land Management, El Centro Field Office, 1661 S. 4th Street, El Centro, CA 92243.

**FOR ADDITIONAL INFORMATION CONTACT:** Roxie Trost, BLM, El Centro Field Office, 1661 S. 4th Street, El Centro, CA 92243, telephone (760) 337-4400. The closure is posted in the El Centro Field Office and at places near and/or within the area to which the closure applies. Maps identifying the affected areas are available at the El Centro Field Office as well as on the Bureau of Land Management (BLM) California Web site at [www.ca.blm.gov](http://www.ca.blm.gov).

**SUPPLEMENTARY INFORMATION:** This temporary closure is implemented pursuant to Title 43 Code of Federal Regulations (CFR) 8341.2(a). The closure was approved September 27, 2001 and will remain in effect until BLM completes and implements the Imperial Sand Dunes Recreation Management Plan (ISDRMP) now under preparation.

Exceptions to this closure include government vehicles conducting official business which shall be allowed inside the closed areas as authorized. Official business may include public service emergencies, resource monitoring/research, other dunes operations and management activities, and other actions authorized by BLM's El Centro Field Office Manager.

Notice of the proposed closure was published in the *Federal Register* June 15, 2001 (66 FR 32640).

Dated: October 12, 2001.

Greg Thomsen,

Field Manager.

[FR Doc. 01-26691 Filed 10-19-01; 8:45 am]

BILLING CODE 4310-40-P

the Internet at <http://www.fda.gov/ohrms/dockets>.

Dated: October 12, 2001.

Margaret M. Dotzel,

Associate Commissioner for Policy.

[FR Doc. 01-26556 Filed 10-19-01; 8:45 am]

BILLING CODE 4160-01-S

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Wanapa Energy Center, Umatilla County, Oregon

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA), with the cooperation of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), intends to gather the information necessary for preparing an Environmental Impact Statement (EIS) for the proposed lease to Wanapa Energy Center of up to 195 acres of land held in trust by the United States for the benefit of the CTUIR in Umatilla County, Oregon. The Williams Energy Marketing and Trading Company, CTUIR, the Eugene Water and Electric Board, the City of Hermiston and the Port of Umatilla intend to jointly build and operate the Wanapa Energy Center, an approximately 1,300 megawatt electric generation plant, on the property. The purpose of the proposed project is to conjointly help provide for the economic development of the CTUIR and for the power needs of the Pacific northwest. Details on the proposed project and its location are provided in the **SUPPLEMENTARY INFORMATION** section. This notice also announces public scoping meetings to identify potential issues for inclusion in the EIS, distinguish those to be analyzed in depth, and eliminate from consideration those that are not significant.

**DATES:** Written comments on the scope and implementation of this proposal must arrive by November 21, 2001. The public scoping meetings will be held on November 5, 2001, and November 6, 2001, from 5 to 8 p.m.

**ADDRESSES:** You may mail or hand carry written comments to Philip Sanchez, Superintendent, Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, Oregon 97801.

The November 5, 2001, public hearing will be in Pendleton, Oregon. The

November 6, 2001, public hearing will be in Hermiston, Oregon. Exact locations of the hearings will be determined at a later date and can be obtained from the **FURTHER INFORMATION CONTACT** listed below.

If you would like a map displaying the proposed project location, please contact Jerry L. Lauer, Natural Resource Officer, at the above Umatilla Agency address, telephone (541) 278-3790, or e-mail [JerryLauer@bia.gov](mailto:JerryLauer@bia.gov).

**FOR FURTHER INFORMATION CONTACT:** Jerry L. Lauer, (541) 278-3790.

**SUPPLEMENTARY INFORMATION:** The EIS will assess the environmental consequences of BIA approval of a proposed lease between Wanapa Energy Center, the lessee, and the CTUIR, the lessor, of part of Lots 1, 2, 3, and 4, the South Half of the Southwest Quarter, Section 7, Township 5 North, Range 29 East, Willamette Meridian, Umatilla County, Oregon. The property lies in western Umatilla County near McNary Dam on the Columbia River. The parties developing the Wanapa Energy Center plan to construct and operate the facility on this property.

The proposed project has several components. They include an electrical connection at or near the Bonneville Power Administration's McNary Substation; a natural gas-fired, combined cycle, combustion turbine electric generation plant; a natural gas supply pipeline; a water supply pipeline; and a new electric power transmission line. All proposed facilities would be located within Umatilla County, Oregon.

The proposed Wanapa Energy Center would be a combustion turbine, combined cycle electric power plant with a nominal generating capacity of 1,300 megawatts. It would consist of four essentially identical combustion turbine generators, four heat recovery steam generators (HRSG) and two steam turbines. Expanding gasses from combustion would turn rotors within the turbines that are connected to electric generators. The hot gases exhausted from the combustion turbines would be used to raise steam in the HRSGs. Steam from the HRSGs would be expanded through steam turbines that drive their own electric generators. The combustion turbines would be fueled by natural gas from either the existing Williams pipeline or an existing PGT pipeline. The facility would interconnect in either case through a new, approximately ten mile gas supply lateral.

Water to generate steam and cool the steam process at the plant would be supplied from the Port of Umatilla

Regional Water Supply. A recirculation cooling system employing mechanically induced draft, evaporative cooling towers would be used. Water would be added to the cooling system to compensate for evaporative losses and blowdown. Blowdown is water bled from the cooling system to limit the build-up of salts.

The proposed Wanapa Energy Center would deliver electric power to the regional power grid at BPA's McNary Substation, using a new high voltage transmission line crossing property owned by the Port of Umatilla.

#### Public Comment Solicitation

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Comments, including names and home addresses of respondents, will be available for public review at the BIA address shown in the **ADDRESSES** section, during regular business hours, 7:30 a.m. to 4 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

#### Authority

This notice is published in accordance with section 1503.1 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508), implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

ENVIRONMENT, FISH AND WILDLIFE

October 19, 2001

In reply refer to: KEC/4

Mr. Philip Sanchez  
Bureau of Indian Affairs  
Umatilla Agency  
P.O. Box 520  
Pendleton, OR 97801

Dear Mr. Sanchez:

The Bonneville Power Administration (BPA) is a federal agency, under the U.S. Department of Energy, that owns and operates the Federal Columbia River Transmission System (FCRTS). The Confederated Tribes of the Umatilla Indian Reservation have requested BPA to interconnect the proposed Wanapa Energy Center generation project with the FCRTS. BPA is obligated to comply with the procedural provisions of the National Environmental Policy Act (NEPA) prior to granting the interconnection.

We understand that the Bureau of Indian Affairs intends to prepare an environmental impact statement (EIS) for the Wanapa Energy Center. Because BPA also has jurisdiction by law, we ask that you recognize BPA as a cooperating agency in accordance with regulations implementing NEPA.

Mr. Thomas McKinney of my staff is assigned responsibility for participating in your EIS scoping process and ensuring that the EIS satisfies BPA's needs; his mailing address is on the letterhead, his phone number is 503-230-4749, and his e-mail is [tmckinney@bpa.gov](mailto:tmckinney@bpa.gov).

We look forward to working with the Bureau of Indian Affairs on this EIS.

Sincerely,

A handwritten signature in black ink, appearing to read "Alexandra B. Smith".

Alexandra B. Smith  
Vice President for Environment, Fish & Wildlife

cc:

Mr. Les Minthorn, CTUIR

McKinney, Thomas - KEC-4

---

**From:** JerryLauer@bia.gov  
**Sent:** Thursday, October 11, 2001 3:35 PM  
**To:** tomckinney@bpa.gov  
**Subject:** Wanapa Energy Center EIS

The following is a generalized schedule for the EIS

Publish Notice of Intent	October 15, 2001
Commence Scoping Process	October-November 2001
Public Scoping Meetings Oregon	October 29, 2001 TCI Pendleton, (Mission) October 30, 2001 Hermiston Community Center, Hermiston Oregon
Field Studies (Cultural Resources, Wetlands)	October 2001
Prepare & Review Preliminary Draft EIS	December 2001
Prepare & Review Draft EIS	February 2002
Approve & Distribute Draft EIS	April 2002
Issue Notice of Availability	April 2002
File With EPA and DOI	April 2002
Public Review & Comment Period	April-June 2002
Hold Public Meetings	July -August 2002
Respond To Comments	September 2002
Prepare & Review Preliminary Final EIS	October 2002
Prepare & Review Final EIS	November 2002
Approve Final EIS	December 2002
Distribute Final EIS	December 2002
Issue Notice of Availability	December 2002
File With EPA and DOI	December 2002
Prepare Record of Decision	January 2003
Make Decision	February 2003

*OASIS 26*

As you can see it is too late to have recognition that BPA is a cooperating agency in the NOI. In addition I will need a formal request from BPA for recognition as a cooperating agency.

Note that the public scoping meeting dates have changed from what I told you last week. This change is due to the delay in getting the NOI published.



✓  
T. McKinney and  
GENERAL COUNCIL  
and  
BOARD OF TRUSTEES

CONFEDERATED TRIBES  
of the

*Umatilla Indian Reservation*

73239 Confederated Way  
P.O. Box 638  
PENDLETON, OREGON 97801  
Area code 541 Phone 276-3165 FAX 276-3095

September 24, 2001

Via Fax & Mail: (503) 230-4563

Alexandra B. Smith, Group Vice President  
Bonneville Power Administration  
905 NE 11<sup>th</sup> Avenue  
Portland, OR 97232

RE: Wanapa Energy Center – Tribal Ceremony

Dear Ms. Smith:

On behalf of the Confederated Tribes of the Umatilla Indian Reservation Board of Trustees, I would like to invite you to a signing ceremony at the Tribes' Longhouse on October 4<sup>th</sup> at 8:00 a.m. This ceremony will be held according to Tribal traditions. Additionally, it will be an opportunity for us to express our appreciation for your efforts to assist us in building the Wanapa Energy Center. Attached is a brief description of the ceremony and a schedule.

We are certain that the Wanapa Project has significant value for your organization or community. The Project also has great significance for the Tribes. The Tribes' members and others will benefit directly from the economic impacts on their community, bolstering the economy, helping to reduce unemployment, and helping to fund badly needed services. We would like the opportunity to demonstrate our appreciation and show you the community this project will benefit.

If you have any questions or need additional information, please feel free to contact our Project Attorney's Secretary, Pat Minthorn, at (541) 966-2030.

I hope you will seriously consider coming and look forward to meeting you.

Sincerely,

Les Minthorn, Treasurer, Board of Trustees  
Wanapa Project Committee, Board Representative

# Wanapa Signing Ceremony

October 9, 2001

(tentative)

Umatilla Indian Reservation

8 a.m.	<b>Traditional Blessing Ceremony</b> for the Wanapa Project and partners ( <i>media may attend but no photographs or recordings allowed during service</i> )	Longhouse
	<b>Lease signing</b> by Williams Co. and CTUIR ( <i>including brief remarks by CTUIR and Williams reps. for community attendees and media, photo opportunity ok during this time</i> )	Longhouse
9:30 a.m.	Depart longhouse for brief community tour	
10 a.m.	Tour of Tamastlikt Cultural Institute exhibits	Tamastlikt
Noon to 1 p.m.	Lunch	Tamastlikt
Afternoon	Golf? Casino? Tour of Wanapa site?	

The blessing ceremony will be held at the Tribal Longhouse, which is our community's gathering place where various events are held, including funerals, weddings, memorials, namings, and other religious/spiritual ceremonies.

The service will be conducted by our spiritual leaders and will include traditional tribal songs and prayers. Our Tribal community will be invited to attend this important spiritual ceremony and some will join in the songs and prayers. Non-Indian spectators are not expected to join in the ceremony, but may simply observe and pay respect to the services that are being conducted. No special dress is required.

Recordings and photographs are not allowed during these type of ceremonies. For the benefit of visitors, the person leading the ceremony will usually provide interpretation of what is being said in the native language and will provide verbal guidance about what to do, i.e., when to stand, where to sit, etc.

# Wanapa energy partners commit

**MISSION** The Confederated Tribes on Oct. 4 honored their partners in the development of Wanapa Energy Center, the proposed 1000-megawatt natural gas-fired power-generating facility to be built on Tribal trust land just east of the city of Umatilla.

Construction is anticipated to begin in early 2003 with the center to be in operation in late 2004 or early 2005.

Wanapa, which means "down by the big river" in the native language of the CTUIR, will be located on about 20 acres of land owned by the Tribes near the city of Umatilla along the Columbia River. The land was acquired by the CTUIR in the early 1990s along with 2,800 acres now designated as a wildlife refuge called Wanaket.

The CTUIR is the owner of the land and will develop the project with four other partners — the Williams Companies, City of Hermiston, Eugene Water and Electric Board, and the Port of Umatilla.

Wanapa, which carries a price tag of about \$600 million, will be funded using non-recourse financing, meaning the Tribal lands or Tribal funds are at risk. The CTUIR is assuming no risk in this project, since the Williams Companies will fund the project and develop

it, with involvement from the Wanapa partners.

The plant would help meet the region's growing demand for power by using efficient, environmentally sound technology. It will make lower-cost electricity available to the Tribe to use to attract other economic development to Tribal lands. The new energy supply will assist in providing alternative sources of electricity so that negative impacts of the hydroelectric system on the Columbia and Snake rivers can be reduced. Other key benefits include job creation (200-400 jobs during peak construction and 30 full-time permanent jobs when the plant comes on line) and economic development for the partners involved and the local communities.

The brief ceremony at the Longhouse Oct. 4 included a traditional blessing and the signing of a Memorandum of Agreement between CTUIR and the Williams Companies.

In addition to representatives from all the parties, elected officials from state government, Bonneville Power Administration, plus Oregon and Congressional representatives, were invited.

The traditional blessing ceremony took place at 8 a.m., followed by the MOA

*See Wanapa, Page 13*



Lloyd Barkley gestures as he explained flintknapping to visitors at Tamastlikt Cultural Institute during Archaeology Month in Oregon.

## TCI celebrates Archeology Month



Conner O'Daniel, 6, fires an atlatl at a hay bale.



Pete and Blaine Maley, 8 and 12 year old brothers from Condon, and Joseph Newcomer from Nampa, Idaho, took part in the atlatl demonstrations Sept. 22 at Tamastlikt Cultural Institute.

CUJ photos by Marcus Luke

# NRC to consider East Bench project

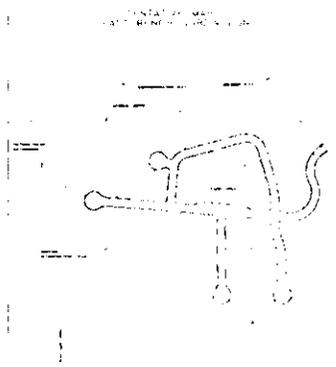
## Seventh-day Adventists propose expansion at Mission church, school

**MISSION** The Natural Resources Commission will consider approval of the East Bench housing subdivision and a request to expand the Seventh-day Adventist Church and School when it meets Oct. 9 at 10 a.m. in the

**NRC rejects another housing request in big game zone, Page 14**

tribal meeting room. The meeting will take place in the Tribal Services Building, South Conference Room on the Umatilla Indian Reservation.

The proposed East Bench site includes and more than 300 lots to be subdivided in two phases into a total of 68 parcels with a minimum lot size of a quarter-acre. The first phase will include 13 lots, the second phase 25 lots.



This map shows the tentative location of lots in the East Bench project.

Other features of the proposed subdivision include:

- standard road width with side walks and streetlights,
- hookups to Mission water and

sewer at the curb.

● 99-year leases available to Tribal members.

● Cost of the lot is a development charge, which can be partially included in the home loan.

● Ready access to employment via Tamastlikt walking trail or Mission Highway.

● 1.38-acre central open space for eventual park development.

● Homeowners will be responsible for maintaining home and lot.

● Homeowners will be responsible for home construction and mortgage payments through a bank.

The Tribes' Department of Economic and Community Development has been holding public meetings and researching potential issues about the project.

"Our goal throughout has been to design the best homesites possible while still keeping them affordable," said Lisa Breckenridge, economic planner with

DFCD.

The project has been going through

review, Breckenridge said. As a result, the streets will be wider and the lots larger than those at the Mission Creek subdivision.

Project leaders have also addressed other issues, including noxious weeds, stormwater drainage and flooding, water quality, cultural resources, trails, flows and wildlife projects.

Breckenridge encouraged interested Tribal members to sign up for one of the financial literacy classes being offered by Barbara Chapman at the Umatilla Reservation Housing Authority. Individuals can sign up for the classes or get more information by calling 960-2966.

"Tribal members who want to own a new home and have their own and some money saved for a downpayment," Breckenridge said.

*See East Bench, page 14*

## Public Notice

grant Road. The proposed subdivision would divide the property into sixty-nine (69) parcels. Each parcel would not be less than 10,000 sq. ft. and eligible for a dwelling unit. The Preliminary Plat for the subdivision proposes to create the road right-of-ways, utility and drainage easements, building lots, and a park area. The subdivision project will have availability of the Mission Community Water and Sewer Service. The purpose of the subdivision is for long-term lease for tribal members.

The hearing will begin at 9:00 a.m., on Tuesday, October 9, 2001, in the Tribal Services Building South Conference Room on the Umatilla Indian Reservation.

The public is entitled and encouraged to attend the hearing and to submit oral or written testimony on the request. To obtain further information and a staff report on the request, contact the Tribal Planning Office, PO Box 638, Pendleton, Oregon 97801; telephone 541/276-3099.

Mona Yeager, Secretary  
Natural Resource Commission  
September 7, 2001.

## Notice Of Intent To Prepare An Environmental Impact Statement

### Wanapa Energy Center Department of The Interior Bureau of Indian Affairs

The Bureau of Indian Affairs (BIA), with the cooperation of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), intends to gather the necessary information for preparing an Environmental Impact Statement (EIS), for the proposed lease of up to 195 acres of land held in trust by the United States for the benefit of the CTUIR in Umatilla County, Oregon to the Wanapa Energy Center. Williams Energy Marketing and Trading Company, CTUIR, Eugene Water and Electric Board, the City of Hermiston, and the Port of Umatilla intend to jointly develop and operate the Wanapa Energy Center, an approximately 1,300 megawatt natural gas fired combined cycle combustion turbine electric generation plant.

BIA invites federal, state, and local agencies, and individuals and organizations that may be interested in or affected by the proposed action to offer information, comments, and assistance on the scope of the EIS. This process will include (1) identifying potential issues, (2) identifying issues to be analyzed in depth and (3) eliminating issues that are not significant. Written comments should be received by November 15, 2001.

Comments may also be made at EIS open house scoping meetings.

Where: Hermiston Community Center, 415 S Highway 395, Hermiston, Oregon  
When: Oct. 24, 2001, 5 to 8 P.M.

Where: Tamastlikt Cultural Institute, 72789 Highway 331, Pendleton, Oregon  
When: Oct. 25, 2001, 5 to 8 P.M.

Displays and fact sheets with detailed information about the proposed project will be featured at the Open House. BIA and Wanapa Energy Center staff will be available to answer your questions. You will have the opportunity to make verbal or written comments about issues to be addressed in the EIS.

If you are unable to attend one of the Open Houses, you can submit written comments to Philip Sanchez, Superintendent, Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, Oregon, 97801, telephone (541) 278-3786, or e-mail [Philip.Sanchez@bia.gov](mailto:Philip.Sanchez@bia.gov)

Additional information can be obtained from Jerry L. Lauer, Natural Resource Officer, Bureau of Indian Affairs, Umatilla Agency, P.O. Box 520, Pendleton, Oregon 97801, telephone (541) 278-3790 or e-mail [Jerry.Lauer@bia.gov](mailto:Jerry.Lauer@bia.gov)

## Calendar

Now through Nov. 4 - "Keeping the Spirit Alive" at Oregon History Center, 1200 Southwest Park, Portland. American Indian area from the Pamplin Collection, scanning a period of nearly 200 years. [www.ohs.org](http://www.ohs.org)

Oct. 5-7 - Tri-Cities Women's Expo, TRAC expo at Pasco, 543-2999.

Oct. 5, 6 - Chief Joseph Pow wow, Fort Belknap, Montana, fun run/walk, grand entries Oct. 5 at 7 p.m., Oct. 6, 1 and 7 p.m. info call Audrey 406-353-4393.

Oct. 6 - Washington East Opera/Seattle Opera Young Artists, Art Fuller Auditorium, Kennewick 582-9440 ext. 113.

Oct. 7 - Live Demonstrations by Masters of Ceremony at Tamastlikt Cultural Institute, call 977-9748. Gallery exhibit at Tamastlikt Cultural Institute, Masters of Ceremony: Traditional Artists and Life Passages. Elaborate ceremonies and rituals mark life's passages: birth, coming-of-age, marriage and death. Through photographs, artifacts and the words of traditional artists, Masters of Ceremony invites visitors to contemplate the important traditions in their own lives. Artists represent various cultural groups of Oregon, including Wasco, Cayuse, Wallulapum-Palouse Cultures, lu-mien, Palestinian, Mexican, and Hmong cultures. Sponsored through the Oregon Historical Society, for info. call 966-9748.

Oct. 6, 7 - Maryhill Museum presents, 3<sup>rd</sup> Annual, Concourse de Maryhill and Loops Road Hill Climb, come see an array of classic, sports and customized cars, and Sun. will be vintage sports cars from 1930's-1960's, for more info. call Lee Musgrave at 509-377-7377 or e-mail [leemaryhill@yahoo.com](mailto:leemaryhill@yahoo.com)

Oct. 6-8 - White Swan Indian Summer Celebration at White Swan Pavilion for info. call Russell Billy 509-865-5121 ext. 4348.

Oct. 8 - NFL Hall of Famer Bob Lilly will appear at Wildhorse Casino & Resort, 7-9 p.m. He will sign autographs and talk with fans.

Oct. 8-11 - Native Designs Fashion Revue, Interested youth ages 12-24 who sew or

design Native clothing or other sewn articles, or who would like to model such garments - are invited to participate in the NDFR, Wed. October 10, deadline is Sept. 24, for info 509-634-2306 or 634-2304 or email

Oct. 11-14 - Sesame Street Live, Memorial Coliseum 509-735-0500.

Oct. 13 - Open house at Umatilla Tribal Fire Department, 10 a.m. to 4 p.m. See the new ladder truck demonstrated. Tours, refreshments, hot dogs.

Oct. 13-14 - Third annual Indian Summer Cruise In and Swap Meet, Wildhorse Casino & Resort. For more info, email [mpr@uci.net](mailto:mpr@uci.net).

Oct. 13,14 - Tri-Cities Antique Show, Benton Franklin Fair Grounds 375-2599.

Oct. 14 - Lewis and Clark Bicentennial Heritage Days, Irrigon Marina Park, 2 p.m. info 541-481-9457 or 922-3197, [www.goridmorrow.com](http://www.goridmorrow.com)

Oct. 19-21 - Balloon Bash, hosted by Wildhorse Casino & Resort. Balloons will launch Friday and Saturday mornings, 6 a.m., from the Pendleton Round-Up grounds and from Wildhorse Resort on Sunday at 6 a.m.

Oct. 25 - Koani, the Ambassador wolf, visits Umatilla Reservation, Mission Community Center, 4-6 p.m. Open to the public.

Oct. 26 - "A Nightmare on Main Street" We dare you to visit, live actors from PHS Drama Club, haunted house downtown Pendleton, corner of main street and Emigrant, basement of old Temple Hotel, open nightly 6:30 p.m., \$5 at door, advanced group discounts 276-5651, 20% sales go to PHS Drama Club.

Oct. 26-28 - Mid Columbia River Pow wow at Celilo Indian Village for info. call Ray Waters 509-865-5121 or 874-2682 or 541-296-8031.

Oct. 29-31 to Nov. 1 - Native American Fish and Wildlife Society, 19<sup>th</sup> Annual Pacific Regional Conference, at Tamastlikt Cultural Institute, talk about McCoy Meadows Habitat Presentation-Abstract, this year's theme "We are as we always have been Stewards of the Land," activities: golf tournament, BBQ, horse-shoe tourney, elders panel, presentations, info call 509-865-6262 ext. 6661 or 6637 or David Wolf 541-966-2382.

## Wanapa

*Continued from Page 3*

signing and then brief tours of the CTUIR community. Tours of Tamastlikt Cultural Institute, lunch and golf were also on the agenda for the dignitaries.

Les Minthorn, the CTUIR Board of Trustees Treasurer and representative on the Wanapa Energy Center Project Committee, has been the driving force behind development of the facility to be built on Tribal trust land just east of the city of Umatilla.

Over the last two months, Minthorn has:

- met with Gov. John Kitzhaber and his attorney, Chip Lazenby, to discuss cooperative efforts between the Tribes and Oregon's Department of Energy;

- attended a hearing held by Sen. Gordon Smith on energy development and met with the Senator's aid, along with the Tribes' lobbyist, to discuss Wanapa issues;

- attended a meeting with Rep. Earl Blumenauer and other Oregon tribes to discuss energy issues, including Wanapa;

- met with Sen. Ron Wyden at a fundraiser and spoke briefly about the CTUIR project;

- traveled to Washington, D.C., to meet with aides of Senators Smith and Wyden to discuss the Tribes' need to gain access to BPA transmission lines for Wanapa and the Tribes' support of expanding the BPA's borrowing authority to enable BPA to build new transmission lines in the region;

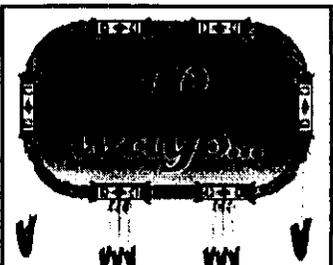
- attended a roundtable in Washington, D.C., sponsored by the Council for Energy Resource Tribes to discuss tribal energy legislation known as the Tribal Energy Self-Sufficiency Act;

- attended the National Congress of American Indians conference in Connecticut to discuss mutual support in lobbying for a Tribal energy bill;

- while attending an Affiliated Tribes of Northwest Indians meeting with BPA in Couer d'Alene, arranged a meeting with Steve Wright, BPA Administrator, to discuss transmission access for Wanapa;

- met with Wright, along with BOT Chair Antone Minthorn and staff, at the BPA's offices in Portland to discuss the Tribes' need for transmission access and related issues between the BPA and the Tribes;

- met with the CTUIR General Council to provide an update on the progress of the plant.



## 10 Ways to Praise a Kid... in Umatilla and English

Imnan kuta!  
You can do it!

Niixnam wa qinupa!  
You look great!

Inmas atawisa imanay!  
I love you!

Niix Kutkut!  
Good job!

Wasnam niix!  
You're wonderful!

Imnan wa niix wapaatala!  
You're such a help!

Wasnam ayayani!  
You're so much fun!

Niixnam wa ki?iisni!  
Great smile!

Wasnam isla!  
You're a winner!

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Ambassador  
will coming  
to Pendleton,  
Page 13

# CUJJ

# Confederated Umatilla Journal

The monthly newspaper of the Confederated Tribes  
of the Umatilla Indian Reservation ~ Pendleton, Oregon

Volume VII, Issue 10

October 2000

## Ancient One

### Case moves to court

BY THE CUJJ

**MISSION** - In spite of a decision by the federal government that the Ancient One belongs to Northwest Indian tribes, the remains of the 9,300-year-old skeleton won't be coming home soon.

Five Northwest tribes, including the Confederated Tribes of the Umatilla Indian Reservation, won a major skirmish Sept. 25 when the Interior Department decided that the remains of the individual known in mainstream media as "Kennewick Man" are culturally affiliated with the five tribes and that he should be given to the tribes for reburial. Also, Interior said scientists have no right to further study the bones.

But those scientists have appealed the decision and filed a suit in federal court in Portland that likely will challenge the very law that the Interior Department's decision was based upon.

"It is a very big victory as far as following the intent of the law," said Armand Minthorn, a leader on the Umatilla Indian Reservation. "The decision by Interior is truly an acknowledgement of our traditional way of life."

Minthorn said the tribes have been frustrated by the long delay - it's been four years since the skeleton was found in the shallows of the Columbia River, but he understands, too, that this case is far from over.

"The scientists have already stated they will appeal the decision," Minthorn said, "and one of the plaintiff scientists has stated that they now  
**See Ancient One, Page 31**



Tush Selam was among Indians of the Northwest who participated in the 90th Pendleton Round-Up and Happy Canyon in September. For more photos and story, turn to page 21.

CUJJ Photo/Photography

## Power plant options sought

### Developers expected to attend pre-proposal conference and tour Oct. 13 in Hermiston

BY THE CUJJ

**HERMISTON** - Potential developers of a natural gas-fired power plant, to be built on Tribal land near the city of Umatilla, are expected to attend a pre-proposal conference at the Hermiston City Council Chambers Oct. 13.

The Confederated Tribes of the Umatilla Indian Reservation, in an agreement with the City of Hermiston and the Eugene Water and Electric Board, have requested proposals for the development, financing, construction, operation, and maintenance of a 500-1,000-megawatt electric generating facility on land held in trust for the Tribes.

The "request for proposals," which is being administered by the Confederated Tribes, was sent out Sept. 28. Following the conference and a tour of the site, proposals will be accepted until Oct. 27.

Proposals will be evaluated by staff  
**See Power plant, Page 11**

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# Power plant

*Continued from Page 1*

from the Tribes, Hermlston and EWEB, along with a consultant from R.W. Beck, prior to interviews on or before Nov. 17. It is hoped that a developer will be selected by Nov. 20.

After a developer has been selected, negotiations will begin.

"During that process the Tribes will really find out if this project will go forward or not," said J.D. Williams, a tribal attorney involved with the project planning. "In January, a development agreement would signal the Tribes' commitment."

Although the cost of the project is estimated at \$300 million, the Confederated Tribes do not intend to invest cash in the project.

Rather, the Tribes will lease land to the developer and the money from the lease will be put toward the project, Williams said.

Zimmerman said any debt issued will be non-recourse financing, which is secured solely from the sale of power from the project, so no Tribal assets will be placed at risk.

The Tribes see a number of benefits from developing the project. It will allow the Tribes to diversify its economic base as well as supplying new funds from sales of power from the project.

The plant should make the rest of the Tribes' 195-acre parcel adjacent to Two Rivers Correctional Facility more developable with the potential for reliable, low-cost power and commercial

steam as a by-product.

Initial indications are that the Tribes could see returns starting in the hundreds of thousands of dollars each year and increasing into the millions of dollars as the project debt is retired.

The request for proposals also includes several "key requirements" of the parties involved, including:

- ★ Joint participation in developing environmental mitigation and conservation measures;

- ★ Commitment to renewable energy projects;

- ★ Commitment to environmental and conservation principles and measures;

- ★ Development of internship program for the city, the Tribes and the Community;

- ★ Reservation of steam for future industrial development;

- ★ Compliance with the Tribal Employment Rights Ordinance and the Tribal Taxation Code, and;

- ★ An annual contribution of \$25,000 to a community development fund.

The Confederated Tribes' Board of Trustees Treasurer Les Minthorn, the Tribes' Tax Administrator Bruce Zimmerman and Economic Planner Stephanie Seamans from the Department of Economic and Community Development, were scheduled to travel to Klamath Falls Oct. 5 and 6 to see a 500-megawatt gas-fired plant recently built by Pacific Power and the city of Klamath Falls.

## Calendar of Events

*Continued from Page 10*

Oct. 25 - Ambassador Wolf to visit Vert Auditorium, 7:30-9 p.m., Pendleton.

Oct. 28 - Millennium Project Finale, Crow's Shadow Institute - unveiling of the mural and woven wall hanging created by Master Weaver Pat Courtney Gold and participants in the "America Creates for the Millennium" project. This extensive project is funded by the Mid Atlantic Arts Foundation and will bring Pat to Crow's Shadow for a three-month residency. For more information call 541-276-3954 or fax 541-276-3397.

Oct. 29 - Daylight savings time set clock backwards.

Nov. 7 - Election Day

Nov. 8 - 2<sup>nd</sup> Annual Veterans' Day Activities, starts at 11 a.m. at the Umatilla Chemical Depot, Hermiston, Or., for info 541-564-5360, 541-567-6120 or 567-5269.

Nov. 10-12 - Veterans Day Pow-Wow, White Swan, Wa. 509-865-2000

Nov. 11 - Veterans Day

Nov. 14, Dec. 16 - A Homestead Christmas, Museum's Christmas trees Tues. through Sat., 10 a.m.-4 p.m.

Nov. 16 - Economics of No-Till Wheat Production Seminar, Dr. Doug Young, WSU economist, will present a seminar on the economics of no till production. For information call 509-527-3260.

Nov. 18 - Christmas Art factory, Heppner

Dec. 13 - St. Lucia Day, Observance of this Scandinavian tradition will include a short program 10 a.m. at the Museum, Pendleton.

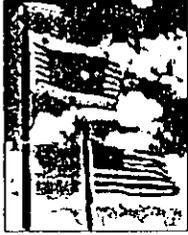
# CUJ

## Confederated Umatilla Journal

### 2000-2001 Publication Schedule

Publish Date	News Deadline	Ad Deadline
Nov. 2	Oct. 12	Oct. 18
Dec. 7	Nov. 23	Nov. 22
Jan. 4	Dec. 26	Dec. 20
Feb. 1	Jan. 23	Jan. 17
March 1	Feb. 20	Feb. 14
April 5	March 27	March 21
May 3	April 24	April 18
June 7	May 28	May 23
July 6	June 26	June 20
Aug. 2	July 27	July 18
Sept. 6	Aug. 28	Aug. 22
Oct. 4	Sept. 22	Sept. 19
Nov. 10	Oct. 23	Oct. 17
Dec. 6	Nov. 27	Nov. 21

To subscribe, send \$12 to CUJ, P.O. Box 638, Pendleton, OR 97801 or call 541-276-7602.



Prototype CTUIR flag unveiled - Page 12

# CUJ

## Confederated Umatilla Journal

The award-winning monthly newspaper of the Confederated Tribes of the Umatilla Indian Reservation ~ Pendleton, Oregon

Volume VII, Issue 7

July 2000



### Wildhorse Pow-Wow draws hundreds

*Yakama dancer Gary Smith, left, competes during the second day of the three-day Wildhorse Pow-Wow July 1. He finished third in men's fancy dancing. At right, the beautiful women, some with children in tow, added style and dignity to the pow-wow. For more photos, turn to Page 22. For results, turn to Page 35.*

CUJ Photos/Photovoy



# Tribes to build power plant

UMATILLA - The Confederated Tribes of the Umatilla Indian Reservation intend to build a 500-megawatt natural gas-fired power plant on Tribal land east of Two Rivers Correctional Facility.

The Tribes plan to develop and issue a request for proposals seeking a private developer to assist them in building the plant. The RFP will be developed with the assistance of the Eugene Water & Electric Board and the City of Hermiston, based on an agreement approved in June by the Tribes' Board of Trustees and EWEB. The Hermiston City Council is expected to consider the agreement at an upcoming meeting.

"It's awesome," said CTUIR Executive Director Dave Tovey. "This should be an eye opener. This is a higher level of industrial development than what the

**'This should be an eye opener. This is a higher level of industrial development than what the Tribes' have ever sought before.'**

*Dave Tovey, CTUIR Executive Director*

Tribes' have ever sought before."

The plant, to be built on 195 acres of Tribal land placed in trust in December of 1999, is expected to cost in the neighborhood of \$300 million. Because it is on trust land, the project will not have to proceed through the state's energy siting process. However, it

will be subject to the Tribes' regulatory process, Tovey said.

The Tribes sought the assistance of EWEB and the City of Hermiston for a variety of reasons, according to J.D. Williams, Tribal attorney, and Bruce Zimmerman, the Tribes' tax administrator.

EWEB is Oregon's largest publicly owned electric utility and has a proven track record in the development of electric generation facilities and an unsurpassed commitment to environmental protection, Williams said. This environmental commitment is evidenced by EWEB's recent completion of a wind generation project and development of a "green" energy program for its customers.

*See Power Plant, Page 8*

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- ... on support
- ... coming!
- ... woods
- ... Crow's
- ... Quampets
- ... title

# Tamkaliks Celebration

## July 21-23 in Wallowa

Tenth annual gathering -  
Formerly Wallowa Band Descendants  
Friendship Feast & PowWow.  
Off Whiskey Creek Road - Wallowa  
Homeland Project Site.

### Friday, July 21

10 a.m. - Homecoming Parade  
11 a.m. - Open for memorials,  
namings, contest registration  
open  
7:30 p.m. - Grand Entry  
8 p.m. - Social Dances & Warm  
Ups for all contest categories

### Saturday, July 22

9 a.m. - Open for memorials  
1 p.m. - Grand Entry  
7:30 p.m. - Grand Entry

### Sunday, July 23

Sunrise - Open for religious services  
11 a.m. - Friendship Feast - Potluck (Bring side dish; meat  
and fish provided)  
1:30 p.m. - Grand Entry

### Contest Categories

Tiny Tots - gifts for participating  
Traditional Girls & Boys 7-11  
Traditional Girls & Boys 12-17  
Traditional Women & Men 18-49  
Traditional Women & Men 50+  
Francy Shawl - All ages together  
Fast & Fancy - All ages together  
Jingle Dress - All ages together  
Grass Dance - All ages together

No Alcohol or drugs. All drums welcome and paid.  
Tipl poles available. RV & Tent Camping.

Not responsible for personal injury; lost, stolen or damaged property.



**Concessions  
Welcome.**  
Contact Wallowa  
Homeland Project  
Office.  
541-886-3101.  
Set up fee &  
event donation.

## Arrowhead deal dead

MISSION - Negotiations that began seven months ago between the Confederated Tribes and owners of Arrowhead Truck Plaza have stalled.

"At this point we have amicably parted ways," said Bruce Zimmerman, the Tribes' tax administrator. "We looked at several options, such as a joint venture or a partnership to operate, run and develop a truck plaza. We also explored the possibility of the Tribes buy-

ing the existing facility. However, in the final review, Crescent Oil, the current owner of Arrowhead, and the Tribes were unable to work out the details satisfactory to both parties."

Zimmerman said it was a matter of funding priorities for the Board of Trustees, which determined that, given all the competing needs for resources, the project could not justify the necessary investment.

## Power plant

*Continued from Page 1*

EWEB agreed to join with the Tribes to set a new standard for environmental mitigation for these types of projects. Carl Scheeler, the Tribes' Wildlife Program manager, said the partnership with EWEB will "enable the Tribes to conduct significant conservation and habitat restoration activities far in excess of the immediate impacts of facility construction."

The emphasis, Scheeler said, will be on conservation of critical fish and wildlife habitats in a manner that will assure long-term or perpetual protection and create a basis for future restoration activities.

The Tribes sought out the City of Hermiston to foster its growing relationship with local governments and for assistance with water supply issues for the proposed plant, Zimmerman said. Similarly, the City is interested in improving its relationship with the Tribes and in developing a stable electricity supply to support future economic development in the Hermiston area.

In addition, the Tribes expect to work with the City of Umatilla and the Port of Umatilla in developing the necessary infrastructure (water, sewer, roads, etc.) that will further encourage economic development of the Tribes' land and the surrounding Port lands.

Although the details of the project are still being developed, the plan is for the Tribes to invest little if any cash in the project.

"At the most passive level, the Tribes could be just landlords and let EWEB, the City and a private developer build and operate the facility. Or we could have a more active role, providing an investment up front with project oversight, which includes development, construction and operation of the facility," Tovey said.

Zimmerman said there are advantages that come with developing projects in Indian Country, including employee tax credits and accelerated depreciation. Any debt issued will be non-recourse financing, which is secured solely from the sale of power from the project, so no Tribal assets will be

Initial indications are that the Tribes could see returns starting in the hundreds of thousands of dollars each year and increasing into the millions as the project debt is retired. In addition, the parties have already agreed to implement the Indian hiring preference for the construction contracts and will make every effort to implement them for long-term operation of the facility.

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The power plant, Tovey said, should make the rest of the Tribes' property more developable with the potential for reliable, low-cost power and commercial steam as a by-product.

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Tribal staff recently met with the Board of Trustees, which indicated a very strong interest in diversifying the Tribes' economy in such a strong fashion. Tribal staff will be making a presentation to the Tribes' Economic Development Commission in late July and Tribal leaders and staff are in the process of scheduling a tour of the Fort Mojave Tribe's recently built power plant.